

COUNCIL MEETING

**Tuesday 19 July, 2022
6.30pm**

**Council Chamber
Level 1
Maribyrnong Council Offices
Corner Hyde and Napier Streets, Footscray**

AGENDA

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Agenda Item 6

CONFIRMATION OF THE MINUTES OF THE PREVIOUS COUNCIL MEETING - 14 JUNE 2022

Director: Lisa King
Director Corporate Services

Author: Phil McQue
Manager Governance and Commercial Services

PURPOSE

To present for confirmation, the minutes of the Council Meeting held on 14 June 2022.

ISSUES SUMMARY

- The Maribyrnong City Council Governance rules requires Council to keep minutes of each meeting of the Council and Delegated Committees, and for minutes to be submitted to the next appropriate meeting for confirmation.

ATTACHMENTS

1. Unconfirmed Minutes of the Council Meeting held on Tuesday 14 June 2022 [↓](#)

OFFICER RECOMMENDATION

That Council confirms the minutes of the Council Meeting held on 14 June 2022.

Agenda Item 6**BACKGROUND**

The minutes of meetings remain unconfirmed until the next appropriate meeting of Council.

DISCUSSION/KEY ISSUES**1. Key Issues**

Council's Governance Rules requires Council to confirm its minutes at the next appropriate meeting.

2. Council Policy/Legislation**Council Plan 2021-2025**

This report contributes to Council's strategic objectives contained in the Council Plan 2021-2025 by considering:

- Ethical leadership - lead our changing city using strategic foresight, innovation, transparent decision making and well-planned, effective collaboration to support economic growth during the ongoing challenges of the pandemic and beyond.

Legislation

Local Government Act 2020

Conflicts of Interest

No officer responsible for, or contributing to, this report has declared a direct or indirect interest in relation to this report.

Human Rights Consideration

This report complies with the rights listed in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

3. Engagement

Not applicable.

4. Resources

Not applicable.

5. Environment

Not applicable.

CONCLUSION

The unconfirmed minutes of the Council Meeting held on 14 June 2022 are presented for confirmation.

U N C O N F I R M E D M I N U T E S



Maribyrnong City Council

COUNCIL MEETING MINUTES

**Tuesday 14 June, 2022
6.30pm**

**Council Chamber
Level 1
Maribyrnong Council Offices
Corner Hyde and Napier Streets, Footscray**

MEMBERSHIP

Councillor Anthony Tran (Chair)
Councillor Sarah Carter
Councillor Michael Clarke
Councillor Simon Crawford
Councillor Jorge Jorquera
Councillor Cuc Lam
Councillor Bernadette Thomas

To be confirmed at the Council Meeting
to be held on 19 July, 2022

U N C O N F I R M E D M I N U T E S

1. COMMENCEMENT OF MEETING AND WELCOME

The meeting commenced at 6.31pm.

The Chair, Cr Anthony Tran made the following acknowledgement statement:

“We acknowledge that we are on the traditional lands of the Kulin Nation. We offer our respect to the Elders of these traditional lands, and through them to all Aboriginal and Torres Strait Islander peoples, past and present”.

PRESENT

Councillor Anthony Tran (Chair)
Councillor Sarah Carter
Councillor Michael Clarke
Councillor Simon Crawford
Councillor Jorge Jorquera
Councillor Cuc Lam
Councillor Bernadette Thomas

IN ATTENDANCE

Chief Executive Officer, Celia Haddock
Director Community Services, Lucas Gosling
Director Infrastructure Services, Patrick Jess
Director Corporate Services, Lisa King
Acting Director Planning and Environment Services, Francesca O'Brien
Manager Governance and Commercial Services, Phil McQue
Acting Coordinator Governance, Adele Woolcock

2. APOLOGIES

Nil.

3. LEAVE OF ABSENCE

Nil.

1. 4. DISCLOSURES OF CONFLICTS OF INTEREST

Nil.

SUSPENSION OF STANDING ORDERS

A motion was moved by Cr Cuc Lam, seconded by Cr Michael Clarke, that Council suspend standing orders to acknowledge the passing of the Hon. Dr Moses Cass at 6.32pm.

CARRIED

U N C O N F I R M E D M I N U T E S

The Mayor, Councillor Anthony Tran and Councillor Michael Clarke expressed condolences to the Hon. Dr Moses Cass, the former Federal Member for Maribyrnong from 1969 to 1983.

Councillor Michael Clarke also acknowledged the Socceroos qualifying for the 2022 World Cup to be held in November this year.

RESUMPTION OF STANDING ORDERS

A motion was moved by Cr Cuc Lam, seconded by Cr Michael Clarke, that Council resume standing orders at 6.39pm.

CARRIED

5. PUBLIC QUESTION TIME

Mr Eddie Merrifield asked the following question:

Is visual clutter still a Council by-law offence? If so why is Katie Hall MP advertising Labor Logo allowed to have a Poster/Banner for over twelve months on the football ground fence of your property at Braybrook Football Ground?

Response

The Mayor, Councillor Anthony Tran noted that sport and recreation plays a significant part in community life within the City of Maribyrnong however it is noted that participation in these activities can come at a cost to the member. The placement of sponsor signage around sporting grounds is a common practice to enable clubs to recognise organisations that sponsor their activities and generate funds to subsidise the costs to these members.

It was acknowledged that this however must be managed to ensure that the visual amenity of open space isn't diminished and the community investment in the space is recognised. Council is currently developing a signage policy to better articulate the opportunity for reserve tenants ensuring that community expectations on visual amenity are clear and adhered to.

6. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

The purpose of this report was to present for confirmation, the minutes of the Council Meeting held on 17 May 2022.

Council Resolution

That Council confirms the minutes of the Council Meeting held on 17 May 2022.

Moved: Cr Cuc Lam
Seconded: Cr Bernadette Thomas

CARRIED

U N C O N F I R M E D M I N U T E S

7. REPORTS FROM COMMITTEES

7.1. Noting of Confirmed Minutes of Delegated Committees

The purpose of this report was to present for noting the confirmed minutes of the Council's Delegated Committees established under section 63 and 64 of the *Local Government Act 2020*.

Council Resolution

That Council notes the confirmed minutes of the Enterprise Maribyrnong Delegated Committee held on 1 February 2022 and the City Development Delegated Committee held on 26 April 2022.

Moved: Cr Sarah Carter
Seconded: Cr Simon Crawford

CARRIED

8. PETITIONS

Nil

9. OFFICER REPORTS

9.1. Adoption of the 2022/2023 Annual Budget and The Subsequent Three Years and Striking of the Rate

The purpose of this report was to Council to adopt the 2022/2023 Annual Budget and the Subsequent Three Years and Striking of the Rate.

Council Resolution

That Council:

1. *Having considered all submissions received, adopts the Annual Budget 2022/2023 and the subsequent three years, including adjustments, as per Attachment 1 and 2 to meet Sections 94 and 96 of the Local Government Act 2020.*
2. *Authorise the Chief Executive Officer to advertise this decision.*
3. *In accordance with Section 158 and 161 of the Local Government Act 1989 declares:*
 - a. *\$104,934,988 as the amount which Council intends to raise by general rates and charges.*
 - b. *The general rate be raised by the application of differential rates.*
 - c. *The following differential rates for the rating period commencing 1 July 2022 and ending 30 June 2023:*
 1. *General rate for rateable residential properties (100%) –*

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- 0.00249243 cents in the dollar of CIV*
- 2. General rate for rateable commercial properties (135%) – 0.00336478 cents in the dollar of CIV*
 - 3. General rate for rateable industrial properties (160%) – 0.00398789 cents in the dollar of CIV*
 - 4. General rate for rateable vacant land – residential (200%) – 0.00498486 cents in the dollar of CIV.*
 - 5. General rate for rateable vacant land - commercial (300%) – 0.00747729 cents in the dollar of CIV.*
 - 6. General rate for rateable vacant land - industrial (300%) – 0.00747729 cents in the dollar of CIV.*
 - 7. General rate for rateable cultural and recreational properties (60%) – 0.00149546 cents in the dollar of CIV.*
- 4. In accordance with Section 159 of the Local Government Act 1989 declare a Municipal Charge of \$20.00 for each rateable property for the rating period commencing 1 July 2022 and ending 30 June 2023.*
 - 5. In accordance with Section 162 of the Local Government Act 1989 declare a waste management service for waste collection and disposal on each rateable property and non-rateable properties, where the service is provided for the period commencing 1 July 2022 to 30 June 2023 as follows:*
 - a. Waste Management charge 1 – 2 services \$233.00*
 - b. Waste Management charge 2 – 3 services \$289.00*
 - 6. Grants a Council rebate in relation to rates to all City of Maribyrnong pensioners eligible to participate in the State Government Pensioner Remission Scheme. The rebate will be for a maximum of \$204.85.*
 - 7. Grants a vacant residential land rebate upon application – The rebate applied is 50% of the residential vacant land rate, provided the Certificate of Occupancy is issued within 18 months of the completed Building Demolition with a six month extension for pandemic related delays.*
 - 8. Notes that interest on unpaid rates will be charged in accordance with section 172 of the Local Government Act 1989 (currently 10%).*
 - 9. Extends the existing COVID-19 Financial Hardship Policy at Attachment 4 to this report, until 30 June 2023.*

Moved: Cr Michael Clarke
Seconded: Cr Cuc Lam

CARRIED

Cr Crawford left the meeting at 6.49pm
Cr Crawford returned to the meeting at 6.53pm.

9.2. Civic and Community Hub Project - Final Design

The purpose of this report was to seek endorsement of the final design of the new Civic and Community Hub.

Council Resolution

U N C O N F I R M E D M I N U T E S

That Council endorse the Detailed Design of the Civic and Community Hub Project generally in accordance with the images, plans and details as presented in this report.

Moved: Cr Bernadette Thomas

Seconded: Cr Simon Crawford

CARRIED

9.3. Findings from Engagement on Reducing Harm from Gambling Policy 2022-2030

The purpose of this report was to brief Council on the findings of the community and stakeholder engagement for the draft Reducing Harm from Gambling Policy 2022-2030.

Council Resolution

That Council:

- 1. Notes the findings from the Community and Stakeholder Engagement Report on the draft Reducing Harm from Gambling Policy 2022-2030*
- 2. Continues to work with local sports clubs to implement and promote the “Love the Game Sporting Club Program” within the first year action plan, and include progress in annual reporting to Council.*
- 3. Endorses the Reducing Harm from Gambling Policy 2022-2030.*

Moved: Cr Bernadette Thomas

Seconded: Cr Simon Crawford

CARRIED

9.4. Maribyrnong People and Participation Strategy (MPPS) 2021-2026

The purpose of this report was to Council to note the key findings of the second phase of community engagement undertaken to finalise the draft Maribyrnong People and Participation Strategy (MPPS) 2021-2026 and to present the final draft MPPS 2021-2026 (Attachment 1) for adoption.

Council Resolution

That Council:

- 1. Note the community engagement undertaken on the draft Maribyrnong People and Participation Strategy (MPPS) 2021-2026.*
- 2. Endorse the Maribyrnong People and Participation Strategy (MPPS) 2021-2026.*

Moved: Cr Cuc Lam

Seconded: Cr Simon Crawford

CARRIED

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9.5. Draft 10 Year Asset Plan 2022-23 to 2031-32

The purpose of this report was to seek Council endorsement of the 10 Year Asset Plan 2022-23 to 2031-32, developed in accordance with Section 92 of the Local Government Act 2020 (the Act).

Council Resolution

That Council adopt the 10 Year Asset Plan 2022-23 to 2031-32.

Moved: Cr Bernadette Thomas
Seconded: Cr Sarah Carter

CARRIED

9.6. Investigation - Nesting Box Programs

The purpose of this report was to provide a response to Council's resolution of 16 November 2021, stating:

"That Council request the Chief Executive Officer to investigate the potential to support the preservation of native bird life through the development of a Nesting Box Program."

Council Resolution

That Council endorse the installation of 200 nesting boxes within the 2022/2023 capital works program.

Moved: Cr Michael Clarke
Seconded: Cr Simon Crawford

CARRIED

9.7. Annual Climate Emergency Progress Report

The purpose of this report was to provide an annual progress report against the four specific climate emergency actions in the Council Plan - Actions 1.1.1, 1.1.2, 1.1.3 and 1.1.4 which are required to "deliver the climate emergency strategy outcomes".

Council Resolution

That Council note this report which outlines progress to date against actions 1.1.1 - 1.1.4 of the Council Plan 2021-2025.

Moved: Cr Bernadette Thomas
Seconded: Cr Simon Crawford

CARRIED

U N C O N F I R M E D M I N U T E S

9.8. Awarding Of Contract No. 1185-22, Provision of At Call Hard Waste Collection Services

The purpose of this report was to seek Council approval to award Contract No 1185-22 Provision of At Call Hard Waste Services to the preferred tendering supplier Cleanaway Pty Ltd.

Council Resolution

That Council:

1. *Awards Contract No 1185 Provision of At Call Hard Waste Collection services to Cleanaway Pty Ltd for the total contract sum of \$7,757,022 (excluding GST) for the potential contract term of five (5) years.*

- *Year 1 \$1,234,716*
- *Year 2 \$1,401,954*
- *Year 3 \$1,544,835*
- *Year 4 \$1,701,668*
- *Year 5 \$1,873,849*
- *Total \$7,757,022*

2. *Authorises the Chief Executive Officer to execute Contract No 1185-22 Provision of At Call Hard Waste Collection Services to Cleanaway Pty Ltd.*

Moved: Cr Michael Clarke
Seconded: Cr Cuc Lam

CARRIED

Cr Jorquera left the meeting at 7.43pm.
Cr Jorquera returned to the meeting at 7.47pm.

9.9. Awarding of Contract No 1174-22 Provision of Construction of MAC Waterslides and Splash Park

The purpose of this report was to seek Council approval to award Contract No 1174-22 Provision of Construction of the MAC Water Slides and Splash Park to Allmore Constructions Pty Ltd.

Council Resolution

That Council:

1. *Awards Contract No 1174-22 Provision of MAC Water Slides and Splash Park to Allmore Constructions Pty Ltd for the total contract sum of \$10,258,915.00 inclusive of a provisional sum of \$10,000 (excluding GST).*
2. *Notes the forward funding commitment as part of the 2023/2024 capital works program.*

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3. *Authorises the Chief Executive Officer to execute Contract No 1174-22 Provision of MAC Water Slides and Splash Park to Allmore Constructions Pty Ltd.*

Moved: Cr Sarah Carter

Seconded: Cr Cuc Lam

CARRIED

9.10. Awarding of Contract No. 1163-22, Provision of Drainage Maintenance Services

The purpose of this report was to seek Council approval to award Contract No 1163-22 Provision of Drainage Maintenance Services to Veolia Water Technologies (Australia) Pty Ltd.

Council Resolution

That Council:

1. *Awards Contract No 1163-22 Provision of Drainage Maintenance Services to Veolia Water Technologies (Australia) Pty Ltd for a maximum four (4) year term comprised of an initial term of three (3) years plus a further one (1) year option for an estimated total spend of \$2,098,160 (ex GST) made up of a lump sum total of \$1,238,160 (ex GST) as follows:*

- *\$308,000.00 in Year 1,*
- *\$308,000.00 in Year 2,*
- *\$308,000.00 in Year 3,*
- *\$314,160.00 In Year 4*

and an estimated spend of \$860,000 (ex GST) over the four years, based on a Schedule of Rates.

2. *Authorises the Chief Executive Officer to execute Contract No 1163-22 Provision of Drainage Maintenance Services to Veolia Water Technologies (Australia) Pty Ltd.*

Moved: Cr Bernadette Thomas

Seconded: Cr Michael Clarke

CARRIED

9.11. Governance Report - May 2022

The purpose of this report was to receive and note the record of informal meetings of Councillors and Councillor delegates' for May 2022 as well as other statutory compliance and governance matters as they arise.

Council Resolution

That Council notes the Governance Report containing the record of informal

U N C O N F I R M E D M I N U T E S

meetings of Councillors and Councillor Delegates' Reports for May 2022, which will be made available on Council's website for the term of the current Council.

Moved: Cr Michael Clarke
Seconded: Cr Cuc Lam

CARRIED

10. NOTICES OF MOTION

Nil.

11. COUNCILLOR QUESTION TIME

Nil.

12. URGENT BUSINESS

Nil.

13. CONFIDENTIAL BUSINESS

Nil.

14. MEETING CLOSURE

The Chair, Cr Anthony Tran, declared the meeting closed at 7.54pm.

To be confirmed at the Council Meeting
to be held on 19 July, 2022.

Chair, Cr Anthony Tran

Agenda Item 7.1

NOTING OF CONFIRMED MINUTES OF DELEGATED COMMITTEES

Director: Lisa King
Director Corporate Services

Author: Phil McQue
Manager Governance and Commercial Services

PURPOSE

To present for noting the confirmed minutes of the Council's Delegated Committees established under section 63 and 64 of the *Local Government Act 2020*.

ISSUES SUMMARY

- Council has established Delegated Committees in accordance with section 63 and 64 of the *Local Government Act 2020*.
- Council's Governance Rules state that each of the Delegated Committees require the minutes to be presented to Council for noting.
- Minutes of Delegated Committees are confirmed at the next scheduled meeting of that Delegated Committee.

ATTACHMENTS

1. Confirmed Minutes of Leadwest Committee held on 30 March 2022 [↓](#)
2. Confirmed Minutes of City Development Delegated Committee held on 24 May 2022 [↓](#)

OFFICER RECOMMENDATION

That Council notes the confirmed minutes of the LeadWest Committee held on 30 March 2022 and the City Development Delegated Committee held on 24 May 2022.

Agenda Item 7.1**BACKGROUND**

In accordance with section 63 and 64 of the *Local Government Act 2020*, Council has established Delegated Committees. Council's Governance Rules require the confirmed minutes are presented to Council for noting.

DISCUSSION/KEY ISSUES**1 Key Issues**

Minutes of confirmed minutes of Delegated Committees are presented in accordance with Council's Governance Rules and the *Local Government Act 2020*.

2 Council Policy/Legislation**Council Plan 2021-2025**

This report contributes to Council's strategic objectives contained in the Council Plan 2021-2025 by considering:

- Ethical leadership - lead our changing city using strategic foresight, innovation, transparent decision making and well-planned, effective collaboration to support economic growth during the ongoing challenges of the pandemic and beyond.

Legislation

Local Government Act 2020

Conflicts of Interest

No officer responsible for, or contributing to, this report has declared a direct or indirect interest in relation to this report.

Human Rights Consideration

This report complies with the rights listed in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

3. Engagement

Not applicable.

4. Resources

Not applicable.

5. Environment

Not applicable.

Agenda Item 7.1**CONCLUSION**

The confirmed minutes of the LeadWest Committee held on 30 March 2022 and the City Development Delegated Committee held on 24 May 2022, established in accordance with section 63 and 64 of the *Local Government Act 2020* are presented to Council for noting.

Minutes

LeadWest Joint Delegated Committee



Meeting Details

Title:	LeadWest Joint Delegated Committee	
Date:	30 March 2022	Time: 3:30pm – 5:20pm
Location:	https://brimbankcc.zoom.us/j/94461550227	
Chairperson:	Mayor – Cr Peter Maynard	
Invitees:	Brimbank City Council	Deputy Mayor, Cr Thuy Dang CEO, Fiona Blair
	Hobsons Bay City Council	Cr Matt Tyler CEO, Aaron van Egmond
	Maribyrnong City Council	Cr Bernadette Thomas CEO, Celia Haddock
	Melton City Council	Cr Sophie Ramsey CEO, Roslyn Wai
	Wyndham City Council	Mayor, Cr Peter Maynard CEO, Stephen Wall
Conflict of interest:	No conflicts of interest declared.	
Guests:	Joanna Stevens	CEO, Premier Strategy
	Dina Jones	Secretariat Lead and Senior Adviser, Premier Strategy
	Janine Buesnel	Director of Operations, Premier Strategy
	Jack Herbert	Stakeholder and Government Relations Manager, Transurban
	Aisha Nicolay	Executive Director, West of Melbourne Economic Development Alliance
Other Attendees:	Cr Diana Grima	Deputy Mayor, Hobsons Bay City Council
	Andrew McLeod	Acting CEO, Hobsons Bay City Council
	Mark Ward	Chief of Staff, Wyndham City Council
Apologies:	Cr Matt Tyler	Councillor, Hobsons Bay City Council
	Aaron van Egmond	CEO, Hobsons Bay City Council
	Stephen Wall	CEO, Wyndham City Council
	Mark Ward	Chief of Staff, Wyndham City Council
	Joanna Stevens	CEO, Premier Strategy
Minute Taker:	Marnie Giles	Administration Officer, LeadWest



Meeting Items

Agenda Item 7.1 - I

No.	Topic	Key discussion points
1.	Appointment of the LeadWest Secretariat Model – Premier Strategy	<p>The Committee had reached a quorum and the Chair directed members to agenda item 1 - Appointment of the LeadWest Secretariat Model – Premier Strategy.</p> <p>The quorum comprised of Cr Peter Maynard, Cr Bernadette Thomas, Cr Thuy Dang, Celia Haddock, Fiona Blair and Andrew McLeod.</p> <p>The following resolution was made:</p> <p><i>That Premier Strategy be formally appointed as the secretariat model for LeadWest for a period of twelve months, commencing the 30th of March 2022.</i></p> <p><i>Moved: Celia Haddock</i> <i>Seconded: Cr Bernadette Thomas</i></p>
2.	Welcome and Apologies	<p>Premier Strategy joined the Committee meeting following agenda item 1.</p> <p>The Chair welcomed all in attendance and opened the meeting at 3:42pm.</p> <p>The Chair provided a background update on the structure of LeadWest and recent governance changes.</p>
3.	Conflicts of interest to be declared in accordance with the 'Local Government Act 2020'	No conflicts of interest declared.
4.	Minutes from the meeting held 8 December 2021	<p>The minutes from the meeting held on 8 December 2021 were confirmed without amendment.</p> <p><i>Moved: Cr Bernadette Thomas</i> <i>Seconded: Celia Haddock</i></p>
5.	Matters Arising from the meeting held 8 December 2021	<p>The Committee noted the matters arising for the meeting held on the 8th of December 2021.</p> <p>The Committee also noted the action to "contact Natalie Walker to discuss the idea and need to conduct opinion polling for the Delegation to Government" was not completed.</p>
6.	Adoption of Finance Subcommittee minutes from meeting held 4 March 2022	<p>The Finance Subcommittee (FSC) Chair, Cr Bernadette Thomas, provided the following update on the 2022/2023 project and operational budgets.</p> <ul style="list-style-type: none"> Due to the appointment of the LeadWest secretariat model, the operational and project budgets are tabled as draft. The FSC have scheduled an additional workshop for the 22 April 2022 to confirm the budget forecasts for the 2022/2023 financial year. As previously noted at the Committee meeting on the 8 December 2021, the increase to annual membership for 2022/2023 will also be confirmed at the FSC workshop. <p>The following recommendations were made:</p> <ol style="list-style-type: none"> The Committee adopted the FSC minutes from the meeting held on 4 March 2022 without amendment. The Committee noted the potential increase to annual membership fees which will be reviewed at the FSC workshop. The Committee noted the finance reports as drafts which will be confirmed at the FSC workshop in consultation with Premier Strategy. <p><i>Moved: Cr Bernadette Thomas</i> <i>Seconded: Fiona Blair</i></p>



7. Delegation to Government Update

The Chair provided an updated on the recent meeting held with the State Treasurer, Tim Pallas MP. The following discussions were held:

Agenda Item 7.1 -

- As a part of the Delegation to Government, Cr Peter Maynard and Stephen Wall attended a meeting to discuss the LeadWest priority projects. These discussions were focused around the North and West Melbourne City Deal (NWMCD), the Western Intermodal Freight Terminal (WIFT) and the East Werribee Employment Precinct.
- The State Treasurer expressed concern around the scale and quantum of the NWMCD and advised the State and Federal Governments have been working closely to progress the WIFT. This meeting was held prior to the announcement of the 2022/2023 Federal Budget.
- Cr Maynard and Stephen conveyed the importance of the LeadWest priority projects such as the East Werribee Employment Precinct and further outlined the job opportunities these projects would create.

The Chair requested additional Committee members attend upcoming meetings where possible and provide a proxy when unavailable.

The Committee noted the progress of the Delegation to Government project.

Moved: Cr Sophie Ramsey

Seconded: Cr Bernadette Thomas

8. Transurban – Westgate Tunnel Project Update

Guest speaker, Jack Herbert, from Transurban attended the meeting to provide an update on the West Gate Tunnel project. The following discussion was held to outline key benefits:

- It is projected that daily commuters will save up to 20mins of travel time once complete and a total of 14km's of walking and cycling paths will be established.
- With 200,000 vehicle uses daily on the West Gate Freeway, the Freeway will be upgraded and rebuilt with four new lanes added on the inbound and outbound lanes.
- The project will reduce congestion on the West Gate Bridge, Freeway and improve the flow of traffic at the bottle neck along the Williamstown Road exits.
- An estimated 3,023 people are currently employed under the construction stage of the West Gate Tunnel project.
- The revised completion date for the West Gate Tunnel project is now expected to be 2025. The delay of completion is a result of the contaminated soil dispute which has now been resolved.

Following on from the West Gate Tunnel update, the following research report around mobility trends and travel post COVID-19 was presented:

- Flexible work arrangements and changes to start and finish times are two key factors which are improving peak time congestion across public transport.
- Approximately 41% of Melbournian's are significantly less likely to use public transport than they were pre pandemic.
- The use of private vehicles is expected to rise by 11% for daily road users and 5% for regular road users, this is expected to increase once roadworks are completed and shorter travel times are in place.

9. West of Melbourne Economic Development Alliance – Economic Impact Analysis and Business Case Update

Guest speaker, Aisha Nicolay, from West of Melbourne Economic Development Alliance (WoMEDA) attended the meeting. An update on outstanding performance milestones outlined in the Memorandum of Understanding between LeadWest and WoMEDA were discussed:

Business Case - Mitchel Institute Centre for Jobs and Skills



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- In its original form, the Mitchell Institute Centre for Jobs and Skills objective was to drive the creation of sustainable suburban and regional jobs and to help develop the skills pipeline to support those developments.
- Due to a recent priority revision for Victoria University, WoMEDA have obtained the Jobs and Skills Centre under their own banner. As a result, the centre has been renamed to the WoMEDA Jobs, Skills and Economic Development Think-Tank.
- The funding proposal for the Think-Tank is yet to be determined. LeadWest will obtain this information once figures have been confirmed.

Economic Impact Analysis – Development of Scienceworks

- The economic impact analysis for the development of Scienceworks will support the advocacy to expand the existing museum into a state-of-the-art multimedia technology and educational precinct with national significance.
- At the WoMEDA board meeting in November, a number of considerations were raised regarding the location and the potential to expand the current model.
- WoMEDA have been in discussions with Jonathan Shearer, General Manager at Scienceworks, to understand what has progressed internally and have been advised that Scienceworks preference is to maintain its current model and location but expand in size.
- WoMEDA are seeking a meeting with Assistant Treasurer, Danny Pearson to share the contents of the report and confirm if there is anything detailed that would preclude the report from being launched.

Future Agenda

- WoMEDA are currently developing a future agenda to outline key industries and areas of concern to direct their focus and resources. These discussions will be held externally with key stakeholders to assist in structuring the future agenda.
- Current considerations being explored are:
 - Further pursuing existing reports – East Werribee Employment Precinct.
 - Logistics – leveraging off of the opportunities and funding announcement of the WIFT.
 - Tourism – leveraging off of the Sunshine Super Hub and the Melbourne Airport Rail Link, this could unlock tourism opportunities around Melbourne's west.
 - Technology – As a fast evolving field, explore areas such as technological education.

10.	North & West Melbourne City Deal - Project Status Update	<p>The Chair advised the Committee that at the Mayoral lunch on the 11 February 2022, it was resolved that Cr Peter Maynard be elected as the Mayoral representative for Melbourne's west on the NWMCD.</p> <p>Cr Peter Maynard will attend the monthly Steering group meetings along with executive representation across the North and West of Melbourne.</p>
11.	Other Business	No other business discussed.
12.	Closure of meeting	The Chair thanked all in attendance and closed the meeting at 5:20pm.
<hr/>		
Next meeting:		<p>Wednesday, 15th June 2022 3.30pm – 5.30pm Council Chambers, Wyndham City Council</p>



Maribyrnong City Council

CITY DEVELOPMENT DELEGATED COMMITTEE MINUTES

**Tuesday 24 May, 2022
6.30pm**

**Council Chamber
Level 1
Maribyrnong Council Offices
Corner Hyde and Napier Streets, Footscray**

MEMBERSHIP

Councillor Cuc Lam (Chair)
Councillor Sarah Carter
Councillor Michael Clarke
Councillor Simon Crawford
Councillor Jorge Jorquera
Councillor Bernadette Thomas
Councillor Anthony Tran

To be confirmed at the City Development Delegated Committee Meeting
to be held on 28 June, 2022

1. COMMENCEMENT OF DELEGATED MEETING AND WELCOME

The meeting commenced at 6.37pm.

The Chair, Cr Cuc Lam made the following acknowledgement statement:

"We acknowledge that we are on the traditional lands of the Kulin Nation. We offer our respect to the Elders of these traditional lands, and through them to all Aboriginal and Torres Strait Islander peoples, past and present".

