



Merri-bek
City Council

PROPOSED
Minutes of the Council Meeting

Held in Bunjil (Council Chamber), Merri-bek Civic Centre,
90 Bell Street, Coburg
on Wednesday 10 December 2025

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The Mayor opened the meeting at 6.30 pm and stated the Council meeting is being held on the traditional country of the Wurundjeri Woi Wurrung people and acknowledged them as Traditional Owners. The Mayor paid respects to their Elders, past, present and emerging, and the Elders from other communities who may be here today.

Present	Time In	Time Out
Cr Nat Abboud, Mayor	6.30 pm	9.21 pm
Cr Dr Jay Iwasaki, Deputy Mayor	6.30 pm	9.21 pm
Cr Sue Bolton	6.30 pm	9.21 pm
Cr Helen Davidson	6.30 pm	9.21 pm
Cr Liz Irvin	6.30 pm	9.21 pm
Cr Chris Miles	6.30 pm	9.21 pm
Cr Helen Politis	6.30 pm	9.21 pm
Cr Adam Pulford	6.30 pm	9.21 pm
Cr Ella Svensson	6.30 pm	9.21 pm
Cr Katerine Theodosios	6.30 pm	9.21 pm
Cr Oscar Yildiz JP	6.30 pm	9.21 pm

OFFICERS

Acting Chief Executive Officer – Eamonn Fennessy
 Director Business Transformation – Sue Vujcevic
 Director City Infrastructure – Anita Curnow
 Director Place and Environment – Pene Winslade
 Acting Director Community – Stefan Grun
 Manager Governance and Strategy – Yvonne Callanan
 Acting Unit Manager Governance and Risk – Glen Moore
 Governance and Council Business Officer – Tracey Classon

APOLOGIES/LEAVE OF ABSENCE

Cr Chris Miles requested a leave of absence from 18 December 2025 to 1 February 2026.

Resolution

Cr Theodosios moved, Cr Yildiz seconded -

That Council grants Cr Miles a leave of absence from 18 December 2025 to 1 February 2026 inclusive.

Carried

DISCLOSURES OF CONFLICTS OF INTEREST

Nil.

MINUTE CONFIRMATION

Resolution

Cr Theodosis moved, Cr Iwasaki seconded -

The minutes of the Council Meetings held on 12 November 2025 and 19 November 2025 be confirmed.

Carried

ACKNOWLEDGEMENTS AND OTHER MATTERS

Cr Politis acknowledged the Presentation of Our Lord parish, who conducted a fundraising event in support of Our Daily Bread program, and acknowledged Sophie, who was present in the gallery. The event raised over \$30,000 within two hours to support initiatives addressing food insecurity within the municipality.

Cr Theodosis acknowledged her attendance at Pascoe Vale Rotary Club's unveiling of a Peace Pole in Pascoe Vale South primary. Students spoke about what peace in our community means to them, its importance in our community, and how they can keep working towards it, particularly in unsettling times. Cr Theodosis also acknowledged Deb and Bruno from Pascoe Vale Rotary Club, who contribute so much to the community.

Cr Theodosis acknowledged her attendance at the Sussex Neighbourhood House Christmas party and commended the incredible work they do, their volunteers and members to help out so many people in the community. They provided Cr Theodosis with postcards to pass along to the state member for Pascoe Vale, which is calling for the state government to increase their funding for Neighbourhood houses.

Cr Irvin acknowledged her attendance at the Brunswick Community History Group's book launch of *It Happened in Brunswick*, which is a comprehensive history of the last 150+ years of Brunswick.

Cr Irvin acknowledged her attendance, along with the Mayor at Carols by the Lake.

Cr Irvin acknowledged her attendance at a Ward meeting for Brunswick Councillors, and thanked everyone who attended.

Cr Bolton acknowledged the formation of a Coburg Community Action group, which was in response to the state government's proposal around activity centres and overdevelopment issues. A community meeting was held on Sunday, it was well attended and is a group which will have ongoing activity.

Cr Bolton acknowledged attending a gathering at the intersection of Bonwick Street and Dukes Road in Fawkner. The location includes a pedestrian crossing in need of redesign to improve pedestrian safety. A petition has begun around that particular issue.

Cr Bolton acknowledged her attendance at Pascoe Vale Rotary Club's unveiling of a Peace Pole at Fawkner Primary School.

Cr Bolton acknowledged her attendance at an action in Coburg Mall, regarding the upcoming closure of the Upfield train line to allow for level crossing removals in Brunswick and noting concerns that this will leave no accessible public transport along Sydney Road during this period. The campaign is advocating for accessible tram stops to be installed before the line closure, ensuring that people using wheelchairs, parents with prams, or those with mobility challenges can still travel safely.

Cr Iwasaki acknowledged his attendance at an Ecological Society of Australia event. The event brought together researchers, Councils, and practitioners focused on urban nature, biodiversity, climate resilience, and community wellbeing. The findings confirmed that Merri-bek is well-positioned to adopt low-cost, high-impact, science-backed nature-based solutions aligned with the Nature Plan, delivering substantial social, environmental, and economic benefits. Attendance provided opportunities for partnerships, external funding, and regional collaboration.

Mayor, Cr Abboud acknowledged the opening of the Coburg Night market this Thursday night.

Mayor, Cr Abboud acknowledged the passing of Ted Egan who was a beloved local and folk music legend, who lived in Coburg until he was 16.

PETITIONS

Nil.

PUBLIC QUESTION TIME

A summary of questions and the responses provided, and items for which community statements were made is provided below. Questions submitted in writing and not asked are taken On Notice.

Public Question Time commenced at 6.47 pm.

Report 7.1 Places for People Pan – Draft for Engagement

Andrea Bunting of Walk on Merri-bek asked Council asked the following two questions:

1. Could Council please update us on plans to declutter Lygon Street?

At the request of the Mayor, Pene Winslade, Director Place and Environment responded:

The draft Places for People plan identifies opportunities for improvements to civic and public spaces along Lygon Street. Many of the items discussed at the community's *Make Lygon Street Sparkle* event which relate to civic space upgrades have been considered in the plan.

While an infrastructure and street furniture audit was not adopted in the budget for this financial year, many minor upgrades including minor upgrades to seating can be addressed through regular council requests and maintenance budgets. Other efforts to reduce unnecessary clutter and infrastructure on Lygon Street will be undertaken during the delivery of specific projects in the final Places for People Plan that Council adopts.

2. Could Council please update us on the results on the seating audit on Sydney Road, in particular what seating opportunities have been identified and plans to address these?

At the request of the Mayor, Pene Winslade, Director Place and Environment responded:

The Sydney Road furniture audit was a holistic view of all types of street 'furniture' along Sydney Road such as street poles, lighting, service infrastructure, bike hoops, seating, and more. The audit looked at opportunities to declutter the street and to fix broken infrastructure, which the organisation has been working on. However I understand that the audit didn't look specifically at providing new seating or new provision – it was focused on fixing or decluttering current furniture. So I apologise if your expectations were raised that it might lead to new seating.

However, new seating opportunities can be considered as part of Streets for People projects that intersect with Sydney Road. Seating related to bus stops across Merri-bek will also be considered by Council at a Council meeting in early 2026.

Finally, as part of the Places for People Plan engagement, we would like the community's ideas on where opportunities exist to make more space for people to sit or spend time.

Specific opportunities for intercept spaces that could include seating have been suggested on Sydney Road, but if you have ideas about spaces for comfortable seating areas along Sydney Road we would love to hear about them as part of Places for People Plan consultation process.

Notice of Motion 8.1 – Retain The Former Coburg North Tafe Site For Skills, Innovation and Job Creation

Theadora Lamaro of the TAFE Site Stakeholders Group, asked Council the following two questions:

1. Will Council commit to continuing consultation with our group, and advocating on our behalf to the State Government regarding our concerns, which include:
 - Protecting our amenity including protection from noise, light, air and soil pollution
 - Protecting the current significant trees on the site
 - Increasing permeability of the site
 - Concerns around traffic and increased use of heavy vehicles in our streets
 - Concerns around a lack of engagement or consultation with local community members and,
 - A lack of information regarding why the two sites have been separated, and what is earmarked for the second site, which would have a significant impact on the liveability of our area depending on what happens to the two sites together

At the request of the Mayor, Pene Winslade, Director Place and Environment responded:

The short answer is yes, Council officers are happy to continue to engage with your group and we can continue to communicate your concerns with the relevant State Government agencies.

As this is a state government consultation, we also continue to encourage you to raise your feedback directly with the state government, as well.

Many of the issues you raise—amenity, noise, traffic, significant trees, permeability, and managing interfaces—are important planning matters, and they are typically addressed at the detailed design and development stage rather than at the initial broad consultation on potential future types of uses on the site.

In our discussions with Development Victoria, we can continue to emphasise the need for future concept planning to:

- Consider existing residential uses and provide appropriate interface treatments (this goes to the issues you raise like noise and light)
- Protect significant trees and improving landscaping and canopy
- Ensuring sustainable designs (which includes things like enhancing permeability)
- Addressing traffic and heavy vehicle movement
- Undertaking meaningful community engagement as planning progresses

We will also seek clarity on the relationship between the two sites, and we'll ask the State government to keep the community informed about this.

2. Given that we have only started to consult with Council so recently, and that we don't have all the information at hand, for example what is planned for the second site not included in the consultation, will Councillor Politis consider withdrawing her motion in relation to the Kangan/Batman TAFE site tonight so that we can continue to engage around our concerns?

At the invitation of the Mayor, Cr Politis responded:

I have given due consideration to all those issues, and I actually share your concerns. My motion calls for funding from the federal government in respect to this site.

I feel it is really important that we engage with all levels of government to ensure that this site becomes usable for all citizens and future proofs the city. At this stage, given that is the purpose of this motion, there were two aims of this motion: one is to note the report that's already been tabled by Council to state government; the other is to ask for federal funding. I would like to proceed with that motion on the basis that it is significant that we start to advocate for funding for that site, whilst at the same time continuing to engage and consult with the local community.

Maggie Cowling made the following statement:

I want to reiterate what Thea has just said about what the local community wants and our concerns. Also our gratitude for Council's involvement and advocacy on our behalf to both state government and also for federal funding.

At the invitation of the Mayor, Cr Bolton responded:

With regard to this site and people living on the industrial estate, but also having some amenity and acknowledging the fact that a number of different Cottage kind of industries like furniture making, glass blowing, etc. in this general area. I know that residents are wanting to have a little bit more protection of their amenity in terms of mixed use zone. We do want to step up the contact between the residents and Councillors, as well as Council staff to make sure that Councillors and Council staff fully understand the situation that people are living with in this particular area. Also the potential harms, if Council doesn't really consider increased protections for residents amenity.

I think all we can do, is really step up that process and I am certainly committed to having that dialogue with residents and some other Councillors are as well.

Report 7.3 Suburb Boundary Realignment - Barina Road, Glenroy/Oak Park**Thomas Edward Gorrie**

Due to technical difficulties Mayor, Cr Abboud read the following statement on behalf of Thomas Edward Gorrie:

I wish to express my support for the proposed suburb boundary realignment so that my property on Barina Road is formally recognised as part of Oak Park.

Our services, local identity and community connections align with Oak Park, and having the correct suburb will avoid ongoing confusion for residents and service providers.

At present, the boundary creates ongoing operational issues. For example, Google Maps does not identify any property on Barina Road as being located in Glenroy. Earlier today, I provided Council with screenshots taken at 8:48am, confirming that Google's online mapping systems only acknowledge Barina Road as part of Oak Park.

As a result, service providers, deliveries and visitors frequently have difficulty finding the correct location. There have been cases where people are instead directed to Barina Road in Glen Iris, due to the system's inability to locate "Barina Road Glenroy."

In addition, from a practical and community-use perspective, Barina Road residents engage with the Oak Park community for local shopping, services and daily activities — all within close walking distance.

Updating the suburb boundary will ensure administrative accuracy, remove unnecessary confusion, and align the recorded locality with the actual community use and identity.

For these reasons, I respectfully request that Council adopt the recommended boundary realignment.

NON-AGENDA ITEMS - QUESTIONS

Coburg is Here redevelopment - Greek Orthodox Church

Bill Rizopoulos, asked Council:

Will Councillors make an undertaking to come and visit us, especially during big periods like the annual fete and Easter procession and see how we are expected to operate under the current design?

At the invitation of the Mayor, various Councillors expressed their support for and intention to attend the forthcoming church events, including the fete and Easter service. Several Councillors noted their ongoing engagement with the church community and commended its contributions to the local area.

Chris Koniditsiotis made the following statement:

Discussions over months with Council concerning the needs of the local Greek Orthodox Church community and in particular the 8 story tower directly across the Church have been ignored, why is this so; and what rationale was applied to not extend the proposed piazza all the way to the train station.

I live in Coburg, born in Brunswick. Married in Coburg. Moved to Pascoe Vale, then moved back to Coburg. A member of Greek Orthodox Church since its inception in 1979. It's a home.

I really like the thrust of the plan. It's a long time coming, and I hope it's not another false start. Nowhere to go for a coffee at 4pm – want to stay in Coburg. I love the library and piazza. Our issue is the 8 storey tower at the front door. That's our issue, as simple as that. We would like the piazza to be extended and make it truly the heart right up to the railway station.

Question Time Extension

Resolution

Cr Davidson moved, Cr Irvin seconded -

That question time be extended by 30 minutes at 7.16 pm.

Carried

Rev. Fr. Leonidas Ioannou asked Council:

For our 8,000 weekly visitors, and the broader community we need to continue using this space safely, freely and interactively for generations to come. Can the building please be moved?

Mayor, Cr Abboud, responded:

The short answer is yes, we are considering the draft and when it closes in eight days we will continue the dialogue with you and everybody else.

Central Coburg Project

Peter Gonis asked Council:

Will Merri-bek give the undertaking to adhere with its community engagement policy?

At the request of the Mayor, Pene Winslade, Director Place and Environment responded:

The answer is absolutely, yes.

Peter Gonis asked Council:

How extensive have vulnerable elderly been consulted?

At the request of the Mayor, Pene Winslade, Director Place and Environment responded:

We talked about this a little, a couple of weeks ago in the meeting at the church. We have had a number of consultations with groups that represent elderly people, including a meeting that's happening with the Wintringham residents in the precinct and meetings with a range of community organisations that Council works with. That is what we have done at this stage.

Peter Gonis asked Council:

Will you extend the date of the consultation?

At the request of the Mayor, Pene Winslade, Director Place and Environment responded:

We wouldn't be proposing to extend the consultation process at this stage. That doesn't mean we won't continue to consider feedback if people are providing it after the closing date. Six weeks is a lengthy Council consultation period, we've been intensively out in the community and on the streets, so we wouldn't propose to extend at this stage, but we are still listening.

Council funding for religious faith groups

Tony Rosios asked Council:

What funding for the last three financial years has been given by the Council to religious faith groups.

What religious / gender themes is the Council promoting over the next 12 months ensuring equality and diversity is maintained across all faith groups?

At the request of the Mayor, Stefan Grun, Acting Director Community responded:

The questions will be taken on notice and a response will be provided to you.

New State planning laws - Better Decisions Made Faster

Keiryn Bailey asked Council:

If more planning decisions now bypass Council under the Better Decisions Made Faster laws, how will Council protect our suburbs from overdevelopment and ensure new development only occurs where roads, services, and local infrastructure can be properly scaled and supported?

At the request of the Mayor, Pene Winslade, Director Place and Environment responded:

The Minister for Planning, as the Responsible Authority, is the decision-maker for certain development types under existing provisions in the Planning Scheme – this has been the case for a really long time. These powers are unchanged by the State Government's *Better Decisions Made Faster* reforms. However over the last year the State reforms have made many changes which impact how the State, planning applicants, the community and councils interact with the planning system – and we are still working through all the implications of these.

We understand the community's concern about the impacts of growth, particularly where planning decisions are made by the Minister and don't necessarily take on board as much local context.

While more planning decisions will now be determined by the Minister, Council continues to actively plan for and advocate on behalf of Merri-bek residents. Council is using all available tools—advocacy, infrastructure planning, development contributions, and investment in transport and open space—to help protect liveability in Merri-bek as our community grows.

This includes advocacy for Upfield rail line improvements and accessible tram infrastructure, our Streets for People plan to improve liveability and safety on corridors connecting to our activity centres, as well as significant Planning Scheme amendments that continue to tailor our local conditions. One of the recent State announcements was about Infrastructure Contributions in Activity Centres, which direct more developer contributions to local infrastructure. Council will use our Council Plan and budget processes to prioritise how this investment is directed, in partnership with the community.

Helen Deans asked Council:

Would the council and planning department please develop, prepare and re-submit Merri-bek's response to the State Government's Activity Centre Proposal, after reasonable information dissemination and consultation with Merri-bek residents?

At the request of the Mayor, Pene Winslade, Director Place and Environment responded:

Council was not aware of the substance of the new Bill until it was announced. Like many other Councils we advocated to the State requesting that a Parliamentary Committee of Inquiry be established to allow more time to understand the many implications of the legislation, and hear from local government and other stakeholders to work through any issues. However the Bill passed in the upper house yesterday with some amendments relating to affordable housing and consultation on some types of planning applications.

However the State's legislative reform does not change the State's Activity Centre Reform process and timing. Like the vast majority of Councils, Merri-bek was clear that we would not run a separate competing consultation process on the State's reforms. Our submission was based on Council's existing endorsed policy. The deadline for submissions to the State was October, and we know that these timeframes were already extremely tight for the State to be able consider the submissions as they finalise the Activity Centre work. As you know we did flag the issues raised by the Glencairn community at the time, and we know that the State is very aware of the feedback from the Glencairn community.

It is understood that state government is currently considering all submissions received. The state has indicated it will be releasing the outcomes of the first tranche of Activity Centres in the first few months of 2026. It is very unlikely that a consultation run in January and February would have any impact or influence on the outcomes of this State initiative.

We do encourage you to continue to raise your concerns directly with the State government – as you have been. Officers would be happy to write to the State government to alert them to your heightened concerns given recent changes to the Planning and Environment Act.

7.42 pm Cr Miles left the meeting.

Sophie Koutoulas asked Council:

What Council funding assistance has been provided in the last 5 years to Merri-bek food relief charities in terms of monetary funding, housing, land or other, and to which charities has this been provided and why were they eligible?

Mayor, Cr Abboud responded:

The question will be taken on notice and a response will be provided.

7.43 pm Cr Miles returned to the meeting.

NON-AGENDA ITEMS - QUESTIONS TAKEN ON NOTICE

Council received a further two questions that were taken on notice relating to:

- Westminster law
- Coburg is Here redevelopment - Greek Orthodox Church

Public Question Time concluded at 7.43 pm.

Meeting Adjournment

Resolution

Cr Bolton moved, Cr Iwasaki seconded -

That Council resolves the meeting be adjourned at 7.43 pm for five minutes.

Carried

The Council meeting adjourned at 7.43 pm.

Meeting Resumption

Resolution

Cr Iwasaki moved, Cr Davidson seconded -

That Council resolves that the meeting be resumed.

Carried

The Council meeting resumed at 7.52 pm with all Councillors present.

ITEM TO BE TABLED UNDER THE *LOCAL GOVERNMENT ACT 2020*

In accordance with section 147(4) of the *Local Government Act 2020*, a copy of the Arbiter's determination and statement of reasons in the matter of Cr Oscar Yildiz and Cr Adam Pulford was tabled for recording in the Minutes of this meeting.

COUNCIL REPORTS

7.1 PLACES FOR PEOPLE PLAN - DRAFT FOR ENGAGEMENT

Executive Summary

The draft Places for People Plan (the draft plan) is Council's plan to enhance the vibrancy, sustainability and liveability of the public realm in Merri-bek's activity centres.

The plan has two key objectives:

1. Define and outline our approach to the improvement of the public realm in our activity centres.
2. Identify priority civic space and streetscape projects to be delivered through Council's forward capital works program.

The plan will guide Council's future investment in the public realm, identifying opportunities for new and improved civic spaces, and as a result, and addressing key challenges to maximise the benefits of civic space. It sits alongside and complements Council's two other significant public realm plans: the Streets For People plan which focuses on Merri-bek's streets and transport infrastructure; and the Open Space Strategy Action Plan which is focused on how we plan, deliver and maintain outdoor spaces in Merri-bek.

The draft plan outlines key actions for each of the Major Activity Centres of Brunswick, Coburg and Glenroy, based on detailed place analysis that considers types of civic spaces and where they are best located. The draft plan identifies criteria to be used to prioritise actions for future implementation based on community and economic impact, strategic alignment, environmental benefit, and ease of deliverability.

For Merri-bek's twelve Neighbourhood and 43 Local Activity Centres, assessment criteria have also been developed to help prioritise upgrades at a centre level, based on the centre character, condition and constraints.

Community engagement will seek feedback on the draft plan, proposed actions and prioritisation method.

Officer Recommendation

That Council:

1. Endorses the draft Places for People Plan (Attachment 1) for community engagement for five weeks from February to March 2026.
2. Receives a further report at the May 2026 Council meeting with a final version of the Places for People Plan, updated following community feedback, and a community engagement report that outlines the feedback received and how this feedback influenced the final version of the Places for People Plan.