PRESENT

Councillor Cuc Lam (Chair)
Councillor Sarah Carter
Councillor Michael Clarke
Councillor Simon Crawford
Councillor Jorge Jorquera
Councillor Bernadette Thomas
Councillor Anthony Tran

IN ATTENDANCE

Chief Executive Officer, Celia Haddock
Director Community Services, Lucas Gosling
Director Infrastructure Services, Patrick Jess
Director Corporate Services, Lisa King
Acting Director Planning and Environment Services, Francesca O'Brien
Manager Governance and Commercial Services, Phil McQue
Manager City Places, Ashley Minniti
Acting Coordinator Governance, Adele Woolcock
Governance Officer, Jessica Baguley

2. APOLOGIES

Nil.

3. DISCLOSURES OF CONFLICTS OF INTEREST

Nil.

4. PUBLIC QUESTION TIME

Question

Mark Watycha, asked the following questions:

1. Application No: TP578/2020(1). The Architectural & Landscape document pages 27 and 28 of 'June & September Shadow Study Analysis' indicate self-overshadowing occurring at the same time of (12.30pm) for both winter Solstice and spring Equinox. Is this possible and is the document correct? Could you please have this section of the document pages 27 & 28 checked for accuracy?
2. Both pages 27 and 28 in your 'June & September Shadow Study Analysis' within the Architectural & Landscape document shows self-overshadowing occurring by 12.30pm. This is incorrect and I welcome you to visit my balcony where you will find self-overshadowing occurring around 11.15am.
3. In regards to Garbage truck swept paths from Greenham Place to the rear of the proposed museum. The traffic management report shows a 300mm clearance from our homes. Does this really allow enough clearance for a 6.34 metre long truck to negotiate its way between the loading bay and dwellings on Greenham Place? There is also no mention of a swept path assessment in the report, Could we please have one?

Response

The Manager City Places, Mr Ashley Minniti, responded that the shadow analysis provided by the permit applicant shows shadows at 22 June, being the winter solstice, and 22 September, the spring equinox. While the length of shadow differs on these dates, the angle of the sun is similar and thus the time of shadow remains relatively consistent.

In response to the second question, Mr Minniti noted that the shadow analysis provided by the permit applicant is based on solar angles on 22 June, being the winter solstice. This is when shadows are at their worst and will progressively improve throughout the year.

Mr Minniti noted the shadow study demonstrates that sunlight access to adjoining balconies is maintained from 9am until 12pm (noon). Each balcony receives a different level of sunlight, with townhouses closer to Hugh Street receiving more sunlight and those closer to Barkly Street receiving less.

Council officers have checked the analysis and confirm that self-overshadowing from the townhouses themselves occurs from approximately 11.30am onwards on the winter solstice. This will provide between 1 to 2 hours of sunlight to balconies, depending on their location.

In response to the third question, Mr Minniti, advised the swept path analysis shows a minimum clearance of 300mm from the upper level balconies of townhouses along Greenham Place. The clearance at ground level would be greater, given the setback of the front doors and garages from the laneway.

Mr Minniti clarified that the swept path analysis has been prepared by the permit applicant's traffic engineer and reviewed by Council's traffic department. The clearance is considered sufficient for a truck of this size. The swept path analysis can be located within the waste report available on Council's website.

Question

Julia Blik-Rang, asked the following questions:

1. Solar access at Greenham Place: We have been living here for 2 years and the data in the report is incorrect. Sunlight is NOT on our balconies until 12pm on the winter solstice but only until 11.15. Sunlight to our balconies will be reduced to 45 minutes per day during winter. This is a reduction of 2.5 hours. Please explain how Council can claim this to be 'acceptable' and the architects describe our solar access as 'being minimally' affected? Our health is significantly affected by this and we request adjustments to the building to allow for more solar access. We welcome you to visit our balconies at 1.15pm.
2. Loss of greenery: In the age of green cities, we find it hard to understand that a large building like the museum cannot be designed to allow for a green wall at the Greenham Place side of the building. Extra trees on the Donald Street side of the building will not replace the loss of our 7seven trees. We would like an answer as to why a green wall is not being considered, we see lots of them around the Footscray community, including the front of the five story high rise building on Donald Street.
3. Conflict of interest voting for the VM permit: We are aware that some of the Councillors have personal and business connections to the Vietnamese Museum and Community. We would like to ensure that any decisions remain impartial when it comes to voting for the VM permit. Could you please share with us who is casting a vote regarding the VM permit on the 24 May? A question about this was posted in the chat at the Forum meeting but never answered and there is also no answer in your report.

Response

The Manager City Places, Mr Ashley Minniti advised that the subject site has a preferred maximum height limit of 14 storeys (44.8 metres). While this is the upper limit of development potential, the proposed Vietnamese Museum would rise to height of four storeys (18.92 metres), less than half the preferred maximum height limit.

The site and adjoining townhouses are located within a Metropolitan Activity Centre where there are no planning controls regarding sunlight access to private spaces. While sunlight before 10am will be reduced, this is unavoidable and would be similar with almost any development on the subject site.

In response to the second question Mr Minniti noted the proposed building would provide for greening along part of the building's west facing wall where it faces the townhouses along Greenham Place. Recommended condition 15(a) requires further greening of this wall where practical. Condition 15 also requires additional landscaping within the Donald Street road reserve, offsetting the loss of existing trees along Greenham Place.

The Chief Executive Officer, Ms Celia Haddock responded to the third question clarifying that Division 2 of the Local Government Act 2020 and Council's Governance Rules outlines the requirements and procedure for the disclosure of Conflicts of Interests by Councillors.

Ms Haddock noted these provisions state that a Councillor who has a Conflict of Interest, whether General or Material as defined in the Local Government Act 2020, must disclose the details of their Conflict of Interest to the meeting before the relevant item is considered and referred to Item 3 of the Agenda where no conflicts were declared for this Committee meeting.

The Councillor must leave the meeting before that relevant item is being considered and not return until the matter has been determined by the Committee. Councillors are personally responsible for considering and disclosing if they have a Conflict of Interest, whether General or Material in nature.

5. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

The purpose of this report was to present for confirmation, the minutes of the City Development Delegated Committee Meeting held on 26 April 2022.

Committee Resolution

That the Delegated Committee confirms the minutes of the City Development Delegated Committee Meeting held on 26 April 2022.

Moved: Cr Anthony Tran
Seconded: Cr Simon Crawford

CARRIED

6. OFFICER REPORTS

6.1. Petition: 104 Gordon Street Footscray

The purpose of this report was to table a petition received in relation to an "objection of the proposed development at 104 Gordon Street, Footscray".

Committee Resolution

That Council:

- 1. Receives and notes the petition: 104 Gordon Street Footscray*
- 2. Requests the Chief Executive Officer to consider the petition and determine the appropriate response.*

Moved: Cr Sarah Carter
Seconded: Cr Anthony Tran

CARRIED

6.2. Planning Application at rear 220 Barkly Street (also known as 120 Donald Street) Footscray

The purpose of this report was to present for consideration a planning application for rear 220 Barkly Street (also known as 120 Donald Street/Barkly St Carpark) Footscray which has received 91 objections.

Bruce Mildenhall addressed the Committee in relation to this item on behalf of the applicant.

Mia Zar addressed the Committee in relation to this item.

Committee Resolution

That the City Development Delegated Committee:

- 1. Issue a Notice of Decision to Grant a Planning Permit for the use and development of land for place of assembly (museum and function centre), food and drink premise and a reduction in the car parking requirement at Rear 220 Barkly Street (also known as 120 Donald Street/Barkly Street car park) Footscray subject to conditions contained in Attachment 1.*
- 2. Request that the Director Infrastructure Services do all things necessary to close the southern end of Greenham Place to vehicle traffic, subject to community consultation.*

Moved: Cr Michael Clarke

Seconded: Cr Anthony Tran

CARRIED

Cr Carter left the meeting at 7.21 pm.

Cr Carter returned to the meeting at 7.22 pm.

6.3. Planning Application at 104 Gordon Street Footscray

The purpose of this report was to present for consideration a planning permit application for 104 Gordon Street Footscray which has received 19 objections.

Brad Roberg addressed the Committee in relation to this item.

Nicholas Oram addressed the Committee in relation to this item.

Regan Ireland addressed the Committee in relation to this item.

Tom Najdovski addressed the Committee in relation to this item.

Lan Dinh addressed the Committee in relation to this item.

Steve Kuljis addressed the Committee in relation to this item.

Andrew Paatsch addressed the Committee in relation to this item.

Steven Lionakis addressed the Committee in relation to this item on behalf of the applicant.

Committee Resolution

That the City Development Delegated Committee defers the decision for 104 Gordon Street, Footscray (TP482/2021(1)) until a future meeting of the City Development Delegated Committee.

Moved: Cr Anthony Tran
Seconded: Cr Sarah Carter

CARRIED

Cr Clarke left the meeting at 8.16 pm.
Cr Jorquera left the meeting at 8.16 pm.

Cr Clarke returned to the meeting at 8.17 pm.
Cr Jorquera returned to the meeting at 8.17 pm.

6.4. Planning Application at 96, 98 and 100 Gordon Street Footscray

The purpose of this report was to present for consideration a planning permit application for 96, 98 and 100 Gordon Street Footscray which has received 13 objections.

Steven Lionakis addressed the Committee in relation to this item on behalf of the applicant.

Committee Resolution

That the City Development Delegated Committee issue a Notice of Decision to Grant a Permit for the construction of seventeen dwellings, a reduction in the car parking requirement and an alteration a Transport Zone 2 road at 96, 98 and 100 Gordon Street Footscray subject to conditions contained in Attachment 1.

Moved: Cr Anthony Tran
Seconded: Cr Simon Crawford

CARRIED

6.5. DELWP Future Homes

The purpose of this report was to seek Council's formal adoption of the Department of Environment, Land, Water and Planning's Future Homes Project.

Amy Mak addressed the Committee in relation to this item on behalf of the Department of Environment, Land, Water and Planning.

Committee Resolution

That the City Development Delegated Committee:

1. *Note the Future Homes Design Package, Proposed Streamlined Planning Process and Proposed Planning Provision as per Attachments 1, 2 and 3.*
2. *Endorse participation in the Department of Environment, Land, Water and Planning's (DELWP) Future Homes two year pilot project, subject to the following changes:*
 - a. *The draft Victorian Planning Provision (Attachment 3), being Clause 51.XX, to include the additional decision guidelines:*
 - i. *Whether the submitted plans are exemplary in design, liveable and sustainable.*
 - ii. *The relationship between the proposed building height/setbacks and the building height/setbacks of existing adjacent buildings.*
 - b. *An updated Memorandum of Understanding (MOU) or other similar mechanism whereby DELWP requires Council's participation in the planning process; including:*
 - i. *Council participation at the following meetings (or similar) in the process:*
 - *Design Direction Review Meeting*
 - *General Understanding Meeting*
 - *Referral Meeting*
 - ii. *Minutes of meetings listed above (or similar) be provided to Council.*
 - iii. *Draft DELWP comments and assessment of the application together with Office of Victorian Government Architect (OVGA) internal referral comments provided to Council for review and comment.*
 - c. *The draft Victorian Planning Provision (Attachment 3), being Schedule to Clause 51.XX, to only list Local Centres nominated by Council, amending Clause 2.0 by deleting the following centres:*
 - *Ballarat and Summerhill, West Footscray*
 - *Gamon Street, Seddon*
 - *Mitchell and Hampstead, Maribyrnong*
 - *Waterford Gardens/Green, Maribyrnong*
 - *Wembley Avenue, Yarraville*
 - d. *The draft Victorian Planning Provision, Schedule to Clause 51.XX (Attachment 3) updated to include the four additional streets/roads at Clause 1.0:*
 - *Roberts Street*
 - *Summerhill Road*
 - *Williamstown Road*
 - *Rosamond Road*
 - e. *The draft Victorian Planning Provision, Schedule to Clause 51.XX (Attachment 3) updated to specify that the garden area provision at*

- Clause 32.08-4 applies to all Future Home applications, with that part of the site considered 'garden area' to exclude site services (rainwater tanks, waste storage, bicycle parking, storage sheds and the like).*
- f. *That the Victorian Planning Provisions for Future Homes expire 2 years from the date of gazettal and/or commencement of the pilot program.*

Moved: Cr Michael Clarke
Seconded: Cr Simon Crawford

CARRIED

6.6. Council Submission - Melbourne Airport Draft Masterplan & Third Runway Development

The purpose of this report was to seek Council endorsement of a submission to the Melbourne Third Runway Major Development Plan (M3R) and the Melbourne Airport Preliminary Draft Masterplan 2022 (MAPDM).

Committee Resolution

That the City Development Delegated Committee endorse the submission to the Melbourne Airport Preliminary Draft Masterplan 2022-2052 (MAPDM) and Third Runway Proposal (M3R) as outlined in Attachment 1.

Moved: Cr Michael Clarke
Seconded: Cr Bernadette Thomas

CARRIED

6.7. Notice of Motion: Footscray Park Western Lawn

The purpose of this report was to Park is one of Maribyrnong's premier open space with its heritage gardens and the Maribyrnong River corridor offering a wide range of recreational activities. Within the park the Western Lawn area provides a significant opportunity for enhancement as the existing soil conditions associated with salinity render the area unviable for formal sport or increased passive use.

In November 2019, Council resolved to continue with the implementation of the 2011 Master Plan and to actively seek external funding to support improvements to the western playing fields for formal and informal community, sport and recreation uses. To date, Council has been unable to secure a funding commitment for this project from State Government.

This project is aligned to the 2011 masterplan and will address the inherent issues with the soil conditions and upgrade the area for active and passive usage. The project is actively being designed as part of Councils current budget

and if funding is provided within the 2022/2023 budget, construction could commence over the summer growing season.

It is important to note that Maribyrnong has a shortfall in spaces suitable for organised sport and physical activity that are available for public use coupled with an increasing population and increasing uptake in sport, in particular women's sport that saw a growth of 78% between 2017 and 2019. In the last full 2019 winter season at least 14 of the 25 sportsgrounds exceeded their manageable capacity.

There is also a limited number of new sites capable of accommodating sporting reserve developments or increased passive use. This redevelopment will go a long way towards relieving those current pressures.

Committee Resolution

That Council:

1. *Note the critical need for additional sporting reserves and open space as identified in Councils Open Space Strategy and the Council Plan under the future focused objective.*
2. *Acknowledge that currently, there is no commitment from State Government to support improvements to the Western Lawn of Footscray Park for formal and informal community, sport and recreations uses.*
3. *In order to meet the commitment made to the community in November 2019 to continue with implementing the 2011 Footscray Park Masterplan, requests the CEO bring forwards the planned works to the Western Lawn, Footscray Park from the 2023/24 to the 2022/2023 capital works program.*

Moved: Cr Sarah Carter
Seconded: Cr Anthony Tran

CARRIED

7. COUNCILLOR QUESTION TIME

Question

Councillor Tran asked the following question to the Chief Executive Officer:
Why are each of the Councillors wearing a specific lanyard and what is the purpose of these lanyards?

Response

The Chief Executive Officer, Ms Celia Haddock, noted that Council is nearing 'Reconciliation Week' and Council has organised a number of events in recognition of 'Reconciliation Week' which officially commences on Friday 27 May 2022, the lanyards are in recognition of 'Reconciliation week'.

Ms Haddock advised that next week Council will be launching the 'Reconciliation Action Plan' (RAP) which was endorsed in 2021, however due to COVID-19 and State-wide lockdowns there was a delay in launching the RAP.

8. URGENT BUSINESS

Nil.

9. DELEGATED MEETING CLOSURE

The Chair, Cr Cuc Lam, declared the meeting closed at 9.08pm.



To be confirmed at the City Development Delegated Committee Meeting
to be held on 28 June, 2022.

Chair, Cr Cuc Lam

Agenda Item 7.2

**NOTING THE CONFIRMED MINUTES OF THE AUDIT & RISK COMMITTEE
MEETING - 12 APRIL 2022**

Director: Lisa King
Director Corporate Services

Author: Mark Connor
Manager Finance

PURPOSE

To present for noting the confirmed minutes of the Council's Audit and Risk Committee established under section 53 of the *Local Government Act 2020*.

ISSUES SUMMARY

- Council has established an Audit and Risk Committee in accordance with section 53 of the *Local Government Act 2020*.
- The Terms of Reference for the Committee requires the minutes to be presented to Council for noting.
- Minutes of the Committee are confirmed at the next scheduled meeting of that Committee.

ATTACHMENTS

1. Audit and Risk Committee Signed Minutes - 12 April 2022 [↓](#)

OFFICER RECOMMENDATION

**That Council note the confirmed Audit and Risk Committee Meeting Minutes
12 April 2022.**

Agenda Item 7.2**BACKGROUND**

In accordance with section 53 of the *Local Government Act 2020*, Council has established an Audit and Risk Committee. As part of the Terms of Reference for the Committee, the confirmed minutes are presented to Council for noting.

DISCUSSION/KEY ISSUES**1 Key Issues**

The Audit and Risk Committee Terms of Reference and Council's Governance Rules requires Council to confirm its minutes at the next appropriate meeting.

2 Council Policy/Legislation**Council Plan 2021-2025**

This report contributes to Council's strategic objectives contained in the Council Plan 2021-2025 by considering:

- Strategic Objective:
 - Ethical leadership - Council will proactively lead our changing City using strategic foresight, innovation, transparent decision-making and well-planned and effective collaboration to support economic growth during the ongoing challenges of the pandemic and beyond.

Legislation

- Local Government Act 2020.

Conflicts of Interest

No officer responsible for, or contributing to, this report has declared a direct or indirect interest in relation to this report.

Human Rights Consideration

This report complies with the rights listed in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

3. Engagement

Not applicable.

4. Resources

Not applicable.

5. Environment

Not applicable.

Agenda Item 7.2

CONCLUSION

The confirmed minutes of the Audit and Risk Committee Meeting are presented for noting.

U N C O N F I R M E D M I N U T E S



Maribyrnong City Council

MEETING OF AUDIT AND RISK COMMITTEE MINUTES

Tuesday 12 April, 2022

4.30pm

Reception Room & Zoom

Maribyrnong Council Offices

Corner Hyde and Napier Streets, Footscray

To be confirmed at the Audit and Risk Committee Meeting to be held on 28 June, 2022

A handwritten signature in black ink, appearing to be the initials "MA" or similar, located at the bottom right of the page.

U N C O N F I R M E D M I N U T E S

1. COMMENCEMENT OF MEETING AND WELCOME

The meeting commenced at 4.33pm.

PRESENT

Committee:

Councillor Members

Cr. Anthony Tran Mayor

Cr. Michael Clarke

Cr. Cuc Lam

Independent Members:

Mark Anderson, Chairperson

Chris Eddy

Marilyn Kearney (via zoom)

Staff:

Celia Haddock, CEO

Lisa King, Director Corporate Services

Laura-Jo Mellan, Director Planning and Environment Services

Michael Byrne, Acting Director Community Services

Pat Jess, Director Infrastructure Services

Mark Connor, Finance Manager

Internal Auditor NTT:

Pat Scanlon

Ben Owens (via zoom)

2. APOLOGIES

Amit Sharma, Coordinator Management Accounting

3. DISCLOSURES OF CONFLICTS OF INTEREST

Nil.

4. AUDIT COMMITTEE CHAIR QUESTIONS

4.1. The Chairperson asks the Chief Executive Officer and the Auditors if there are "any matters such as breaches of legislation or practices that need to be brought to the attention of the Committee?"

- The CEO and the Internal Auditor advised they had nothing to report.

4.2. The Chairperson asks the Auditors if the work of the Internal Auditor had been obstructed in anyway?

- The Internal Auditors advised that their work had not been obstructed.

5. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

- Minutes of the meeting held on 22 February 2022 were confirmed.

U N C O N F I R M E D M I N U T E S

6. BUSINESS ARISING FROM PREVIOUS MEETING

6.1. Periodic Report Requested & Reoccurring Reports & Charter Responsibility Matrix

- Report noted

7. AUDIT REPORTS

7.1. Audit Reports

Internal Audit Status Report

- Report noted

Insurance Management Review

- Report noted

Footscray Park Playspace Incidents Review

- Internal Auditor provided a detailed overview of the report.
- The Committee noted management's responses to the Audit recommendations and discussed the timelines for the proposed actions.
- The Committee requested regular reports on the actions, timeframes and supporting communications.
- Report noted

Draft Strategic Audit Plan

- Data Security Review to be included in the program.
- The amended program and Audit Scopes to be presented to the next committee meeting.
- Report noted

8. GENERAL BUSINESS

8.1. Sundry Debtors Update

- Report noted

8.2. Rate Debtors Update

- Additional analysis and commentary of year to year movement was provided, management requested to build on the commentary in future reports.
- Report noted



UNCONFIRMED MINUTES

- 8.3. Overdue/Excess Annual Leave**
 - Process for monitoring annual leave balances noted.
 - Report noted
- 8.4. Occupational Health & Safety Statistics Report**
 - Satisfactory Performance rating noted.
 - Report noted
- 8.5. Policy Management - Framework and Register**
 - Report noted
- 8.6. Annual Internal and External Auditors Performance Report**
 - Report noted
- 8.7. Status Report - Contamination of Maribyrnong Land and Buildings**
 - Management requested to provide an update on the process for identification and removal/containment of asbestos.
 - Legislation changes to be considered in Instrument of Delegations.
 - Report noted
- 8.8. Actions Arising from Previous Audit's**
 - Report noted
- 8.9. Consideration of the Draft Budget**
 - Management requested to consider defining the scale of cost shifting
 - Report noted
- 8.10. Emerging Industry Issues**
 - Potential impacts of amended Building Regulations noted

9. NEXT MEETING TUESDAY, 28 JUNE 2022

- Tuesday, 23 August 2022
- Tuesday, 13 September 2022
- Tuesday, 15 November 2022

The Chairperson, Mr. Mark Anderson, declared the meeting closed at 6.12 pm.



To be confirmed at the Audit and Risk Committee Meeting to be held 12 April, 2022

Mr. Mark Anderson, Chairperson

Agenda Item 9.1**LGBTIQA+ STRATEGY AND ACTION PLAN 2022-2026**

Director: Lucas Gosling
Director Community Services

Author: Bridget Monro-Hobbs
Manager Community Development and Positive Ageing

PURPOSE

To present the draft *LGBTIQA+ Strategy and Action Plan 2022-2026* for Council consideration and seek approval to release the full document for public consultation in late July 2022.

ISSUES SUMMARY

- The proposed *Maribyrnong LGBTIQA+ Strategy and Action Plan 2022-2026* aims to translate community aspirations into tangible outcomes to strengthen social and economic inclusion for the LGBTIQA+ community and reduce barriers to their participation in the City.
- The development of the *LGBTIQA+ Strategy and Action Plan 2022-2026* (**Attachment 1**) delivers on the strategic priority outlined in the Council Plan 2021-2025.
- The four-year Action Plan provides a platform for continued action and deliberative engagement with the LGBTIQA+ people, families and communities and the broader Maribyrnong community.
- The newly established Maribyrnong LGBTIQA+ Community Advisory Group provided input into the proposed vision, principles, objectives and actions. Over the next four years, Advisory Group members will continue to work closely with Council to monitor progress of the Plan.
- This report presents the draft document for Council consideration and seeks approval to release it for a 4 week public consultation period. The public consultation will build on previous extensive consultation and engagement undertaken in November 2021, February-March and May 2022.
- Following the formal public consultation process, a final report will be prepared for Council seeking endorsement of the final document in November 2022.

ATTACHMENTS

1. LGBTIQA+ Strategy and Action Plan 19 July 2022 [↓](#)
2. Consultation Outcomes Report report FINAL [↓](#)

Agenda Item 9.1

OFFICER RECOMMENDATION

That Council:

- 1. Note the policy and consultation process to develop the draft *LGBTIQA+ Strategy and Action Plan 2022-2026*;**
 - 2. Approve the release of the draft *LGBTIQA+ Strategy and Action Plan 2022-2026* for public consultation commencing late July 2022 and closing late August 2022; and**
 - 3. Note that officers intend to submit the final version of the document to Council for adoption by November 2022.**
-

Agenda Item 9.1**BACKGROUND**

Maribyrnong Council has a strong record of inclusion, recognition, and pride in the diversity of LGBTIQ+ communities.

The *Council Plan 2021-2025* (Objective 3.2) identifies Council's commitment to the development of a *LGBTIQ+ Strategy and Action Plan*.

The Council Plan - Implementation Plan 2021-2025 schedules the delivery of the *LGBTIQ+ Strategy and Action Plan* to Council for adoption by October 2022. Council's *Human Rights and Social Justice Framework 2017-2021* and *Towards Equality Strategy 2030* provide the policy platform for the proposed *LGBTIQ+ Action Plan*.

Council's responsibilities for this portfolio are further amplified by the *Gender Equality Act 2020*, *Victorian Public Health and Wellbeing Act 2008*, *Victorian Equal Opportunity Act 2010*, *Victorian Charter of Human Rights and Responsibilities Act 2006*, and *Victorian Child Safe Standards*. These require that Council adopt a gender equality, human rights and inclusion lens to its services, policies, programs and settings.

DISCUSSION/KEY ISSUES**1. Key Issues****Policy Framework**

The draft *LGBTIQ+ Strategy and Action Plan* is an external facing policy framework designed to strengthen Council's commitment to and work with members of the LGBTIQ+ community in Maribyrnong.

The policy framework is designed to clearly align with *Council Plan 2021-2025* priorities and sets out actions that support Council's statutory obligations, roles and responsibilities with the community.

The Strategy sets out the vision, principles and objectives as the policy framework to support and engage the LGBTIQ+ community in Maribyrnong.

The Action Plan reflects the emerging themes and outcomes from latest evidence and stakeholder engagement, and identifies the diverse ways Council can influence and contribute to the wellbeing outcomes of the LGBTIQ+ community in Maribyrnong.

The Strategy and Action Plan support an intersectional approach to Council's engagement with LGBTIQ+ people, families and communities across all age and population cohorts such as First Nations, people with disability, young and older people, people from culturally and religiously diverse backgrounds.

The term of the *LGBTIQ+ Strategy and Action Plan* is 4 years. It is scheduled to commence from 2022 rather than 2021 as indicated in the Council Plan, extending Council's commitment to Maribyrnong LGBTIQ+ communities to 2026.

Agenda Item 9.1

The policy development process has met intended project deliverables including:

- A background paper and thematic analysis setting the policy and legislative context for the LGBTIQ+ Strategy and Action Plan, including demographic and health and wellbeing information about the Maribyrnong community;
- An extensive consultation and engagement approach including a detailed plan, staged and diverse methodologies, culminating in a consultation and engagement outcome report (see **Attachment 2**); and
- A working draft Strategy and Action Plan document summarising the proposed vision, principles, objectives, key focus areas and actions, for testing and refining with internal and external stakeholders.

2. LGBTIQ+ Strategy and Action Plan 2022-2026

The draft *LGBTIQ+ Strategy and Action Plan 2022 – 2026* outlines the proposed vision, principles, objectives, key focus areas and action plan.

The proposed vision aligns with the vision outlined in the recently released Victorian Government *Pride in our future: Victoria's LGBTIQ+ Strategy 2022-32*.

The principles align with the *Maribyrnong Human Rights and Social Justice Framework* with the exception of the *First Nations First* principle which is new and intended to recognise the special place occupied by LGBTIQ+ First Nations peoples.

The four objectives and focus areas provide the framework for implementing the 4 year Action Plan.

Objectives 1-3 focus on engagement, support and capacity building with *external* stakeholders including LGBTIQ+ people, families and communities, the broader Maribyrnong community, local services, businesses, clubs, and groups. Most of the Action Plan's 39 actions relate to these objectives.

Objective 4 focusses on building *internal* capacity and aligns directly to the *Ethical Leadership* priority in the Council Plan. Actions under this objective seek to integrate with Council's corporate, organisational and statutory obligations to safeguard workplace equality and demonstrate ethical leadership.

Actions were identified and prioritised on the basis that they could:

- Build external capacity (Objectives 1-3);
- Build internal capacity (Objective 4);
- Be achieved over 4 years within the scope of Council responsibilities and resources;
- Combine "quick wins" with successive years' actions;
- Strengthen community voice and health and wellbeing outcomes through strategic advocacy, partnerships and use of Council levers.

Testing and refinement to the working draft Strategy and Action Plan was supported through detailed consultation and engagement as outlined below.

Agenda Item 9.1

The draft document is structured to include:

- Contents page
- Acknowledgements
- Strategy – at a glance
- Part 1 - Introduction
- Part 2 - Context
- Part 3 - Rationale
- Part 4 - Consultation and engagement
- Part 5 - Strategy outlining the vision, principles and objectives,
- Part 6 - Review and Evaluation
- Appendix 1 – Glossary guide,
- Appendix 2 – References
- Appendix 3 – Engagement and Consultation materials
- Appendix 4 – Overview document summarising the *LGBTIQA+ Strategy and Action Plan*

Consultation and Engagement to date

The consultation phase commenced in November 2021 and concluded in May 2022. Supported by a detailed Consultation and Engagement Plan, more than 260 participants contributed to:

- 15 focus groups;
- 6 targeted interviews;
- Multiple staff workshops and direct consultation with program areas;
- 2 community engagement online surveys;
- 2 “test and refine” workshops;
- 2 CMT workshops;
- 1 Councillor consultation workshop; and
- 1 LGBTIQA+ Community Advisory Group workshop.

Workshops were facilitated jointly by Council and an external consultant. Most workshops were conducted online in response to COVID safe protocols and these were complemented by two online surveys offered through Council's digital engagement platform *Your City, Your Voice*.

The project engaged key stakeholders and participants of different ages, cultural backgrounds, abilities, sexual orientations and gender identities to ensure an intersectional lens was applied to the process. Participants included First Nations people; people living with a disability; people from multicultural and multifaith backgrounds; parents and carers; and younger and older people.

Participants also represented a diverse range of local services and stakeholders from the business, education, arts, sport, justice, housing, community, health and mental health sectors.