Resolution

Cr Pulford moved, Cr Irvin seconded -

That Council:

1. **Endorses the draft Places for People Plan (Attachment 1) for community engagement for five weeks from February to March 2026.**
2. **Receives a further report at the May 2026 Council meeting with a final version of the Places for People Plan, updated following community feedback, and a community engagement report that outlines the feedback received and how this feedback influenced the final version of the Places for People Plan.**

Carried

7.2 SUPPORT FOR PUBLIC HOUSING STATEMENT

Executive summary

The Victorian Government's 2023 announcement regarding the demolition and future redevelopment of all 44 of Melbourne's high rise public housing towers by 2050 has prompted public debate about the future of public housing in Victoria.

In July 2025 a group of housing academics, workers and advocates published *the United Housing Statement*, since renamed *Standing together for public: Call for support*, September 2025 (Statement) (Attachment 1). The Statement includes three requests to the Victorian Government relating to the assessment, future use and renewal of public housing assets:

1. Release of information about the physical conditions of all public housing towers proposed for demolition, and that any new facilities be built on the same sites.
2. All surplus state land to be used to build more public housing.
3. Introduce mandatory public housing in new multi-unit developments on private land.

The Statement has since received support from several advocacy groups, housing, health and legal organisations, housing focussed university groups and one Council.

Merri-bek has a well-established policy framework that supports increasing the supply of public, community and affordable housing. This report responds to Council's resolution of 10 September 2025, which sought an assessment of the alignment between the Statement and Merri-bek's existing policy positions. Officer analysis concludes:

1. Request 1 is consistent with Council's longstanding advocacy, including Council's March 2025 submission to the Victorian Parliamentary Inquiry into the public housing tower redevelopment program.
2. Request 2 is not aligned with Council policy as it requires all surplus government land to be used exclusively for public housing. This may result in unintended consequences for other potential high value uses; and many surplus sites are not suitable for housing. Council's current policy position is to advocate for public housing, community housing managed by Not-for-Profit registered agencies, and other forms of affordable housing.
3. Request 3 is partially aligned with existing policy as Council has long supported mandatory inclusionary planning contributions.

It is proposed that Council acknowledges the Statement by writing to the Minister for Housing outlining its support for the first request.

Officer recommendation

That Council:

1. Writes to the Victorian Minister for Housing to acknowledge *the Standing together for public housing: Call for support*, September 2025 statement (Statement) (Attachment 1) and advise that Council:
 - a) Supports Request 1, including the commission and public release of structural assessments for all public housing towers, and the construction of replacement public housing nearby or on the same estate before any resident relocation.
 - b) Broadly supports the State utilising suitable surplus land to deliver social and affordable housing, and the adoption of more inclusionary zoning that mandates the provision of social and affordable housing in private developments.
2. Provides a copy of the letter to the *Standing Together for Public Housing* campaign authors.

Resolution

Cr Svensson moved, Cr Bolton seconded -

That Council:

- 1. Writes to the Victorian Minister for Housing to acknowledge the Standing together for public housing: Call for support, September 2025 statement (Statement) (Attachment 1) and advise that Council:**
 - a) Supports Request 1, including the commission and public release of structural assessments for all public housing towers, and the construction of replacement public housing nearby or on the same estate before any resident relocation.**
 - b) Broadly supports the State utilising suitable surplus land to deliver social and affordable housing, and the adoption of more inclusionary zoning that mandates the provision of social and affordable housing in private developments.**
- 2. Provides a copy of the letter to the Standing Together for Public Housing campaign authors.**

Carried unanimously

7.3 SUBURB BOUNDARY REALIGNMENT - BARINA ROAD, GLENROY/OAK PARK

Executive Summary

The need for a minor realignment of a suburb boundary has emerged due to the subdivision of land on parcels previously attributed to Waterloo Road Glenroy. The new land parcels front and are addressed to Barina Road. Aside from the three highlighted properties/parcels in Glenroy, the remainder of Barina Road sits within Oak Park. The current and proposed suburb boundary realignment is indicated in the maps in the background and issues sections of this report.

This recommendation is independent of any current or future planning processes or decisions, and the owners of all three affected properties are in support of the amendment. There is no budget impact of this report.

As the naming and numbering authority, Council is responsible for the maintenance of suburb boundaries. The proposed re-alignment is the most effective solution, which will include the entirety of Barina Road within the suburb of Oak Park.

Officer Recommendation

That Council authorises the realignment of the Oak Park/Glenroy suburb boundary to incorporate properties at 26, 28 and 30 Barina Road, Glenroy, into the suburb of Oak Park.

Resolution

Cr Miles moved, Cr Davidson seconded -

That Council authorises the realignment of the Oak Park/Glenroy suburb boundary to incorporate properties at 26, 28 and 30 Barina Road, Glenroy, into the suburb of Oak Park.

Carried

7.4 FINANCIAL MANAGEMENT REPORT FOR THE PERIOD ENDED 31 OCTOBER 2025

This report presents the Financial Management Report for the financial year to date period ending 31 October 2025. A detailed financial review was undertaken across the organisation at the end of September 2025. The results of this review are included in this report as the Full Year Revised Forecast.

The 31 October 2025 Income Statement shows that Council has recorded a surplus of \$144.7 million, \$1.6 million higher than the year-to-date budget of \$143.1 million, as a result of higher overall revenue. This difference is considered largely timing in nature. As set out in the issues section of this report, operating surplus funds do not convert to immediately available cash to Council. The accounting surplus includes items such as non-cash contributions, capital grants and is used to fund items such as loan repayments, the rates funded capital works program and transfers (savings) via reserves.

Council has spent \$13.6 million on capital expenditure, which is tracking below the year-to-date (YTD) budget of \$14.8 million, with \$80.3 million budget remaining.

Officer Recommendation

That Council notes the Financial Management Report for the period ending 31 October 2025, at Attachment 1 to this report.

Resolution

Cr Irvin moved, Cr Politis seconded -

That Council notes the Financial Management Report for the period ending 31 October 2025, at Attachment 1 to this report.

Carried

7.5 GOVERNANCE REPORT - DECEMBER 2025 - CYCLICAL REPORT

Executive Summary

The Governance report is prepared as a monthly standing report to Council which provides a single reporting platform for a range of statutory compliance, transparency, and governance related matters.

This Governance report includes:

- Records of Meetings, with a recommendation that Council notes the records.
- A response to a Public Question Time item taken on notice at the 8 October 2025 Council meeting, with a recommendation that Council notes the responses.
- Adoption of the Council Meeting Dates for 2026.
- Appointments to Portfolios, Internal Committees, Advisory Committees, Reference Groups and other External Bodies.
- A review and evaluation of the Domestic Animal Management Plan 2021-2025 – Year 4 actions.

Officer Recommendation

That Council:

1. Notes the Records of Meetings, at Attachment 1 to this report.

2. Notes responses to a question taken on notice during Public Question Time at the 8 October Council meeting, provided as Attachment 2.
3. Sets the dates and times for Council meetings in 2026 as printed in the agenda and designates those meetings indicated for consideration of Planning and Related Matters in accordance with the Governance Rules.
4. Sets the date and time for the election of the Mayor for 2026/27 as 18 November 2026 at 6.30 pm.
5. Appends the schedule of Council meetings to the minutes and publishes it on the Council website.
6. Appoints Portfolio Councillors, known as 'Councillors Responsible For...', for the 2025/26 Mayoral year as follows:

Resolution

Cr Iwasaki moved, Cr Irvin seconded -

That Council:

1. **Notes the Records of Meetings, at Attachment 1 to this report.**
2. **Notes responses to a question taken on notice during Public Question Time at the 8 October Council meeting, provided as Attachment 2.**
3. **Sets the dates and times for Council meetings in 2026 as printed in the agenda and designates those meetings indicated for consideration of Planning and Related Matters in accordance with the Governance Rules.**
4. **Sets the date and time for the election of the Mayor for 2026/27 as 18 November 2026 at 6.30 pm.**
5. **Appends the schedule of Council meetings to the minutes and publishes it on the Council website.**
6. **Appoints Portfolio Councillors, known as 'Councillors Responsible For...', for the 2025/26 Mayoral year as follows:**

Arts and Culture	Cr Theodosia Cr Iwasaki
Climate and Nature	Cr Iwasaki Cr Pulford
Early Years and Young People	Cr Svensson
Economic Development	Cr Yildiz Cr Abboud Cr Miles Cr Politis Cr Pulford
Human Rights and Multiculturalism	Cr Svensson Cr Theodosia Cr Politis
Older Persons	Cr Irvin Cr Abboud Cr Miles
Sport and Recreation	Cr Yildiz Cr Irvin Cr Miles Cr Davidson

	Cr Politis
Transport and Getting Around	Cr Irvin Cr Miles Cr Pulford
Urban Planning	Cr Irvin Cr Miles
Women (Gender Equality)	Cr Theodosis Cr Davidson

7. Appoints Councillors to internal, advisory groups, network and external committees for the 2025/26 Mayoral year as follows:

Internal Committees	
Audit and Risk Committee	Cr Irvin Cr Politis Cr Abboud
CEO Employment and Remuneration Matters Committee	All Councillors
Central Coburg Oversight Committee	Mayor Cr Irvin Cr Iwasaki Cr Miles Cr Politis
Activity Centres Advisory Group	Cr Irvin Cr Abboud
Merri-bek Community Recognition Committee (Merri-bek Awards)	Cr Yildiz Cr Iwasaki Cr Abboud
External Committees	
Friends of Aileu Community Committee	Cr Pulford
Merri Creek Management Committee	Cr Abboud Cr Irvin (substitute)
Metropolitan Transport Forum	Cr Irvin Cr Abboud
Municipal Association of Victoria (Representative)	Cr Abboud Cr Pulford (substitute)
M9 Committee	Mayor
Northern Alliance for Greenhouse Action (NAGA) Executive	Cr Iwasaki Cr Abboud (substitute)
Northern Councils Alliance	Mayor Cr Theodosis (substitute)

8. Appoints Councillors to advisory committees and reference groups for the 2025/26 Mayoral year as follows and amend the Terms of Reference for the Health, Wellbeing and Social Inclusion Advisory Committee to permit two Councillor representatives under its membership.

Advisory Committees	
Merri-bek Arts Advisory Committee	Cr Iwasaki

Environmental Sustainability and Climate Resilience Advisory Committee	Cr Iwasaki
First Peoples Advisory Committee	Cr Bolton (co-Chair)
Liveability Advisory Committee	Cr Irvin
Health, Wellbeing and Social Inclusion Advisory Committee	Cr Svensson Cr Theodosius
Reference Groups	
Strategic Transport Reference Group	Cr Irvin
Older Persons Reference Group	Cr Abboud
Disability Reference Group	Cr Bolton
Gender Equality Reference Group	Cr Theodosius
LGBTIQA+ Reference Group	Cr Svensson Cr Pulford

9. **Notes the Domestic Animal Management Plan 2021-2025 - Year 4 Annual Review and Evaluation at Attachment 3 to this report.**

Carried

Council Meeting Dates - 2026

Meeting	Time	2026 Meeting Date
Council Meeting	6.30 pm	Wednesday 11 February Wednesday 11 March Wednesday 8 April Wednesday 13 May Wednesday 10 June Wednesday 8 July Wednesday 12 August Wednesday 9 September Wednesday 14 October Wednesday 11 November Wednesday 9 December
Council Meeting - Planning and Related Matters	6.30 pm	Wednesday 28 January Wednesday 25 February Wednesday 25 March Wednesday 22 April Wednesday 27 May Wednesday 24 June Wednesday 22 July Wednesday 26 August Wednesday 23 September Wednesday 28 October Wednesday 25 November Wednesday 16 December
Council Meeting - Mayoral election	6.30 pm	Wednesday 18 November

7.6 CONTRACT EXTENSION: CONTRACT SS-08-2020 BANKING AND FINANCIAL SERVICES STATE PURCHASING CONTRACT

Executive Summary

In November 2021, Council endorsed Westpac Banking Corporation (Westpac) as the preferred service provider to manage Council's transactional banking services. Council's current agreement with Westpac commenced on 1 October 2021 and is due to expire on 30 September 2026.