A Consultation and Engagement Outcomes report (**Attachment 2**) summarising the process, participant representation, emerging themes and findings from the consultation phases was produced.

Agenda Item 9.1

Key themes include:

- Visibility and inclusion;
- Support services for LGBTIQ+ people, families and communities;
- Partnerships and advocacy; and
- Secure spaces and places.

The working draft Strategy (vision, principles and objectives) was tested and refined with internal and external stakeholders including CMT, Councillors, LGBTIQ+ community members, Maribyrnong community, and most recently the LGBTIQ+ Community Advisory Group. It has received strong support from internal and external stakeholders.

The draft Action Plan has also been tested and refined with the Maribyrnong LGBTIQ+ Community Advisory Group and relevant Managers. Key business units have provided in-principle support for the proposed actions, many of which align with initiatives included in the *Council Plan 2021-2025* strategic directions and priorities (for example Active Maribyrnong Strategy).

The Advisory Group will continue to advise Council on the needs and lived experience of the LGBTIQ+ community in Maribyrnong and implementation of the Action Plan over the next 4 years.

Council Policy/Legislation

This report contributes to Council's strategic objectives contained in the Council Plan 2021-2025 by considering:

- A place for all - Council will provide well-planned neighbourhoods & strong local economy, delivering services that are inclusive & accessible to the whole community, support wellbeing, healthy & safe living, community connection, and cultural interaction.
- Ethical leadership - Council will proactively lead changing City using strategic foresight, innovation, transparent decision making & well-planned & effective collaboration & community engagement to support community & economic growth.

The report also takes into account Council policies of *Maribyrnong Human Rights and Social Justice Framework 2017-2021*, *Towards Gender Equity Strategy 2030* and the *Maribyrnong Community Engagement Policy 2020*.

Legislation

This report complies with Council's obligations under the *Local Government Act (2020)* Section 9 principles for community engagement and service planning.

Other relevant legislation is Council's obligations under the *Victorian Gender Equality Act 2020*, *Victorian Public Health and Wellbeing Act 2008*, *Victorian Equal Opportunity Act 2010*, and the *Victorian Charter of Human Rights and Responsibilities Act 2006*.

Agenda Item 9.1**Conflicts of Interest**

No officer responsible for, or contributing to, this report has declared a direct or indirect interest in relation to this report.

Human Rights Consideration

This report complies with the rights listed in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

3. Further engagement and next steps

Subject to Council approval, the draft document will be released for public consultation and feedback in late July 2022 for 4 weeks. Officers plan to engage further with the community to refine the existing plan and to ensure that nothing of significance has been omitted. Officers will be seeking community views and testing support on the proposed vision, principles, objectives and actions and identify any missing actions.

There are a number of key actions to support this engagement including:

1. Releasing the draft document for public consultation via *Your City Your Voice* website and Council's social media platforms
2. Pop up sessions with the public to be held at Footscray Library and the Braybrook Library
3. Consultations with members of the Queer Book Club – West Footscray Library
4. Further consultations through the LGBTIQA+ Community Advisory Group.

Following this feedback officers will finalise a report to Council for endorsement of the document, which is intended to be presented at Council's October public meeting, but no later than November.

Information about the public consultation process will be distributed through Council's communication portals including webpage [LGBTIQA+ Communities - Maribyrnong](#), *Your City Your Voice* and social media platforms. This information will build on the previous community engagement process in November 2021 and February-March 2022.

4. Resources

Resources and costs were met within existing Council budgets for the preparation of this draft policy.

The proposed *LGBTIQA+ Strategy and Action Plan 2022-2026* requires budget commitments to ensure the implementation, monitoring and evaluation of the actions identified in the draft Plan.

The actions are designed to be sequenced over the next four years and in many instances, will build on the existing financial commitments and resources put forward by business units in the *Council Plan 2021-2025 4 Year Implementation Plan*.

Agenda Item 9.1**5. Environment**

Not applicable

CONCLUSION

The development of the *LGBTQIA+ Strategy and Action Plan 2022-2026* is the first of its kind for the City of Maribyrnong and sets a platform for engaging with the LGBTQIA+ community about their lived experience in the city.

The result delivers a commitment and set of actions for Council to strengthen social and economic inclusion for LGBTQIA+ community and reduce barriers to participation in community life in Maribyrnong.

This policy will raise the profile of the LGBTQIA+ community in Maribyrnong and will contribute to broader organisational outcomes relating to Gender Impact Assessments, Rainbow Tick Accreditation, cultural safety and inclusion with diverse stakeholder organisations, community groups, and local businesses in Maribyrnong.

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LGBTIQA+ Strategy and Action Plan 2022-2026

[Version 8, 19 July 2022]

DRAFT

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"Each person reflected in those letters has a different experience. And each can also be Aboriginal, or a person of colour, or disabled, or have faith, or have faced other experiences that form part of their identity. Intersectionality doesn't fit neatly into a box. For many of us, our intersectional identities add up to who we are. Intersectionality is how we live our lives."

Todd Fernando Victorian Commissioner for LGBTIQ+ Communities

Acknowledgement of Country

Maribyrnong Council is proud to represent a municipality with such an important Indigenous history and active community. Council acknowledges the Traditional Owners of this land, the Kulin nation, and appreciates the rich culture and contributions Indigenous Australians have made and continue to make to this City.

Acknowledgement of contributors

Many people have contributed to the development of this Strategy and Action Plan. Across detailed community conversations, workshops and focus groups, online surveys and one-on-one discussions, many people have shared their perspectives, unique experiences and challenges. It is through the telling of these stories, and the sharing of lived and professional experience that our best work is done.

Council wishes to acknowledge and deeply thank all of those who have trusted us by sharing their hopes and aspirations as we work together towards a more welcoming and inclusive community.

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LGBTIQA+ Strategy and Action Plan 2022-2026: At a glance

VISION					
LGBTIQA+ people in the City of Maribyrnong are safe and healthy, and their diverse identities are celebrated.		LGBTIQA+ people are visible, connected and welcomed, and can fully participate in the Maribyrnong community at all stages of life.		Council promotes equality and addresses inequality for LGBTIQA+ people through clear leadership and principled action.	
PRINCIPLES					
Building on Council’s commitment to the key human rights and social justice values of freedom, respect, equity and dignity outlined in its Human Rights Framework, the LGBTIQA+ Strategy and Action Plan is underpinned by the following human rights-based principles:					
First Nations First Council recognises First Peoples’ right to self-determination as a foundation for equity and fairness and promotes the visibility and protection of their culture heritage and gender and sexual diversity.	Participation Council promotes safe, accessible services and public spaces that ensure LGBTIQA+ people are included and supported to reach their potential.	Accountability Council actively communicates a culture of human rights in the organisation and local community underpinned by authoritative leadership and good governance.	Non-discrimination and equity Council applies an intersectional lens to improve LGBTIQA+ health and wellbeing in the municipality and work to end the structural causes of discrimination and disadvantage.	Empowered communities Council works with local LGBTIQA+ people and families to promote increased visibility, enhance diverse representation and ensure they have a voice in processes and decisions that impact their lives.	Uphold human rights standards Council promotes and protects the rights contained in the Victorian Charter of Human Rights and Responsibilities consistent with the objectives of its Human Rights and Social Justice Framework.
OBJECTIVES					
① Build social capital <i>Celebrate the vibrancy, strength and diversity of LGBTIQA+ people, families and communities and work to ensure their participation, inclusion, and health and wellbeing</i>	② Facilitate community capital <i>Recognise and support LGBTIQA+ intersections with the broader community; foster a welcoming, safe and cohesive community for all who live, work and socialise in the City of Maribyrnong</i>		③ Grow economic capital <i>Ensure access to resources, services, infrastructure, and shared opportunities so the benefits of economic development are enjoyed by LGBTIQA+ people and families as our community continues to thrive and grow</i>	④ Develop Council’s ethical leadership <i>Proactively develop our practice and influence our key partners through a shared culture of learning, innovation and reflection, transparent decision-making, collaboration, and community engagement</i>	

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PART 1: Introduction

Purpose

The City of Maribyrnong has a proud history and strong commitment to inclusion, equality, and pride in the diversity of lesbian, gay, bisexual, transgender, queer or questioning, and asexual (LGBTIQA+) people, families and communities.¹

We are equally proud to build upon this legacy by presenting the inaugural Maribyrnong LGBTIQA+ Strategy and Action Plan 2022-2026.

The Strategy and Action Plan identifies tangible actions to strengthen social and economic inclusion for LGBTIQA+ people, families and communities, and reduce barriers to their participation in the City.

Through the Strategy and Action Plan we will work with communities, local services, business, clubs and other local networks to raise the profile of the LGBTIQA+ community in the City of Maribyrnong and promote opportunities for community engagement, support, advocacy and partnerships.

Approach

In order to achieve the broad aims of the LGBTIQA+ Strategy and Action Plan, we will work collaboratively to foster and grow community strengths and resources, promote resilience, and work to address existing community needs, gaps and limitations.

This means building **social capital** by celebrating the vibrancy, strength and diversity of LGBTIQA+ people, families and communities and working to ensure their participation, inclusion, and health and wellbeing.

It means facilitating **community capital** that recognises and supports LGBTIQA+ intersections with the rich diversity and cultural expression of our other many communities, and working to foster a welcoming, safe and cohesive community for all who live, work and socialise in the City of Maribyrnong.

It means growing **economic capital** to ensure equitable access to resources, services and infrastructure so the benefits of economic development are enjoyed by all people, including those who are LGBTIQA+, as our community continues to thrive and grow.

Finally, it means developing **ethical leadership** by focussing on Council systems, processes, knowledge and people, to ensure we are proactively working to develop our own practice as well as influencing the practice of our key partners.

The Strategy and Action Plan have been developed through extensive community consultation and research. The outcomes documents a compelling narrative of community need and how gaps might be better responded to.

The Strategy and Action Plan is underpinned by human rights principles that include a focus on self-determination, participation and inclusion; Council's accountability to the

¹ This Strategy and Action Plan use the acronym LGBTIQA+ throughout, but recognises that a range of acronyms are used in other contexts. When referring to other documents or research, the acronym used in those works is referenced.

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community; and a focus on equity and empowerment to overcome the impacts of historical and ongoing discrimination and disadvantage.

Council's role is to support the planning and delivery of many actions and initiatives outlined in the Strategy and Action Plan. We recognise our role is often to facilitate, enable and advocate for action by others, including LGBTIQ+ people and communities themselves, as well as other partners.

To this end, the Strategy and Action Plan includes measures to support the active involvement of community members and stakeholders in the design, delivery and evaluation of programs and projects that impact upon them, including through the establishment of an LGBTIQ+ Community Advisory Group.

The role of the group is to advise Council on the needs and lived experience of LGBTIQ+ communities in Maribyrnong, and work with Council to identify the strategic actions for the proposed Action Plan over the next 4 years.

Links with Council plans and strategies

The LGBTIQ+ Strategy and Action Plan is developed and delivered within the broader strategic framework of Maribyrnong City Council, particularly the Council Plan 2021- 2025 and the Municipal Public Health and Wellbeing Plan incorporated within it.

The Council Plan 2021 – 2025 outlines Council's vision for the municipality as "an inclusive, flourishing, progressive city that cares for its residents and its environments".

The Council Plan identifies the priorities and aspirations to strengthen inclusion and cohesion within the community by removing barriers to participation in all aspects of community life. The development of the LGBTIQ+ Strategy and Action Plan is a key priority within the Council Plan.

Key elements of the Council Plan directly relevant to the LGBTIQ+ Strategy and Action Plan include:

Objective 3. A Place for All

- 3.2 Strengthen inclusion and cohesion by removing barriers to participation in all aspects of community life;
- 3.6 Take action to reduce family violence, respond to the needs of victims and promote gender equality.

Objective 5. Ethical Leadership

- 5.1 Uphold our obligations to promote and protect human rights by demonstrating strong social responsibility across Council's operations
- 5.2 Ensure breadth and depth of community engagement and active civic participation
- 5.3 Build and model a safer, healthier, diverse and more equitable organisation.

Specific outcomes in the Municipal Public Health and Wellbeing Plan relevant to the LGBTIQ+ Strategy and Action Plan include:

Healthy and active

- Advocate and partner to prevent violence against women

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Fair and inclusive

- Deliver initiatives, both internally and externally, to promote gender equality
- Promote social and economic inclusion
- Facilitate opportunities for civic participation and volunteering
- Consider the needs of our diverse community in infrastructure, service and program planning

While the initiatives and activities within the LGBTIQ+ Strategy and Action Plan are most closely aligned with the Council Plan and Municipal Public Health and Wellbeing Plan 2021-2025, they also complement the delivery of actions within a much broader range of Council plans and strategies.

These include within the areas of gender equity, arts and culture, precinct and facility planning, economic development, sport and recreation, workforce planning, and more.

The LGBTIQ+ Strategy and Action vision and objectives closely align with *Pride in our future: Victoria's LGBTIQ+ strategy 2022-32* released during our consultation process.²

Together with the Victorian strategy, our local Strategy and Action Plan will play an important role in strengthening the participation, inclusion, vibrancy and health and wellbeing of diverse LGBTIQ+ people, families and communities within the community of Maribyrnong.

² State of Victoria (2022). *Pride in our future: Victoria's LGBTIQ+ strategy 2022-32*. (Accessed 10/5/22)

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PART 2: Context

The Maribyrnong community^{3 4}

The Maribyrnong community is rapidly growing and changing. In 2020, the estimated resident population of the City of Maribyrnong was 94,982 people. The population is growing almost twice as fast as for Australia as a whole (2.8% annually).

Overall, the Maribyrnong community is also younger and more culturally diverse than for Victoria and Australia as a whole. There is a larger proportion of people aged 25-39 in the municipality compared to Greater Melbourne, which is also the fastest growing age group.

The City of Maribyrnong has fewer couples with children compared to Greater Melbourne although couple households with young children in particular are growing, and there is a higher rate of lone person households in some parts of the city (particularly West Footscray, Kingsville and Footscray).

The municipality is the second most ethnically diverse community in Victoria. Its residents are more likely to have been born overseas and to speak a language other than English at home – especially in areas such as Braybrook, Maidstone and Maribyrnong. Residents come from more than 135 different countries and speak over 80 languages. The Aboriginal and/or Torres Strait Islander population in the City of Maribyrnong is the same as for Greater Melbourne (0.5%)

Vietnamese, Mandarin, Cantonese, Greek and Italian were the most common languages other than English spoken at home in 2016, with Vietnamese, Mandarin, Nepali and Telugu being the fastest growing languages other than English.

Maribyrnong households are far more likely to be renting and slightly less likely to own their own homes when compared with Greater Melbourne. Rent prices about the same as for Melbourne, and mortgages are slightly higher. Affordability is still an issue for many people in the City of Maribyrnong.

Maribyrnong is a city with socioeconomic disparities. Median weekly incomes and other measures of disadvantage are split across the municipality. Median incomes are significantly lower in Braybrook, Footscray, Maidstone and West Footscray compared to Greater Melbourne, and higher in Kingsville, Maribyrnong, Yarraville and Seddon.

City of Maribyrnong residents are more likely to be attending university or hold university qualifications in all parts of the municipality compared to Greater Melbourne, with the exception of Braybrook.

Unemployment rates in 2016 were lower in Yarraville, Seddon and Kingsville than for other Melbournians and higher in Maribyrnong, Maidstone, West Footscray, Footscray and Braybrook.

Residents of Braybrook, Footscray and West Footscray were also more likely to be receiving the JobSeeker subsidy in March 2020 compared to Greater Melbourne and Victoria, and this proportion grew to September 2021. Residents of other parts of the city were less likely to be receiving JobSeeker when compared to Greater Melbourne.

³ .idcommunity (2021). *City of Maribyrnong community profiles*. (Accessed 27/1/22)

⁴ Maribyrnong City Council (2020). *Municipal Health and Wellbeing Data Book 2020*. (Accessed 27/1/22)

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City of Maribyrnong residents were slightly less likely to be providing unpaid care to a person with a disability, long term illness or old age in 2016 compared to Greater Melbourne, and also slightly less likely to participate in voluntary work.

According to the Victorian Population Health Survey (2017), feelings of trust were similar in the City of Maribyrnong when compared to Victorian residents generally, however the proportion of residents who feel most people can always be trusted has been declining over recent years.

By contrast the same surveys (2011, 2014, and 2017) show that acceptance of diversity among Maribyrnong residents is higher compared to the Victorian population. A higher proportion of local residents believe multiculturalism definitely makes life better in their area, and acceptance of diversity has been increasing.

The LGBTIQ+ community in Maribyrnong

LGBTIQ+ people, families and communities often remain hidden within mainstream community settings. This is particularly common in outer metropolitan, rural and regional areas. Research has shown that LGBTIQ+ people living more than 10km from the city experience higher levels of discrimination, social isolation and street-based harassment.⁵

Local data about perceptions of safety for LGBTIQ+ people, families and communities, or wider community attitudes towards people of diverse sexual orientations and gender identities is not readily available. While the Maribyrnong community self-identifies as accepting of difference and diversity, LGBTIQ+ community members identify feelings of acceptance and safety concerns as *both* being features of their local experience.

Recent research into experiences of public safety for women and gender-diverse people for example has shown that LGBTIQ+ and gender non-conforming people are markedly more likely than other community members to record the behaviour of others as a problem as well as be sensitive to bad stories circulating around a location.⁶

Around 2% of Maribyrnong participants in this research identified as 'non-binary/non-gender conforming' and 13% identified as LGBTI+. Participants were slightly more likely to identify locations in Maribyrnong as being unsafe when compared to Victorian results, with walking in local streets and trails being the most identified activity and locations.⁷

VicHealth research from 2015 found that LGB and other non-heterosexual Victorians felt less trusting in, and less connected to, their local communities than heterosexual Victorians. Regional LGB Victorians for example were less likely to agree that "people around here can be trusted" and that "people around here are willing to help their neighbours".

The research found that LGB Victorians who felt connected to their community reported higher resilience, subjective wellbeing and life satisfaction.⁸

One indicator of LGBTIQ+ acceptance is the results from the 2017 Australian marriage law postal survey. Enrolled voters in the federal seat of Maribyrnong participated in the survey at the same rate as national voters but at slightly lower rates compared to Victorian voters.

⁵ Morandini, J. (et al), 'Minority Stress and Community Connectedness among Gay, Lesbian and Bisexual Australians: A Comparison of Rural and Metropolitan Localities' (2015) 39(3) Australian and New Zealand Journal of Public Health 260.

⁶ YXX Lab and CrowdSpot (2021). *YourGround Victoria report*. Melbourne: Monash University YXX Lab. (Accessed 10/5/22)

⁷ YXX Lab and CrowdSpot (2021). *YourGround City of Maribyrnong report*.

⁸ VicHealth (2017). *VicHealth indicators survey 2015: Supplementary report sexuality*. (Accessed 10/5/22)

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While overwhelmingly supportive of the change, participating voters were slightly less supportive when compared to both Victorian and national voters.⁹

Little reliable data exists about the demographic profile of LGBTIQ+ people, families and communities in Maribyrnong related to age, ethnicity, family structure, socioeconomic status, economic participation, and health and wellbeing. Anecdotally, the local LGBTIQ+ community has been growing and becoming increasingly visible in recent years.

Only very limited data is captured in the Australian Bureau of Statistics (ABS) national census, and until recently, data was not available through other key datasets such as the Victorian Population Health Survey. At an organisational level, funded programs are also not required (and often do not) collect service utilization and outcome data inclusive of LGBTIQ+ identities.

Generally, it is accepted that people of diverse sexual orientations, sex and gender identity account for around 11% of the population¹⁰, while in 2020 the ABS estimated that 8.4 percent of the population identify as non-heterosexual. This means that at least 10,500 LGBTIQ+ people may be residing in Maribyrnong.

In 2016, same-sex couples accounted for 1 percent of all Victorian couples, and 15 percent of these reported having children, including one in four female couples¹¹. Over 1000 people identified they were living in a same-sex couple (married or de facto partners) in the City of Maribyrnong in 2016 (590 in male couples, 414 in female couples), which was 1.2 percent of the total population.

Based on these figures, there may be *at least* 75-100 same-sex parented families with children residing in the City (an inner west LGBTIQ parenting group on Facebook has 282 members).

Other 2016 census data suggests that people in same-sex relationships were far more likely to have no religion, have a university degree, be employed, and have higher personal incomes compared to partners in opposite sex relationships.

The 2016 census gathered basic data for the first time on sex and gender diversity. Repeated in 2020, this pilot data collection relied on users knowing about and engaging with a separate mechanism to record their sex as anything other than 'male' or 'female'. As a result, only 1,260 sex and/or gender diverse people were counted, revealing little about these people nationally, let alone at a local government level.¹²

These data sources are likely to underestimate true numbers of LGBTIQ+ people because they rely on self-reporting and only count people cohabiting on census night. The data sets also don't account for variations *within* LGBTIQ+ communities.

The Victorian Population Health Survey captured information about sexual orientation and gender identity for the first time in 2017. The survey provides comparative data on many important health measures, including discrimination, social capital, socioeconomic status, mental health, physical health and health screening behaviours for people reporting a range

⁹ ABS (2018). *Australian Marriage Law Postal Survey, 2017: Results for Victoria*. (Accessed 27/1/22)

¹⁰ Department of Health (2012). *National LGBTI Ageing and Aged Care Strategy*; State of Victoria (2019). *Royal Commission into Victoria's Mental Health System: Interim Report*. (Accessed 27/1/22)

¹¹ ABS (2018). *Same sex couples in Australia, 2016*. (Accessed 27/1/22)

¹² ABS (2018). *Sex and gender diversity in the 2016 census*. (Accessed 27/1/22)

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of identities including being lesbian, gay, bisexual, transgender, gender diverse, queer, pansexual, asexual, having an intersex variation, or 'other'.

The 2017 survey found Maribyrnong had an estimated LGBTIQ+ population of 6.2%, with a further estimate range of between 4.1-9.4 percent of the population.¹³ Survey data and results confirm findings from other research that LGBTIQ+ people experience significant health inequalities.

Council support for LGBTIQ+ people, families and communities

Through its diverse services and programs, the City of Maribyrnong has engaged with and supported LGBTIQ+ people, communities and families over many years. This Strategy and Action Plan builds on an already solid foundation.

Community service programs provide support and build LGBTIQ+ awareness and capacity through many of its services such as youth services, support to LGBTIQ+ groups within local high schools, library services, maternal and child health programs, and rainbow family playgroups offered through some of its community centres.

Local arts and cultural development programs, galleries, events and settings enable expressions of diversity, gender identity and pride to flourish in the municipality. Council has participated in and supported the GoWest Festival, Midsumma and Pride festivals, LGBTIQ+ programming as part of Fringe Festival, Midsumma Westside, and through the *Together Apart Rapid Relief Fund* for COVID19.

Other local arts organisations have also delivered LGBTIQ+ programming, including for example the Trocadero Arts Space, Snuff Puppets, Women's Circus and Footscray Community Arts which partners with the Human Rights Arts and Film Festival and the *tilde* Film Festival.

Local communities have initiated and organised their own opportunities for connection, including for example through online social groups for rainbow families, general LGBTIQ+ community forums, and residents interested in promoting LGBTIQ+ equality in Maribyrnong.

Local businesses are responding to community expectations and interest through the establishment of rainbow friendly local bars, social venues and LGBTIQ+ inclusive nights and events.

Council recognises that safety in public spaces is often a concern for women and gender-diverse people, with significant impacts on health and well-being.¹⁴ Council continues to partner on a social research initiative to ensure places where women, LGBTIQ+ people and other groups exercise, play and connect play are safe and inclusive.

Councils supports local sport and recreation clubs, several of which are working to actively increase the participation and inclusion of LGBTIQ+ people. Prior to COVID19 the Maribyrnong Aquatic Centre delivered its first trans and gender diverse-targeted swim night prior with plans for further sessions in the future.

¹³ Victorian Agency for Health Information (VAHI). (2020). *The health and wellbeing of the lesbian, gay, bisexual, transgender, intersex and queer population in Victoria: Findings from the Victorian population health survey 2017*. (Accessed 27/1/22)

¹⁴ XYX Lab and CrowdSpot (2021). *YourGround Victoria report*. Melbourne: Monash University XYX Lab. (Accessed 10/5/22)

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In March 2022 the City of Maribyrnong convened a LGBTIQ+ Community Advisory Group whose role includes to:

- inform Council on the emerging needs, issues and barriers facing LGBTIQ+ people in Maribyrnong;
- consider and provide advice to Council on key initiatives, programs and best practice options on culturally safe and inclusive actions that address the needs of LGBTIQ+ people, families and communities;
- work directly with Council to develop, implement and review the *LGBTIQ+ Strategy and Action Plan 2021-2025*; and
- support Council's commitment in promoting and advocating for equality, inclusion, diversity and human rights of the LGBTIQ+ people within the wider context of the Maribyrnong community.

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PART 3: Rationale

LGBTIQA+ health and wellbeing needs

The participation, health and wellbeing needs and experiences of LGBTIQA+ people, families and communities have been well documented through many years of research.

While we recognise the richness and vibrancy of LGBTIQA+ people, families and communities, their unique capacities and perspectives, and their resilience, the research shows us that overall, LGBTIQA+ people have poorer health and wellbeing experiences and outcomes than others in the community. These include for example:

- higher than average rates of violence, harassment and discrimination;
- poorer mental health such as anxiety, depression, psychological distress, self-harm and risk of suicide;
- higher rates of isolation and rejection, reduced social participation and engagement;
- poorer life outcomes in terms of drug and alcohol use, homelessness, and early school leaving; and
- avoidance or delay in help seeking behaviours because of real or feared prejudice within service settings.¹⁵

The Victorian Population Health Survey¹⁶ found that self-identified LGBTIQ+ people were **more likely** to:

- have been born in Australia;
- be Aboriginal and Torres Strait Islander;
- have never married;
- have a total annual household income lower than \$40,000;
- be unable to raise \$2,000 within two days in an emergency; and
- have experienced food insecurity in the previous year.

The same cohort were **less likely** to have private health insurance or have a total annual household income over \$100,000.

Across social capital measures, LGBTIQ+ adults were **more likely** to never or not often feel valued by society, but were also more likely to be members of community groups, feel multiculturalism made life in their area better, and be in contact with 1-4 people in the previous day.

They were **less likely** to get help from family or neighbours when needed, get a relative or friend to care for them or their children in an emergency, be members of a sports group, or to have lived for 10 years or more in their current neighbourhood.

The Royal Commission into Victoria's Mental Health System found LGBTIQ+ people experienced a range of poorer mental health outcomes, including higher risk of mental illness, self-harm and suicide compared to heterosexual and cisgender populations. LGBTIQ+ people were recognised as being among a range of groups facing additional barriers that

¹⁵ VLGA (2020). *Rainbow resource for Victorian councils: Supporting lesbian, gay, bisexual, transgender, intersex and queer diversity and inclusion in local government* (Accessed 27/1/22)

¹⁶ Victorian Agency for Health Information (VAHI). (2020). *The health and wellbeing of the lesbian, gay, bisexual, transgender, intersex and queer population in Victoria: Findings from the Victorian population health survey 2017*. (Accessed 27/1/22)

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compound their experience, including for example discrimination and poorer access to services and supports responsive to their needs.¹⁷

Recent research has also highlighted the unique and disproportionate impacts of COVID19 on LGBTIQ+ people, families and communities. The impacts of COVID19 were widely reported as disproportionately impacting (for example) young people, women, culturally diverse communities, and people in low paid and precarious employments.

Additionally, impacts were also reported for LGBTIQ+ people within and beyond these communities. Services working with LGBTIQ+ people reported high levels of distress, increases in clients reporting suicidal behaviours and thoughts, concerns about support and safety in their homes, concerns about job loss, anxiety about potential interactions with police enforcing restrictions, and distress due to decreased access to medical affirmation for trans and gender diverse people.¹⁸

Not all LGBTIQ+ people experience the range of issues outlined above, or equally, with some people being more vulnerable than others to poorer health and wellbeing experiences and outcomes.

Factors influencing LGBTIQ+ health and wellbeing may include age (younger and older people), gender, cultural and religious background, living circumstance (city/rural/ regional, homelessness), existence of a disability or coexisting mental health issue, and the presence or absence of supportive and accepting relationships.¹⁹

The Victorian Population Health Survey found statistically significant differences in the experience of discrimination in the 12 months prior to the survey, being reported by 56.1 percent of trans and gender diverse adults, 39.9 percent of gay or lesbian and 31.5 percent of bisexual, queer or pansexual respondents compared with 15.6 percent of non-LGBTIQ+ adults.

Trans and gender diverse adults also had a significantly higher prevalence of food insecurity, psychological distress and diagnoses of anxiety or depression.

While there are a range of factors that can contribute to a reduced quality of life for some LGBTIQ+ people at different times in their lives, there are also many protective factors that ensure most LGBTIQ+ people can enjoy happy, healthy and well-connected lives.

These include for example through strong relationships with each other, from their families and peers, within LGBTIQ+ and wider communities, and through affirming, safe and welcoming environments in schools, workplaces and other community settings.

Requirements of government

Development of the LGBTIQ+ Strategy and Action Plan is an important commitment by Maribyrnong City Council that will help it meet its legal and regulatory requirements as well as deliver on key strategies to promote community health, wellbeing and inclusion.