Officers recommend extending the contract for a further two years to 30 September 2028. The review of panel providers showed negligible differences in transactional costs. However, the costs and risks associated with transitioning to a new provider are significant, with estimated external costs of up to \$95,000 plus unbudgeted internal resourcing costs. Maintaining the arrangement with Westpac is therefore considered the lowest cost and risk option for Council.

This recommendation acknowledges that the banks appointed by the State Panel banks do not fully align with Council's Procurement Policy 2025–2029 and the objectives of the Fossil Fuel Divestment Strategy 2015–2025. To mitigate this, Council has consistently met its commitment to ensure that at least 70 per cent of all term deposits are held as green investments. The continuation of transactional services with Westpac does not affect these investment commitments.

Council will also maintain oversight of Westpac's commitments to phasing out thermal coal exposure, with a clear position that the contract will be terminated should the bank reduce or withdraw from its stated divestment commitments.

Officer Recommendation

That Council:

1. Authorises the Chief Executive Officer to extend the current contract with Westpac Banking Corporation (Westpac) (**Contractor**) under the State Purchasing contract SS-08-2020 for transactional banking services (**Contract**):
 - i. For a further two-year (2) term commencing 1 October 2026.
 - ii. For a maximum spend under the life of the contract of \$2,900,000 (excluding GST).
2. Notes that one further two-year option is available to extend under this contract and will not be entered into without further resolution from Council.
3. Notes there are currently no fossil-fuel free banking institutions that can meet Council's transactional banking needs.
4. Notes that the recommendation to continue engaging Westpac Banking Corporation partially does not align with the Environmental section of the Environment, Social and Governance (ESG) Procurement Considerations under Council's Procurement Policy 2025–2029.
5. Notes it will terminate the engagement with the Westpac Banking Corporation if it changes/reduces its public commitment to reduce thermal coal exposure to zero by 2030.
6. Notes it has committed through the Investment Policy to invest a minimum of 70 per cent of all short and long-term investments in green investments.

Resolution

Cr Theodosis moved, Cr Irvin seconded -

That Council:

1. **Authorises the Chief Executive Officer to extend the current contract with Westpac Banking Corporation (Westpac) (Contractor) under the State Purchasing contract SS-08-2020 for transactional banking services (Contract):**
 - i. **For a further two-year (2) term commencing 1 October 2026.**
 - ii. **For a maximum spend under the life of the contract of \$2,900,000 (excluding GST).**
2. **Notes that one further two-year option is available to extend under this contract and will not be entered into without further resolution from Council.**
3. **Notes there are currently no fossil-fuel free banking institutions that can meet Council's transactional banking needs.**
4. **Notes that the recommendation to continue engaging Westpac Banking Corporation partially does not align with the Environmental section of the Environment, Social and Governance (ESG) Procurement Considerations under Council's Procurement Policy 2025–2029.**
5. **Notes it will terminate the engagement with the Westpac Banking Corporation if it changes/reduces its public commitment to reduce thermal coal exposure to zero by 2030.**
6. **Notes it has committed through the Investment Policy to invest a minimum of 70 per cent of all short and long-term investments in green investments.**

Carried

Cr Bolton abstained from the vote.

7.7 CONTRACT VARIATION: RFT-2025-1 DUNSTAN RESERVE CHILDCARE CENTRE EXPANSION

Executive Summary

In August 2025, Council awarded the Contract RFT-2025-1 Dunstan Reserve Childcare Centre Expansion to Notion Partners for a lump sum of \$2,467,079 (excluding GST).

Construction commenced on 7 October 2025 and is scheduled for completion in June 2026.

This report seeks Council approval for a contract variation valued at \$253,769 (excl GST), addressing latent conditions, additional kindergarten operational requirements, and minor design changes required by relevant requirements. The key factor to the variation is a result of the significant amount of termite damage to the existing building found during the demolition stage. This amount includes some known variations which officers have reviewed and several additional issues identified but have not yet been fully costed.

The proposed variations do not exceed the total project budget amount of \$3,643,400.

Officer Recommendation

That Council:

1. Approves an increase in the total contract sum for Contract RFT-2025-1 Dunstan Reserve Childcare Centre Expansion from \$2,467,079 to \$2,720,848 (excluding GST), for additional scope of works that arose during construction, noting that:

- a) This proposed variation of \$253,769 (excluding GST) relates to:
 - Minor design changes required by relevant authorities
 - Additional temporary works required to maintain kindergarten operations
 - Additional works to the existing building due to latent conditions
 - Known but not yet costed variations due to latent conditions
 - b) The increase of \$253,769 will bring the variation allowance to a total of 10.3 per cent of the contract value
 - c) The contract variation is within the approved project budget of \$3,643,400 in the current capital works program.
2. Authorises the Chief Executive Officer to do all things necessary to approve the contract variation and related documentation as identified in point 1.

Resolution

Cr Svensson moved, Cr Theodosis seconded -

That Council:

1. **Approves an increase in the total contract sum for Contract RFT-2025-1 Dunstan Reserve Childcare Centre Expansion from \$2,467,079 to \$2,720,848 (excluding GST), for additional scope of works that arose during construction, noting that:**
 - a) This proposed variation of \$253,769 (excluding GST) relates to:
 - Minor design changes required by relevant authorities
 - Additional temporary works required to maintain kindergarten operations
 - Additional works to the existing building due to latent conditions
 - Known but not yet costed variations due to latent conditions
 - b) The increase of \$253,769 will bring the variation allowance to a total of 10.3 per cent of the contract value
 - c) The contract variation is within the approved project budget of \$3,643,400 in the current capital works program.
2. **Authorises the Chief Executive Officer to do all things necessary to approve the contract variation and related documentation as identified in point 1.**

Carried unanimously

7.8 CONTRACT AWARD: RFT-2025-46 WEST STREET SHOPPING STRIP RENEWAL PROJECT

Executive summary

This report seeks the appointment of the preferred contractor, Multipro Civil Pty Ltd, for the construction of the West Street Shopping Strip Improvement in Hadfield.

Council undertook the design for streetscape and public realm improvements during 2023-24 through multiple stages of community, trader and stakeholder engagement, as part of the Shopping Strip Renewal Program. The resulting plan will deliver significant community benefit including pedestrian safety and access upgrades, new street furniture, landscaping and tree planting. While every effort has been made to retain carparking numbers at the shopping strip, some essential safety improvements result in the need to remove eleven car parking spaces. The total project budget over multiple years, including design is \$2.4 million.

A request for tender was released on 20 September 2025. The tender closed on 22 October 2025, and six conforming tenders were received. The tenders were evaluated, and Multipro Civil Pty Ltd has been identified as the preferred tenderer, achieving the highest score through the evaluation process and representing best value for money for Council.

The tender complies with Section 109(1) of the *Local Government Act 2020*.

Officer Recommendation

That Council:

1. Authorises the Chief Executive Officer to:
 - a) Make a formal offer to Multipro Civil Pty Ltd (**Contractor**) to award the Contractor contract **RFT-2025-46** for the **West Street Shopping Strip Improvement (Contract)** on the following terms and otherwise subject to and in accordance with paragraph 1(b) of this Resolution:
 - i. For the maximum lump sum of \$1,705,503 plus provisional sums of \$255,000, totaling \$1,960,503 (all figures excluding GST).
 - b) Negotiate and finalise the terms of the Contract between Council and the Contractor provided that:
 - i. The terms specified in paragraph 1(a) of this Resolution shall not be altered without a further Resolution of Council; and
 - ii. Other than terms referred to in paragraph 1(a) of this Resolution, the terms of the Contract are acceptable to the Chief Executive Officer.
2. Conditional on acceptance of the Contract by the Contractor in accordance with the terms of this Resolution:
 - a) Authorises the Chief Executive Officer to do all things necessary to execute the Contract and any required documentation for the Contract; and
 - b) Advises all tenderers of Council's decision in relation to the Contract.
3. Endorses, in accordance with the Road Management Act 2004, the removal of eleven car parking spaces from the West Street Shopping Strip to facilitate the essential safety improvements associated with the project.

Resolution

Cr Miles moved, Cr Davidson seconded -

That Council defer consideration on this this matter, and call a Special Meeting to be held on 17 December 2025 at 6 pm to allow further consideration and resolve any concerns.

Cr Irvin called for a division.

For

Cr Bolton
Cr Davidson
Cr Yildiz
Cr Miles
Cr Politis
Cr Theodosios
Total For (6)

Against

Cr Pulford
Cr Svensson
Cr Iwasaki
Cr Abboud
Cr Irvin

Total Against (5)

Carried

7.9 CONTRACT AWARD: RFT-2025-48 ROAD RECONSTRUCTION NORTHUMBERLAND ROAD, PASCOE VALE (FAWKNER ROAD TO LONGVIEW STREET)

Executive Summary

The road reconstruction of Northumberland Road, Pascoe Vale (Fawkner Road to Longview Street), has been included in the 2025–2026 Capital Works Program under the Roads and Carparks Program. The project forms part of Council's current Development Contributions Plan (DCP).

The scope of works includes the installation of underground drainage pipes and associated pits, reconstruction of the existing concrete kerb and channel, vehicle crossings, footpaths, and drainage upgrade.

Following the tender evaluation process, MJ Construction Group Pty Ltd has been identified as the preferred tenderer based on the strength of their submission. Subject to contract award on 10 December 2025, the contractor has confirmed readiness to commence offsite preparatory works from 19 January 2026. The construction of this project will commence after the completion of the Devon Road reconstruction.

MJ Construction Group has successfully delivered projects of similar scale and complexity for Merri-bek and other councils, with strong performance outcomes. Onsite construction is scheduled to begin in late January 2026 and is expected to be completed over a three-month period by mid-April 2026 (weather permitting). The works will be delivered in two distinct sections to minimise disruption to residents and local traffic.

The tender complies with section 109(1) of the *Local Government Act 2020*.

Officer Recommendation

That Council:

1. Authorises the Chief Executive Officer to:
 - a) Make a formal offer to MJ Construction Group Pty Ltd and ACN 092 432 730 (Contractor) to award the Contractor contract RFT-2025-48 Road Reconstruction Northumberland Road, Pascoe Vale (Fawkner Road to Longview Street) (Contract) on the following terms and otherwise subject to and in accordance with paragraph 1(b) of this Resolution:

- i. For the total Contract value of \$857,557.00 (excluding GST), comprising of fixed lump sum of \$670,467.00 (excluding GST) and provisional amount of \$187,090.00 (excluding GST).
- b) Negotiate and finalise the terms of the Contract between Council and the Contractor provided that:
 - i. the terms specified in paragraph 1(a) of this Resolution shall not be altered without a further Resolution of Council; and
 - ii. other than terms referred to in paragraph 1(a) of this Resolution, the terms of the Contract are acceptable to the Chief Executive Officer,
- 2. Conditional on acceptance of the Contract by the Contractor in accordance with the terms of this Resolution:
 - a) Authorises the Chief Executive Officer to do all things necessary to execute the Contract and any required documentation for the Contract; and
 - b) Advises all tenderers of Council's decision in relation to the Contract.

Refers the budget savings of \$353,393.00 to the quarterly review process.

Resolution

Cr Irvin moved, Cr Bolton seconded -

That Council:

- 1. **Authorises the Chief Executive Officer to:**
 - a) **Make a formal offer to MJ Construction Group Pty Ltd and ACN 092 432 730 (Contractor) to award the Contractor contract RFT-2025-48 Road Reconstruction Northumberland Road, Pascoe Vale (Fawknor Road to Longview Street) (Contract) on the following terms and otherwise subject to and in accordance with paragraph 1(b) of this Resolution:**
 - i. **For the total Contract value of \$857,557.00 (excluding GST), comprising of fixed lump sum of \$670,467.00 (excluding GST) and provisional amount of \$187,090.00 (excluding GST).**
 - b) **Negotiate and finalise the terms of the Contract between Council and the Contractor provided that:**
 - i. **the terms specified in paragraph 1(a) of this Resolution shall not be altered without a further Resolution of Council; and**
 - ii. **other than terms referred to in paragraph 1(a) of this Resolution, the terms of the Contract are acceptable to the Chief Executive Officer,**
- 2. **Conditional on acceptance of the Contract by the Contractor in accordance with the terms of this Resolution:**
 - a) **Authorises the Chief Executive Officer to do all things necessary to execute the Contract and any required documentation for the Contract; and**
 - b) **Advises all tenderers of Council's decision in relation to the Contract.**

Refers the budget savings of \$353,393.00 to the quarterly review process.

Carried

7.10 CONTRACT AWARD: RFT-2025-49 ROAD RECONSTRUCTION JERSEY STREET, COBURG (O'HEA STREET TO GAFFNEY STREET)

Executive Summary

The road reconstruction of Jersey Street, Coburg (O'Hea Street to Gaffney Street), has been included in the 2025–2026 Capital Works Program under the Roads and Carparks Program. The project forms part of Council's current Development Contributions Plan (DCP).

The scope of works includes the installation of underground drainage pipes and associated pits, reconstruction of the existing concrete kerb and channel, vehicle crossings, footpaths, and drainage upgrade.

Following the tender evaluation process, GP Bluestone Pty Ltd has been identified as the preferred tenderer based on the strength of their submission. Subject to contract award on 10 December 2025, the contractor has confirmed readiness to commence offsite preparatory works from 11 February 2026. The construction of this project will commence after the road reconstruction work on O'Hea Street is completed past Jersey Street intersection.

GP Bluestone Pty Ltd has successfully delivered projects of similar scale and complexity for Merri-bek and other councils, with strong performance outcomes. Onsite construction is scheduled to begin in early February 2026 and is expected to be completed over a 14 week period by mid-May 2026 (weather permitting). The works will be delivered in two distinct sections to minimise disruption to residents and local traffic.

The tender complies with section 109(1) of the *Local Government Act 2020*.

Officer Recommendation

That Council:

1. Authorises the Chief Executive Officer to:
 - a) Make a formal offer to GP Bluestone Pty Ltd, ACN 604 987 519 (Contractor) to award the Contractor contract RFT-2025-49 Road Reconstruction Jersey Street, Coburg (O'Hea Street to Gaffney Street) (Contract) on the following terms and otherwise subject to and in accordance with paragraph 1(b) of this Resolution:
 - i. For the total Contract value of \$808,050.00 (excluding GST), comprising of fixed lump sum of \$642,600.00 (excluding GST) and provisional amount of \$165,450.00 (excluding GST).
 - b) Negotiate and finalise the terms of the Contract between Council and the Contractor provided that:
 - i. the terms specified in paragraph 1(a) of this Resolution shall not be altered without a further Resolution of Council; and
 - ii. other than terms referred to in paragraph 1(a) of this Resolution, the terms of the Contract are acceptable to the Chief Executive Officer,
2. Conditional on acceptance of the Contract by the Contractor in accordance with the terms of this Resolution:
 - a) Authorises the Chief Executive Officer to do all things necessary to execute the Contract and any required documentation for the Contract; and
 - b) Advises all tenderers of Council's decision in relation to the Contract.
3. Refers the budget savings of 306,920.00 to the quarterly review process.

Resolution

Cr Bolton moved, Cr Irvin seconded -

That Council:

- 1. Authorises the Chief Executive Officer to:**
 - a) Make a formal offer to GP Bluestone Pty Ltd, ACN 604 987 519 (Contractor) to award the Contractor contract RFT-2025-49 Road Reconstruction Jersey Street, Coburg (O’Hea Street to Gaffney Street) (Contract) on the following terms and otherwise subject to and in accordance with paragraph 1(b) of this Resolution:**
 - i. For the total Contract value of \$808,050.00 (excluding GST), comprising of fixed lump sum of \$642,600.00 (excluding GST) and provisional amount of \$165,450.00 (excluding GST).**
 - b) Negotiate and finalise the terms of the Contract between Council and the Contractor provided that:**
 - i. the terms specified in paragraph 1(a) of this Resolution shall not be altered without a further Resolution of Council; and**
 - ii. other than terms referred to in paragraph 1(a) of this Resolution, the terms of the Contract are acceptable to the Chief Executive Officer,**
- 2. Conditional on acceptance of the Contract by the Contractor in accordance with the terms of this Resolution:**
 - a) Authorises the Chief Executive Officer to do all things necessary to execute the Contract and any required documentation for the Contract; and**
 - b) Advises all tenderers of Council's decision in relation to the Contract.**
- 3. Refers the budget savings of 306,920.00 to the quarterly review process.**

Carried

NOTICES OF MOTION

8.1 RETAIN THE FORMER COBURG NORTH TAFE SITE FOR SKILLS, INNOVATION AND JOB CREATION

At its meeting on 12 November 2025, Council deferred consideration of this Notice of Motion to enable a meeting to occur between the TAFE Site Stakeholders Group and interested Councillors and a Council officer.

Motion

That Council:

- 1. Notes the officer submission to the Victorian government in relation to the former Coburg North TAFE site advocating to maintain industrial zoning for the site.**
- 2. Writes to the Federal Minister for Industry and Innovation advising of Council’s submission, and seeking the Federal Government’s active support of any industries seeking help to establish innovative industries and job hubs at this site.**

Motion

Cr Politis moved, Cr Miles seconded -

That Council:

1. Notes the officer submission to the Victorian government in relation to the former Coburg North TAFE site advocating to maintain industrial zoning for the site.
2. Writes to the Federal Minister for Industry and Innovation advising of Council's submission, and seeking the Federal Government's active support of any industries seeking help to establish innovative industries and job hubs at this site.

8.45 pm *Cr Yildiz left the meeting during the debate.*

8.47 pm *Cr Yildiz returned to the meeting during the debate.*

Lost

8.2 VENUES FOR COUNCILLOR WORKSHOPS

Motion

That Council holds all Councillor workshops at locations in Melbourne, and preferably locations in Merri-bek.

Motion

Cr Bolton moved, Cr Miles seconded –

That Council, commencing 1 July 2026:

1. Holds all Councillor workshops at locations in Melbourne, and preferably locations in Merri-bek.
2. Seek to reduce the costs of Councillor workshops and seek that the Chief Executive Officer give consideration to reducing costs where appropriate.

8.57 pm *Cr Pulford left the meeting.*

9.00 pm *Cr Pulford returned to the meeting.*

Resolution

Cr Iwasaki moved, Cr Davidson seconded -

That Council defer this matter until February 2026 Council Meeting to allow further consideration.

Carried

8.3 MOBILE COVERAGE FOR OPTUS NETWORK IN BRUNSWICK

Motion

That Council writes to Optus:

1. Asking whether a mobile tower for their network was removed in the past 12 months in central Brunswick;
2. Informing Optus that local residents and workers have reported very poor mobile data signal in and around Brunswick Baths; and
3. Requesting information on Optus's plans to improve coverage in Merri-bek.

Resolution

Cr Pulford moved, Cr Irvin seconded -

That Council writes to Optus:

- 1. Asking whether a mobile tower for their network was removed in the past 12 months in central Brunswick;**
- 2. Informing Optus that local residents and workers have reported very poor mobile data signal in and around Brunswick Baths; and**
- 3. Requesting information on Optus's plans to improve coverage in Merri-bek.**

Carried unanimously

NOTICE OF RESCISSION

Nil.

FORESHADOWED ITEMS

Cr Yildiz foreshadowed a Notice of Motion that will seek a report on specific impacts that may occur due the Central Coburg Project proposal.

URGENT BUSINESS REPORTS

Nil.

CONFIDENTIAL BUSINESS

Resolution

Cr Irvin moved, Cr Iwasaki seconded –

In accordance with section 66(2) of the Local Government Act 2020, this Council meeting be closed to the public to consider this/these report(s):

- 12.1 Procurement matters because it relates to private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.**
- 12.2 Amendment to a Section 173 Agreement on former Council land because it relates to private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.**
- 12.3 Contract RFT-2025-09 Allard Park Adjustment (D25/633096) because it relates to private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.**
- 12.4 Property Matters (D25/563849) because it relates to Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.**

Carried

The Council meeting closed to the public at 9.10 pm.

OPENING THE MEETING TO THE PUBLIC

Resolution

Cr Iwasaki moved, Cr Miles seconded –

The Council meeting be open to the public.

Carried

The Council meeting opened to the public at 9.20 pm.

The Council meeting closed at 9.21 pm.