Several Victorian and federal laws are relevant to local councils when responding to the needs of their LGBTIQ+ communities. These include for example:

¹⁷ Royal Commission in Victoria's Mental Health System (2021). *Final report*. (Accessed 27/1/22)

¹⁸ Jones, J. and Carman, M. (2020). *Inclusive practice matters: Communities of practice responding to the challenges of covid-19*. (Accessed 27/1/22)

¹⁹ National LGBTI Health Alliance (2020). *Snapshot of mental health and suicide prevention statistics for LGBTI people*. (Accessed 27/1/22)

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- **Human rights laws:** According to the *Charter of Human Rights and Responsibilities Act 2006*, local councils must act compatibly with human rights including by considering human rights when making decisions, and making, interpreting and applying laws;
- **Equal opportunity laws:** Councils have a duty to prevent discrimination on the basis of sex, marital and relationship status, sexual orientation or preference, gender identity and intersex status within various laws including the Victorian *Equal Opportunity Act 2010*, the *Fair Work Act 2009* and the *Sex Discrimination Act 1984*;
- **Local government laws:** The *Victorian Local Government Act 2020* is the main law outlining the role and function of local councils in Victoria. The Act was recently reviewed to strengthen community voice in local planning processes, and to strengthen councils' requirements to consider the diverse needs of all parts of their communities;
- **Public health laws:** The *Public Health and Wellbeing Act 2008* aims to deliver high standards of public health and wellbeing by preventing disease, promoting healthy conditions and addressing health inequalities by targeting efforts according to greatest need; and
- **Gender equality laws:** The *Gender Equality Act 2020* is a new law that requires local councils to develop and report on gender equality plans that promote gender equality for *people of all genders* in the community, including through an intersectional lens that explicitly recognises gender inequality can be compounded by other forms of discrimination and disadvantage a person may experience.
- **Child safety laws:** Supported by a regulatory framework established under the *Child Wellbeing and Safety Act 2005*, local councils are required to have policies, procedures and practices aligned to the *Victorian Child Safe Standards*. From July 2022, Standard 5 includes the requirement to consider the needs of LGBTI children and young people

In early 2022 the Victorian Government released a new strategy, *Pride in our future: Victoria's LGBTIQ+ Strategy 2022-32*. Through the Strategy the Victorian Government is actively raising awareness, building capacity and influencing the relevant policy settings to ensure LGBTIQ+ communities are supported to drive meaningful change over the next decade. The Strategy will be influential in how local councils respond to the needs of their LGBTIQ+ residents, visitors and businesses.²⁰

Expectations of local government

A community survey undertaken by the Victorian Local Governance Association and Victorian Gay and Lesbian Rights Lobby in 2016 outlined a range of expectations that LGBTIQ+ communities have of local councils. These included that councils advocate for and publicly support LGBTIQ+ residents, provide inclusive health and community services, and consult community members on the issues that affect them.²¹

²⁰ State of Victoria (2022). *Pride in our future: Victoria's LGBTIQ+ strategy 2022-32*. (Accessed 10/5/22)

²¹ VLGA (2020). *Rainbow resource for Victorian councils: Supporting lesbian, gay, bisexual, transgender, intersex and queer diversity and inclusion in local government*, p. 8 (Accessed 27/1/22)

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In 2020, the Victorian Pride Lobby proposed local government election priorities which included Rainbow Tick accreditation of council-run services; establishment of LGBTIQ+ advisory committees; development of LGBTIQ+ action plans; recognition of days of significance for LGBTIQ+ communities, including by flying appropriate flags from council buildings; and participation in LGBTIQ+ arts and cultural events such as Midsumma, Pride and Carnival.²²

These priorities recognise the direct relationship to the health and wellbeing of LGBTIQ+ people and families living in local municipalities and provide a platform for local government engagement and response to the needs of LGBTIQ+ communities

VicHealth for example has found that LGBTIQ+ Victorians who feel connected to their community report higher resilience, subjective wellbeing and life satisfaction, but that major disparities remain – only 6 in 10 regional LGB Victorians agree that ‘people around here can be trusted’ compared to 8 in 10 regional heterosexual Victorians; only two thirds of LGBTIQ+ Victorians agree ‘people around here are willing to help their neighbours’ compared to three quarters of non-LGBTIQ+ Victorians.²³

In recent years demographic changes have seen a steady increase in Maribyrnong residents who identify as LGBTIQ+ moving to the inner west for its housing affordability and proximity to the CBD. Many new residents to Maribyrnong bring with them expectations for culturally safe and inclusive environments.

Recent consultations with LGBTIQ+ communities in Maribyrnong indicate residents are seeking culturally safe and gender appropriate services, and venues and facilities for LGBTIQ+ community close to where they live and work. Creating safe and inclusive events and spaces remains a commitment of Council.

Compliance with COVID19 lockdown restrictions amplified the need for easily accessible LGBTIQ+ services and settings within a 5km radius of LGBTIQ+ residents’ homes. During this time, Council has received specific requests for mental health support and social connection from LGBTIQ+ community members to address the emerging impacts and risk factors associated with COVID19, lockdowns, and their enduring effects.

Since 2010 Maribyrnong Council has participated on the LGBTIQ+ Western Regions Councils Working Group. A 2015 community forum identified a number of recommended areas for action in the West of Melbourne, including in the City of Maribyrnong. These included that participating councils work to:

- **Recognise layers of GLBTIQ identity:** For decision makers, service providers and the broader community to see beyond the traditional view of GLBTIQ people in the West to acknowledge and work with their multiple identities: CALD communities, refugees, religious groups & leaders, disability and older GLBTIQ people.
- **Promote safe spaces:** For western region councils and service providers to partner with GLBTIQ communities to address homophobic and transphobic harassment and violence, foster specific GLBTIQ safe spaces and community facilities and promote safety in public spaces.

²² Victorian Pride Lobby (2020). *Rainbow local government: LGBTIQ+ priorities for the 2020 Victorian local council elections*. (Accessed 27/1/22)

²³ VicHealth (2015). *VicHealth indicators survey 2015: Supplementary report, sexuality*. (Accessed 27/1/22)

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- **Advocate for better access to health care:** For western region councils and service providers to work together to advocate for and provide inclusive, non-judgmental and responsive health care in the West that local GLBTIQ feel safe and able to access.
- **Embed what's been started:** For western region councils to ensure that GLBTIQ-inclusion is given further resources, embedded within Council's policy and practice. Further there is more inclusive practice, more consultation, training and GLBTIQ-inclusion at "other council events".
- **Foster GLBTIQ role models and visibility:** For western region councils, service providers and the broader community to foster and promote GLBTIQ community leadership, role models and their visibility. Further, for councils and service providers to work with local GLBTIQ people to foster a strong GLBTIQ identity in the West.
- **Support local schools:** For western region councils and service providers to work together to expand on GLBTIQ work done in schools, going beyond just signing up to the Safe Schools Coalition and working with teachers in particular.
- **Encourage GLBTIQ networking:** To increase opportunities for local government, service providers, GLBTIQ community groups, GLBTIQ people and their allies to spend time with one another, share and learn.²⁴

²⁴ Witthaus, D. (2015). *Out is in: A report on the GLBTIQ out is in forum*. National Institute for Challenging Homophobia Education (NICHE).

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PART 4: Consultation and engagement

The themes and initiatives in this Strategy and Action Plan were informed by extensive consultation with local community members, service providers and other key Council partners.

Consultations were designed to gather as diverse a range of community perspectives as possible within available resources. Input was sought through a range of focus groups, online surveys, direct interviews, and receipt of written submissions.

The focus groups comprised a mix of open invitation and targeted sessions and included sessions with First Nations communities, rainbow families, younger and older people, business, sport and recreation, arts and culture, Council staff and other local services, and local LGBTIQ+ community groups and networks.

Over 250 people shared their experiences and views through the consultation and engagement phase. The level and quality of participation in this process was high and the majority of the views contributed by participants were positive and affirming of the strategic directions Council is taking.

What was said: Main consultation themes

Consultation participants demonstrated a great deal of pride in their local community and the strength and resilience of LGBTIQ+ communities. They welcomed the efforts of Council and other local organisations and businesses to help foster a safe, inclusive and vibrant community for all people in Maribyrnong.

Participants were invited to identify current community strengths and assets that contribute to a supportive environment for LGBTIQ+ people and families in Maribyrnong.

The most commonly identified community strengths included that the City of Maribyrnong is **a diverse, welcoming and inclusive community** that celebrates difference and where LGBTIQ+ community members are increasingly visible.

Maribyrnong has a vibrant night economy which includes venues, pubs and clubs that are LGBTIQ+ owned or businesses that are supportive and inclusive of rainbow communities. There is also a growing number of locally accessible groups, clubs, online networks, social justice support groups and accessible health services that are inclusive of LGBTIQ+ people, families and communities. Local art, culture, sport and recreation programs and opportunities are commonly highlighted as local strengths.

Participants were invited to identify current gaps, barriers and limitations impacting the health, wellbeing and social and economic inclusion of LGBTIQ+ people, families and communities in Maribyrnong.

Notwithstanding the local community strengths, participants noted that many LGBTIQ+ people remain disconnected, isolated and invisible within the local community and that discrimination and violence against LGBTIQ+ people persist.

Services, groups, networks and information specifically targeted to the needs of LGBTIQ+ people and families are often hard to find or don't exist locally. Universal services intended for the whole community are often hetero- and cis-normative (see glossary), and fail to recognise or are insensitive towards the needs and experiences of LGBTIQ+ people. As a

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consequence, many LGBTIQ+ people report experiencing minority stress and having to deploy mental labour to ask for or educate about the need for accessible services and supports widely available to others.

Many participants identified that LGBTIQ+ people had been disproportionately impacted by COVID19 and that the resulting social isolation and mental health impacts necessitated the need for safe and welcoming physical spaces and social infrastructure locally.

While Council's work to support and acknowledge LGBTIQ+ people, families and communities was recognised, many participants also indicated that Council's leadership role and commitment to LGBTIQ+ was not well promoted, clearly understood or universally applied.

Participants recognised that the issues identified are not experienced by LGBTIQ+ people, families and communities equally, and that an intersectional lens is important for understanding the diversity of LGBTIQ+ experience and need in a range of settings (see glossary). Groups identified as being at particular risk of exclusion in Maribyrnong included:

- First Nations young people
- LGBTIQ+ people from culturally and linguistically diverse backgrounds, especially refugees and recent migrants
- Younger LGBTIQ+ people
- Older LGBTIQ+ people
- Trans, gender diverse and non-binary people
- LGBTIQ+ people with a disability, mental health and alcohol and drug issues
- LGBTIQ+ people experiencing poverty and/or homelessness.

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PART 5: LGBTIQA+ Strategy

Vision

LGBTIQA+ people in the City of Maribyrnong are safe and healthy, and their diverse identities are celebrated.

LGBTIQA+ people are visible, connected and welcomed, and can fully participate in the Maribyrnong community at all stages of life.

Council promotes equality and addresses inequality for LGBTIQA+ people through clear leadership and principled action.

Principles

Building on Council's commitment to the key human rights and social justice values of freedom, respect, equity and dignity outlined in its Human Rights Framework, the LGBTIQA+ Strategy and Action Plan is underpinned by the following human rights-based principles:

First Nations First: Council recognises First Peoples' right to self-determination as a foundation for equity and fairness and promotes the visibility and protection of their cultural heritage and gender and sexual diversity.

Participation: Council promotes safe, accessible services and public spaces that ensure LGBTIQA+ people are included and supported to reach their potential.

Accountability: Council actively communicates a culture of human rights in the organisation and local community underpinned by authoritative leadership and good governance.

Non-discrimination and equity: Council applies an intersectional lens to improve LGBTIQA+ health and wellbeing in the municipality and work to end the structural causes of discrimination and disadvantage.

Empowered communities: Council works with local LGBTIQA+ people and families to promote increased visibility, enhance diverse representation and ensure they have a voice in processes and decisions that impact their lives.

Uphold human rights standards: Council promotes and protects the rights contained in the Victorian Charter of Human Rights and Responsibilities consistent with the objectives of its Human Rights and Social Justice Framework.

Objectives

Objective 1: Building social capital

Celebrate the vibrancy, strength and diversity of LGBTIQA+ people, families and communities and work to ensure their participation, inclusion, and health and wellbeing.

Objective 2: Facilitate community capital

Recognise and support LGBTIQA+ intersections with the broader community; foster a welcoming, safe and cohesive community for all who live, work and socialise in the City of Maribyrnong.

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Objective 3: Grow economic capital

Ensure access to resources, services, infrastructure, and shared opportunities so the benefits of economic development are enjoyed by LGBTIQ+ people and families as our community continues to thrive and grow.

Objective 4: Develop Council's ethical leadership

Proactively develop our practice and influence our key partners through a shared culture of learning, innovation and reflection, transparent decision-making, collaboration, and community engagement.

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PART 6: Review and evaluation

The LGBTIQ+ Strategy and Action Plan makes provision for an evaluation plan to measure and report on its success (Action 4.4.2). Annual progress reports are also required to be submitted to Council by October each year under the Council Plan 2021-2025.

The evaluation plan will align with Council Plan strategic indicators under:

Objective 3. A Place for All

- Evaluation process developed and implemented to verify inclusive and accessible features of Council programs.
- Evaluation of Council activities and programs, to measure participation diversity.
- Increased culture of challenging gender inequalities, across all settings and life stages.

Objective 5. Ethical Leadership

- Progress against workplace gender equality indicators.
- Increased participation and community involvement in decision-making.
- Increased satisfaction demonstrated in the Annual Community Satisfaction Survey in relation to engagement and involvement in decision-making.
- Towards Gender Equity 2030 Strategy workplace gender equality indicators.

In addition to requirements under the Council Plan, a mid-cycle impact evaluation and final evaluation report will be completed in consultation with LGBTIQ+ community members.

Wherever possible the impact evaluation will take into account measures linked to the Maribyrnong Gender Equity Plan and the Human Rights and Social Justice Framework or equivalent.

The Maribyrnong LGBTIQ+ Community Advisory Group will play an important role in assisting Council with monitoring progress on actions in the Plan.

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Appendix 1: Glossary

The LGBTIQ+ Strategy and Action Plan contains several terms, not all of which may be familiar to every reader.

While the Strategy and Action plan refer throughout to LGBTIQ+ people, families and communities, Council recognises the overlap but also differences in experience between people of different sexual orientations (lesbian, gay, bisexual, asexual, heterosexual), gender identities (transgender, gender diverse, non-binary, cisgender) and sex characteristics (intersex, endosex).

Some of the terms used in this document are defined below, but it is also recommended that for a detailed description of these terms and others, that readers refer to the Victorian LGBTIQ+ inclusive language guide.²⁵

Gender: many people understand their gender as being female or male. Some people understand their gender as a combination of these or neither. Gender can be expressed in different ways, such as through behaviour or physical appearance. A person's gender does not necessarily mean they have particular sex characteristics or a particular sexuality, or vice versa.

Sex: refers to a person's biological sex characteristics. This has historically been understood as either female or male. However, we now know that some people are born with natural variations to sex characteristics.

Sexuality or sexual orientation: describes a person's romantic and/or sexual attraction to others.

Asexual: a person who does not experience sexual attraction, but may experience romantic attraction towards others.

Bisexual: a person romantically and/or sexually attracted to people of their own gender and other genders. The term 'bi+' is also sometimes used to describe the multiplicity of bisexualities. The term Multi-gender attraction (MGA) may also be used for those who experience attraction to more than one gender over a lifetime, regardless of self-identity or labels.

Cisgender: a person whose gender aligns with the sex they were assigned at birth. A cisgender or 'cis' person is someone who isn't trans or gender diverse.

Cisnormative / cisnormativity: the social structures (attitudes, beliefs and assumptions) that present cisgender ideals and experiences as universal, assumes everyone holds a cisgender identity and privileges cisgender identities over other forms of gender identity.

Heteronormative / heteronormativity: the social structures (attitudes, beliefs and assumptions) that present heterosexual ideals and experiences as universal, assumes everyone is heterosexual and privileges heterosexuality over other sexualities or sexual orientations.

²⁵ State of Victoria (2021). *LGBTIQ+ inclusive language guide*. (Accessed 10/5/22 and 11/7/22)

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Gay: a person romantically and/or sexually attracted to people of the same sex and/or gender as themselves. This term is often used to describe men who are attracted to other men, but some women and gender diverse people may describe themselves as gay.

Gender diverse: generally refers to a range of genders expressed in different ways. There are many terms used by gender diverse people to describe themselves. Language in this space is dynamic, particularly among young people, who are more likely to describe themselves as non-binary.

Intersectionality: Many people within LGBTIQ+ communities live with other forms of inequality or discrimination (such as sexism, racism, ableism and classism). How these overlapping and interconnecting forms of oppression (and privilege) link to other aspects of identity is often called 'intersectionality'.

Intersex: a person with an intersex variation is a person born with atypical natural variations to physical or biological sex characteristics. These may include variations in chromosomes, hormones or anatomy. Intersex traits are a natural part of human bodily diversity. Not all people with intersex variations use the term intersex to describe themselves. A person whose innate sex characteristics fit normative medical or social ideas for female or male bodies may be described as 'endosex'.

Lesbian: a woman romantically and/or sexually attracted to other women.

Non-binary: someone whose gender is not exclusively female or male; while a person who is agender has no gender.

Queer: often used as an umbrella term for diverse genders or sexualities. Some people use queer to describe their own gender and/or sexuality if other terms do not fit. For some people, especially older LGBTIQ people, 'queer' has negative connotations, because in the past it was used as a discriminatory term.

Questioning The 'Q' in LGBTIQ+ is sometimes also used to refer to 'questioning'. Rather than be locked in to a certainty, some people are still exploring or questioning their gender or sexual orientation. People may not wish to have one of the other labels applied to them yet, for a variety of reasons, but may still wish to be clear, for example, that they are non-binary or non-heterosexual. It is important these individuals feel welcome and included in the acronym and community spaces.

Transgender: a person whose gender does not exclusively align with the one they were assigned at birth. Transgender or trans is an umbrella term with people choosing to describe themselves in many different ways. It is important to use the terms someone uses to describe themselves.

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Appendix 2: References

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Appendix 3: Engagement and consultation materials

First phase consultations: Focus groups and survey

Focus group discussion 1: Vision for LGBTIQ+ people in Maribyrnong

Thinking about LGBTIQ+ people and their families who live, work, study and recreate in Maribyrnong. They are thriving, healthy and happy...

Q. What are their lives like?

Q. What do they see/hear/feel experience?

Focus group discussion 2: Current gaps, barriers and limitations

Thinking about the factors that prevent or limit this vision...

Q. What are the current issues for LGBTIQ+ people and their families in Maribyrnong?

Q. What barriers do these communities face?

Q. How have communities been impacted by COVID-19?

Focus group discussion 3: Opportunities for a stronger future

Thinking about opportunities to bridge where we are and where we want to get to...

Q. What steps can be taken to ensure LGBTIQ+ people and families in Maribyrnong are thriving?

Q. What do you think Council could or should do?

Q. What role should LGBTIQ+ communities and others play?

Survey questions

Q. Can you name three positive things about Maribyrnong that support LGBTIQ+ people and their families?

Q. What are three less positive things about Maribyrnong that could be improved to better support LGBTIQ+ people and their families?

Q. What role can Council play to positively influence LGBTIQ+ safety, participation and inclusion, health and wellbeing in Maribyrnong?

Q. Can you identify any specific actions Council could take?

Second phase consultations: Test and refine workshop and survey

Test and refine workshop discussion 1: Vision

Q. Do you support the Vision statements for the Maribyrnong LGBTIQ+ Strategy and Action Plan 2021-2025?

Q. What suggestions do you have for how the Vision statements could be improved?

Test and refine workshop discussion 2: Principles

Q. How clearly do you think each Principle is described?

Q. What suggestions do you have for how the Principles could be improved?

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Test and refine workshop discussion 3: Objectives

Q. Do issues of interest and concern to you have a "home" in the Objectives and Key Focus Areas?

Q. What suggestions do you have for how the Objectives and Key Focus Areas could be improved?

Survey questions: Vision

Q. How do you feel about the three proposed vision statements - which is what we hope to achieve. These statements broadly align with the new Victorian LGBTIQ+ Strategy Pride in our future.

Q. Please share any thoughts or suggestions on how the Vision statements could be improved?

Survey questions: Principles

Q. Do you support the principles in the draft strategy and framework?

Q. Please share any thoughts or suggestions on how the Principles could be improved?

Q. If there a principle that should be incorporated but isn't please tell us.

Survey questions: Objectives

Q. How well do you feel the Objectives and Key Focus Areas will support Council to respond to the issues, need and concerns of LGBTIQ+ people, families and communities in Maribyrnong?

Q. If you have disagreed or strongly disagreed with a focus area please tell us why?

Survey questions: Other

Q. During our initial engagement you told us that you would like to see Council growing relationships with the LGBTIQ+ community. Which of the listed options support your thinking on ways we could do that?

Q. Do you see the community also has a role in supporting LGBTIQ+ community visibility and inclusion?

Q. Do you see Council has a role in supporting LGBTIQ+ community visibility and inclusion?

Q. Are there specific groups within the LGBTIQ+ community that should be explicitly considered by Council to support a safe, equitable, inclusive municipality?

Q. Do you understand what intersectionality or intersectional lens mean?

Q. Do you have any other areas you would like us to focus on?

APPENDIX 4: LGBTIQA+ Strategy and Action Plan 2022-2026

VISION					
LGBTIQA+ people in the City of Maribyrnong are safe and healthy, and their diverse identities are celebrated.		LGBTIQA+ people are visible, connected and welcomed, and can fully participate in the Maribyrnong community at all stages of life.		Council promotes equality and addresses inequality for LGBTIQA+ people through clear leadership and principled action.	
PRINCIPLES					
Building on Council’s commitment to the key human rights and social justice values of freedom, respect, equity and dignity outlined in its Human Rights Framework, the LGBTIQA+ Strategy and Action Plan is underpinned by the following human rights-based principles:					
First Nations First Council recognises First Peoples’ right to self-determination as a foundation for equity and fairness, and promotes the visibility and protection of their cultural heritage and gender and sexual diversity	Participation Council promotes safe, accessible services and public spaces that ensure LGBTIQA+ people are included and supported to reach their potential	Accountability Council actively communicates a culture of human rights in the organisation and local community underpinned by authoritative leadership and good governance	Non-discrimination and equity Council applies an intersectional lens to improve LGBTIQA+ health and wellbeing in the municipality and work to end the structural causes of discrimination and disadvantage	Empowered communities Council works with local LGBTIQA+ people and families to promote increased visibility, enhance diverse representation and ensure they have a voice in processes and decisions that impact their lives.	Uphold human rights standards Council promotes and protects the rights contained in the Victorian Charter of Human Rights and Responsibilities consistent with the objectives of its Human Rights and Social Justice Framework
OBJECTIVES, KEY FOCUS AREAS AND ACTIONS					
① Build social capital <i>Celebrate the vibrancy, strength and diversity of LGBTIQA+ people, families and communities and work to ensure their participation, inclusion, and health and wellbeing</i>			② Facilitate community capital <i>Recognise and support LGBTIQA+ intersections with the broader community; foster a welcoming, safe and cohesive community for all who live, work and socialise in the City of Maribyrnong</i>		
1.1 Facilitate opportunities for civic participation, social engagement and volunteering.			2.1 Advocate and partner to prevent violence and discrimination against LGBTIQA+ people, families and communities.		
1.1.1 Provide low-or-no cost access to Council-produced events and programming to support LGBTIQA+ peer and community connections, including within Council libraries, community centres and other facilities such as Maribyrnong Aquatic Centre (MAC), RecWest Footscray and Braybrook. 1.1.2 Gather data about the contribution and participation of LGBTIQA+ communities / groups in formal and informal volunteering to identify gaps and opportunities. 1.1.3 Support inclusion and participation by specific LGBTIQA+ communities including people from First Nations, culturally and linguistically diverse and refugee backgrounds; rainbow families; LGBTIQA+ people who are older and who have a disability; and trans and gender diverse people, by: <ul style="list-style-type: none">undertaking a needs analysis to understand their lived experience, needs and interests; andworking with local service providers and LGBTIQA+ communities to advocate for culturally safe service improvements to better met their needs.			2.1.1 Through a standing agenda item of the Maribyrnong Community Safety Committee promote, co-design and advocate for community safety initiatives to: <ul style="list-style-type: none">monitor, prevent and respond to LGBTIQA+ experiences of violence and discrimination; andaddress LGBTIQA+ perceptions of safety and fear of crime. 2.1.2 Build on existing initiatives and research (such as Your Ground) to raise awareness of LGBTIQ+ public safety and integrate gender safety principles in the design of public spaces, streets and parks. 2.1.3 Through Council’s Towards Gender Equity 2030, advocate for improved responses to LGBTIQA+ intimate partner violence, elder abuse, and other forms of gender-based violence.		
1.2 Support and promote community-led activities, programs, festivals and events.			2.2 Facilitate community cohesion and understanding about LGBTIQA+ issues, needs and lived experience.		
1.2.1 Promote and target available grants (Council and others) to assist local LGBTIQA+ groups and organisations deliver community-led programs and events, including through small seeding grants to support their establishment. 1.2.2 Use Council’s available communication channels to promote local LGBTIQA+ events and activities supported by Council that are taking place in the City of Maribyrnong and delivered by other businesses, clubs, groups, and organisations. 1.2.3 Actively partner with local businesses and organisations, and LGBTIQA+ organisations outside of Maribyrnong, to grow the range of activity, program and event opportunities available to LGBTIQA+ people and families in the municipality.			2.2.1 In partnership with local organisations, service providers, schools, LGBTIQA+ sector, State and Federal Governments, support ongoing awareness and education initiatives to improve perceptions, knowledge and understanding of LGBTIQA+ people and experience among the broader Maribyrnong community. 2.2.2 Support and deliver a range of events and programming opportunities to foster cross-cultural and intergenerational understanding between LGBTIQA+ communities and the broader community. 2.2.3 Increase LGBTIQA+ visibility and inclusion by commissioning appropriate art installations or murals within the municipality (including for example a rainbow crosswalk outside Footscray Station).		
1.3 Improve LGBTIQA+ health and wellbeing outcomes health prevention, promotion and response initiatives, including those that address the ongoing impacts of COVID19.			2.3 Deliver initiatives that recognise and celebrate LGBTIQA+ community cultures, symbols and histories.		
1.3.1 Partner with local services and LGBTIQA+ specialist providers to advocate for local service and resource improvements especially: <ul style="list-style-type: none">inclusive primary, sexual and mental health services for all LGBTIQA+ people including young, transgender and non-binary peoplesafe and affordable housing options for older LGBTI* people, trans and gender diverse people of all ages and those experiencing homelessnesssupports for LGBTIQA+ carers and people with a disability			2.3.1 Support events and activities that build upon Council’s participation at Midsumma Carnival and Pride March and recognise other key dates of significance. 2.3.2 Convene an annual joint meeting of the LGBTIQA+ Community Advisory Group and First Nations Community Members (or equivalent) to discuss collaboration opportunities based on storytelling about lived experience.		

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<ul style="list-style-type: none"> • respectful and inclusive support for family violence and/or intimate partner violence • culturally appropriate and safe services for LGBTIQ+ CALD, newly arrived and refugees and asylum seekers • parenting, antenatal, Maternal and Child Health, playgroup and other early years activities for rainbow families • LGBTIQ+ and family inclusive sport and recreation opportunities. <p>1.3.2 Partner to develop a rainbow map resource for the West to promote LGBTIQ+ inclusive, friendly, welcoming and specialist services and businesses.</p> <p>1.3.3 Support LGBTIQ+ inclusive peer-based social and economic recovery projects including for example food relief, social support, and community connection.</p> <p>1.3.4 Continue to work with service and community partners to identify and address the continuing impacts of COVID19 on LGBTIQ+ physical and mental health and social inclusion.</p>	
<p>1.4 Strengthen LGBTIQ+ voice, representation and leadership.</p>	
<p>1.4.1 Deliver the Maribyrnong LGBTIQ+ Community Advisory Group and identify other engagement mechanisms to enable LGBTIQ+ participation in the codesign of policy, programs and services.</p> <p>1.4.2 Explore development of a LGBTIQ+ leadership and mentoring program to encourage and support diverse participation on Council, other local governance structures, and within the local community.</p> <p>1.4.3 Include opportunities to gauge LGBTIQ+ experience in Maribyrnong through Council's annual community survey.</p>	
<p>③ Grow economic capital</p> <p><i>Ensure access to resources, services, infrastructure, and shared opportunities so the benefits of economic development are enjoyed by LGBTIQ+ people and families as our community continues to thrive and grow</i></p>	<p>④ Develop Council's ethical leadership</p> <p><i>Proactively develop our practice and influence our key partners through a shared culture of learning, innovation and reflection, transparent decision-making, collaboration, and community engagement.</i></p>
<p>3.1 Increase the availability of local infrastructure that is safe, welcoming and fosters a sense of belonging for LGBTIQ+ people, families, and communities.</p>	<p>4.1 Uphold Council obligations to promote and protect LGBTIQ+ human rights all areas of Council's operations.</p>
<p>3.1.1 Through Council's Asset Management Plan, and consistent with the principles in the Community Infrastructure Strategy, ensure new and redeveloped Council infrastructure prioritises and delivers accessible and gender-neutral toilets, changerooms, parenting rooms and other facilities as required (such as inclusive access to sanitary disposal facilities).</p> <p>3.1.2 Ensure Council's gender impact assessment processes and findings inform Council's Asset Management Plan and Capital Works Program to expand use of Council infrastructure by LGBTIQ+ groups and programs across the municipality.</p> <p>3.1.3 Advocate for the establishment of a locally accessible, safe community hub including health services where LGBTIQ+ people, families and community can connect in the West.</p>	<p>4.1.1 Use gender impact assessment outcomes to pursue minimum LGBTIQ+ accreditation service standards that are appropriate, applicable and including of local government.</p> <p>4.1.2 Ensure Council explicitly adopts an intersectional LGBTIQ+ inclusion lens when responding to legislative and quality obligations across Council operations (for example gender impact assessments, gender equality action planning and workforce auditing under the Gender Equality Act 2020; the equity and diversity provisions of Victorian Child Safe Standard 5).</p>
<p>3.2 Encourage businesses, services and programs to adopt minimum service standards that meet the diverse needs of LGBTIQ+ people.</p>	<p>4.2 Ensure Council communications, language, information and data systems are inclusive of LGBTIQ+ people and families.</p>
<p>3.2.1 Collaborate with local organisations, service providers, LGBTIQ+ sector, and all tiers of government (for example cohealth, Victoria Police, Victoria University, Western Bulldogs, Koori Pride Network, Rainbow Health Australia) to develop and share good practice models for LGBTIQ+ inclusion and safety.</p> <p>3.2.2 Contribute to revitalising the Qwest network of local councils to support improved regional networking and planning.</p> <p>3.2.3 Explore LGBTIQ+ inclusion criteria to service provider agreements, contracts, leases and funding guidelines to support quality service improvement outcomes in purchased services and programs, where appropriate.</p> <p>3.2.4 Develop LGBTIQ+ inclusion resources and support targeted access to LGBTIQ+ training for mainstream services in receipt of Council funding, with a particular focus on small volunteer organisations, sporting clubs and other grant recipients.</p>	<p>4.2.1 Develop a Council-wide inclusive language guide in partnership with the community in keeping with emerging LGBTIQ+ community protocols and terminology.</p> <p>4.2.2 Audit internal information collection processes such as recruitment and payroll forms and systems to ensure they are LGBTIQ+ inclusive.</p> <p>4.2.3 Promote visibility and support for LGBTIQ+ people, families and communities through increased use of flags on Council buildings, other rainbow collateral (stickers, posters and lanyards), email signatures, communications content and other rainbow assets across the municipality.</p>
<p>3.3 Promote and partner with local business, clubs, organisations and institutions to build capacity for rainbow friendly local economies.</p>	<p>4.3 Continue to model a safer, healthier, diverse and more equitable organisation for LGBTIQ+ staff by influencing a positive and inclusive workplace that is affirming of all forms of diversity.</p>
<p>3.3.1 Regularly profile and acknowledge local LGBTIQ+ businesses, leaders, events and spaces in Maribyrnong, including through the creation of targeted community and business awards categories.</p> <p>3.3.2 Develop a rainbow friendly business directory that includes:</p> <ul style="list-style-type: none"> • a curated list and digital map of LGBTIQ+ owned, operated and friendly businesses on the <i>Love Your Local</i> campaign website; and • rainbow-friendly business collateral linked to the <i>Love Your Local</i> campaign that businesses can display. 	<p>4.3.1 Design, develop or access ongoing LGBTIQ+ inclusion training for Councillors and staff at all levels of the organisations.</p> <p>4.3.2 Identify opportunities to develop LGBTIQ+ workforce inclusion and equity practice linked to activities under the Gender Equality Act 2020, through the establishment of a LGBTIQ+ staff reference group.</p>
	<p>4.4 Identify resources to support delivery and reporting of the Strategy and Action Plan and related initiatives.</p>
	<p>4.4.1 Appoint a Project Officer to implement strategies and action plans to support and advise on inclusion and related matters across the organisation.</p> <p>4.4.2 Develop and deliver an evaluation plan to measure and report against the LGBTIQ+ Strategy and Action Plan, including reports to the local community on successes and challenges.</p>

Agenda Item 9.1 - Attachment 2

Consultation report

prepared for Maribyrnong City Council

Jason Rostant

Consultation summary report: Maribyrnong LGBTIQA+ Strategy and Action Plan 2022-2026

May 2022

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Consulting



Document purpose and contents

Document purpose

This document provides a summary of consultations undertaken for Maribyrnong City Council across two phases in November 2021 and March 2022.

Conversations were designed to gather feedback to inform the development of an LGBTIQ+ (Lesbian, Gay, Bisexual, Transgender, Intersex, Queer and Questioning, and Asexual) Strategy and Action Plan for the municipality.

This document presents an overview of:

- the focus group engagement and online surveys including their content and engagement activities
- stakeholders who engaged in conversations
- a summary of insights collected from participants
- key messages and themes

The structure of the document is set out below.

Section	Page
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Background

Introduction

The Maribyrnong City Council Plan 2021 – 2025 establishes a vision for “an inclusive, flourishing, progressive city that cares for its residents and its environments”.

One of the key actions is to develop an LGBTIQA+ Strategy and Action Plan with the support of an LGBTIQA+ Advisory Committee to be established by December 2021.

A series of focus groups were held between 13th and 26th November with internal and external stakeholders including Council staff, community members and local service providers. The sessions were designed and delivered Jason Rostant Consulting.

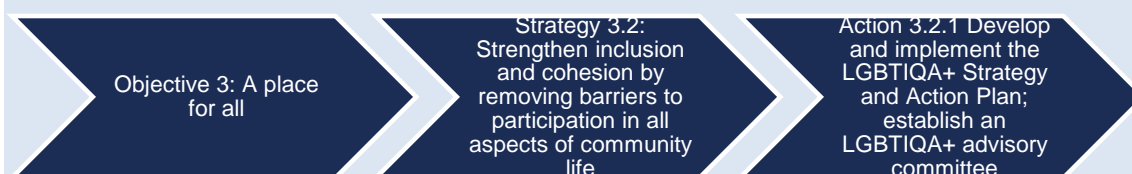
The focus groups were complemented by an online survey that was open from 8th November – 24th December 2021, and a background paper to support discussions.

A second phase of consultation was held in March 2022 which included a ‘test and refine’ workshop and a second online survey open from 3rd – 22nd March 2022.

Background paper

- An introduction setting the context for development of the Maribyrnong City Council's LGBTIQA+ Strategy and Action Plan
- Demographic and health and wellbeing information about the Maribyrnong community
- An overview of LGBTIQA+ people and families living, working, studying and socialising in the City of Maribyrnong
- An overview of broader LGBTIQA+ community needs and expectations, including of local government
- A summary of Maribyrnong Council's work with LGBTIQA+ communities to date
- Project links to broader Council policy and strategies

Annual Council Action Plan 2021/22

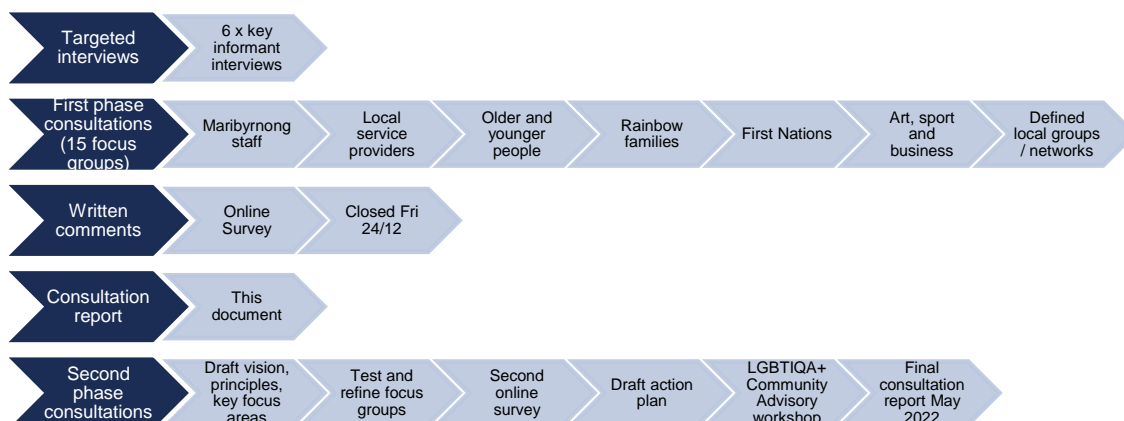




Approach and participants

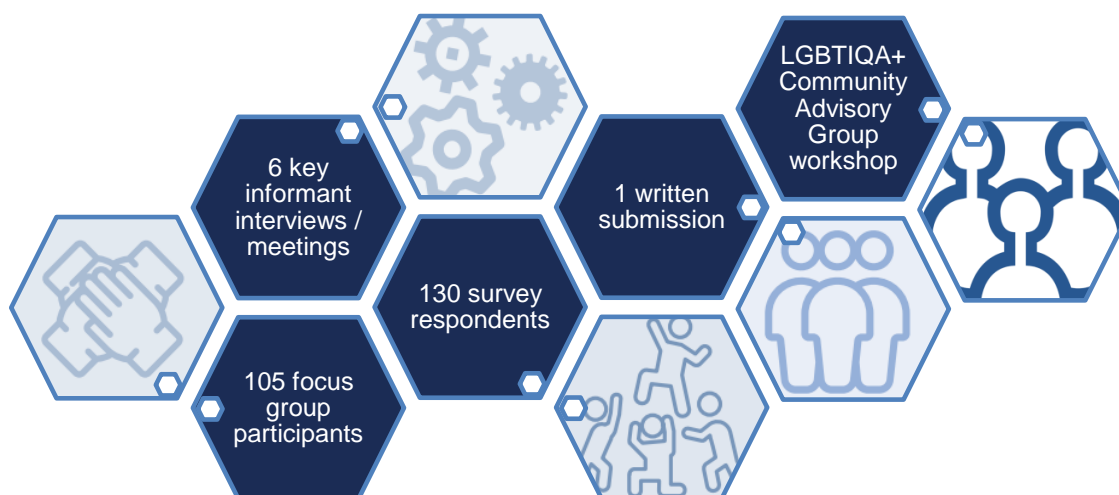
Approach

An engagement plan was developed to maximise opportunities for community participation which included a blend of targeted and open focus groups relevant to different interests and experiences. These were offered inside and out of office hours, and on weekends. Engagement was complemented by two online surveys on Council's digital engagement platform *Your City, Your Voice*.



Participants

Approximately **265 participants** took part in the engagement opportunities offered in November and December 2021 and March 2022. Participants included people of different ages, cultural backgrounds, abilities, sexual orientations and gender identities, family structures and relationships. They also included a diverse range of local services and other community interests.





Overview: Focus groups (first phase)

Focus groups

In total, 14 online focus groups were delivered across two weeks in November 2021. Focus groups ranged from 90 minutes to two hours in length.

The primary purpose was to engage as diverse a range of community perspectives as possible within available resources. The focus groups comprised a mix of open invitation and targeted sessions.



Focus group discussion 1: Vision for LGBTIQ+ people in Maribyrnong

Thinking about LGBTIQ+ people and their families who live, work, study and recreate in Maribyrnong. They are thriving, healthy and happy...

Q. What are their lives like?

Q. What do they see/hear/feel experience?

Focus group discussion 2: Current gaps, barriers and limitations

Thinking about the factors that prevent or limit this vision...

Q. What are the current issues for LGBTIQ+ people and their families in Maribyrnong?

Q. What barriers do these communities face?

Q. How have communities been impacted by COVID-19?

Focus group discussion 3: Opportunities for a stronger future

Thinking about opportunities to bridge where we are and where we want to get to...

Q. What steps can be taken to ensure LGBTIQ+ people and families in Maribyrnong are thriving?

Q. What do you think Council could or should do?

Q. What role should LGBTIQ+ communities and others play?



Overview: Online survey (first phase)

Online survey

A survey was hosted on the online digital engagement platform *Your City, Your Voice* between November and December 2021 with 114 responses received.

Survey questions

1. Can you name three positive things about Maribyrnong that support LGBTIQ+ people and their families?
2. What are three less positive things about Maribyrnong that could be improved to better support LGBTIQ+ people and their families?
3. What role can Council play to positively influence LGBTIQ+ safety, participation and inclusion, health and wellbeing in Maribyrnong?
4. Can you identify any specific actions Council could take?



Source: VLGA

Online survey: Key findings

The most positive thing that supports LGBTIQ+ people and their families in Maribyrnong was diversity and community attitudes.

Council support, events and facilities, ranked as the second highest positive thing that supports LGBTIQ+ people and their families.

The least positive thing that could be improved to better support LGBTIQ+ people and their families was the need for more inclusive support services and businesses.

From the list of options provided(see page 9), *Support LGBTIQ+ community visibility and inclusion* was the most commonly identified way Council could positively influence LGBTIQ+ safety, participation and inclusion, and health and wellbeing.

In terms of specific actions Council could take to support this, the majority chose:

- External relationships: this focused around greater partnerships, advocacy and relationships with the LGBTIQ+ community.
- Internal actions: this included staff training and funding.
- In line with identification of inclusive support services and businesses as the area that could be most improved, the community would also like more inclusive support services and businesses.



Future vision and community strengths

Future vision

First phase focus groups commenced with an exploration of the future vision for LGBTIQ+ people and families in Maribyrnong. Participants identified key aspects of LGBTIQ+ experience as well as of the community in which LGBTIQ+ people and families live, work and study.

LGBTIQ+ people and families are healthy and happy

LGBTIQ+ people and families are safe and visible

LGBTIQ+ people and families are included and connected

LGBTIQ+ people and families have a voice

The community celebrates diverse LGBTIQ+ identities

A range of accessible services is locally available

Broad health and wellbeing inequalities are addressed

Council demonstrates unequivocal leadership

Community strengths

Focus group and online survey participants were invited to identify current community strengths and assets that contribute to a supportive environment for LGBTIQ+ people and families in Maribyrnong. The most commonly identified community strengths included:

A diverse community

- Maribyrnong is a diverse, welcoming and inclusive community that celebrates difference and where LGBTIQ+ community members are increasingly visible

Vibrant venues and supportive businesses

- Maribyrnong has a vibrant venue, pub and club culture and LGBTIQ+ owned and supportive businesses (most notably Pride of our Footscray, also Seddon Deadly Sins, Bar Josephine, Cafe Hahn, Trouble in Dreams)

Council support

- Council's work to support and acknowledge LGBTIQ+ people, families and communities is recognised - including its policy work, support for business, youth services, libraries, family supports, swim nights, etc

Locally accessible services and community groups

- A growing number of locally accessible groups and clubs, online networks, social justice support groups and accessible health services is inclusive of LGBTIQ+ communities (most notably Queer Corner, OutWest, Good Karma Network, Eleanor Clinic, cohealth)

Local arts, music and festivals

- Local Council programming and by other local organisations (most notably Misdumma Westside, Footscray Community Arts, Footscray Pride March) is inclusive of LGBTIQ+ communities

Sport and recreation

- Locally accessible sporting clubs, gyms, swim nights, Pride cup and Bulldog Pride are exemplars



Current gaps, barriers and limitations

Focus group participants were invited to identify current gaps, barriers and limitations impacting the health, wellbeing and social and economic inclusion of LGBTIQ+ people, families and communities in Maribyrnong. Commonly identified **issues** included:

Many LGBTIQ+ people remain disconnected, isolated and invisible

Discrimination and violence against LGBTIQ+ people persists

Services, groups, networks and information are hard to find or don't exist locally

Services and systems are often hetero- and cis-normative

LGBTIQ+ people experience minority stress and deploy mental labour

Physical spaces and infrastructure are often unsafe or unwelcoming

LGBTIQ+ people have been disproportionately impacted by COVID19

Council's leadership role and commitment are not currently clear

When asked about the least positive things about Maribyrnong for LGBTIQ+ people, the most commonly identified **challenges** included:

Lack of LGBTIQ+ inclusive services: health, mental health, alcohol and drug, housing, family violence, employment

Lack of safe spaces, events and facilities

Lack of community visibility and representation, and the need to improve diversity

Community homo-bi-trans-phobia and safety

Lack of community education and advocacy

Lack of Council visibility, promotion and media

Needs of specific groups

Many participants recognised that the issues identified above are not experienced by LGBTIQ+ people, families and communities equally, and that an **intersectional lens** is important for understanding the diversity of LGBTIQ+ experience and need in a range of settings. Groups identified as being at particular risk of exclusion in Maribyrnong included:

- ✓ Younger LGBTIQ+ people
- ✓ Older LGBTIQ+ people
- ✓ LGBTIQ+ people from CALD backgrounds, especially refugees and recent migrants
- ✓ Trans, gender diverse and non-binary people
- ✓ LGBTIQ+ people with a disability, mental health and alcohol and other drug issues
- ✓ LGBTIQ+ people experiencing poverty and/or homelessness

Definition: Intersectionality

Many people within LGBTIQ+ communities live with other forms of inequality or discrimination. How these overlapping and interconnecting forms of oppression link to other aspects of identity is often called 'intersectionality'.

Many LGBTIQ+ people also experience forms of prejudice like racism, ableism and classism. This is on top of and combined with prejudice based on their gender, sexuality or sex characteristics.

Recognising intersectionality is vital to ensuring LGBTIQ+ communities can celebrate diversity and contributes to improving all LGBTIQ+ lives.

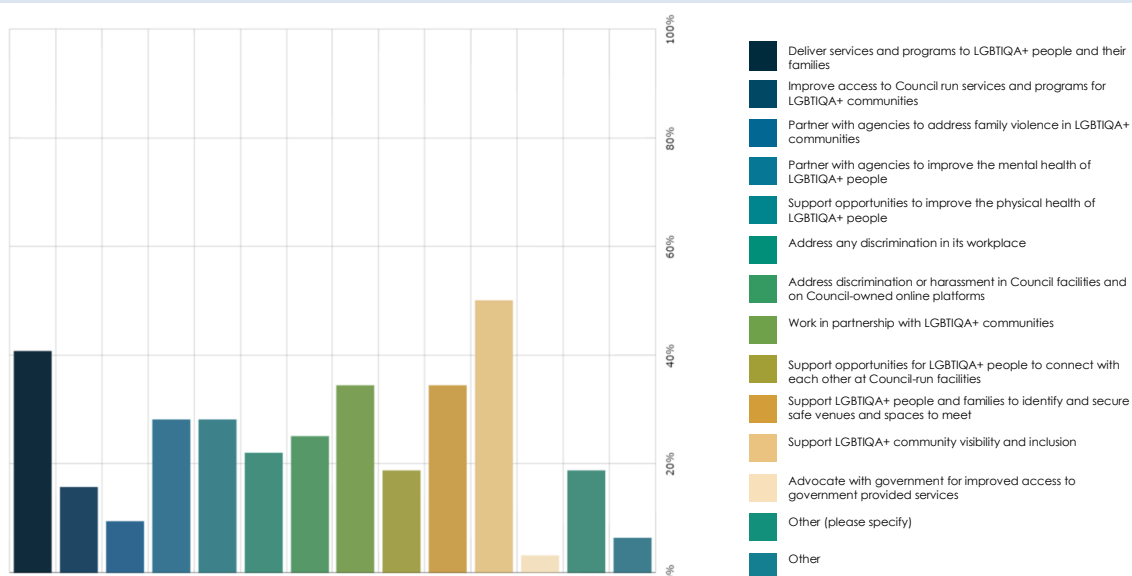
[Source: Adapted from Pride in our future: Victoria's LGBTIQ+ strategy 2022-32]



Council role and future opportunities

Participants were invited to consider the range of local government roles and functions, and to identify specific areas in which the Maribyrnong City Council might take future action through a LGBTIQ+ Strategy and Action Plan.

Survey respondents were invited to select up to five listed options they thought Council could use to positively influence LGBTIQ+ safety, participation and inclusion, and health and wellbeing in Maribyrnong:



Future opportunities for action identified by focus group and survey participants included in the following thematic areas (with the last three featuring more strongly in focus groups). These themes will inform the development of key focus areas and initiatives in the Maribyrnong LGBTIQ+ Strategy and Action Plan:





Overview: Second phase consultations

Online survey

A second survey was hosted on the online digital engagement platform *Your City, Your Voice* in March 2022.

This conversation built upon earlier discussions and sought to understand community acceptance of three draft vision statements, five principles and four objectives.

These were outlined in a draft working document, along with key focus areas to assist community understanding of the proposed thinking and approach to date.

Of the 195 residents who visited the project page, 16 completed the survey. Two thirds identified as LGBTIQ+ and as a resident of the City of Maribyrnong, with a third aged 55-59 years of age and a quarter 30-34.

Survey questions (summary)

1. Do you support the Vision, Principles and Objectives in the draft LGBTIQ+ Strategy? Do you have suggestions for how they can be improved?
2. How can Council best grow its relationship with the LGBTIQ+ community?
3. Are there specific groups that should be explicitly considered by Council?
4. Do you understand what intersectionality means?

Vision

83.3% support

Principles

82.5% support

Objectives

85.9% support

Intersectionality

87% understanding

Test and refine workshops

A second phase online workshop was held with community members in February 2022 to test and refine the draft Strategy vision, principles and objectives. In May the LGBTIQ+ Community Advisory Group also reviewed the draft Action Plan. Both conversations were broadly supportive of the proposed strategic directions.

Recommendations for Council action to grow its relationships with LGBTIQ+ community:

- Greater advocacy on key issues impacting the LGBTIQ+ community
- Creating secure and welcoming spaces and places

Recommendations for specific groups to be considered:

- First Nations
- Trans, gender diverse and non-binary
- People with intersex variations
- Culturally and linguistically diverse
- People with disabilities

Agenda Item 9.2**GOVERNANCE RULES REVIEW**

Director: Lisa King
Director Corporate Services

Author: Phil McQue
Manager Governance and Commercial Services

PURPOSE

To endorse proposed amendments to Council's Governance Rules for community engagement, in accordance with the *Local Government Act 2020*.

ISSUES SUMMARY

- Section 60 of the *Local Government Act 2020* (LGA 2020) requires Council to adopt and enforce Governance Rules, which prescribe the way it will conduct Council meetings, the election of the Mayor and other prescribed matters.
- Council adopted its Governance Rules in August 2020, with subsequent amendments relating to virtual meetings and electronic petitions adopted by Council in December 2021.
- The *Legislation Amendment (Reform) Act 2022* (Reform Act) introduces into the LGA 2020 new provisions relating to electronic attendance and participating in council meetings, with these provisions coming into effect on 2 September 2022.
- The Reform Act requires Council to now make express provisions within its Governance Rules relating to:
 - The conduct of council and delegated committee meetings held by electronic means; and
 - The process for requesting and approving attendance by electronic means.
- Council's current Governance Rules do not satisfy the Reform Act provisions and a series of amendments to the Governance Rules have been prepared, inclusive of other recommended amendments for consideration by Council, prior to proposed community engagement

ATTACHMENTS

1. Maribyrnong City Council Governance Rules - July 2022 Amendment [↓](#)

OFFICER RECOMMENDATION

That Council:

1. **Endorse the draft Governance Rules for the purpose of community engagement; and**
 2. **Note that a further report on the outcomes of the community engagement and proposed amendments to the Governance Rules will be submitted to the August 2022 Council meeting for consideration.**
-

Agenda Item 9.2**BACKGROUND**

The new provisions of the LGA 2020 and Reform Act provide that Council's Governance Rules must make express provisions for requesting and approving attendance at a council or delegated committee meeting by electronic means as well as a process for:

- Determining whether meetings are to be wholly attendance meetings, wholly virtual meetings or a hybrid attendance and virtual meeting;
- The format and criteria for requesting and approving attendance by electronic means when a meeting is tended to be a wholly attendance meeting;
- Whether the requests must be on a meeting-by-meeting basis or may be valid for a set period; and
- A 'deadline' for requests to ensure that facilities are available to accommodate the requested style of meeting.

The Minister for Local Government released the new *Good Practice Guidelines MGPG-3 Virtual Meetings* and accompanying model Governance Rules in late June 2022, with the requirement for councils to have new Governance Rules addressing these matters in place by September 2022. A number of miscellaneous amendments are proposed as outlined further in this report, including the addition of gender-neutral language where appropriate.

In considering amendments to its Governance Rules, Council is required to have regard to other relevant Acts, including the *Equal Opportunity Act 2010* and the *Gender Equality Act 2020*, which address potential direct and indirect discrimination to persons with protected attributes, as well as promoting equality, flexibility and access.

To facilitate this legislative requirement, Council is proposing to undertake community engagement on the Governance Rules amendments, with a further report to Council on this matter in August 2022.

DISCUSSION/KEY ISSUES**1. Key Issues**

The following amendments are outlined for consideration by Council.

Notice of Meeting

It is proposed that each notice of a meeting will state whether the meeting is to be conducted wholly in person, wholly by electronic means, or be in the format of a hybrid in-person and electronic meeting. (*Refer Clause 72.1*)

Request to Attend

It is proposed that where a meeting is to be held wholly in person, a Councillor may nonetheless request to attend by electronic means.

Any such request must be in writing to the Chief Executive Officer no later than 10.00am on the day of the relevant meeting, also specifying the reason why the Councillor is unable to or does not wish to attend the meeting in-person. (*Refer Clauses 72.3 and 72.4*)

Agenda Item 9.2Approval to attend

It is proposed that the Chief Executive Officer will ensure that any request from a Councillor to attend by electronic means received in accordance with the Governance Rules will be considered for approval, and approval will not be unreasonably withheld, with all Councillors notified of this decision as soon as practicable. (*Refer Clause 72.6*)

Councillor Responsibilities Attending Virtually

It is proposed that it will remain the responsibility of the Councillor attending a meeting virtually is to ensure that they have the required access and environment suitable for electronic communications. (*Refer Clause 72.7*)

Technical Difficulties

It is proposed that if a Councillor attending a meeting electronically experiences technical difficulties, the meeting will proceed as long as a quorum is present, and the Councillor will be treated as being absent for that part of the meeting that they are not in attendance virtually. (*Refer Clause 72.9*)

Other Proposed AmendmentsMayoral Election – Nomination not requiring a seconder

It is proposed to clarify that a nomination for Mayor does not require a seconder, which is consistent with the process for a number of benchmarked councils. (*Refer Clause 6.1*)

Mayoral Election – Nominee Speaking

It is proposed that Council formally provide the opportunity for a nominee to address the meeting for a maximum of five minutes prior to the Mayoral election vote being conducted. (*Refer Clause 6.3.3*)

Mayoral Election – Absolute Majority

As recommended by Maddocks, it is proposed to clarify that no candidate can be elected as Mayor unless they receive an absolute majority of the votes. (*Refer Clause 6.3.9*)

Mayoral Election Meeting

It is proposed to provide the Chief Executive Officer the authority to call by written notice a Council Meeting following a general election for the purposes of electing the Mayor, and or such other business as considered necessary or appropriate by the Chief Executive Officer. (*Refer Clause 11.1*)

Urgent Business Process

It is proposed to clarify the Urgent Business process, whereby the Councillor shall state to the meeting the nature of the urgent business and why it satisfies the requirements of the Governance Rules. The Chair will then call for a motion that the item be admitted as urgent business. If this motion is not carried, no further discussion may occur in relation to this item. (*Refer Clause 20.2*)

In the interests of best practice good governance, it is proposed to prescribe that Urgent Business cannot commit Council to any expenditure or contractual arrangement, substantially affect the levels of council service, or be inconsistent with Council Policy. (*Refer Clause 20.3*)

Agenda Item 9.2Motion

With motions now being displayed live in the Council Chamber and via livestream, it is proposed to amend the requirement for the mover to state the whole motion. It is proposed to provide the opportunity for the mover to outline the motion, and state *'the motion as displayed on the screen'*. This will remove the requirement for a mover to state in full often very lengthy motions. (*Refer Clause 24.1*)

Point of Order

To assist in the orderly management of meetings, it is proposed to improve the Point of Order process by making it clearer for the Chair to rule on a Point of Order, whilst also providing good governance protocols for Councillors.

It is proposed to include the following guidelines:

- Defamatory statements
- Statements irrelevant to the matter immediately before the meeting
- Statements containing an error of fact or misleading in nature
- A statement on a matter outside the Council's power
- Statements frivolous or vexatious in nature
- Abusive or offensive language
- A statement made repetitively (*Refer Clause 47.1*)

Extension of Public Question Time

It is proposed that the Public Question Time provisions be amended to clarify that the extension of public question time for a period of 15 minutes can be undertaken upon subsequent occasions at a meeting via Council resolution. (*Refer Clause 52.3*)

Varying City Development Delegated Committee

It is proposed that Chapter Three provisions be amended to allow Council the flexibility in the future to resolve that identified meeting procedure provisions of Chapter Two of the Governance Rules not apply to specific Delegated Committees. (*Refer Chapter 3 Clause 2*)

Public Question Time

It is proposed to amend the Public Question Time provision to allow the Chair to nominate a person to read a public question at a meeting. (*Refer Clause 52.6*)

Where a meeting is being held in person, it is proposed to amend the Public Question Time provision to allow public questions to now be received until the commencement of the relevant meeting (currently 12.00pm on the day of the relevant meeting). (*Refer Clause 52.4*)

Petitions

It is proposed to amend the requirement of physical and online petitions to a minimum of 10 signatories for both forms of petitions. (*Refer Clause 54.8*)

Ancillary Matters

There has also been minor amendments to clarify the casting of votes for the Mayoral election (*Refer Part B Clause 5*), casting of a vote by the Chair (*Refer Clauses 58.1 and 58.2*) and the requirement to provide notice of a special Council meeting via a newspaper circulating in the district. (*Refer Clause 12.3*)

Agenda Item 9.2**Council Plan 2021-2025**

This report contributes to Council's strategic objectives contained in the Council Plan 2021-2025 by considering:

- Strategic Objective:
 - Ethical leadership - Council will proactively lead changing City using strategic foresight, innovation, transparent decision making & well-planned & effective collaboration & community engagement to support community & economic growth.

Legislation

Local Government Act 2020

Regulatory Legislation Amendment (Reform) Act 2022

Gender Equality Act 2020

Equal Opportunity Act 2010

Conflicts of Interest

No officer responsible for, or contributing to, this report has declared a direct or indirect interest in relation to this report.