Confirmed

Cr Nat Abboud
MAYOR

INTERNAL ARBITRATION PROCESS - MERRI-BEK CITY COUNCIL

In the matter of an Application by Cr Oscar Yildiz concerning
Cr Adam Pulford

HEARING PURSUANT TO DIVISION 5 OF PART 6 OF THE *LOCAL GOVERNMENT ACT 2020*

Application Number:	IAP 2025-13
Applicant:	Councillor Oscar Yildiz
Respondent:	Councillor Adam Pulford
Hearing Date:	8 October 2025
Before:	Arbiter Matt Evans

DETERMINATION

Pursuant to section 147(1) of the *Local Government Act 2020* (the Act), the Arbiter makes a finding of misconduct against Cr Adam Pulford, on the basis that he has breached Standards of Conduct 1, 2 and 4 of the Model Councillor Code of Conduct as set out in Schedule 1 of the Local Government (Governance and Integrity) Regulations 2020.

SANCTION

Pursuant to section 147(2)(b) of the Act, Cr Pulford is suspended from the office of Councillor for a period of 14 days commencing the day after this decision is tabled at the next Council meeting in accordance with section 147(4)(b) of the Act.

STATEMENT OF REASONS FOR DECISION

The Application

1. On 7 July 2025, Cr Yildiz applied under section 143 of the *Local Government Act 2020* (the Act) for an Arbiter to make a finding of misconduct against Cr Pulford.
2. Cr Yildiz alleged that Cr Pulford had breached Standard of Conduct 1 (Performing the Role of a Councillor), Standard of Conduct 2 (Behaviours) and Standard of Conduct 4 (Integrity) of the Model Councillor Code of Conduct (hereafter referred to as the 'MCCC') during the Merri-bek City Council Meeting on Wednesday 9 April 2025.
3. In summary, the alleged breaches relate to the conduct of Cr Pulford during debate on agenda item 7.2 'Rainbow Crossing Sites for Consultation'. This item contained a recommendation seeking council endorsement of eight identified locations for community engagement to help select two sites (one north and one south of Bell St) and designs for the installation of pride flags (rainbow crossings) on Council roads or footpaths. It also sought to refer the installation of the two rainbow crossings - at a cost of \$45,000 - to the 2025/2026 Council budget process for consideration. The Officer report outlines the policy context, potential sites, material selection, community consultation process, financial and resource implications, implementation and other matters.
4. Cr Yildiz voted against the motion for item 7.2. During debate on the item, it is clear from the recording of the council meeting that Cr Yildiz focussed on the cost of the installation of the two rainbow crossings as his primary reason not to support the motion that was finally passed by council.
5. In his application Cr Yildiz noted that he *'had presented a legitimate and respectful position regarding the allocation of public funds, raising concerns about whether the proposed expenditure represented the best use of ratepayers' money.'* He observes in the application that *'At no point did I attack any individual, nor did I oppose the principles of inclusion or equality. My remarks were focused entirely on policy, fiscal responsibility and the prioritisation of direct support for the LGBTIQA+ community.'*
6. Cr Yildiz alleges that during the debate on item 7.2 Cr Pulford made several statements that breached the Standards of Conduct in the MCCC. He further alleges that Cr Pulford's conduct during the debate *'reflected a deliberate choice to personalise the issue rather than engage respectfully about the report at hand.'*
7. During the debate on this item, Cr Yildiz called a *'Point of Order'*¹ on two occasions during Cr Pulford's address as a speaker in favour of the motion, and it is alleged that *'Cr Pulford continued speaking without pausing for the chair to make a ruling on the point of order'*. In doing so, Cr Yildiz alleges that Cr Pulford *'continued speaking over my objection, ignoring the proper process and preventing the Chair ... from addressing my concern regarding his personal and inappropriate remarks.'*

¹ 'Point of Order' is defined as *'a procedural point (about how the Meeting is being conducted), not involving the substance of a matter before a Meeting'* (section 2.4 Merri-bek Governance Rules, April 2024)

8. According to Cr Yildiz, *'Cr Pulford's behaviour showed disregard for Council meeting protocols and the Chair's role, which undermines the proper conduct expected in Council debates'*.

Process and Hearings

9. Pursuant to sections 144 and 149 of the Act, the Registrar appointed the Arbiter on 2 September 2025.
10. After reviewing the application material, the Arbiter wrote to the Council's Councillor Conduct Officer and the parties on 12 September 2025 advising that a 'Directions Hearing' would be held via Council's online meeting platform on 25 September 2025. The 'Directions Hearing' primarily addressed procedural arrangements for the forthcoming in-person Hearing.
11. Following the Directions Hearing, directions were made by the Arbiter for the filing and serving of written submissions and documents on which the parties intended to rely at the Hearing, and a Hearing date was set for 8 October 2025.
12. On Wednesday 8 October 2025, the Hearing was held at Brunswick Town Hall and was attended by Cr Yildiz, Cr Pulford, Council's Councillor Conduct Officer, a representative of council's recording service, and the Arbiter.
13. After hearing submissions from the parties at the Hearing, reviewing video footage of the Council Meeting of 9 April 2025, and considering the documents filed by them, the Arbiter reserved his decision. The transcription of the 8 October 2025 hearing was provided to the Arbiter on 30 October 2025.

Alleged Breach of Standard of Conduct 1 - Submissions and Evidence of Cr Yildiz

14. At the hearing, Cr Yildiz primarily relied on his Application material and provided a link to the publicly available recording of the Council Meeting of 9 April 2025. The recording of the debate on item 7.2 was viewed during the hearing.
15. Cr Yildiz alleged that Cr Pulford had breached Standard 1 ('Performing the Role of a Councillor') which requires that *'A Councillor must do everything reasonably necessary to ensure that they perform the role of a Councillor effectively and responsibly'*. Specifically, Cr Yildiz referred to alleged breaches of Standards 1(a), (b), (c) and (e) (See Attachment 1 - Model Councillor Code of Conduct).
16. In summary, Cr Yildiz alleges that Cr Pulford's conduct during the debate was a breach of Standard of Conduct 1 because he (Cr Yildiz) raised two points of order in direct response to comments made by Cr Pulford, which he believed amounted to a personal attack and constituted a breach of the Merri-bek Council's Governance Rules (adopted April 2024), that were applicable at the time.

17. In the first instance, the application alleges that Cr Yildiz calls a 'Point of Order'. The Mayor refers to Cr Yildiz to presumably explain his Point of Order, and almost immediately Cr Pulford turns his attention to Cr Yildiz and asks what is akin to a rhetorical question *'What's the point of order, can you name it? I am debating the item'*, and Cr Pulford then continues to address the meeting.
18. Cr Yildiz submits that Cr Pulford ignored the process outlined in Council's Governance Rules especially relating to Points of Order. He did not pause to allow the Chairperson (the Mayor) to consider the Point of Order, and he continued to speak, and it is alleged that this thereby undermined the Mayor's authority and the rights of Councillors to participate in an orderly debate.

Alleged Breach of Standard of Conduct 1- Submissions and Evidence of Cr Pulford

19. In response to the allegation of a breach of Standard 1 of the MCCC, Cr Pulford rejected the allegation that he failed to respect the authority of the Mayor as Chairperson. He noted that in relation to points of order, Merri-bek's Governance Rules state:

"3.10 Points of Order

3.10.1 Raising a Point of Order

- (1) A Councillor raising a Point of Order must state:***
 - (a) the Point of Order; and***
 - (b) any chapter, Rule, paragraph or provision relevant to the Point of Order***
- (2) The Chairperson must decide all points of order by stating the provision, Rule, practice or precedent which he or she considers applicable to the Point of Order raised, without entering into any discussion or comment."***

20. In summary, Cr Pulford argued that Cr Yildiz never specified which point of order he believed he had broken during the debate. Cr Pulford claims he briefly stopped his speech to ask which point of order Cr Yildiz believed he had broken. Cr Pulford claims that Cr Yildiz did not name the point of order, the Mayor did not rule on any point of order and did not direct Cr Pulford to take any action.

Findings of the Arbiter on Alleged Breach of Standard of Conduct 1

21. The Arbiter considered submissions and evidence from the parties in relation to the allegation of a breach of Standard 1 of the MCCC.
22. Rule 3.2.4 (5) of Council's Governance Rules states that the Chairperson *'must decide on all points of order in accordance with Rule 3.10'*. There is no discretion for the Chairperson when following that process once a point of order is called. However, for the Chairperson to follow this process, this requires the cooperation of Councillors in the 'thick of' debate.
23. To recap, Rule 3.10 Points of Order is as follows:

3.10.1 Raising a Point of Order

- (1) A Councillor raising a Point of Order must state:***

- (a) the Point of Order; and
- (b) any chapter, Rule, paragraph or provision relevant to the Point of Order

- (2) The Chairperson must decide all points of order by stating the provision, Rule, practice or precedent which he or she considers applicable to the Point of Order raised, without entering into any discussion or comment."
- (3) The Chairperson may adjourn the Meeting to consider a Point of Order; otherwise he or she must rule on it as soon as it is raised.
- (4) All other matters before Council are suspended until the Point of Order is decided.

24. Whilst it was not raised by either of the parties, the Arbiter notes rule 3.8.1 of the Governance Rules requires the following:

3.8.1 Councillor allowed to speak uninterrupted

A Councillor who has the floor must not be interrupted unless called to order, or given notice by the Chairperson his speaking time has elapsed or is about to elapse, when he or she must sit down and remain silent until the Councillor raising the Point of Order has been heard and the Point of Order dealt with [emphasis added].

25. The Arbiter is not persuaded by Cr Pulford's explanation that 'Cr Yildiz did not name the Point of Order, the Mayor did not rule on any Points of Order and did not direct me to take any action'.

26. The Chairperson, the Mayor should have insisted that Cr Pulford pause, as soon as Cr Yildiz called a 'Point of Order'. Instead, Cr Pulford addressed Cr Yildiz directly and assertively to determine the nature of the point of order rather than directing his comments through the Chair.

27. Cr Pulford submitted at the hearing that Cr Yildiz's point of order wasn't valid because he didn't immediately refer to the chapter, rule, paragraph or provision relevant to the point of order. The Arbiter observes that Cr Yildiz was deferring to the Chair and had no opportunity to elaborate before Cr Pulford continued speaking. Cr Pulford submitted that if the point of order had been valid, the Chairperson would have stopped the meeting and ruled. The Arbiter does not accept this explanation and is concerned that Cr Pulford's conduct effectively sidelined Cr Yildiz's point of order and did not support the Chair in performing that role as required in the Governance Rules.

28. This breach reinforces the need for cooperation by Councillors and respect for the role of the Chair - in this case the Mayor. As soon as a 'point of order' is called, the Councillor who is speaking should not need to wait for a direction from the Chairperson to pause. The Chairperson's role should then be guided by fairness, impartiality, and efficiency. Conventions include immediate recognition, which in this case occurred (as the Mayor recognised that Cr Yildiz had called his first point of order). The Chair would then usually ask the Councillor to state the grounds for the point of order clearly and concisely, but by then Cr Pulford has already continued to speak. Consequently, there was no ruling on the point of order.

29. As a Councillor with recent experience as Mayor of Merri-bek for the 2023-24 term, these procedures should be well known to Cr Pulford. Cr Pulford did offer an explanation as to why Cr Yildiz's 'Point of Order' was effectively set aside, when he observed at the hearing that *'the practice at council has been sometimes that it's been informal in that the Mayor doesn't get involved'*. The Arbiter has viewed footage of 'points of order' from other Merri-bek meetings including when Cr Pulford was the Chairperson, which confirmed Cr Pulford's observation. This is both concerning in the context of this application but also for the integrity of the Governance Rules.

30. For the reasons outlined above, the Arbiter finds that Cr Pulford's conduct during the debate on item 7.2 was in breach of Standard 1 requiring that 'A Councillor must do everything reasonably necessary to ensure that they perform the role of a Councillor effectively and responsibly, including (e) acknowledging and supporting the Mayor in the performance of the role of the Mayor.'

Alleged breach of Standard of Conduct 2 - Submissions and Evidence of Cr Yildiz

31. Cr Yildiz alleged that Cr Pulford had also breached Standards 2(1)(a) and (b), and 2(3) ('Behaviours') and claimed that Cr Pulford's comments and tone during debate on item 7.2 were demeaning and abusive. He claims they are inconsistent with Standard 2(1) that requires that 'A Councillor must treat others, including other Councillors, members of Council staff and members of the public, with dignity, fairness, objectivity, courtesy and respect'.

32. This allegation primarily relates to Cr Pulford's comments in the debate that *'We're a proudly diverse community here in Merri-bek and this motion should be celebrating that. I'm proud to support this motion tonight and I'm proud to know that pretty much every Councillor in this room will back this motion. I'm sorry to all community members that we have this dupliciousness in one of our Councillors, but I hope that we celebrate this motion being passed this evening.'*

33. This was referring to Cr Yildiz's failure to support the motion for Item 7.2 associated with consultation on 'Rainbow Crossings', when he had also signed a 'Rainbow Pledge' that included support for the Crossings in the lead up to the 2024 council elections. Cr Yildiz alleges that this remark, together with other comments made during Cr Pulford's address appeared to question his character and integrity, rather than engaging with the substance of the motion under discussion.

34. In a written direction issued on 25 September 2025, the Arbiter requested Cr Yildiz to provide a copy of the 'Rainbow Pledge' that he signed in the lead up to the 2024 council election. Cr Yildiz provided a copy of a document that contained a pledge in 5 parts, none of which referenced support for 'Rainbow Crossings'. The document included a 'source' at the end which linked through to the 'Rainbow Local Government (Victorian Pride Lobby), Local Council Candidate Pledge'.

When following this link, it takes the viewer to a pledge that was specifically for candidates for the 2024 election and did contain a pledge to support 'Rainbow Crossings'.² The Arbiter notes several additional online references relating to the candidate pledge in the lead up to the 2020 election that do not contain the 'Rainbow Crossing' section to the pledge. It appears that Cr Yildiz provided a copy of the contents of the 2020 pledge in response to the Arbiter's direction seeking a copy of the 2024 pledge.

35. The Arbiter took submissions from the parties on this matter. At the hearing, Cr Yildiz initially sought to cast doubt on whether he had signed the pledge that contained the specific section on the 'Rainbow Crossings'. When it was pointed out that the link he provided takes the viewer through to the 2024 version that does contain reference to 'Rainbow Crossings', Cr Yildiz acknowledged at the hearing *'The link is there, and let's say I did sign the Rainbow Pledge, saying that I'm happy to spend the money on rainbow crossings, there was no figure'*.
36. It was unnecessary and unhelpful for Cr Yildiz to equivocate on the version and substance of the pledge he endorsed. Whilst pledges are not binding, a candidate should at least be clear on what they have signed. This observation is made solely in relation to Cr Yildiz's contribution to these proceedings, and it has not influenced the Arbiter's findings on the substantive issues in this case.
37. In relation to the substance of the allegation, and in addition to the use of the term 'duplicitousness', Cr Yildiz alleges that Cr Pulford made multiple statements during the debate that were offensive, malicious and factually incorrect, and therefore did not treat him with dignity, fairness, objectivity, courtesy and respect'. These included:

'I'm really disappointed that I enter another Council meeting with a positive item for the LGBTQIA+ community on the agenda with a sour taste in my mouth and a feeling that I should have to look over my shoulder or look behind me as I walked into the chamber and walked out of the chamber.'

...

But here tonight we have a Councillor stirring up division and anger over queer issues once again.

...

The Councillor says it's not because it's about LGBTQIA+ issues, it's about costs. But if you look at the pattern of behaviour this Councillor has recently gone to the media to stir up community dissent over queer issues, including opposing the colourful and joyful drag story time events last year.

...

It's the same Councillor who went on radio in the last term of Council to accuse me of having a conflict of interest on a rainbow flag motion because I'm gay. This pattern of behaviour indicates it's not about cost; It's about something else.

...

² The 2024 pledge included: 'Install a rainbow crossing (or maintain existing one) This vibrant symbol of Pride is more than just a crossing—it's a visible commitment to diversity, acceptance, and equality for all. Rainbow crossings help create a space where everyone feels seen and valued and make local communities a place where love and inclusion are always in the spotlight. We ask that candidates actively campaign for, and support, installing a rainbow crossing in the community (or maintain one if already installed!).'

This Councillor is happy to sign the rainbow pledge and say he will support LGBTQIA+ people when he wants our votes. But when he's in a position, when he's in a position to honour this pledge, he breaks it and goes on radio to spread division'.

38. At the hearing, Cr Yildiz observed *'The term 'duplicitous' suggests deceitfulness and this is a very serious and unsubstantiated personal allegation against me. His remarks with his comments appear to be targeted at questioning my character and my integrity rather than engaging with the substance of the motion that was being discussed. He caused stigma towards me, there was a fair bit of aggression, anger towards me, it was a personal attack, it wasn't about a legitimate debate ...'*
39. In his submissions and at the hearing, Cr Yildiz described the impact that the comments during the debate of the 9 April 2025 Council meeting have had on his health and safety. He recounted these very serious threats and reflected that Standard 2(2) of the Code states that 'A Councillor, as an individual at the workplace, must take reasonable care for their own health and safety and take reasonable care that their acts or omissions do not adversely affect the health and safety of other persons'.

Alleged Breach of Standard of Conduct 2 - Submissions and Evidence of Cr Pulford

40. In response to the allegation of a breach of Standard 2 of the MCCC, Cr Pulford claims he did not fail to treat Cr Yildiz with dignity, fairness, objectivity, courtesy and respect, in that his contributions were factually accurate and were part of 'robust debate', as allowed under the MCCC.
41. In his submission, Cr Pulford advised that 'prior to the 2024 Council Elections, Cr Yildiz had signed the 2024 Rainbow Pledge, which included 5 action items. One of these pledge actions was 'install a rainbow crossing'. Cr Pulford explained that Cr Yildiz was debating against supporting Item 7.2 Rainbow Crossings - Sites for Consultation and had spoken to various media outlets ahead of the Council Meeting to express his opposition to the item ... just 6 months after the Council Election at which he had signed the pledge.
42. In his defence of using the term 'duplicitousness' to describe Cr Yildiz, Cr Pulford noted the definition of 'duplicitousness' via Oxford Languages is 'the quality of being duplicitous; deceitfulness', and he went on to explain that whilst *'the pledge is of course non-binding, it is duplicitous, or deceitful, to sign a pledge making a commitment to the community before an election and then opposing that same item once elected'*. Cr Pulford believed it was part of robust debate to make sure the community is informed when a Councillor is acting inconsistently with their previous public commitments.
43. In response to Cr Yildiz's allegation that Cr Pulford's comment *'I should not have to look over my shoulder ... as I walk into and out of the chamber'* breaches the MCCC, Cr Pulford noted that during a conciliation meeting held on 19 May 2025, he explained to Cr Yildiz that this comment was not referring to him, but rather about how the threat to Council he had received ahead of the meeting meant he was again going to enter his workplace feeling concerned for his safety and well-being.
44. Cr Pulford submitted that since being elected to Council in 2020, this was the third time that Cr Yildiz has spoken to the media against LGBTQIA+ issues, the previous two times involved social media posts in relation to 'Drag story time' and a radio interview in 2020 in relation to flying the

rainbow flag, and that this accounted for Cr Pulford's comment in the Council meeting that 'We have a Councillor stirring up division and anger over queer issues once again', and 'This Councillor is happy to sign the rainbow pledge ... then goes on radio to spread division.'

Findings of the Arbiter on Alleged Breach of Standard of Conduct 2

45. The Arbiter accepts Cr Pulford's explanation in relation to his comment 'I should not have to look over my shoulder ... as I walk into and out of the chamber' - that this was not referring to Cr Yildiz. Rather this was about how threats had been received ahead of the meeting with the result that Cr Pulford was again going to enter his workplace feeling concerned for his safety and well-being.
46. The Arbiter acknowledges Cr Pulford's anxiety which he described in the hearing as 'entering my workplace, under threats, stressed, worried for my safety', and that this may have contributed to the comments. Cr Pulford acknowledged that 'if I had my time again I would have maybe not used the word duplicitousness or maybe would have tried to calm myself a little bit more'.
47. Cr Pulford contends that his comments were 'robust debate'. The MCCC does not limit robust public debate. Standard 5 states 'Nothing in the Model Councillor Code of Conduct is intended to limit, restrict or detract from robust public debate of issues in a democracy'. The MCCC does not prevent Councillors from expressing their views forcefully on issues before the Council nor from providing a critique of the views of others. But this must be done in a respectful manner that is compatible with the standards of conduct. Cr Pulford used inflammatory language, neglected to allow others the opportunity to speak without interruption, and most importantly his criticism focused on Cr Yildiz rather than ideas or issues being discussed. In this case, 'robust public debate' is not a defence against breaches of this standard of conduct.
48. The Arbiter finds that Cr Pulford breached Standard 2 as he did not treat Cr Yildiz with dignity, fairness, objectivity, courtesy and respect. Collectively, his comments during the debate in item 7.2 of the Council Meeting were unfair and disregarded the fact that Cr Yildiz took great care to use respectful and carefully considered language when he spoke on the item. He focussed on the cost of the Rainbow Crossings and conveyed his position on the value of such an investment.

Alleged breach of Standard of Conduct 4 - Submissions and Evidence of Cr Yildiz

49. Cr Yildiz alleged that Cr Pulford had also breached Standard 4 ('Integrity'). Specifically, Cr Yildiz referred to alleged breaches of Standards 4(1) (a) and (b) of the MCCC.
50. With reference to the comments by Cr Pulford during the debate and outlined in the previous section relating to breaches of Standard of Conduct 2, Cr Yildiz also alleges that these comments constitute a breach of Standard 4(1) because the conduct was inappropriate, unprofessional and inconsistent with the expectations of a Councillor as set out in the MCCC.
51. Cr Yildiz noted at the hearing that Cr Pulford's comments 'did bring discredit upon the council because it misled the Council, it misled the public, that somehow my opposition to spending \$45,000 on two rainbow crossings somehow was duplicitous because I'd already signed to say I was going to support it, when it didn't even have a figure on it ...'.