Human Rights Consideration

This report complies with the rights listed in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

3. Engagement

This report seeks approval to proceed to community engagement with the amended Governance Rules. Engagement will be undertaken via Your City Your Voice, Council's website and social media, with a further report to be presented to Council on the outcome of the community engagement in August 2022.

4. Resources

Not applicable.

5. Environment

Not applicable.

CONCLUSION

The proposed amendments to the Governance Rules ensure that Council continues to provide good governance in accordance with the overarching governance principles of the LGA2020.

Agenda Item 9.2 – Attachment 1

GOVERNANCE RULES

Introduction



1. Nature of Rules

These are the Governance Rules of the Maribyrnong City Council, made in accordance with section 60 of the *Local Government Act 2020* (Vic).

2. Date of Commencement

These Governance Rules commence on 1 September 2020.

3. Contents

These Governance Rules are divided into the following Chapters:

Chapter	Name
Chapter 1	Governance Framework
Chapter 2	Meeting Procedure for Council Meetings
Chapter 3	Meeting Procedure for Delegated Committees
Chapter 4	Meeting Procedure for Community Asset Committees
Chapter 5	Disclosure of Conflicts Of Interest
Chapter 6	Miscellaneous
Chapter 7	Election Period Policy

4. Definitions

In these Governance Rules, unless the context suggests otherwise the following words and phrases mean:

Act means the *Local Government Act 2020* (Vic).

Chief Executive Officer means the person appointed to the position of Council's Chief Executive Officer and includes an Acting Chief Executive Officer.

Community Asset Committee means a Community Asset Committee established under section 65 of the Act.

Council means the Maribyrnong City Council.

Council meeting has the same meaning as in the Act.

Delegated Committee means a Delegated Committee established under section 63 of the Act.

Mayor means the Councillor appointed in the position of Mayor and includes the Acting Mayor in accordance with these Rules.

these Rules means these Governance Rules.

Agenda Item 9.2 – Attachment 1**Chapter 1 – Governance Framework****1. Context**

These Rules should be read in the context of and in conjunction with:

- a) the overarching governance principles specified in section 9(2) of the Act set out below;
- Council decisions are to be made and actions taken in accordance with the relevant law;
 - priority is to be given to achieving the best outcomes for the municipal community, including future generations;
 - the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted;
 - the municipal community is to be engaged in strategic planning and strategic decision making;
 - innovation and continuous improvement is to be pursued;
 - collaboration with other Councils and Governments and statutory bodies is to be sought;
 - the ongoing financial viability of the Council is to be ensured;
 - regional, state and national plans and policies are to be taken into account in strategic planning and decision making;
 - the transparency of Council decisions, actions and information is to be ensured

and

- b) the following documents adopted by Council:
- i. Governance Local Law
 - ii. Councillor Code of Conduct
 - iii. Councillor Expenses Policy
 - iv. Livestreaming and Recording of Council Meetings Policy
 - v. Community Engagement Policy
 - vi. Public Transparency Policy
 - vii. Instrument of Delegation to any Delegated Committee

2. Decision Making

- a) In any matter in which a decision must be made by Council (including persons acting with the delegated authority of Council and in the proper functions of an employee's employment responsibilities), Council must consider the matter and make a decision:
- (i) fairly, by giving consideration and making a decision which is balanced, ethical and impartial; and
 - (ii) on the merits, free from favouritism or self-interest and without regard to irrelevant or unauthorised considerations
- b) Council must, when making any decision to which the principles of natural justice apply, adhere to the principles of natural justice (including, without limitation, ensuring that any person whose rights will be directly affected by a decision of Council is entitled to communicate their views and have their interests considered).

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- c) Without limiting anything in paragraph (b) of this sub-Rule:
- (iii) before making a decision that will directly affect the rights of a person, Council (including any person acting with the delegated authority of Council) must identify the person or persons whose rights will be directly affected, give notice of the decision which *Council* must make and ensure that such person or persons have an opportunity to communicate their views and have their interests considered before the decision is made;
 - (iv) if a report to be considered at a Council or Delegated Committee meeting concerns subject-matter which will directly affect the rights of a person or persons, the Report must record whether the person has or persons have been provided with an opportunity to communicate their views and have their interests considered; and
 - (v) if a member of Council staff proposes to make a decision under delegation and that decision will directly affect the rights of a person or persons, the member of Council staff must, when making that decision, complete a Delegate Report that records that notice of the decision to be made was given to the person or persons and such person or persons were provided with an opportunity to communicate their views and their interests considered.

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Chapter 2 – Meeting Procedure for Council Meetings

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Agenda Item 9.2 – Attachment 1**Part A – Introduction****1. Title**

This Chapter will be known as the "Council Meeting Chapter".

2. Purpose of this Chapter

The purpose of this Chapter is to:

- 2.1 provide for the election of the Mayor and any Deputy Mayor;
- 2.2 provide for the appointment of any Acting Mayor; and
- 2.3 provide for the procedures governing the conduct of Council meetings.

3. Definitions and Notes**3.1 In this Chapter:**

"absolute majority" means the number of Councillors which is greater than half the total number of the Councillors of a Council;

"agenda" means the notice of a meeting setting out the business to be transacted at the meeting;

"Chair" means the Chairperson of a meeting and includes a Councillor who is appointed by resolution to chair a meeting under section 61(3) of the Act; *"Joint letter"* means any document which is in the form of a letter and bears the signature of two or more people;

"minute book" means the collective record of proceedings of Council;

"municipal district" means the municipal district of Council;

"newspaper" means a newspaper generally circulating in the Council's municipal district;

"notice of motion" means a notice setting out the text of a motion, which it is proposed to move at the next relevant meeting;

"notice of rescission" means a *notice of motion* to rescind a resolution made by Council;

"petition" means a document signed by a group of people requesting the Council take some action within its powers in relation to a particular issue, and contains the names and addresses and is signed personally by the petitioners and contains the petition text on each page of the document which is presented at a Council Meeting.

"petition text" means the description of the matter provided by the signatories to a petition (and included on each page of the petition) that articulates the request or issue that is the subject of the petition;

"procedural motion" means a formal motion which relates to the process of running a meeting;

"public notice" means a notice published in a newspaper generally circulating in the municipal district of the Council, in addition to the notice being published on Council's Website;

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"quorum" at a Council meeting or Delegated Committee means an absolute majority;

"suspension of standing orders" means the suspension of the provision in this document to facilitate any presentation or full discussion on an issue without formal constraints;

"urgent business" means business of an urgent nature which has arisen since the distribution of the agenda, or which cannot be reasonably listed in the agenda of the next meeting;

"written" includes duplicated, lithographed, photocopied, printed and typed, and extends to both hard copy and soft copy form, and *writing* has a corresponding meaning.

- 3.2 Introductions to Parts, headings and notes are explanatory notes and do not form part of this Chapter. They are provided to assist understanding.

Agenda Item 9.2 – Attachment 1**Part B – Election of Mayor**

Introduction: This Part is concerned with the annual election of the *Mayor*. It describes how the *Mayor* is to be elected.

4. Election of the Mayor

The *Chief Executive Officer* must facilitate the election of the *Mayor* in accordance with the provisions of the Act.

5. Method of Voting

The election of the *Mayor* must be carried out by a show of hands.

6. Determining the election of the Mayor

- 6.1 The *Chief Executive Officer* must open the meeting at which the *Mayor* is to be elected, and invite nominations for the office of *Mayor*.
- 6.2 There is no requirement for a nomination to be seconded by another Councillor.
- 6.3 Once nominations for the office of *Mayor* have been received, the following provisions will govern the election of the *Mayor*:
 - 6.3.1 if there is only one nomination, the candidate nominated must be declared to be duly elected;
 - 6.3.2 if there is more than one nomination, the Councillors present at the meeting must vote for one of the candidates;
 - 6.3.3 each nominee will be provided the opportunity to address the Council for a maximum of five minutes, in the order in which the nominations were received.
 - 6.3.4 in the event of a candidate receiving an absolute majority of the votes, that candidate is declared to have been elected;
 - 6.3.5 in the event that no candidate receives an absolute majority of the votes, and it is not resolved to conduct a new election at a later date and time, the candidate with the fewest number of votes must be declared to be a defeated candidate. The Councillors present at the meeting will then vote for one of the remaining candidates;
 - 6.3.6 if one of the remaining candidates receives an absolute majority of the votes, that candidate is duly elected. If none of the remaining candidates receives an absolute majority of the votes and it is not resolved to conduct a new election at a later date and time, the process of declaring the candidates with the fewest number of votes a defeated candidate and voting for the remaining candidates must be repeated until one of the candidates receives an absolute majority of the votes. That candidate must then be declared to have been duly elected;
 - 6.3.7 in the event of two or more candidates having an equality of votes and one of them having to be declared:
 - (a) a defeated candidate; and
 - (b) duly elected

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the declaration will be determined by lot.

- 6.3.8 if a lot is conducted, the *Chief Executive Officer* will have the conduct of the lot and the following provisions will apply:
- (a) each candidate will draw one lot;
 - (b) the order of drawing lots will be determined by the alphabetical order of the surnames of the Councillors who received an equal number of votes except that if two or more such Councillors' surnames are identical, the order will be determined by the alphabetical order of the Councillors' first names; and
 - (c) as many identical pieces of paper as there are Councillors who received an equal number of votes must be placed in a receptacle. If the lot is being conducted to determine who is a defeated candidate, the word "Defeated" shall be written on one of the pieces of paper, and the Councillor who draws the paper with the word "Defeated" written on it must be declared the defeated candidate (in which event a further vote must be taken on the remaining candidates unless there is only one candidate remaining, in which case that candidate will be declared to have been duly elected), and
- 6.3.9 No candidate can be elected unless they receive an absolute majority of the votes.

7. Election of Deputy Mayor and Chairs of Delegated Committees

Any election for:

- 7.1 any office of Deputy Mayor; or
- 7.2 Chair of a *Delegated Committee*

will be regulated by Rules 4-6 (inclusive) of this Chapter, as if the reference to the:

- 7.3 *Chief Executive Officer* is a reference to the *Mayor*; and
- 7.4 *Mayor* is a reference to the Deputy Mayor or the Chair of the *Delegated Committee* (as the case may be).

8. Appointment of Acting Mayor

If Council's *Mayor* and Deputy Mayor are both unable to fulfil the duties of *Mayor*, it can do so by:

- 8.1 resolving that a specified Councillor be so appointed; or
- 8.2 following the procedure set out in Rules 5 and 6 (inclusive) of this Chapter, at its discretion.

Agenda Item 9.2 – Attachment 1**Part C – Meetings Procedure**

Introduction: This Part is divided into a number of Divisions. Each Division addresses a distinct aspect of the holding of a meeting. Collectively, the Divisions describe how and when a meeting is convened, when and how business may be transacted at a meeting.

Division 1 – Notices of Meetings and Delivery of Agendas**9. Dates and Times of Meetings Fixed by Council**

Subject to Rule 11, Council must from time to time fix the date, time and place of all Council meetings.

10. Council May Alter Meeting Dates

- 10.1 Council may change the date, time and place of any Council meeting which has been fixed by it by resolution and must provide reasonable notice of the change to the public.

11. Meetings Not Fixed by Council (Unscheduled or Special Meeting)

- 11.1 The *Chief Executive Officer* may by a written notice call a Council Meeting following a general election for the purposes of electing the mayor, and or such other business as considered necessary or appropriate by the Chief Executive Officer
- 11.2 The *Mayor* or at least 3 Councillors may by a written notice to the Chief Executive Officer call a Council meeting.
- 11.3 The notice must specify the date and time of the Council meeting and the business to be transacted.
- 11.4 The *Chief Executive Officer* must convene the Council meeting as specified in the notice.
- 11.5 Unless all Councillors are present and unanimously agree to deal with any other matter, only the business specified in the written notice can be transacted at the Council meeting.

12. Notice of Meeting

- 12.1 A notice of meeting, incorporating or accompanied by an agenda of the business to be dealt with, must be delivered or sent electronically to every Councillor for all meetings at least 48 hours before the relevant meeting.
- 12.2 Notwithstanding sub-Rule 12.1, a notice of meeting need not be delivered or sent electronically to any Councillor who has been granted leave of absence unless the Councillor has requested the Chief Executive Officer in writing to continue to give notice of any meeting during the period of their absence.
- 12.3 Reasonable notice of each Council meeting must be provided to the public. Council may do this:
- 12.3.1 for meetings which it has fixed by preparing a schedule of meetings annually, twice yearly or from time to time, and arranging publication of such schedule published in a newspaper generally circulating in the municipal district either at various times throughout the year, or prior to each such Council meeting; and
- 12.3.2 for any other meeting by giving notice on its website and in each of its Customer Service Centres

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- 12.3.3 Copies of the agenda and any related material for Council Meetings must be made available to members of the public on Council's website not less than 48 hours prior to the meeting unless the exceptional circumstances make it impractical to do so.

Agenda Item 9.2 – Attachment 1**Division 2 – Quorums****13. Inability to Obtain A Quorum**

If after 30 minutes from the scheduled starting time of any Council meeting, a quorum cannot be obtained:

- 13.1 the meeting will be deemed to have lapsed;
- 13.2 the Mayor must convene another Council meeting, the agenda for which will be identical to the agenda for the lapsed meeting; and
- 13.3 the Chief Executive Officer must give all Councillors written notice of the meeting convened by the Mayor, in accordance with Rule 12.1.

14. Inability to Maintain A Quorum

- 14.1 If during any Council meeting, a quorum cannot be maintained then Rule 13 will apply as if the reference to the meeting is a reference to so much of the meeting as remains.
- 14.2 Sub-Rule 14.1 does not apply if the inability to maintain a quorum is because of the number of Councillors who have a conflict of interest in the matter to be considered.
- 14.3 If a quorum cannot be achieved or maintained due to the disclosure of Conflicts of Interest by one or more Councillors, the Chair must:
 - 14.3.1 defer the item of business in respect of which there is or is likely to be a disclosure of a Conflict of Interest by one or more Councillors, and direct the Chief Executive Officer to include that item of business on an Agenda for a future meeting of Council; or
 - 14.3.2 direct the Chief Executive Officer to seek to have the matter dealt with in an alternative manner in accordance with s67 of the Act.

15. Adjourned Meetings

- 15.1 Council may by resolution adjourn any meeting to another date or time but cannot, in the absence of disorder or a threat to the safety of any Councillor or member of Council staff, adjourn a meeting in session to another place.
- 15.2 The Chief Executive Officer must give written notice to each Councillor of the date, time and place to which the meeting stands adjourned and of the business remaining to be considered in accordance with the provisions of this Chapter.
- 15.3 If it is impracticable for the notice given under sub-Rule 15.2 to be in writing, the Chief Executive Officer must give notice to each Councillor by telephone or in person.

16. Time limits for Meetings

- 16.1 A Council meeting must not continue after 10:30pm unless a majority of Councillors present vote in favour of it continuing.
- 16.2 A meeting cannot be continued for more than 30 minutes (or a further 30 minutes, if a majority of Councillors has already voted to continue it for 30 minutes).
- 16.3 In the absence of such continuance under this Rule, the meeting must stand adjourned to a time, date and place announced by the Chair immediately prior to the meeting standing adjourned. In that event, the provisions of sub-Rules 15.2 and 15.3 apply.

Agenda Item 9.2 – Attachment 1**17. Cancellation or Postponement of a Meeting**

- 17.1 The Chief Executive Officer may, in the case of an emergency necessitating the cancellation or postponement of a Council meeting, cancel or postpone a Council meeting. Reasons for the cancellation or postponement of a Council Meeting vary and the Chief Executive Officer maintains the discretion to decide whether the circumstances surrounding the proposed cancellation or postponement warrant the cancellation or postponement.
- 17.2 The Chief Executive Officer must ensure that all Councillors (except those Councillors who have obtained a leave of absence, unless that Councillor requests to be notified) are communicated in the most reasonable method of the proposed cancellation or postponement. This method may include by phone or in person, as the circumstances warrant.
- 17.3 The Chief Executive Officer must also ensure that sufficient notice is provided to the public of the proposed cancellation or postponement in accordance with Rule 12.
- 17.4 The Chief Executive Officer must present to the immediately following Council meeting a written report on any exercise of the power conferred by sub-Rule

Agenda Item 9.2 – Attachment 1**Division 3 – Business of Meetings****18. Agenda and the Order Of Business**

The agenda for and the order of business for a Council meeting is to be determined by the *Chief Executive Officer* so as to facilitate and maintain open, efficient and effective processes of government.

19. Change To Order Of Business

Once an agenda has been sent to Councillors, the order of business for that Council meeting may be altered with the consent of Council.

20. Urgent Business

- 20.1 If the agenda for a Council meeting makes provision for urgent business, business cannot be admitted as urgent business other than by resolution of Council and only then if it:
 - 20.1.1 relates to or arises out of a matter which has arisen since distribution of the agenda; and
 - 20.1.2 cannot safely or conveniently be deferred until the next Council meeting.
 - 20.1.3 the nature of the urgency must be stated by the Councillor and outlined in the minutes of the meeting.
- 20.2 The process for raising urgent business will be as follows:
 - 20.2.1 If a Councillor or the Chair indicates an intention to raise an item of urgent business the Chair shall state, or call upon the Councillor to state, the nature of the business and why it satisfies the requirements of sub Rules 20.1.1 and 20.1.2.
 - 20.2.2 The Chair will call for a motion that the item be admitted as an item of urgent business pursuant to Rule 20.
 - 20.2.3 If the motion under sub-Rule 20.2.2 is carried, the business shall be considered in accordance with Division 4 of this Chapter.
 - 20.2.4 If the motion under sub-Rule 20.2.2 is not carried, no further discussion may occur in relation to the item.
- 20.3 An item of Urgent Business cannot be admitted if it:
 - 20.3.1 substantially affects the level of Council service;
 - 20.3.2 commits Council to significant expenditure not included in the adopted budget;
 - 20.3.3 if it establishes or amends Council policy; or
 - 20.3.4 commits Council to a contractual arrangement.

Agenda Item 9.2 – Attachment 1**Division 4 – Motions and Debate****21. Councillor May Propose Notices of Motion**

Councillors may ensure that an issue is listed on an agenda by lodging a Notice of Motion.

22. Notice of Motion

- 22.1 A Councillor must notify the Chief Executive Officer in writing of a proposed notice of motion no later than 5pm six business days before the relevant meeting at which it is intended to be considered, unless public holidays fall within that six-day period.
- 22.2 A final notice of motion must be in writing signed by a Councillor, and be lodged with the Chief Executive Officer prior to the circulation of the agenda papers.
- 22.3 The Councillor proposing the notice of motion must circulate the draft notice of motion to Councillors prior to the circulation of the agenda papers.
- 22.4 The Chief Executive Officer may reject any notice of motion which:
 - 22.4.1 is vague or unclear in intention
 - 22.4.2 is beyond Council's power to pass;
 - 22.4.3 if passed would result in Council otherwise acting invalidly; or
 - 22.4.4 is defamatory or is objectionable in language or nature; but must:
 - 22.4.5 give the Councillor who lodged it an opportunity to amend it prior to rejection, if it is practicable to do so; and
 - 22.4.6 notify the Councillor who lodged it of the rejection and reasons for the rejection and allow the Councillor a 24-hour period to amend the notice of motion if applicable.
- 22.5 The full text of any notice of motion accepted by the Chief Executive Officer must be included in the agenda.
- 22.6 The Chief Executive Officer must cause all notices of motion to be numbered, dated and entered in the notice of motion register in the order in which they were received.
- 22.7 If requested by the Chief Executive Officer, officer comment will be provided to Councillors prior to a Notice of Motion being published in the Agenda for the relevant Council Meeting.
- 22.8 Except by leave of Council, each notice of motion before any meeting must be considered in the order in which they were entered in the notice of motion register.
- 22.9 If a Councillor who has given a notice of motion is absent from the meeting or fails to move the motion when called upon by the Chair, any other Councillor may move the motion.
- 22.10 If a notice of motion is not moved at the Council meeting at which it is listed, it lapses.
- 22.11 If a notice of motion is moved but not seconded, it lapses.
- 22.12 Except where the notice of motion is to confirm a previous resolution of Council, the notice of motion may be amended by the Councillor who has submitted it by seeking leave of Council prior to it being seconded.

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- 22.13 Once a notice of motion, whether or not amended, has been voted on or lapsed it cannot be resubmitted in materially the same form until a period of three months has elapsed after the date of the meeting at which it was last considered

23 Chair's Duty

Any motion which is determined by the Chair to be:

- 23.1 defamatory;
- 23.2 objectionable in language or nature;
- 23.3 vague or unclear in intention;
- 23.4 outside the powers of Council; or
- 23.5 irrelevant to the item of business on the agenda and has not been admitted as urgent, or purports to be an amendment but is not, must not be accepted by the Chair.

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24 Introducing a Motion or an Amendment

The procedure for moving any motion or amendment is:

- 24.1 the mover must outline the motion without speaking to it;

In the event the mover outlines the motion rather than states it in totality, it is recommended that the mover state "the motion as displayed on the screen"

- 24.2 the motion must be seconded and the seconder must be a Councillor other than the mover. If a motion is not seconded, the motion lapses for want of a seconder;
- 24.3 if a motion or an amendment is moved and seconded the Chair must ask:
- "Is the motion or amendment opposed? Does any Councillor wish to speak to the motion or amendment?"
- 24.4 if no Councillor indicates opposition or a desire to speak to it, the Chair may declare the motion or amendment carried without discussion;
- 24.5 if a Councillor indicates opposition or a desire to speak to it, then the Chair must call on the mover to address the meeting;
- 24.6 after the mover has addressed the meeting, the seconder may address the meeting;
- 24.7 after the seconder has addressed the meeting (or after the mover has addressed the meeting if the seconder does not address the meeting,) the Chair must invite debate by calling on any Councillor who wishes to speak to the motion, providing an opportunity to alternate between those wishing to speak against the motion and those wishing to speak for the motion; and
- 24.8 if, after the mover has addressed the meeting, the Chair has invited debate and no Councillor speaks to the motion, then the Chair must put the motion to the vote.
- 24.9 The Chair must not move or second a motion but may speak to a motion when all Councillors who wish to speak to it have done so, and just before closure of debate by the mover of the motion in exercising the right of reply (in accordance with 20.2).
- 24.10 If the Chair wishes to move, or second a motion then the Mayor or Deputy Mayor must take the Chair or, if there is no Mayor or Deputy Mayor the meeting must elect a temporary Chair where upon the Chair must vacate the Chair and not return to it until the motion has been resolved upon.
- 24.11 Despite any other provisions of this procedure, before putting a motion or amendment to the vote, the Chair may have the text of the motion or amendment read to the Meeting.

25 Right of Reply

- 25.1 The mover of a motion, including an amendment, has a right of reply to matters raised during debate.
- 25.2 After the right of reply has been taken but subject to any Councillor exercising their right to ask any question concerning or arising out of the motion, the motion must immediately be put to the vote without any further discussion or debate.

Agenda Item 9.2 – Attachment 1**26 Moving an Amendment**

- 26.1 Subject to sub-Rule 26.3 a motion which has been moved and seconded may be amended by leaving out or adding words. Any added words must be relevant to the subject of the motion.
- 26.2 An amendment under this Rule does not require a Council resolution and can be activated by the agreement of the mover and seconder of the initial proposed motion. Should there be no agreement from either the mover or the seconder, the proposed amendment will be put to a vote.
- 26.3 A motion to confirm a previous resolution of Council cannot be amended without a motion to rescind that previous resolution.
- 26.4 An amendment must not be directly opposite to the motion.

27 Who May Propose an Amendment

- 27.1 An amendment may be proposed or seconded by any Councillor, except the mover or seconder of the original motion.
- 27.2 Any one Councillor cannot move more than two amendments in succession.

28 How Many Amendments May Be Proposed

- 28.1 Any number of amendments may be proposed to a motion but only one amendment may be accepted by the Chair at any one time.
- 28.2 No second or subsequent amendment, whether to the motion or an amendment of it, may be taken into consideration until the previous amendment has been dealt with.

29 An Amendment Once Carried

- 29.1 If the amendment is carried, the motion as amended then becomes the motion before the meeting, and the amended motion must then be put.
- 29.2 The mover of the original motion retains the right of reply to that motion.

30 Foreshadowing Motions

- 30.1 At any time during debate a Councillor may foreshadow a motion so as to inform Council of their intention to move a motion at a later stage in the meeting, but this does not extend any special right to the foreshadowed motion.
- 30.2 A motion foreshadowed may be prefaced with a statement that in the event of a particular motion before the Chair being resolved in a certain way, a Councillor intends to move an alternative or additional motion.
- 30.3 The Chief Executive Officer or person taking the minutes of the meeting is not expected to record foreshadowed motions in the minutes until the foreshadowed motion is formally moved.
- 30.4 The Chair is not obliged to accept foreshadowed motions.

31 Withdrawal of Motions

- 31.1 Before any motion is put to the vote, it may be withdrawn by the mover and seconder with the leave of the Chair.
- 31.2 If the majority of Councillors present object to the withdrawal of the motion, it may not be withdrawn.

Agenda Item 9.2 – Attachment 1**32 Separation of Motions**

Where a motion contains more than one part, a Councillor may request the Chair to put the motion to the vote in separate parts.

33 Chair May Separate Motions

The Chair may decide to put any motion to the vote in several parts.

34 Priority of address

In the case of competition for the right of speak, the Chair must decide the order in which the Councillors concerned will be heard.

35 Motions in Writing

- 35.1 The Chair may require that a complex or detailed motion be in writing.
- 35.2 Council may adjourn the meeting while the motion is being *written* or *Council* may defer the matter until the motion has been *written*, allowing the meeting to proceed uninterrupted.

36 Repeating Motion and/or Amendment

The *Chair* may request the person taking the minutes of the *Council meeting* or Delegated Committee to read the motion or amendment to the meeting before the vote is taken.

37 Debate Must Be Relevant to the Motion

- 37.1 Debate must always be relevant to the motion before the Chair, and, if not, the *Chair* must request the speaker to confine debate to the motion.
- 37.2 If after being requested to confine debate to the motion before the Chair, the speaker continues to debate irrelevant matters, the Chair may direct the speaker to be seated and not speak further in respect of the motion then before the Chair.
- 37.3 A speaker to whom a direction has been given under sub-Rule 37.2 must comply with that direction.

38 Speaking Times

A Councillor must not speak longer than the time set out below, unless granted an extension by the Chair:

- 38.1 the mover of a motion or an amendment which has been opposed: 5 minutes;
- 38.2 any other Councillor: 3 minutes; and
- 38.3 the mover of a motion exercising a right of reply: 2 minutes.

39 Addressing the Meeting

If the Chair so determines:

- 39.1 any person addressing the Chair must refer to the Chair as:
 - 39.1.1 Madam Mayor; or
 - 39.1.2 Mr Mayor; or
 - 39.1.3 Madam Chair; or
 - 39.1.4 Mr Chair as the case may be;

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39.2 all Councillors, other than the Mayor, must be addressed as

Cr _____ (name).

39.3 all members of Council staff, must be addressed as Mr or Ms

Mr/Ms _____ (name) as appropriate or by their official title.

40 Right to Ask Questions

40.1 A Councillor may, when no other Councillor is speaking, ask any question concerning or arising out of the motion or amendment before the Chair.

40.2 The *Chair* has the right to limit questions and direct that debate be commenced or resumed.

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Division 5 – Procedural Motions

41 Procedural Motions

- 41.1 Unless otherwise prohibited, a procedural motion may be moved at any time and must be dealt with immediately by the Chair.
- 41.2 Procedural motions are not required to be seconded.
- 41.3 The Chair may not move a procedural motion.
- 41.4 Notwithstanding any other provision in this Chapter, procedural motions must be dealt with in accordance with the following table:

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PROCEDURAL MOTIONS TABLE

Procedural Motion	Form	Mover & Seconded	When Motion Prohibited	Effect if Carried	Effect if Lost	Debate Permitted on Motion
1. Adjournment of debate to later hour and/or date	That this matter be adjourned to *am/pm and/or *date	Any Councillor who has not moved or seconded the original motion or otherwise spoken to the original motion	(a) During the election of a Chair; (b) When another Councillor is speaking	Motion and amendment is postponed to the stated time and/or date	Debate continues unaffected	Yes
2. Adjournment of debate indefinitely	That this matter be adjourned until further notice	Any Councillor who has not moved or seconded the original motion or otherwise spoken to the original motion	(a) During the election of a Chair; (b) When another Councillor is speaking; (c) ; or (d) When the motion would have the effect of causing Council to be in breach of a legislative requirement	Motion and any amendment postponed but may be resumed at any later meeting if on the agenda	Debate continues unaffected	Yes
3. The closure	That the motion be now put	Any Councillor who has not moved or seconded the original motion or otherwise spoken to the original motion	During nominations for Chair	Motion or amendment in respect of which the closure is carried is put to the vote immediately without debate of this motion, subject to any Councillor exercising their right to ask any question concerning or arising out of the motion	Debate continues unaffected	No

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Division 6 – Rescission Motions

42 Notice of Rescission

- 42.1 A Councillor may propose a notice of rescission provided:
- 42.1.1 it has been signed and dated by at least three Councillors;
 - 42.1.2 the resolution proposed to be rescinded has not been acted on; and
 - 42.1.3 the notice of rescission is delivered to the *Chief Executive Officer* within 24 hours of the resolution having been made setting out -
 - 42.1.3.1 the resolution to be rescinded;
 - 42.1.3.2 the reason behind the rescission of that resolution; and
 - 42.1.3.3 the meeting and date when the resolution was carried.

It should be remembered that a notice of rescission is a form of notice of motion.

Accordingly, all provisions in this Chapter regulating notices of motion equally apply to notices of rescission.

- 42.2 A resolution will be deemed to have been acted on if:
- 42.2.1 its contents have or substance has been communicated in writing to a person whose interests are materially affected by it; or
 - 42.2.2 a statutory process has been commenced so as to vest enforceable rights in or obligations on Council or any other person.
- 42.3 The Chief Executive Officer or an appropriate member of Council staff must defer implementing a resolution which:
- 42.3.1 has not been acted on; and
 - 42.3.2 is the subject of a notice of rescission which has been delivered to the Chief Executive Officer in accordance with sub-Rule 43.1.3, unless deferring implementation of the resolution would have the effect of depriving the resolution of efficacy.

By way of example, assume that, on a Monday evening, Council resolves to have legal representation at a planning appeal to be heard on the following Monday. Assume also that, immediately after that resolution is made, a Councillor lodges a notice of motion to rescind that resolution. Finally, assume that the notice of rescission would not be dealt with until the next Monday evening (being the evening of the day on which the planning appeal is to be heard).

In these circumstances, deferring implementation of the resolution would have the effect of depriving the resolution of efficacy. This is because the notice of rescission would not be debated until after the very thing contemplated by the resolution had come and gone. In other words, by the time the notice of rescission was dealt with the opportunity for legal representation at the planning appeal would have been lost.

Sub-Rule 42.3 would, in such circumstances, justify the Chief Executive Officer or an appropriate member of Council staff actioning the resolution rather than deferring implementation of it.

Agenda Item 9.2 – Attachment 1**43 If Lost**

If a motion for rescission is lost, a similar motion may not be put before *Council* for at least three months from the date it was last lost, unless *Council* resolves that the *notice of motion* be re-listed at a future meeting.

44 If Not Moved

If a motion for rescission is not moved at the meeting at which it is listed, it lapses.

45 May Be Moved By Any Councillor

A motion for rescission listed on an agenda may be moved by any Councillor present but may not be amended.

46 When Not Required

46.1 Unless sub-Rule 46.2 applies, a motion for rescission is not required where Council wishes to change policy.

46.2 The following standards apply if Council wishes to change policy:

46.2.1 if the policy has been in force in its original or amended form for less than 12 months, a notice of rescission must be presented to Council; and

46.2.2 any intention to change a Council policy, which may result in a significant impact on any person, should be communicated to those affected and this may include publication and consultation, either formally or informally and in accordance with the relevant and existing Council communications policy.

Division 7 – Points of Order**47 Chair to Decide**

The Chair must decide all points of order by stating the provision, rule, practice or precedent which they consider applicable to the point raised without entering into any discussion or comment.

47.1 A point of order may be raised in relation to:

47.1.1 anything that is contrary to these Governance Rules;

47.1.2 debate that is irrelevant to the matter under consideration;

47.1.3 a matter that is outside the powers of Council;

47.1.4 conduct that constitutes improper behaviour or conduct contrary to the Councillor Code of Conduct;

47.1.5 offensive language;

47.1.6 tedious repetition of something already said; or

47.1.7 an act of Disorder

48 Chair May Adjourn To Consider

48.1 The Chair may adjourn the meeting to consider a point of order but otherwise must rule on it as soon as it is raised.

48.2 All other questions before the meeting are suspended until the point of order is decided.

Agenda Item 9.2 – Attachment 1**49 Dissent from Chair's Ruling**

49.1 A Councillor may move that the meeting disagree with the Chair's ruling on a point of order, by moving:

"That the Chair's ruling [setting out that ruling or part of that ruling] be dissented from".

49.2 When a motion in accordance with this Rule is moved and seconded, the Chair must leave the Chair and the Deputy Mayor (or, if there is no Deputy Mayor or the Deputy Mayor is not present, temporary Chair elected by the meeting in accordance with Part B of these Rules) must take their place.

49.3 The Deputy Mayor or temporary Chair must invite the mover to state the reasons for their dissent and the Chair may then reply.

49.4 The Deputy Mayor or temporary Chair must put the motion in the following form:

"That the Chair's ruling be dissented from."

49.5 If the vote is in the negative, the Chair resumes the Chair and the meeting proceeds.

49.6 If the vote is in the affirmative, the Chair must then resume the Chair, reverse or vary (as the case may be) their previous ruling and proceed.

49.7 The defeat of the Chair's ruling is in no way a motion of censure or non-confidence in the Chair, and should not be so regarded by the meeting.

50 Procedure for Point of Order

A Councillor raising a point of order must:

50.1 state the point of order; and

50.2 state any section, Rule, paragraph or provision relevant to the point of order before resuming their seat.

51 Valid Points of Order

A point of order may be raised in relation to:

51.1 a motion, which, under Rule 23, or a question which, under Rule 2, should not be accepted by the Chair;

51.2 a question of procedure; or

51.3 any act of disorder.

Rising to express a difference of opinion or to contradict a speaker is not a point of order.

Agenda Item 9.2 – Attachment 1**Division 8 –Question Time****52 Public Question Time**

- 52.1 There must be a public question time at every Council meeting fixed under Rule 9 to enable members of the public to submit questions to Council.
- 52.2 Sub-Rule 52.1 does not apply during any period when a meeting is closed to members of the public in accordance with section 66(2) of the Act.
- 52.3 Public question time will not exceed 15 minutes in duration unless the Councillors present unanimously agree to the time extension, in which case Public Question Time can be extended for further blocks of 15 minutes.
- 52.4 Questions submitted to Council must be:
 - 52.4.1 in writing, state the name and suburb of the person submitting the question and generally be in a form approved or permitted by Council; and
 - 52.4.2 be lodged electronically at the prescribed email address, or a physical copy of proposed questions submitted at the Council Reception or Chamber, prior to the commencement of the relevant meeting.
 - 52.4.3 In the event of the meeting being convened wholly electronically, public questions must be lodged by 12.00pm electronically on the day of the relevant meeting.
- 52.5 No person may submit more than three questions at any one meeting.
- 52.6 The Chair, or their nominated person, may read to those present at the meeting a question which has been submitted in accordance with this Rule.
- 52.7 The Chair may refrain from reading a question or having a question read if the person who submitted the question is not present at the time when the question is due to be read.
- 52.8 A question may be disallowed by the Chair if the Chair determines that it:
 - 52.8.1 relates to a matter outside the duties, functions and powers of Council;
 - 52.8.2 is defamatory, indecent, abusive, offensive, irrelevant, trivial or objectionable in language or substance;
 - 52.8.3 deals with a subject matter already answered;
 - 52.8.4 is aimed at embarrassing a Councillor, a member of Council staff or another person;
 - 52.8.5 relates to personnel matters;
 - 52.8.6 relates to the personal hardship of any resident or ratepayer;
 - 52.8.7 relates to industrial matters;
 - 52.8.8 relates to contractual matters;
 - 52.8.9 relates to proposed developments;
 - 52.8.10 relates to potential suppliers promoting their business;
 - 52.8.11 relates to legal advice;

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52.8.12 relates to matters affecting the security of Council property; or

52.8.13 relates to any other matter which Council considers would prejudice Council or any person.

52.9 Like questions may be grouped together and a single answer provided.

52.10 The Chair may nominate a Councillor, the Chief Executive Officer or a senior member of Council staff present at the meeting to respond to a question.

52.11 A Councillor or the Chief Executive Officer may require a question to be put on notice.

52.12 A Councillor or the Chief Executive Officer may advise Council that their opinion that the reply to a question should be given in a meeting closed to members of the public. The Councillor or Chief Executive Officer (as the case may be) must state briefly the reason why the reply should be so given and, unless Council resolves to the contrary, the reply to such question must be so given.

53 Councillor Question Time

53.8 There must be a Councillor question time at every Council meeting fixed under Rule 9 (that is comprised wholly of Councillors) to enable Councillors to ask questions of officers.

53.9 Sub-Rule 53.1 does not apply during any period when a meeting is closed to members of the public in accordance with section 66(2) of the Act.

53.10 Councillor question time will not exceed 15 minutes in duration unless the Councillors present unanimously agree to the time extension, in which case Councillor Question Time will be extended for a further block of 15 minutes.

53.11 Each Councillor posing a question must be present at the Council Meeting and questions shall be read by Councillors posing the question.

53.12 A question may be disallowed by the Chair if the Chair determines that it:

53.12.1 relates to a matter outside the duties, functions and powers of Council;

53.12.2 is defamatory, indecent, abusive, offensive, irrelevant, trivial or objectionable in language or substance;

53.12.3 deals with a subject matter already answered;

53.12.4 is aimed at embarrassing a Councillor, a member of Council staff or any other person;

53.12.5 relates to personnel matters;

53.12.6 relates to a matter which will be, or is likely to be, considered by Council in a closed meeting.

53.13 The Chief Executive Officer, or a member of Council staff present at the meeting nominated by the Chief Executive Officer, is to respond to questions.

53.14 Questions may be taken on notice. If a Councillor question is taken on notice, a written copy of the response will be sent to all Councillors.

53.15 The Chief Executive Officer may advise Council that it is his or her opinion that the reply to a question should be given in a meeting closed to members of the public. The Chief Executive Officer (as the case may be) must state briefly the reason why the reply should be so given and, unless Council resolves to the contrary, the reply to such question must be so given.

Agenda Item 9.2 – Attachment 1**Division 9 – Petitions and Joint Letters****54 Petitions and Joint Letters**

- 54.8 An original petition or joint letter must be lodged no less than 7 days before the Council Meeting at which it is to be tabled.
- 54.9 A petition or joint letter to Council must:
 - 54.2.1 be in legible and permanent writing;
 - 54.2.2 Not be defamatory or contain indecent, abusive or objectionable language;
 - 54.2.3 Not relate to matters beyond the powers of Council;
- 54.10 Every petition or joint letter presented to Council must be in writing (other than pencil), typing or printing, contain the request of the petitioners or signatories and be signed. Electronic (scanned) copies of hardcopy petitions are acceptable.
- 54.11 Every petition or joint letter must be signed by the persons whose names are appended to it by their names or marks, and, except in cases of incapacity or sickness, by no one else and the address of every petitioner or signatory must be clearly stated.
- 54.12 Any signature appearing on a page which does not bear the text of the whole of the petition or request may not be considered by Council.
- 54.13 Every page of a petition or joint letter must be a single page of paper and not be posted, stapled, pinned or otherwise affixed or attached to any piece of paper other than another page of the petition or joint letter.
- 54.14 The Chief Executive Officer or delegate may determine that an online petition will be submitted to a Council meeting if satisfied that the petition has been distributed via a legitimate website and has been made in accordance with these Rules.
- 54.15 The number of signatories to a physical or online petition (must be a minimum of 10 electronic signatories), will be taken to be the number of signatories at the time the petition is provided to Council for submission to a Council Meeting.
- 54.16 All online petitions must contain as a minimum the name, email address and address/suburb or postcode of each signatory.
- 54.17 An online petition will not be presented to a Council Meeting if it contains content or signatures that appear to be false or misleading.
- 54.18 If a petition, joint letter, memorial or other like application relates to an operational matter, Council must refer it to the Chief Executive Officer for consideration.
- 54.19 When tabling a petition, a Councillor may read the petition text but may not speak to the petition.
- 54.20 The tabling of petitions is considered procedural and do not warrant deliberations at the time of tabling, as they are referred to the Chief Executive Officer to consider and determine the most appropriate response.
- 54.21 The only motions that may be moved when tabling a petition or joint letter are that the petition or joint letter be received, referred to the Chief Executive Officer for consideration and response/report to a future meeting.
- 54.22 Under the Planning and Environment Act 1987 (s.57) any person who may be affected by the grant of a planning permit, has the right to make submission (or objection). As such any Petition or Joint Letter relating to a planning application will be treated in accordance with the Planning and Environment Act, and need not be tabled at a

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meeting.



Agenda Item 9.2 – Attachment 1**Division 10 – Voting****55 How Motion Determined**

55.8 To determine a motion before a meeting, the Chair must first call for those in favour of the motion and then those opposed to the motion, and must then declare the result to the meeting.

55.9 A motion is determined in the affirmative by a majority of the Councillors present at a meeting at the time the vote is taken voting in favour.

55.10 A Councillor who has declared a conflict of interest and has left the meeting prior to consideration and voting on a matter is taken not to be present at the meeting for the purpose of determining whether the motion on that matter passes.

56 Silence

Voting must take place in silence.

57 Recount

The Chair may direct that a vote be recounted to satisfy themselves of the result.

58 Casting Vote

58.8 In the event of a tied vote, the Chair must exercise a casting vote.

58.9 The Chair may adjourn a meeting to consider how their casting vote will be cast.

59 By Show Of Hands

Voting on any matter is by show of hands or such other visible or audible means as the Chair determines.

60 Procedure For A Division

60.8 Immediately after any question is put to a meeting and before the next item of business has commenced, a Councillor may call for a division.

60.9 When a division is called for, the vote already taken must be treated as set aside and the division shall decide the question, motion or amendment.

60.10 When a division is called for, the Chair must:

60.10.1 first ask each Councillor wishing to vote in the affirmative to raise a hand and, upon such request being made, each Councillor wishing to vote in the affirmative must raise their hands or otherwise signify their support in a manner recognised by the Chair. The Chair must then state, and the Chief Executive Officer or any authorised officer must record, the names of those Councillors voting in the affirmative;

60.10.2 then ask each Councillor wishing to vote in the negative to raise a hand and, upon such request being made, each Councillor wishing to vote in the negative must raise their hands or otherwise signify their opposition in a manner recognised by the Chair. The Chair must then state, and the Chief Executive Officer or any authorised officer must record, the names of those Councillors voting in the negative; or

60.10.3 if applicable, indicate any Councillors who wish to abstain from voting and ensure that such Councillor(s) are recorded in the minutes as abstaining from voting.

Agenda Item 9.2 – Attachment 1**61 No Discussion Once Vote Declared**

Once a vote on a question has been taken, no further discussion relating to the question is allowed. Unless the discussion involves:

- 61.8 a Councillor requesting, before the next item of business is considered, that their opposition to a resolution be recorded in the minutes; or
- 61.9 foreshadowing a notice of rescission where a resolution has just been made, or a positive motion where a resolution has just been rescinded.

For example, Rule 61 would allow some discussion if, immediately after a resolution was made, a Councillor foreshadowed lodging a notice of rescission to rescind that resolution.

Equally, Rule 61 would permit discussion about a matter which would otherwise be left in limbo because a notice of rescission had been successful. For instance, assume that Council resolved to refuse a planning permit application. Assume further that this resolution was rescinded.

Without a positive resolution – to the effect that a planning permit now be granted – the planning permit application will be left in limbo. Hence the reference, in sub-Rule 61.2, to discussion about a positive motion were a resolution has just been rescinded.

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Division 11 – Minutes

62 Confirmation of Minutes

62.8 At every Council meeting, the minutes of the preceding meeting(s) must be dealt with as follows:

62.8.1 if no Councillor indicates opposition to the accuracy of the Draft Minutes, the minutes must be declared to be confirmed;

62.8.2 if a Councillor indicates opposition to the minutes:

62.8.2.1 they must specify the item(s) to which they object;

62.8.2.2 the objected item(s) must be considered separately and in the order in which they appear in the minutes;

62.8.2.3 the Councillor objecting must move accordingly without speaking to the motion;

62.8.2.4 the motion must be seconded;

62.8.2.5 the Chair must ask:

"Is the motion opposed?"

62.8.2.6 if no Councillor indicates opposition, then the Chair must declare the motion carried;

62.8.2.7 if a Councillor indicates opposition, then the Chair must call on the mover to address the meeting;

62.8.2.8 after the mover has addressed the meeting, the seconder may address the meeting;

62.8.2.9 after the seconder has addressed the meeting (or after the mover has addressed the meeting if the seconder does not address the meeting), the Chair must invite debate by calling on any Councillor who wishes to speak to the motion, providing an opportunity to alternate between those wishing to speak against the motion and those wishing to speak for the motion;

62.8.2.10 if, after the mover has addressed the meeting, the Chair invites debate and no Councillor speaks to the motion, the Chair must put the motion; and

62.8.2.11 the Chair must, after all objections have been dealt with, ultimately ask:

"The question is that the minutes be confirmed" or

"The question is that the minutes, as amended, be confirmed",

and they must put the question to the vote accordingly;

62.8.3 a resolution of Council must confirm the minutes and

62.8.4 if confirmed the minutes must, if practicable, be signed by the Chair of the meeting at which they have been confirmed.

63 No Debate on Confirmation of Minutes

No discussion or debate on the confirmation of minutes is permitted except where their accuracy as a record of the proceedings of the meeting to which they relate is questioned.

64 Deferral of Confirmation of Minutes

Council may defer the confirmation of minutes until later in the Council meeting or until the next meeting if considered appropriate.

Agenda Item 9.2 – Attachment 1**65 Form and Availability of Minutes**

- 65.8 The Chief Executive Officer (or other person authorised by the Chief Executive Officer to attend the meeting and to take the minutes of such meeting) must keep minutes of each Council meeting, and those minutes must record:
- 65.8.1 the date, place, time and nature of the meeting;
 - 65.8.2 the names of the Councillors present and the names of any Councillors who apologised in advance for their non-attendance;
 - 65.8.3 the names of the members of Council staff present;
 - 65.8.4 any disclosure of a conflict of interest made by a Councillor, including the explanation given by the Councillor under Chapter 5 and whether the conflict of interest was said by the Councillor to be a general conflict of interest or a material conflict of interest;
 - 65.8.5 arrivals and departures (including temporary departures) of Councillors during the course of the meeting;
 - 65.8.6 each motion and amendment moved (including motions and amendments that lapse for the want of a seconder);
 - 65.8.7 the vote cast by each Councillor upon a division and any abstention from voting;
 - 65.8.8 the vote cast by any Councillor who has requested that their vote be recorded in the minutes;
 - 65.8.9 questions upon notice;
 - 65.8.10 the failure of a quorum;
 - 65.8.11 any adjournment of the meeting and the reasons for that adjournment; and
 - 65.8.12 the time at which standing orders were suspended and resumed, and the reasons for the suspensions of standing orders.
 - 65.8.13 Any other matter that the Chief Executive Officer determines should be recorded to clarify the intention of the meeting or reading of the minutes
- 65.9 The Chief Executive Officer must ensure that the minutes of any Council meeting are:
- 65.9.1 published on Council's website; and
 - 65.9.2 available for inspection at Council's office during normal business hours.
- 65.10 Nothing in sub-Rule 65.2 requires Council or the Chief Executive Officer to make public any minutes relating to a Council meeting or part of a Council meeting closed to members of the public in accordance with section 66 of the Act.

Agenda Item 9.2 – Attachment 1**Division 12 – Behaviour****66 Public Addressing the Meeting**

- 66.8 Members of the public do not have a right to address Council and may only do so with the consent of the Chair or by prior arrangement.
- 66.9 Any member of the public addressing Council must extend due courtesy and respect to Council and the processes under which it operates and must take direction from the Chair whenever called on to do so.
- 66.10 A member of the public present at a Council meeting must not disrupt the meeting.

67 Chair May Remove

The Chair may order and cause the removal of any person, including a Councillor, who disrupts any meeting or fails to comply with a direction given under sub-Rule 65.2.

It is intended that this power be exercisable by the Chair, without the need for any Council resolution. The Chair may choose to order the removal of a person whose actions immediately threaten the stability of the meeting or wrongly threatens their authority in chairing the meeting.

68 Chair May Adjourn Disorderly Meeting

If the Chair is of the opinion that disorder at the Council table or in the gallery makes it desirable to adjourn the Council meeting, the Chair may adjourn the meeting to a later time on the same day or to some later day as they think proper. In that event, the provisions of sub-Rules 15.2 and 15.3 apply.

69 Removal from Chamber

The Chair, or Council in the case of a suspension, may ask the Chief Executive Officer or a member of the Victoria Police to remove from the Chamber any person who acts in breach of this Chapter and whom the Chair has ordered to be removed from the gallery.

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Division 13 – Additional Duties of Chair

70 The Chair's Duties and Discretions

In addition to the duties and discretions provided in this Chapter, the Chair:

- 70.8 must not accept any motion, question or statement which is derogatory, or defamatory of any Councillor, member of Council staff, or member of the community;
- 70.9 must call to order any person who is disruptive or unruly during any meeting; and
- 70.10 must ensure these Rules and the provisions of the *Local Government Act 2020* (Vic) are followed at all times.

Agenda Item 9.2 – Attachment 1**Division 14 – Suspension of Standing Orders****71 Suspension of Standing Orders**

71.8 To expedite the business of a meeting, Council may suspend standing orders.

The suspension of standing orders should be used to enable full discussion of any issue without the constraints of formal meeting procedure.

Its purpose is to enable the formalities of meeting procedure to be temporarily disposed of while an issue is discussed.

71.9 The suspension of standing orders should not be used purely to dispense with the processes and protocol of the government of Council. An appropriate motion would be:

"That standing order be suspended to enable discussion on....."

71.10 No motion can be accepted by the Chair or lawfully be dealt with during any suspension of standing orders.

71.11 Once the discussion has taken place and before any motions can be put, the resumption of standing orders will be necessary. An appropriate motion would be:

"That standing orders be resumed."

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Division 15 – Physical and Remote Attendance and Recording of Meetings

72. Mode of Attendance

- 72.1 Each notice of meeting must indicate whether the relevant *Council meeting* is to be conducted:
 - 72.1.1 wholly in person;
 - 72.1.2 wholly by electronic means; or
 - 72.1.3 partially in person and partially by electronic means.
- 72.2 The indication in the notice of meeting must be consistent with any Resolution of *Council* that has expressed a preference for, or otherwise specified, when *Council meetings* are to be conducted:
 - 72.2.1 wholly in person;
 - 72.2.2 wholly by electronic means; or
 - 72.2.3 partially in person and partially by electronic means.
- 72.3 If a *Council meeting* is to be conducted wholly in person a Councillor may nonetheless request to attend by electronic means.
- 72.4 Any request made under sub-Rule 72.3 must:
 - 72.4.1 be in writing;
 - 72.4.2 be given to the *Chief Executive Officer* no later than 10.00am on the day of the relevant *Council meeting*; and
 - 72.4.3 specify the reasons why the Councillor is unable or does not wish to attend the *Council meeting* in person.
- 72.5 The *Chief Executive Officer* must ensure that any request received in accordance with sub-Rule 72.4 and any other request received from a Councillor to attend by electronic means is made known to all Councillors as soon as practicable.
- 72.6 The *Chief Executive Officer* may approve and must not unreasonably refuse any request.
- 72.7 A Councillor who is attending a *Council meeting* by electronic means is responsible for ensuring that they are able to access such equipment and are present in such an environment that facilitates participation in the *Council meeting*.
- 72.8 Without detracting from anything said in sub-Rule 72.7, a Councillor who is attending a meeting by electronic means must be able to:
 - 72.8.1 hear the proceedings;
 - 72.8.2 see all Councillors and relevant members of Council staff who are also attending the *Council meeting*, at least while a Councillor or member of Council staff is speaking;
 - 72.8.3 be seen by all Councillors, members of Council staff and members of the public who are physically present at the *Council meeting*; and
 - 72.8.4 be heard when they speak.
- 72.9 If the conditions of sub-Rule 72.8 cannot be met by one or more Councillors attending a *Council meeting*, whether because of technical difficulties or otherwise:

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72.9.1 the *Council meeting* will nonetheless proceed as long as a quorum is present; and

72.9.2 the relevant Councillor (or Councillors) will be treated as being absent from the *Council meeting* or that part of the *Council meeting*

unless the *Council meeting* has been adjourned in accordance with *these Rules*.

72.10 Nothing in this Rule 72 prevents a Councillor from joining (or re-joining) a *Council meeting* at the time that they achieve compliance with sub-Rule 72.8 even if the *Council meeting* has already commenced or has continued in their absence.

72.11 If a *Council meeting* is conducted wholly or partially by electronic means, the *Chair* may, with the consent of the meeting, modify the application of any of the Rules in this Chapter to facilitate the more efficient and effective transaction of the business of the meeting.

73 Recordings of Meetings

73.1 Council meetings may not be recorded (i.e. video, audio, photographic or any other recording) by any electronic means, whether by use of a tape recorder, video camera, mobile phone, dicta-phone or otherwise as determined by a resolution of Council.

73.2 This clause does not apply to any security camera installed by Council in any place in which a Council or any member of Council staff operating any recording device for the purpose of preparing draft minutes of the meeting or online transmission of meetings to the community.

73.3 The procedures and operation of the recording of Council Meetings will be in accordance with a policy as resolved by Council.

73.4 In exceptional circumstances, consideration will be given to a request submitted to the Chief Executive Officer prior to the commencement of the meeting, to photograph or record via electronic means, the proceedings of a Council meeting. Where consent is granted, it may be revoked at any time during the meeting. The Chair will advise the meeting of any consent that has been granted.

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Division 16 – Miscellaneous

1. Procedure not provided in this Chapter

In all cases not specifically provided for by this Chapter, resort must be had to the Standing Orders and Rules of Practice of the Upper House of the Victorian Parliament (so far as the same are capable of being applied to *Council* proceedings).

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Chapter 3 – Meeting Procedure for Delegated Committees

1. Meeting Procedure Generally

- 1.1 If Council establishes a Delegated Committee under the *Local Government Act 2020* (Vic), all of the provisions of Chapter 2 apply to meetings of the *Delegated Committee*; and
- 1.2 any reference in Chapter 2 to:
 - 1.2.1 a *Council meeting* is to be read as a reference to a *Delegated Committee* meeting;
 - 1.2.2 a Councillor is to be read as a reference to a member of the *Delegated Committee*; and
 - 1.2.3 the Mayor is to be read as a reference to the Chair of the *Delegated Committee*.

2. Meeting Procedure Can Be Varied

Notwithstanding Rule 1, if *Council* establishes a *Delegated Committee* whether composed solely of Councillors or not:

- 2.1 *Council* may; or
- 2.2 the *Delegated Committee* may, with the approval of *Council*

resolve that any or all of the provisions of Chapter 2 are not to apply to a meeting of the *Delegated Committee*, in which case the provision or those provisions will not apply until *Council* resolves, or the *Delegated Committee* with the approval of *Council* resolves, otherwise.

3. Community Participation

Where a Delegated Committees Terms of Reference allows:

- 3.1 Members of the public will be afforded the opportunity to present their views on items listed on an agenda for consideration at Delegated Committee meetings. A maximum of three minutes per speaker will be allocated prior to the Committee's consideration of items. Where more than 10 requests to present to Delegated Committees are received, a spokesperson will be appointed by the group, and allocated a maximum of five minutes.
- 3.2 In addition to public question time and the opportunity to address Delegated Committee Meetings, Council will provide opportunities for public participation in processes that inform and assist the Council's decision making processes by establishing forums or committees where:
 - 3.2.1 The interaction enables open discussion between members of the community and Councillors; and
 - 3.2.2 Assists better understanding of issues between the Council and the community.
- 3.3 The ability for questions or representations to be made to these meetings is not a substitute for appeal and review systems, informal business procedures, formal public question time, formal Council decisions and other legal processes required for the proper transaction of business by the Council.

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4. **Minutes of Delegated Committee Meetings**

The minutes of Delegated Committees will be confirmed at the next scheduled Delegated Committee meeting and noted at the next Council Meeting

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Chapter 4 – Meeting Procedure for Community Asset Committees

1. Introduction

In this Chapter, "Instrument of Delegation" means an instrument of delegation made by the *Chief Executive Officer* under section 47(1)(b) of the *Act*.

2. Meeting Procedure

Unless anything in the instrument of delegation provides otherwise, the conduct of a meeting of a *Community Asset Committee* is in the discretion of the *Community Asset Committee*.

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Chapter 5 – Disclosure of Conflicts of Interest

1. Introduction

The following Rules in this Chapter apply only upon Division 1A of Part 4 of the *Local Government Act 1989* being repealed*. For the avoidance of doubt, this Chapter outlines the methods that will be undertaken by Councillors of the Maribyrnong City Council in the event an actual or perceived conflict of interest arises; Council may provide more substantive policy and process for the declaration and management of a conflict of interest in a Conflict of Interest Policy.

2. Definitions

In this Chapter:

- 2.1 “attend” and “in attendance” include attend or in attendance by electronic means;
- 2.2 “meeting conducted under the auspices of Council” means a meeting of the kind described in section 131(1) of the Act, and includes a meeting referred to in Rule 1 of Chapter 6 (whether such a meeting is known as a ‘Councillor Briefing’ or by some other name); and
- 2.3 a member of a *Delegated Committee* includes a Councillor.
- 2.4 “Disclosable gift” means a gift of the threshold amount under section 128(4) of the Local Government Act 2020 (Vic)

3. Disclosure of a Conflict of Interest at a Council Meeting

A Councillor who has a conflict of interest in a matter being considered at a Council meeting at which they:

- 3.1 are in attendance must disclose that conflict of interest by explaining the nature of the conflict of interest to those in attendance at the Council meeting immediately before the matter is considered and indicating whether it is a general conflict of interest or a material conflict of interest; or
- 3.2 intend to attend must disclose that conflict of interest by providing to the Chief Executive Officer and the Chair before the Council meeting commences a written notice:
 - 3.2.1 advising of the conflict of interest;
 - 3.2.2 explaining the nature of the conflict of interest as applicable under the Act and indicating whether it is a general conflict of interest or a material conflict of interest;
 - 3.2.3 detailing, if the nature of the conflict of interest involves a Councillor’s relationship with or a gift from another person, the:
 - (a) name of the other person;
 - (b) nature of the relationship with that other person or the date of receipt, value and type of gift received from the other person; and
 - (c) nature of that other person’s interest in the matter, and then immediately before the matter is considered at the meeting announcing to those in attendance that they have a conflict of interest and that a written notice has been given to the Chief Executive Officer under this sub-Rule.