Alleged Breach of Standard of Conduct 4 - Submissions and Evidence of Cr Pulford

52. In response to the allegation of a breach of Standard of Conduct 4 of the MCCC, Cr Pulford submitted that 'it was not misleading to say Cr Yildiz had gone against the rainbow pledge that he had taken prior to the 2024 Council Elections'.
53. As previously noted, Cr Pulford submitted that Cr Yildiz had excluded the key pledge commitment relevant to this item and debate when providing a copy of the pledge document requested by the Arbiter i.e. 'Install a rainbow crossing (or maintain existing one)'.
54. Cr Pulford argued that Cr Yildiz broke his 2024 Rainbow Pledge by opposing the rainbow crossings item during the April 2025 Council Meeting.
55. When acknowledging using the term 'duplicitousness' to describe the actions of Cr Yildiz, Cr Pulford noted at the hearing that *'I just talked about actions that Councillor Yildiz had taken, consequences of those actions, and yeah, I used the word duplicitousness, which I accept is emotional and could be inflaming.'*

Findings of the Arbiter on Alleged Breach of Standard of Conduct 4

56. Standard 4 requires that 'A Councillor must act with integrity, exercise reasonable care and diligence and take reasonable steps to avoid any action which may diminish the public's trust and confidence in the integrity of local government, including by—(a) ensuring that their behaviour does not bring discredit upon the Council.
57. Cr Pulford's demeanour and lack of restraint in his personal remarks about Cr Yildiz during the debate on item 7.2 did likely diminish the public's trust and confidence in the integrity of Merri-bek City Council, primarily due to the publicity surrounding Cr Pulford's unnecessary behaviour during the debate. In his submission at the Hearing, Cr Pulford conceded that his use of the word duplicitousness was emotional and could be inflaming.
58. It is difficult to characterise Cr Yildiz's speech on item 7.2 as 'stirring up division', which is how Cr Pulford described Cr Yildiz's approach to the debate on this item. Cr Yildiz, just like the Mayor and several other Councillors at the meeting, was scrutinising the budget of the 'Rainbow Crossing' project during debate on the item. This is both reasonable and expected.
59. It may be argued that Cr Yildiz has 'stirred up division' at other times - but his speech during item 7.2 at the Council Meeting on the 9 April 2025 was not one of those occasions. Cr Yildiz was restrained, and his focus was on his concerns regarding the cost of spending \$45,000 on rainbow crossings.
60. When even just one Councillor questions or dissents from the allocation of Council funding to a project, they should be treated with respect. To do otherwise diminishes the public's trust and confidence in Council and the integrity of local government.
61. After considering submissions from the parties and evidence, I am satisfied that Cr Pulford breached Standard 4 for the reasons outlined above.

Conclusion

62. Pursuant to section 147(1) of the Act I make a finding of misconduct in respect of the breach of Standards 1, 2 and 4 of the MCCC for the reasons set out above.

Sanction options

63. Pursuant to section 147(2) of the Act, after a finding of misconduct, the Arbiter may do any one or more of the following—

- (a) direct the Councillor to make an apology in a form or manner specified by the arbiter;
- (b) suspend the Councillor from the office of Councillor for a period specified by the arbiter not exceeding three months;
- (c) direct that the Councillor be removed from any position where the Councillor represents the Council for the period determined by the arbiter;
- (d) direct that the Councillor is removed from being the chair of a delegated committee for the period determined by the arbiter;
- (e) direct a Councillor to attend or undergo training or counselling specified by the arbiter;
- (f) direct that the Councillor is not to attend or participate in a council meeting specified by the arbiter that occurs after the meeting at which the decision and statement of reasons are tabled under subsection (4);
- (g) direct that the Councillor is ineligible to hold the office of Mayor or Deputy Mayor for a period specified by the arbiter not exceeding 12 months.

Cr Yildiz's submission on sanction

64. At the Hearing, Cr Yildiz was invited to make a submission on appropriate sanctions if a finding of misconduct was made in relation to any of the allegations.

65. In response, Cr Yildiz requested that the arbiter consider imposing a requirement for a verbal 'public apology at a future council meeting that acknowledges his remarks were inappropriate and affirms the importance of respectful debate amongst councillors'. Cr Yildiz also requested the arbiter to 'consider whether the severity and public nature of his conduct warrants ... potential suspension'.

Cr Pulford's submission on sanction

66. Cr Pulford was also invited to make a submission on appropriate sanctions if a finding of misconduct was made in relation to any of the allegations.

67. In response, Cr Pulford observed that 'I don't believe a finding on misconduct should be made, and therefore I don't believe I should have any sanctions. This is my fifth year of being a councillor and I haven't had complaints made against me before, and, I mean, and I don't believe that this complaint is substantial'.

Conclusion on sanctions

68. In determining a sanction that is proportionate and consistent with natural justice, the Arbiter has considered several factors that mitigate the seriousness of Cr Pulford's conduct including:

- Cr Pulford partially apologised for hurt caused during the conciliation process between the parties on 19 May 2025,
- he fully cooperated with the Arbitration process,
- his length of tenure as a Councillor and former Mayor without complaints having been previously made, and an absence of prior findings of misconduct,
- the stressful context within which the conduct occurred.

69. Cr Pulford has been found to have breached Standards 1, 2 and 4. After considering the mitigating factors, the Arbiter finds that the appropriate sanction in this instance is for Cr Pulford to be suspended from the office of Councillor for a period of 14 days. The suspension is intended to reinforce standards of conduct, provide an opportunity for reflection, and act as a deterrent to ultimately maintain confidence in council governance and governance procedures during meetings.

70. The option to direct that Cr Pulford make an apology was considered but not imposed. It is preferable for the outcome of this Arbitration to be corrective not performative. In other words, where misconduct is found, impose proportionate and reasoned sanctions. It is the Arbiter's view that imposing a public display of contrition via a forced apology may not be helpful.

Sanction

Pursuant to section 147(2)(b) of the *Local Government Act 2020*, I direct that Cr Adam Pulford of the Merri-bek City Council is suspended from the office of Councillor for a period of 14 days commencing the day after this decision is tabled at the next Council meeting in accordance with section 147(4)(b) of the Act.

Matthew Evans
Arbiter

Date: 21 November 2025

Schedule 1—Model Councillor Code of Conduct

Regulation 12

Definitions

In this Schedule—

discrimination means unfair or unfavourable treatment of a person on the grounds of an attribute specified in section 6 of the Equal Opportunity Act 2010.

1. Performing the role of a Councillor

A Councillor must do everything reasonably necessary to ensure that they perform the role of a Councillor effectively and responsibly, including by—

- (a) representing the interests of the municipal community by considering and being responsive to the diversity of interests and needs of the municipal community; and
- (b) being fit to perform the role of a Councillor when acting in that capacity or purporting to act in that capacity; and
- (c) diligently using Council processes to become informed about matters which are subject to Council decisions; and
- (d) not performing or purporting to perform any responsibilities or functions of the Chief Executive Officer; and
- (e) acknowledging and supporting the Mayor in the performance of the role of the Mayor, including by—
 - (i) respecting and complying with a ruling of the Mayor as the chair of Council meetings (unless dissenting from the ruling in accordance with the Council's Governance Rules); and
 - (ii) refraining from making public comment, including to the media, that could reasonably be perceived to be an official comment on behalf of the Council where the Councillor has not been authorised by the Mayor to make such a comment.

2. Behaviours

- (1) A Councillor must treat others, including other Councillors, members of Council staff and members of the public, with dignity, fairness, objectivity, courtesy and respect, including by—
 - (a) not engaging in demeaning, abusive, obscene or threatening behaviour, including where the behaviour is of a sexual nature; and
 - (b) not engaging in behaviour that intentionally causes or perpetuates stigma, stereotyping, prejudice or aggression against a person or class of persons; and
 - (c) not engaging in discrimination or vilification; and

- (d) supporting the Council, when applying the Council's community engagement policy, to develop respectful relationships and partnerships with Traditional Owners, Aboriginal community controlled organisations and the Aboriginal community; and
 - (e) supporting the Council in fulfilling its obligation under the Act or any other Act (including the Gender Equality Act 2020) to achieve and promote gender equality; and
 - (f) ensuring their behaviours and interactions with children are in line with the Council's policies and procedures as a child safe organisation and obligations under the Child Wellbeing and Safety Act 2005 to the extent that they apply to Councillors.
- (2) A Councillor, as an individual at the workplace, must take reasonable care for their own health and safety and take reasonable care that their acts or omissions do not adversely affect the health and safety of other persons by—
- (a) adhering to applicable systems and policies put in place by the Chief Executive Officer to manage risks to health and safety in the workplace; and
 - (b) complying, so far as the Councillor is reasonably able, with any reasonable instruction that is given by the Chief Executive Officer to manage risks to health and safety.
- (3) A Councillor must act in accordance with any policies, practices and protocols developed and implemented under section 46 of the Act that support arrangements for interactions between members of Council staff and Councillors.

3. Good governance

A Councillor must comply with the following Council policies and procedures required for delivering good governance for the benefit and wellbeing of the municipal community—

- (a) the Council's expenses policy adopted and maintained under section 41 of the Act;
- (b) the Council's Governance Rules developed, adopted and kept in force by the Council under section 60 of the Act, including in relation to—
 - (i) conduct in Council meetings or meetings of delegated committees; and
 - (ii) requesting and approval of attendance at Council meetings and meetings of delegated committees by electronic means of communication; and
 - (iii) the Council's election period policy included in the Council's Governance Rules under section 69 of the Act, including in ensuring that Council resources are not used in a way that is intended to influence, or is likely to influence, voting at a general election or by-election;
- (c) the Council's Councillor gift policy adopted under section 138 of the Act;

- (d) any direction of the Minister given under section 175 of the Act.

4. Integrity

- (1) A Councillor must act with integrity, exercise reasonable care and diligence and take reasonable steps to avoid any action which may diminish the public's trust and confidence in the integrity of local government, including by—
 - (a) ensuring that their behaviour does not bring discredit upon the Council; and
 - (b) not deliberately misleading the Council or the public about any matter related to the performance of their public duties; and
- (c) not making Council information publicly available where public availability of the information would be contrary to the public interest.

Note

See the public transparency principles set out in section 58 of the Act.

- (2) A Councillor must not, in their personal dealings with the Council (for example as a ratepayer, recipient of a Council service or planning applicant), expressly or impliedly request preferential treatment for themselves or a related person or entity.

5. The Model Councillor Code of Conduct does not limit robust public debate

Nothing in the Model Councillor Code of Conduct is intended to limit, restrict or detract from robust public debate of issues in a democracy.