The Councillor must either leave the Council meeting immediately after giving the explanation, or making the announcement, (as the case may be) and not return to the meeting until after the matter has been disposed of.

Agenda Item 9.2 – Attachment 1**4. Disclosure of Conflict of Interest at a Delegated Committee Meeting**

A member of a Delegated Committee who has a conflict of interest in a matter being considered at a Delegated Committee meeting at which they:

- 4.1 are in attendance must disclose that conflict of interest by explaining the nature of the conflict of interest to those in attendance at the Delegated Committee meeting immediately before the matter is considered and indicating whether it is a general conflict of interest or a material conflict of interest; or
- 4.2 intend to attend must disclose that conflict of interest by providing to the Chief Executive Officer or the Chair of the Delegated Committee Meeting before the Delegated Committee meeting commences a written notice:
 - 4.2.1 advising of the conflict of interest;
 - 4.2.2 explaining the nature of the conflict of interest and indicating whether it is general conflict of interest or material conflict of interest; and
 - 4.2.3 detailing, if the nature of the conflict of interest involves a member of a Delegated Committee's relationship with or a gift from another person the:
 - (a) name of the other person;
 - (b) nature of the relationship with that other person or the date of receipt, value and type of gift received from the other person; and
 - 4.2.4 nature of that other person's interest in the matter,

and then immediately before the matter is considered at the meeting announcing to those in attendance that they have a conflict of interest and that a written notice has been given to the Chief Executive Officer under this sub-Rule.

5. Disclosure of a Conflict of Interest at a Community Asset Committee Meeting

A Councillor who has a conflict of interest in a matter being considered at a *Community Asset Committee* meeting at which they:

- 5.1 are in attendance must disclose that conflict of interest by explaining the nature of the conflict of interest to those in attendance at the *Community Asset Committee* meeting immediately before the matter is considered and indicating whether it is a general conflict of interest or a material conflict of interest; or
- 5.2 intend to attend must disclose that conflict of interest by providing to the *Chief Executive Officer* before the *Community Asset Committee* meeting commences a written notice:
 - 5.2.1 advising of the conflict of interest;
 - 5.2.2 explaining the nature of the conflict of interest and indicating whether it is a general conflict of interest or a material conflict of interest; and
 - 5.2.3 detailing, if the nature of the conflict of interest involves a member of a Councillor's relationship with or a gift from another person the:
 - (a) name of the other person;
 - (b) nature of the relationship with that other person or the date of receipt, value and type of gift received from the other person; and
 - 5.2.4 nature of that other person's interest in the matter,

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and then immediately before the matter is considered at the meeting announcing to those in attendance at the meeting that they have a conflict of interest and that a written notice has been given to the *Chief Executive Officer* under this sub-Rule.

The Councillor must, in either event, leave the *Committee Asset Committee* meeting immediately after giving the explanation or making the announcement (as the case maybe) and not return to the meeting until after the matter has been disposed of.

6. Disclosure at a Meeting Conducted Under the Auspices of Council

A Councillor who has a conflict of interest in a matter being considered by a meeting conducted under the auspices of *Council* at which they are in attendance must:

- 6.1 disclose that conflict of interest by explaining the nature of the conflict of interest to those in attendance at the meeting immediately before the matter is considered and indicate whether it is a general conflict of interest or a material conflict of interest;
- 6.2 absent themselves from any discussion of the matter; and
- 6.3 as soon as practicable after the meeting concludes provide to the *Chief Executive Officer* a written notice recording that the disclosure was made and accurately summarising the explanation given to those in attendance at the meeting.

7. Disclosure by Members of Council Staff Preparing Reports for Meetings

7.1 A member of Council staff who, in their capacity as a member of Council staff, has a conflict of interest in a matter in respect of which they are preparing or contributing to the preparation of a Report for the consideration of a:

- 7.1.1 *Council meeting*;
- 7.1.2 *Delegated Committee* meeting;
- 7.1.3 *Community Asset Committee* meeting

must, immediately upon becoming aware of the conflict of interest, provide a written notice to the *Chief Executive Officer* disclosing the conflict of interest and explaining the nature of the conflict of interest and indicate whether it is a general conflict of interest or a material conflict of interest.

7.2 The *Chief Executive Officer* must ensure that the Report referred to in sub-Rule 7.1 records the fact that a member of Council staff involved in the writing of the Report disclosed a conflict of interest in the subject-matter of the Report.

7.3 If the member of Council staff referred to in sub-Rule 7.1 is the *Chief Executive Officer*:

- 7.3.1 the written notice referred to in sub-Rule 7.1 must be given to the *Mayor*; and
- 7.3.2 the obligation imposed by sub-Rule 7.2 may be discharged by any other member of Council staff responsible for the preparation of the Report.

8. Disclosure of Conflict of Interest by Members of Council Staff in the Exercise of Delegated Power

8.1 A member of Council staff who has a conflict of interest in a matter requiring a decision to be made by the member of Council staff as delegate must, immediately upon becoming aware of the conflict of interest, provide a written notice to the *Chief Executive Officer* explaining the nature of the conflict of interest and indicate whether it is a general conflict of interest or a material conflict of interest.

8.2 If the member of Council staff referred to in sub-Rule 8.1 is the *Chief Executive Officer* the written notice must be given to the *Mayor*.

Agenda Item 9.2 – Attachment 1**9. Disclosure by a Member of Council Staff in the Exercise of a Statutory Function**

9.1 A member of Council staff who has a conflict of interest in a matter requiring a statutory function to be performed under an Act by the member of Council staff must, upon becoming aware of the conflict of interest, immediately provide a written notice to the *Chief Executive Officer* explaining the nature of the conflict of interest and indicate whether it is a general conflict of interest or a material conflict of interest.

9.2 If the member of Council staff referred to in sub-Rule 9.1 is the *Chief Executive Officer* the written notice must be given to the *Mayor*.

10. Retention of Written Notices

The *Chief Executive Officer* must retain all written notices received under this Chapter for a period of three years.

Agenda Item 9.2 – Attachment 1**Chapter 6 – Miscellaneous****1. Informal Meetings of Councillors**

If there is a meeting of Councillors that:

- 1.1 is scheduled or planned for the purpose of discussing the business of Council or briefing Councillors;
- 1.2 is attended by at least one member of Council staff; and
- 1.3 is not a Council meeting, Delegated Committee meeting or Community Asset Committee meeting

the *Chief Executive Officer* must ensure that a summary of the matters discussed at the meeting are tabled at the next convenient Council meeting.

2. Confidential Information

- 2.1 If the *Chief Executive Officer* is of the opinion that information relating to a meeting is confidential information within the meaning of the Act, they may designate the information as confidential and advise Councillors and/or members of Council staff in writing accordingly.
- 2.2 Information which has been designated by the Chief Executive Officer as confidential information within the meaning of the Act, and in respect of which advice has been given to Councillors and/or members of Council staff in writing accordingly, will be presumed to be confidential information.
- 2.3 Nothing in sub-Rule 2.2 will, without more, mean that information designated by the *Chief Executive Officer* under sub-Rule 2.2 satisfies the definition of "confidential information" contained in section 3(1) of the Act.

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Chapter 7 – Election Period Policy

Election Period Policy

Records number:	20/215208	Endorsed by:	Council
Date Endorsed:	18 August 2020	Policy Author:	Governance
Policy Owner:	Manager Governance and Commercial Services	Review date	September 2023
Policy Status:		Policy type	Council

REVISION RECORD

Date	Version	Revision Description
February 2016	1	Policy adopted in line with statutory requirements
November 2019	2	Policy reviewed as required by legislation
April 2020	3	Policy reviewed to satisfy requirements of <i>Local Government Act 2020</i> (Vic)

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1. Introduction

The *Local Government Act 2020*(Vic) ('the Act) requires that Council adopts an election period policy which is to include:

- (a) Procedures intended to prevent the Council from making inappropriate decisions or using resources inappropriately during the election period before a general election;
- (b) Procedures intended to prevent any appointment or remuneration of a Council Chief Executive Officer, but not an Acting Chief Executive Officer;
- (c) The prevention of any Council expenditure exceeding one percent of Council's income from rates, municipal charges and service rates in the preceding financial year;
- (d) Limits on public consultation and the scheduling of Council events; and
- (e) Procedures to ensure that access to information held by Council is made equally available and accessible to candidates during the election.

A copy of this policy must:

- a) Be given to each Councillor as soon as practicable after it is adopted; and
- b) Be available for inspection by the public at the Council office; and
- c) Be published on the Council's internet website.

2. Purpose

This policy has been adopted by Council in compliance with the requirements of sections 60 and 69 of the *Local Government Act 2020* (Vic) (the Act). The policy aims to provide assurance that general elections for Maribyrnong City Council are conducted in a manner that is fair, equitable and transparent.

3. Scope

This policy applies to all Councillors and Council Officers including temporary, contract and contract employees.

4. Definitions

Certification means approved material by the Chief Executive Officer (CEO) for publication during the election period.

Electioneering means any action, statement and/or publication which contains material directly related to a Councillor's re-election, or a candidate's election.

Election period, also known as the caretaker period, means be the 32 day period that starts on the last day of nominations and ends at 6pm on Election Day (section 3(1) of the Act).

Electoral advertisement means an advertisement, handbill, pamphlet or notice that contains electoral matter, but does not include an advertisement in a newspaper announcing the holding of a meeting.

Electoral matter means any matter which is intended or likely to affect voting in an election, but does not include any electoral material produced by, or on behalf of, the Returning Officer for the purposes of conducting an election.

Inappropriate decision include any decision that:

- would affect voting in an election;
- could reasonably be made after the election; or
- otherwise breach this Policy

Major policy decision means any decision that include:

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- The employment or remuneration of the CEO.
- Contracts exceeding specified values.
- Entrepreneurial ventures exceeding specified values.
- Major policy decisions.
- Significant decisions.
- Inappropriate decisions.
- Decisions which unreasonably commit the incoming Council.

Public consultation means a process which involves an invitation or invitations to individuals, groups, organisations or the community in general, to comment on an issue, proposed action, or proposed policy.

Publish means publish by any means, whether in hard copy or electronically, including publication on the internet.

Significant decisions include any decision that may:

- irrevocably commit the Council to substantial expenditure or to other significant actions; and/or
- have an irrecoverable and significant impact on the municipality or a significant section of the community.

5. Responsibility

The Corporate Services Directorate will be responsible for the Election Period Policy, and ensure its dissemination throughout the organisation in a timely manner.

6. Policy

6.1 Council Decisions

During the Election Period the Council will not make a major policy decision. This includes decisions at Council Meetings and Delegated Committee Meetings or decisions by Council staff as delegates made through Council's formal instrument of delegation processes. In the case of a major policy decision, which is not significantly prohibited under the Act, the CEO will consider a number of factors in making a determination and may only allow such a decision to be considered if the decision/issue:

- a. Is urgent;
- b. Cannot be reasonably deferred without significant consequences to the Council or the community of Maribyrnong; and
- c. Relates to the completion of activity already endorsed by Council eg: via the Budget, Council Plan, Business Plan, 10 Year Plan, or other Council Strategic Objective etc.

As per section 69 of the Act, Council is prohibited from making decisions during the election period that:

- relates to the appointment or remuneration of the Chief Executive Officer but not to the appointment or remuneration of an Acting Chief Executive Officer; or
- commits the Council to expenditure exceeding one per cent of the Council's income from general rates, municipal charges and service rates and charges in the preceding financial year; or
- the Council considers could be reasonably deferred until the next Council is in place; or the Council considers should not be made during an election period.

Council and Delegated Committee Meeting Agendas during the election period will be carefully vetted to ensure that no items are included that could potentially influence voters' intentions at the forthcoming election or could encourage councillor candidates to use the items as part of their electioneering.

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The types of decisions that will be avoided during the election period include allocating community grants or other direct funding to community organisations, major planning scheme amendments and changes to strategic objectives and strategies in the council plan.

Council makes a commitment to prevent inappropriate decisions and that the decisions that will be made during the election period will be made if absolutely necessary for operational purposes or pursuant to a statutory requirement.

All Councillors will refrain from moving motions or raising matters at a meeting that could potentially influence voting at the election.

Should Council consider that there are extraordinary circumstances where the City of Maribyrnong's community would be significantly disadvantaged by the Council not making a particular major policy decision, the Council will, by formal resolution, seek an exemption from the Minister for Local Government in accordance with section 69 of the Act.

6.2 Election Period Statements

During the election period, the Chief Executive Officer will ensure that an election period statement is included in every Agenda submitted to a Council or Delegated Committee Meeting for decision. The election period statement will appear at the start of the Agenda and will state:

- *"The recommended decisions on all reports in this Agenda do not fall within the definition of a major policy or inappropriate decision, as defined in section 69 of the Local Government Act 1989 or a significant decision within the meaning of this Election Period Policy".*

Should any report be presented to the Council or a Delegated Committee during an Election Period, which is considered to fall within Section 69 of the Act, this will be clearly indicated with a statement both at the commencement of the agenda and at the heading of any such report which will also indicate any exemptions granted by the Minister in accordance section 69 of the Act.

6.3 Resources

This section is to be read in conjunction with the Councillor Support and Expenses Policy. Councillors must also comply with the provisions of the Act and with Councillors' own adopted Code of Conduct, to avoid breaches of the Act, challenges brought on by other parties, and/or significant penalties being imposed.

Council and Councillors will ensure that due propriety is observed in the use of all Council resources during the election period. Council resources include financial, human (e.g. a staff member's or a consultant's time) and material resources. In circumstances where it is unclear if the use of Council resources is related, or may be perceived as being related, to a candidate's election campaign, the use should be referred to the CEO for a determination.

6.3.1 Council Branding and Stationery

No Council logos or letterheads can be used for, or linked in any way to, a candidate's election campaign.

Use of logos, branding and stationery – hardcopy or electronic – is permitted for normal Council business only.

6.3.2 Photographs and Images

Photographs and images paid for by Council or developed/taken by Council Officers are not to be used in electoral material for any candidate. This includes images of Councillors, events and the physical realm.

Agenda Item 9.2 – Attachment 1**6.3.3 Councillor Issued Communications**

Councillors, like other candidates, are permitted to issue their own media releases provided they do not use Council resources, including email, fax, logo or any branding, letterhead or any Council owned device. Councillors and candidates must make it clear that the views expressed are personal views only, and not the views of the Council.

Councillors are not permitted to comment in an official capacity about an issue raised by the media during the election period. However, if media outlets contact Councillors or candidates directly for a comment about an issue during the election period, Councillors and candidates are able to comment, provided they make it known to media outlets that the views expressed are personal views only, and not the views of Council.

Any Councillor requests for media advice, comment or assistance from staff during the election period will be referred to the CEO or delegate. Council Officers cannot provide media advice or assistance to Councillors in relation to election issues, issues that could be perceived as political or in regard to publicity that involves specific Councillors or candidates.

6.3.4 Council Websites and Social Media

Council will vet the existing publications and online information before the election period commences and, where appropriate, temporarily withdraw any material that might reasonably influence the election.

During the election period, newly published material about Councillors will be restricted to names, contact details and titles only on Council's websites and will only be published when absolutely necessary to fulfil Council's operational responsibilities or statutory obligations. Stories about, or reference to, a specific Councillor other than the information detailed above is not permitted.

The election period provisions do not apply to Council agendas and minutes, and these will continue to be published during the election period.

Council's social media sites such as Facebook, Twitter and YouTube, will continue to be a corporate voice for Council, and not be used for any electioneering purposes by Councillors or Council staff.

Individual Councillors achievements, or any material considered campaign material, will not be published on any of Council's social media websites.

Council's social media sites will be monitored for electioneering material and any inappropriate posts will be removed, as soon as practicable.

6.3.5 Council funded services

Council funded services such as mobile phones, office space, IT equipment, mayoral vehicle, and where it is impractical for Councillors to discontinue their use of these during the election, may continue to be used for normal Council business only during the election period and must not be used in connection with a candidate's election campaign.

6.3.6 Use of the Title 'Councillor'

Councillors may use the title 'Councillor' in their election material, as they continue to hold office during the caretaker period.

Councillors should ensure that any election publication using the title 'Councillor' clearly indicates that it is their own material and does not represent Council.

Agenda Item 9.2 – Attachment 1**6.3.7 Reimbursement of expenses**

Reimbursement of Councillors' out of pocket expenses during the election period will continue to apply for costs which have been incurred in the performance of normal Council duties, but not for expenses that could be perceived, in the opinion of the Chief Executive Officer, as supporting or being connected with a candidate's election campaign.

6.4 Information**6.4.1 Access to Information**

As Councillors must continue to perform their elected role during the election period, they will, as a matter of course, receive all necessary information for them to fulfil that role. Neither Councillors nor candidates will receive information or advice from Council staff that might be perceived to support election campaigns, and there shall be complete transparency in the provision of all information and advice during the Election Period.

All requests received by Council staff for information about Council projects, programs or services will be responded to in a 'business as normal' manner. This means up to date responses will be provided about progress on Council projects or services to Councillors, candidates or citizens.

Council staff will provide accurate and complete information, however, a 'business as normal' approach does not include extensive research or analysis involving significant Council resources, or providing a level of information which would not normally be available.

The Council affirms that all candidates for the Council election will be treated equally.

Any assistance and advice provided to candidates as part of the conduct of the Council election will be provided equally to all candidates. All election related enquiries from candidates, whether sitting Councillors or not, will be directed to the Returning Officer, or where the matter is outside the responsibilities of the Returning Officer, to the CEO or delegate.

6.4.2 Request for Information Register

During the election period, a request for information register will be maintained by Council's Governance Unit. This register will be a public document that records all requests relating to electoral matters, routine and non-routine requests for information by Councillors and candidates, as well as the responses provided.

All requests for information are to be directed to the Chief Executive Officer in written format.

6.5 Public Consultation, Meetings and Events**6.5.1 Public Consultation**

Public consultation will be limited during the election period, with the exception of consultation required under the *Planning and Environment Act 1987*, or matters subject to section 223 of the *Local Government Act 1989*.

Public consultation may be undertaken during the election period, providing it is to facilitate the day to day business of Council, to ensure matters continue to be proactively managed. Public consultation will avoid any express or implied links to the election.

Prior to any public consultation being undertaken, CEO approval will be required.

Public consultation on significant matters affecting Council will also be avoided in the lead up to the election period where possible to mitigate the risk of influencing the election.

Agenda Item 9.2 – Attachment 1**6.5.2 Public Meetings and Events**

Public meetings or events will only be conducted by the Council administration if they are part of the normal services or operation of Council, however these will be kept to a minimum.

When attending any Council meeting or event, Councillors are reminded that they are representing Council and are not permitted to raise electoral matters or issues. Councillors and candidates are prohibited from using such forums and meetings for electioneering purposes, including handing out election material.

During the election period, Council events will not provide an official role for Councillors, such as speeches, master of ceremony etc, although Councillors will be invited to attend in their official role. The CEO or delegate will perform any required ceremonial function.

6.6 Publications**6.6.1 Council Issued Communications**

Media releases, photo opportunities and advertising that contains general ongoing Council news, or information about the election process, but does not refer to, or quote, or feature Councillors is permitted, subject to certification by the CEO.

Media releases and advertising containing any issue, policy or electoral matter relating directly to a sitting and/or retiring Councillor are not permitted. This includes general information, quotes or photographs.

All media releases, responses or statements during the election period will be issued in the name of the CEO. The CEO or delegate is able to respond to questions from the media. Council is constrained in the content of media releases it can issue via the CEO.

General stories and photographs about Council services and issues that do not contain electoral matter are permitted, subject to certification by the CEO.

Councillor photographs, Councillors in advertisements, stories about Councillor achievements, or issues that are defined as electoral matter are not permitted.

6.6.2 Approval of Publications

All publications to be issued during the election period are to be forward to the relevant Manager for approval, and then sent to the Governance unit for vetting for electoral matter. Once vetted, the publication will then be forwarded to the relevant Director for approval prior to publication.

The process aims to ensure that Council issued publications including advertisements, media releases, fliers etc issued during the election period do not contain electoral matter.

Documents published before the election period commences (but still available after commencement, for example on the Council's website) do not require certification and are not caught by the prohibition on publishing and distributing material likely to influence voting at the election during the election period.

Statutory documents permitted under legislation (such as rate notices, food premises registration and parking fines) may continue to be disseminated by Council during the election period without limitation.

It should be noted that the Annual Report must not include material that is considered electioneering, or that publicises the attributes or achievements of individual Councillors.

Agenda Item 9.2 – Attachment 1



7. Review

This policy will be reviewed in accordance with sections 60 and 69 of the Act or as required.

8. Related Legislation

Local Government Act 2020 (Vic).

9. Related Documents

Department of Planning and Community Development's Governance Practice Note No. 5.
Councillor Code of Conduct.
Councillor Support and Expenses Policy
Employee Code of Conduct.
Order in Council, Gazette Number G32, 7 August 2008, page 1908.
Department of Environment, Land, Water and Planning – A guide for councils - Reforms Arising from the Local Government Amendment (Improved Governance) Act 2015

Agenda Item 9.3**GOVERNANCE REPORT - JUNE 2022**

Director: Lisa King
Director Corporate Services

Author: Phil McQue
Manager Governance and Commercial Services

PURPOSE

To receive and note the record of informal meetings of Councillors and Councillor delegates' for the June 2022 period, as well as other statutory compliance and governance matters as they arise.

ISSUES SUMMARY

Details of informal meetings Councillors and Councillor Delegates' Reports are presented to a Council Meeting on a monthly basis. The reports are made available on Council's website for the term of the current Council.

ATTACHMENTS

1. Governance Report - June 2022 [↓](#)

OFFICER RECOMMENDATION

That Council notes the Governance Report containing the record of informal meetings of Councillors and Councillor Delegates' Reports for June 2022, which are made available on Council's website for the term of the current Council.

Agenda Item 9.3**BACKGROUND**

It is considered good governance that written records of informal meetings of Councillors are, as soon as practicable, reported at a Council Meeting and incorporated in the minutes of that Council meeting. The Councillor delegates' reports demonstrate Council's commitment to open and transparent governance. Details of Councillor Delegates Reports are presented to a Council Meeting on a monthly basis, and made available on Council's website.

DISCUSSION/KEY ISSUES**1. Key Issues****Notice of Motion – Nature Strip Landscape Policy**

Council resolved in March 2022 to:

1. *Request the Chief Executive Officer to review and update the existing Nature Strip Landscape Policy and Guidelines through a community engagement process in accordance with Council's Community Engagement Policy;*
2. *Receive a report for Council endorsement detailing the scope of the review prior to commencing the engagement process by July 2022.*

At the time, it was anticipated that there would be sufficient resourcing capacity to develop the Project Scope for submission to Council for consideration in July 2022.

In the intervening period, there has been considerable pandemic related illness experienced, which has meant that the resources necessary to prepare the requested Project Scope have not been available, thereby delaying its preparation.

The Project Scope has now been prioritised for completion and is scheduled to be presented to the 2 August Strategic Councillor Briefing and 16 August Council meeting for consideration.

Informal Meetings of Councillors

Council's Governance Rules (Chapter Six) state that if there is a meeting of Councillors:

- 1.1 scheduled or planned for the purpose of discussing the business of Council or briefing Councillors;
- 1.2 attended by at least one member of Council staff; and
- 1.3 not a Council meeting, Delegated Committee meeting or Community Asset Committee meeting

the Chief Executive Officer must ensure that a summary of the matters discussed at the meeting are tabled at the next convenient Council meeting.

These do not include:

- A meeting of the Council
- A special committee of the Council
- An audit committee
- A club, association, peak body, political party or other organisation.

Agenda Item 9.3

The attached record is reported to Council in accordance with this requirement.

Councillor Delegates' Reports

As part of their governance and representation obligations, individual Councillors represent Council on a range of committees. The committees operate outside section 63 and 64 of the Local Government Act 2020.

Councillor participation in peak associations, local and regional forums and specific issues committees is an important part of effective governance and representation.

Attached are the Councillor delegates' reports for the period.

2. Council Policy/Legislation**Council Plan 2021-2025**

This report contributes to Council's strategic objectives contained in the Council Plan 2021-2025 by considering:

- Ethical leadership - lead our changing city using strategic foresight, innovation, transparent decision making and well-planned, effective collaboration to support economic growth during the ongoing challenges of the pandemic and beyond.

Legislation

This report is presented in accordance with the requirements of the Local Government Act 2020.

Conflicts of Interest

No officer responsible for, or contributing to, this report has declared a direct or indirect interest in relation to this report.

Human Rights Consideration

This report complies with the rights listed in the Victorian Charter of Human Rights and Responsibilities Act 2006.

3. Engagement

There are no engagement implications associated with this report.

4. Resources

There are no resource implications associated with this report.

5. Environment

There are no environmental implications associated with this report.

Agenda Item 9.3

CONCLUSION

The reporting of the Governance Report demonstrates Council's commitment to open and transparent governance.

Governance Report – June 2022

Details of Informal Meetings of Councillors and Delegate Reports

Meeting and Date	Councillor Attendees	Council Staff Attendees	Matters Considered	Conflict of Interest Disclosures
Metropolitan Transport Forum 1 June 2022 Delegates Report	Cr Simon Crawford		<ul style="list-style-type: none"> Welcome/Attendance/Apologies Minutes of previous meeting, 4 May 2022 Presentation Simon McKenzie – Public Transport Ombudsman Victoria MTF Strategic Public Transport Advocacy MTF Strategic Plan – Update 2022 Council Information Sharing Regular Reports <ul style="list-style-type: none"> Treasurers Reports Upcoming events of Interest Update from the MAV Administration Correspondence Submission <ul style="list-style-type: none"> Melbourne Airport Master Plan – MTF Submission Upcoming Meeting topics 2022 General Business 	Nil
Councillor Briefing 7 June 2022 Informal Meeting of Councillors	Cr Sarah Carter Cr Michael Clarke Cr Simon Crawford Cr Jorge Jorquera Cr Cuc Lam Cr Bernadette Thomas Cr Anthony Tran	Celia Haddock (Chief Executive Officer) Lucas Gosling (Director Community Services) Patrick Jess (Director Infrastructure Services) Lisa King (Director Corporate Services) Francesca O'Brien (Acting Director Planning)	<ul style="list-style-type: none"> Adoption of the 2022/2023 Annual Budget and the Subsequent Three Years and Striking of the Rate Civic and Community Hub Project – Final Design Findings from Engagement on Reducing Harm from Gambling Policy 2022-2030 Fresh Food Access and Healthy Eating in Maribyrnong Communities Discussion Paper Aged Care and Disability Reforms – Overview and Background Information Maribyrnong People and Participation Strategy (MPPS) 2021-2026 Draft 10 Year Asset Plan 2022-23 to 2031-32 	Nil

Governance Report – June 2022

Details of Informal Meetings of Councillors and Delegate Reports

		<p>and Environment Services)</p> <p>Mark Connor (Manager Finance)</p> <p>Ashley Minniti (Manager City Places)</p> <p>Bridget Monro-Hobbs (Manager Community Development Positive Ageing and Inclusion)</p> <p>Lauren Pammer (Project Lead – Civic Precinct)</p> <p>Tara Frichithavong (Manager Community Services and Social Infrastructure)</p> <p>Malcolm Roberts-Palmer (Coordinator Community Infrastructure and Planning)</p>	<ul style="list-style-type: none"> Investigation – Nesting Box Programs Sportsground Advertising Signage Ballarat Street – Alfresco Dining and Public Open Space Plan Elevating Environmentally Sustainable (ESD) Targets in the Planning Scheme (Amendment C177) Planning Application 25-27 Indwe Street, West Footscray Maribyrnong Active Transport Advisory Committee – New Appointments Annual Climate Emergency Progress Report Awarding of Contract No. 1163-22 Provision of Drainage Maintenance Services Awarding of Contract No. 185-22 Provision of At Call Hard Waste Collection Services Awarding of Contract No. 1174-22 Provision of Construction of MAC Waterslides and Splash Park Governance Report – May 2022 Confirmation of the Minutes of the Previous Council Meeting – 17 May 2022 Confirmation of the Minutes of the Previous City Development Delegated Committee Meeting – 24 May 2022 Noting of Confirmed Minutes of Delegated Committees 	
<p>Maribyrnong Youth Advisory Committee</p> <p>15 June 2022</p> <p>Delegates Report</p>	Cr Anthony Tran	<p>Mahamad Ahmed (Senior Youth Participation and Advocacy Officer)</p> <p>Caitlyn Mesiti (Youth Worker)</p>	<ul style="list-style-type: none"> Acknowledgement of Country Welcome Councillors Updates Project Items General updates Next Meeting and Actions 	Nil

Governance Report – June 2022

Details of Informal Meetings of Councillors and Delegate Reports

MAV State Council Meeting 24 June 2022 Delegates Report	Cr Michael Clarke	Celia Haddock (Chief Executive Officer)	<ul style="list-style-type: none">• Welcome and Introduction from MAV President• Welcome to Country• Confirmation of minutes – State Council 21 May 2021• MAV Presidents Report• Deferred Annual Meeting• CEO's Update• MAV Rules Review• Motions from Membership• Guest Speaker – Cr Linda Scott	Nil
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Agenda Item13

CONFIDENTIAL BUSINESS

Closure of meeting to public

Recommendation

That Council resolve to close the meeting to the public pursuant to Section 66(5) of the Local Government Act 2020 to discuss the following matter(s):

Confidential Agenda Item 13.1, Chief Executive Officer Interim Performance Review

Confidential Agenda Item 13.1 is considered confidential under section 66(2)(a) of the Local Government Act 2020 as it contains information relating to:

- (f) personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs.