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MINUTES OF THE COUNCIL MEETING

Held on Monday 12 December 2016

Released to the public on Thursday 15 December 2016

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**MINUTES OF THE ORDINARY MEETING OF THE
DAREBIN CITY COUNCIL HELD AT DAREBIN CIVIC CENTRE,
350 HIGH ST, PRESTON ON MONDAY 12 DECEMBER 2016**

THE MEETING OPENED AT 6.03 PM

WELCOME

The Chairperson, Cr. Le Cerf, in opening the meeting acknowledged the Wurundjeri people, the traditional owners of the land.

1. PRESENT

Councillors

Cr Kim Le Cerf (Mayor) (Chairperson)
Cr Steph Amir
Cr Gaetano Greco
Cr Tim Laurence
Cr Trent McCarthy
Cr Lina Messina
Cr Susanne Newton
Cr Susan Rennie

Council Officers

Andrew McLeod – Acting Chief Executive
Katrina Knox – Director Community Development
Libby Hynes- Acting Director Operations and Environment
Jacinta Stevens – Director Civic Governance and Compliance (6.09 pm)
Darren Rudd – Manager City Development
Blaga Naumoski – Manager Governance and Corporate Information
Dave Bell – Senior Media Advisor
Katia Croce – Coordinator Council Business
Jody Brodribb – Council Business and Governance Officer

2. APOLOGIES

An apology was lodged on behalf of Cr. Williams.

3. DISCLOSURES OF CONFLICTS OF INTEREST

Nil

4. CONFIRMATION OF THE MINUTES OF COUNCIL MEETINGS

Council Resolution

MOVED: Cr. T. McCarthy

SECONDED: Cr. S. Rennie

THAT the Minutes of the Ordinary Meeting of Council held on 5 December 2016 be confirmed as a correct record of business transacted.

CARRIED

5. PUBLIC QUESTION TIME

MINUTE NO. 29

The Chairperson, Cr. Le Cerf, responded to the following questions submitted for Public Question Time:

- Peter Thomson submitted the following question:

Consumption of alcoholic products in defined dry zones in Reservoir:

In response to the under resources of VicPol Reservoir the increasing prevalence of alcohol being consumed in public spaces i.e. the main shopping strip is on the increase (images can be supplied on request as late as Sunday the forth of December for confirmation). I therefore ask the City of Darebin to utilise their enforcement offices to issue fines, that is police this matter.

The Chairperson, Cr. Le Cerf provided the following response:

Council has a clause in the local law and this power is delegated to the police for their enforcement. If this is not occurring then Council can refer concerns to Councils Community Safety Taskforce for their consideration and further action.

- Peter Thomson submitted the following question:

Giving Back to the Community / Northern College of the Arts and Technology

In consultation with the principle of this most worthy place of learning Raffaella Galati - Brown and in casual mentioning to my ward Councillor Tim Laurence, I suggested that the City of Darebin could in the interest of social conscience, recycling, sustainability and forthright education excellence offer to this college first preference of motor vehicles impounded etc. for their students.

The Chairperson, Cr. Le Cerf provided the following response:

Council has a current contact in place and will consider this option when the contract is being reviewed. Should you have any specific details on student program please contact Craig Bruckner Coordinator Civic Compliance direct on PH 8470 8421 or email craig.bruckner@darebin.vic.gov.au

Responses to Public Questions taken on notice at the Council meeting on 5 December 2016

At the Council meeting held on 5 December 2016, the following questions were taken on notice by the Chairperson.

- **Keith Coffey of Reservoir submitted the following questions:**

“Madame Mayor,

My first question is how often are the drains cleaned, any time it rains heavy some of the Streets have a lot of water over the road one is Boldrewood Parade.

A resident at 18 Sanctuary Drive Bundoora who has lived there for 10 years told me she has never seen anyone clean the drains in the area. “

In accordance section 54(12) of the Darebin Governance Local Law, Libby Hynes, Acting Director Operations and Environment, has verbally advised Mr Coffey that, in accordance with Darebin's Road Management Plan 2013, Council adopts a reactive maintenance system for drainage assets.

As outlined in Section 23.3 Appendix C, drainage defects are to be inspected and processed within 10 working days of being raised. Some sections of Boldewood Parade belong to Darebin Council while others are owned by VicRoads. Where drainage defects are found to be from a Council section of the road, Council is responsible for repairing that defect. However, where defects are found to be from a VicRoads section, Council will alert VicRoads of the issue.

Upon investigation of Council records, there is no record of any drainage complaint made from Sanctuary Drive, Bundoora, regarding drainage defects.

"Second question is when a developer damages the footpath the width of the block. Who checks that the footpath is safe or do residents have to wait for 3 months or more till the development is finished there is no signs or tapes to warn people of the hazards. The development is in Chaleyer street second development from south of Black Street."

Louis Polger, Building Site Compliance Officer, has verbally advised Mr Coffey that the site in question will be inspected and a further response will be provided in writing.

"Final question there are fallen tree branches near Dole Avenue and Invermay Street near Darebin Blvd. How long will the tree branches stay there?"

Libby Hynes, Acting Director Operations and Environment, has verbally advised Mr Coffey that the fallen tree branches have been removed.

- **Sofia De La Santos of Thornbury asked the following question:**

"Madam Mayor,

What is Council doing about the upgrade to Penders Park in Thornbury. Penders Park has been identified as a major neighbourhood park under councils play strategy. A review has been undertaken by residents in the area and it only meets a quarter of the standards of this strategy."

In accordance section 54(12) of the Darebin Governance Local Law, the following written response has been provided to Ms De La Santos from Alison Breach, Coordinator Public Places and Strategies:

"Council began its 2017-2018 capital works budget cycle on 1 December 2016 with all works proposals being submitted for consideration. These proposals are the first step in the process that identifies where works - including upgrades to play spaces - will take place throughout the municipality in the 17-18 financial year and the bid for implementation of the Darebin Playspace Strategy included Penders Park as one of its subject sites. At this stage, the budget is only a proposal and must go through several stages of review and editing before being adopted.

The next steps in the budget cycle will include review by Councillors and public exhibition of the draft budget early in 2017. When the draft budget is on public exhibition, you are welcome and encouraged to comment on the proposed projects. The draft will be published on Council's website. The final budget will be adopted by Council at the end of June 2017.

A consultative design process is part of any play space upgrade and the community will be notified prior to any works being undertaken. Should you have any further questions, please feel free to contact me directly."

- **Robin Gallagher of Preston asked the following question:**

“Madam Mayor,

Provision of car share in Darebin is lacking, with no share cars available north of Bell Street. Give that increasing number of people are choosing not to own a car at all and that car-share is very common in other inner city municipalities, why is Darebin doing so poorly in facilitating the spread of car share through the northern half of the Council area?”

In accordance section 54(12) of the Darebin Governance Local Law, the following response is provided to Robin Gallagher from Steve Hamilton, Director City Futures and Assets:

“Council is implementing Car Share Agreements with car share operators to utilise on-street parking bays in Darebin in line with the endorsed Darebin Car Share Policy (February 2015). A further response will be provided in writing.”

With leave of the Chairperson, Cr. Le Cerf, Cr. McCarthy proposed that the order of business be amended to hear 'Urgent Business' items.

Procedural Motion

MOVED: Cr. T. McCarthy
SECONDED: Cr. S. Amir

That the order of business be amended to hear items under 'Section 9 - Urgent Business' as the first agenda items for Council's consideration.

CARRIED

At this point in the meeting 'Section 9 - Urgent Business' was heard.

6. CONSIDERATION OF REPORTS

6.1 RENAMING THE FEDERAL ELECTORAL DIVISION OF BATMAN

MINUTE NO. 33

Author: Manager Families, Diversity and Community

Reviewed By: Director Community Development

Report Background

This Report outlines the process and next steps for progressing the renaming of the Federal Electoral Division of Batman as endorsed by Council on 16 December 2014 and reaffirmed at the Council meeting on 15 February 2016.

Previous Council Resolution

At its meeting on 16 December 2014 Council resolved that:

- (1) *Council notes and supports recent calls by Wurundjeri elders and other local Aboriginal leaders to change the name of the Federal seat of Batman, in the spirit of reconciliation.*
- (2) *Council commits to working with the Wurundjeri Tribe Land and Compensation Council, the Darebin Aboriginal Advisory Committee and the Australian Electoral Commission to develop and advocate for options for consideration by the Australian Electoral Commission.*
- (3) *Council receives a report on the results of consultation with the Wurundjeri Tribe Land and Compensation Council, the Darebin Aboriginal Advisory Committee and the Australian Electoral Commission, along with the process and timeframe for making a submission.*
- (4) *Consultation also occur around other relevant locations such as Batman Park.*

At its meeting on 15 February 2016 Council resolved that:

Council note the report and endorse the proposed revised plan outlined in this report to progress the proposal to change the name of the Federal Seat of Batman and Batman Park.

Previous Briefing(s)

On the 17 November 2015 an E-Bulletin outlined the progress of the preparatory work to date and updated time frames:

1. Agreement sought from Whittlesea, and Yarra Councils and the Member for Batman in relation to renaming of the Federal division (which is scheduled for redistribution in 2017).
2. Re-engagement with Wurundjeri Tribe Land and Compensation Cultural Heritage Council has recently been reactivated both in relation to this project and in relation to development of the Memorandum of Understanding. This has been due to the recent organisational change at the 'Council'.

Council Plan Goal/Endorsed Strategy

Healthy and Connected Community

Darebin Aboriginal Action Plan 2012-2017

Summary

- Advice from the Australian Electoral Commission (AEC) has indicated that the timelines for the next redistribution and renaming of Federal Electoral Divisions in Victoria would commence in February 2017.
- The AEC redistribution timelines are prescribed by legislation and the closing date for renaming submissions closed 30 days after a notice from the Electoral Commissioner is published in the Government Gazette.
- These timelines trigger an urgency to engage with Wurundjeri Land Council to determine their interest in lodging a submission directly and to seek advice regarding naming options.
- The scope and intensity of communications and community engagement required to develop the submission is beyond the organisational capacity of the Wurundjeri Land Council.
- Should the Wurundjeri Land Council seek to make a submission to the Electoral Commissioner, an urgent and concentrated communications and community engagement plan will be required to be designed and implemented by the Darebin, Yarra and Whittlesea Councils.
- There has been some preliminary interest from a coalition of community advocacy groups in using this opportunity to promote and encourage the use of Aboriginal names for any Federal Electoral Divisions earmarked for redistribution.
- Council give in-principle support to officers to undertake the preliminary communication and engagement with the Wurundjeri Council prior to making a formal public statement.

Recommendation

That Council:

- (1) Reaffirms its commitment to working with the Wurundjeri Land Council and other Aboriginal leaders, to change the name of the Federal Electoral Division of Batman.
- (2) Endorses in principle that Darebin Council work in partnership with Yarra City Council and Whittlesea City Council to support Wurundjeri Land Council and other Aboriginal leaders, to change the name of the Federal Electoral Division of Batman.

- (3) Delegate Council officers to gauge the interest and preparedness of the Wurundjeri Council and other Aboriginal leaders to make a submission to the Electoral Commissioner and to suggest an alternative name for the current Federal Seat of Batman.
- (4) Receive a further report in early 2017 regarding the decision of the Wurundjeri Land Council and other Aboriginal leaders and to consider a proposed plan to progress this matter.

Motion

MOVED: Cr. T. McCarthy
SECONDED: Cr. S. Rennie

That Council:

- (1) Reaffirms its commitment to working with the Wurundjeri Land Council and other Aboriginal leaders, to change the name of the Federal Electoral Division of Batman.
- (2) Endorses in principle that Darebin Council work in partnership with Yarra City Council and Whittlesea City Council to support Wurundjeri Land Council and other Aboriginal leaders, to change the name of the Federal Electoral Division of Batman.
- (3) Delegate Council officers to gauge the interest and preparedness of the Wurundjeri Council and other Aboriginal leaders to make a submission to the Electoral Commissioner and to suggest an alternative name for the current Federal Seat of Batman.
- (4) Receive a further report in early 2017 regarding the decision of the Wurundjeri Land Council and other Aboriginal leaders and to consider a proposed plan to progress this matter.

Cr. Laurence proposed to the mover and seconder that point (5) be added as follows.

- (5) Receive a further report in 2017 regarding community consultation options to rename Rucker Ward to reflect the indigenous history of the area.

This was not accepted by Cr. McCarthy and Cr. Rennie.

Amendment

MOVED: Cr. T. Laurence
SECONDED: Cr. -

- (5) Receive a further report in 2017 regarding community consultation options to rename Rucker Ward to reflect the indigenous history of the area.

THE AMENDMENT LAPSED FOR WANT OF A SECONDER

Cr. Greco proposed to the mover and seconder that point (4) of the motion be amended as follows. This was accepted by Cr. McCarthy and Cr. Rennie.

- (4) Receive a further report in early 2017 regarding the decision of the Wurundjeri Land Council and other Aboriginal leaders and to consider a proposed plan to progress this matter. **This could include the consideration of a Council-led submission.**

THE AMENDED MOTION THEN READ AS FOLLOWS:

Amended Motion

MOVED: Cr. T. McCarthy

SECONDED: Cr. S. Rennie

That Council:

- (1) Reaffirms its commitment to working with the Wurundjeri Land Council and other Aboriginal leaders, to change the name of the Federal Electoral Division of Batman.
- (2) Endorses in principle that Darebin Council work in partnership with Yarra City Council and Whittlesea City Council to support Wurundjeri Land Council and other Aboriginal leaders, to change the name of the Federal Electoral Division of Batman.
- (3) Delegate Council officers to gauge the interest and preparedness of the Wurundjeri Council and other Aboriginal leaders to make a submission to the Electoral Commissioner and to suggest an alternative name for the current Federal Seat of Batman.
- (4) Receive a further report in early 2017 regarding the decision of the Wurundjeri Land Council and other Aboriginal leaders and to consider a proposed plan to progress this matter. This could include the consideration of a Council-led submission.

THE AMENDED MOTION WAS PUT AND CARRIED AND BECAME THE COUNCIL RESOLUTION AS FOLLOWS:

Council Resolution

MOVED: Cr. T. McCarthy

SECONDED: Cr. S. Rennie

That Council:

- (1) Reaffirms its commitment to working with the Wurundjeri Land Council and other Aboriginal leaders, to change the name of the Federal Electoral Division of Batman.
- (2) Endorses in principle that Darebin Council work in partnership with Yarra City Council and Whittlesea City Council to support Wurundjeri Land Council and other Aboriginal leaders, to change the name of the Federal Electoral Division of Batman.
- (3) Delegate Council officers to gauge the interest and preparedness of the Wurundjeri Council and other Aboriginal leaders to make a submission to the Electoral Commissioner and to suggest an alternative name for the current Federal Seat of Batman.
- (4) Receive a further report in early 2017 regarding the decision of the Wurundjeri Land Council and other Aboriginal leaders and to consider a proposed plan to progress this matter. This could include the consideration of a Council-led submission.

CARRIED UNANIMOUSLY

6.2 PROCUREMENT POLICY

MINUTE NO. 34

Author: Coordinator Procurement and Contracting**Reviewed By: Director Civic Governance and Compliance****Report Background**

In accordance with section 186A (7) of the *Local Government Act 1989* (the Act) there is a requirement for Council, on an annual basis, to review the procurement policy.

The current policy and guidelines were endorsed by Council dated 3 October 2016.

The Council resolution requires the endorsed Procurement Policy 2016 to be presented to the new Council for noting at its first ordinary meeting.

Previous Council Resolution

At its 3 October 2016 meeting Council resolved that:

- (1) *Note the outcomes of the procurement policy review.*
- (2) *Council adopt the City of Darebin Procurement Policy October 2016, as required under section 186A of the Local Government Act 1989, attached as Appendix A to this report with the following amendment:*
 - *On page 9, under 'Local Business Framework', third paragraph, "where practicable to do so, council will seek and obtain quotes from Indigenous companies..."*
- (3) *The Procurement Policy be presented to the new Council for noting at its first ordinary meeting.*

Previous Briefing(s)

This matter has not previously been to a Councillor briefing.

Council Plan Goal/Endorsed Strategy

Goal 6 – Open and Accountable Democracy

Summary

On an annual basis Council is required to review its procurement policy and submit it to Council for approval. The Procurement Policy 2016 was endorsed at the Council Meeting held on October 3, 2016.

Recommendation

That Council:

- (1) Note the endorsed Procurement Policy dated 3 October 2016 with the requested amendment to **Appendix A**.
- (2) Note under legislation the Procurement Policy must be endorsed annually, the next scheduled update presented to Council is October 2017.

Motion

MOVED: Cr. T. McCarthy
SECONDED: Cr. G. Greco

That Council:

- (1) Note the endorsed Procurement Policy dated 3 October 2016 with the requested amendment to **Appendix A**.
- (2) Note under legislation the Procurement Policy must be endorsed annually, the next scheduled update presented to Council is October 2017.
- (3) Considers changes to the Procurement Policy to require all Council suppliers to provide a 'youth employment' dividend (eg. 10% of all work to be provided to apprentices and trainees), as recommended by the Northern Youth Employment Taskforce.
- (4) Receives further recommendations for changes to the policy from the Future Infrastructure and Services Working Group (subject to it being established) to be considered at a Council meeting in March.

Cr. Laurence proposed to the mover and seconder that point (5) be added as follows. This was accepted by Cr. McCarthy and Cr. Greco.

- (5) Receives a further report before October 2017 to consider the following changes to the local business framework in Appendix A to ensure that where available three local quotes are always sought and that the local content weighting be lifted from 10% to 20%.

Cr. Rennie further proposed to the mover and seconder that point (3) be amended as follows. This was accepted by Cr. McCarthy and Cr. Greco.

- (3) Considers changes to the Procurement Policy to strengthen Section 6 (Social Procurement) to:
 - (a) Deliver a 'youth employment' dividend (eg. 10% of all work to be provided to apprentices and trainees), as recommended by the Northern Youth Employment Taskforce.
 - (b) Provide further employment opportunities for refugee and asylum seeker community members.
 - (c) Encourage and promote the engagement of Aboriginal businesses, organisations and individuals; and
 - (d) Achieve improved sustainability and environmental outcomes for the Darebin community.

THE AMENDED MOTION THEN READ AS FOLLOWS:

Amended Motion

MOVED: Cr. T. McCarthy
SECONDED: Cr. G. Greco

That Council:

- (1) Note the endorsed Procurement Policy dated 3 October 2016 with the requested amendment to **Appendix A**.

- (2) Note under legislation the Procurement Policy must be endorsed annually, the next scheduled update presented to Council is October 2017.
- (3) Considers changes to the Procurement Policy to strengthen Section 6 (Social Procurement) to:
 - (a) Deliver a 'youth employment' dividend (eg. 10% of all work to be provided to apprentices and trainees), as recommended by the Northern Youth Employment Taskforce.
 - (b) Provide further employment opportunities for refugee and asylum seeker community members.
 - (c) Encourage and promote the engagement of Aboriginal businesses, organisations and individuals; and
 - (d) Achieve improved sustainability and environmental outcomes for the Darebin community.
- (4) Receives further recommendations for changes to the policy from the Future Infrastructure and Services Working Group (subject to it being established) to be considered at a Council meeting in March.
- (5) Receives a further report before October 2017 to consider the following changes to the local business framework in Appendix A to ensure that where available three local quotes are always sought and that the local content weighting be lifted from 10% to 20%.

THE AMENDED MOTION WAS PUT AND CARRIED AND BECAME THE COUNCIL RESOLUTION AS FOLLOWS:

Council Resolution

MOVED: Cr. T. McCarthy
SECONDED: Cr. G. Greco

That Council:

- (1) Note the endorsed Procurement Policy dated 3 October 2016 with the requested amendment to **Appendix A**.
- (2) Note under legislation the Procurement Policy must be endorsed annually, the next scheduled update presented to Council is October 2017.
- (3) Considers changes to the Procurement Policy to strengthen Section 6 (Social Procurement) to:
 - (a) Deliver a 'youth employment' dividend (eg. 10% of all work to be provided to apprentices and trainees), as recommended by the Northern Youth Employment Taskforce.
 - (b) Provide further employment opportunities for refugee and asylum seeker community members.
 - (c) Encourage and promote the engagement of Aboriginal businesses, organisations and individuals; and
 - (d) Achieve improved sustainability and environmental outcomes for the Darebin community.
- (4) Receives further recommendations for changes to the policy from the Future Infrastructure and Services Working Group (subject to it being established) to be considered at a Council meeting in March.

- (5) Receives a further report before October 2017 to consider the following changes to the local business framework in Appendix A to ensure that where available three local quotes are always sought and that the local content weighting be lifted from 10% to 20%.

CARRIED UNANIMOUSLY

Cr. Newton temporarily left the meeting during discussion of the above item at 7.08 pm and returned at 7.09 pm.

6.3 MARRIAGE EQUALITY**MINUTE NO. 35****Author: Manager Families, Diversity and Community****Reviewed By: Director Community Development****Report Background**

This report presents discussion and recommended statements from the Sexuality, Sex and Gender Diversity Advisory Committee held on 15 November 2016.

Previous Council Resolution

At its meeting held on 6 July 2015, Council resolved that:

- (1) *Council notes that the Australian Human Rights Commission 'considers that the fundamental human rights principle of equality means that civil marriage should be available, without discrimination, to all couples, regardless of sex, sexual orientation or gender identity'.*
- (2) *In line with previous Council resolutions in support of human rights and marriage equality, the Acting Mayor writes to neighbouring Councils advising them of this motion and request that they consider support for this important human rights issue.*
- (3) *Through its various communication channels, Council actively encourages the Darebin community to support the Marriage Equality campaign.*

Previous Briefing(s)

This matter has not previously been to a Councillor briefing.

Council Plan Goal/Endorsed Strategy

- Council Plan 2013-2017 Goal 2: Healthy and Connected Community
- Equity and Inclusion Policy 2012-2017
- Sexuality, Sex and Gender Diversity Action Plan 2012-2017

Summary

A proposed plebiscite on marriage equality has generated much public debate in recent months. While the plebiscite has at this stage been blocked by the Senate of the Australian government, the adverse impact on the lesbian, gay, bisexual, transgender, intersex and queer (LGBTIQ) community engendered by the debate surrounding this issue is still present, as are the risks associated with a possible future plebiscite.

Following discussion at Council's Sexuality, Sex and Gender Diversity Advisory Committee (SSGDAC) meeting on 15 November 2016, for Council to reaffirm their commitment to marriage equality and would ensure the elevation of key concerns of Darebin's local LGBTIQ communities to key decision makers and Ministers at the Federal level of government.

Council Resolution

MOVED: Cr. S. Rennie

SECONDED: Cr. S. Amir

That Council:

- (1) Note the statements recommended by the Sexuality, Sex and Gender Diversity Advisory Committee as detailed in this report.
- (2) Demonstrates support for Darebin's LGTIQ community by endorsing statements recommended by the Sexuality, Sex and Gender Diversity Advisory Committee as detailed in this report.

CARRIED UNANIMOUSLY

6.4 PROVISIONS OF AD-HOC CATERING SERVICES

MINUTE NO. 36

Author: Senior Procurement Officer**Reviewed By: Director Civic Governance and Compliance****Report Background**

Council's current Ad-hoc Catering Services Panel expires on 31 December 2016. An online Customer Satisfaction Survey was conducted to identify potential savings and gain better value for money. The internal Strategic Procurement Plan and Request for Tender (RFT) documentation was prepared based on the survey and approved for distribution via a full RFT process. An evaluation panel has assessed all compliant proposals and this phase is now complete. This report describes each phase in detail and provides a recommendation for Council's consideration.

Previous Council Resolution

A similar Panel arrangement was the subject of a previous Council resolution. At its meeting held on 16 December 2013 Council resolved to:

- (1) *Enter into a contract for the provision of ad-hoc catering services with fourteen (14) caterers from 1 January 2014 to 31 December 2014 at a capped amount of \$219,201 (incl. GST) plus an optional two (2) by one (1) year extension periods at a capped amount of \$438,401 (incl. GST) bringing the total expenditure approval to \$657,602 (incl. GST).*
- (2) *Approve the Chief Executive to finalise and execute the contracts on behalf of Darebin Council.*
- (3) *Authorises the Chief Executive to approve the optional extension periods, subject to satisfactory performance.*
- (4) *Note an annual report will be submitted to Council on the progress of the agreements, prior to the approval of any extension period.*

Previous Briefing(s)

This report has not previously been to a Councillor briefing.

Council Plan Goal/Endorsed StrategyBusiness Development and Employment Strategy 2012-2015

"Darebin will have a positive and connected business environment with a dynamic and diverse economy that has sustainable growth and operations and generates local employment opportunities".

Environmental Purchasing Code

"Darebin will demonstrate to the community our purchasing decisions can enhance ecological sustainability, be resource responsible and improve markets for environmentally preferred products".

Summary

More importantly, Ad-hoc catering purchases across Council was identified as an area for potential savings and a means to improve the equality of services across the municipality and deliver better value for money for Council and the broader Darebin community.

It is proposed to appoint a panel of local caterers capable of providing a healthy and nutritious range of light meals, snacks, corporate style lunches and occasional breakfasts; and:

- Provide Council officers the flexibility to choose from a number of caterers;
- Focus on local business contribution;
- Obtain value for money catering services; and
- Reduce all forms of waste.

This arrangement is for the entire Council to utilise, including such locations as Northcote Town Hall, Darebin Arts and Entertainment Centre, North East Community Hub, Intercultural Centre, Keon Park Children's Hub, Darebin Libraries, Preston Town Hall.

Recommendation

That Council:

- (1) Resolves to enter into a contract for the provision of ad-hoc catering services with the following twelve (12) caterers from 1 January 2017 to 31 December 2017 at a capped amount of \$456,670 (incl. GST) plus an optional two (2) by one (1) year extension periods at a capped amount of \$913,340 (incl. GST) bringing the total expenditure approval to \$1,370,000 (incl. GST).

265 Lakes Cafe	A1 Bakery Fairfield	Beauty and the Feast
Caffe Rustico	Cedar Bakery	Cultural Catering
Graceful Living (Pomona)	Miss Margaret	Northcote Bakeshop
Plenty of Everything	Roll'd	Silk Thai

- (2) Approve the Chief Executive to finalise and execute the contracts on behalf of Darebin Council.
- (3) Authorises the Chief Executive to approve the optional extension periods, subject to satisfactory performance.

Council Resolution

MOVED: Cr. G. Greco
SECONDED: Cr. T. McCarthy

That Council:

- (1) Resolves to enter into a contract for the provision of ad-hoc catering services with the following twelve (12) caterers from 1 January 2017 to 31 December 2017 at a capped amount of \$456,670 (incl. GST) plus an optional two (2) by one (1) year extension periods at a capped amount of \$913,340 (incl. GST) bringing the total expenditure approval to \$1,370,000 (incl. GST).

265 Lakes Cafe	A1 Bakery Fairfield	Beauty and the Feast
Caffe Rustico	Cedar Bakery	Cultural Catering
Graceful Living (Pomona)	Miss Margaret	Northcote Bakeshop
Plenty of Everything	Roll'd	Silk Thai

- (2) Approve the Acting Chief Executive to finalise and execute the contracts on behalf of Darebin Council.
- (3) Authorises the Chief Executive to approve the optional extension periods, subject to satisfactory performance.

CARRIED UNANIMOUSLY

Jody Brodribb, Council Business and Governance Officer temporarily left the meeting during discussion of the above item at 7.26 pm and returned at 7.28 pm.

6.5 SLOPE REMEDIATION PROJECT - INTERSECTION OF WALKER STREET AND MCLACHLAN STREET, NORTHCOTE: CONTRACT AWARD**MINUTE NO. 37****Author:** Coordinator Project Management**Reviewed By:** Director City Futures and Assets**Report Background**

An inspection of the Rushall Station Footbridge (Merri Creek Bridge) in 2012 commissioned by Metro Trains identified a potential landslip at the road intersection of Walker and McLachlan Streets in Northcote. This study noted that the road intersection close to the north abutment of the bridge had sunk 500mm due to the settlement and compaction of the 6m thick clay fill that it was built on in the 1920's. The main structure of the bridge has not suffered major movement or stress, but the road surface has been re-sheeted (in 1983) and sealed (in 2009) by Darebin Council due to cracks that had appeared on the road which are related to the settlement of the intersection.

In light of the road movement and risks, and following a competitive tender process, Council engaged Coffey Geotechnics (the consultant) in 2013 to undertake geotechnical investigations into the stability of the slope supporting the road intersection and the north abutment of the Rushall Station Footbridge.

The project had been divided into two main parts: Investigation Phase (Part 1) and Detailed Design Phase (Part 2). Based on the findings of the investigation phase in 2013 (see list of related documents below), Coffey made recommendations to Council for the remedial works and advised that there was a three to five year window before the works become critical. This followed observations that, between 2011 and 2013, the displacement of the north abutment of the bridge was 32mm downwards further.

The study by Coffey also found that there were damaged sewage and drainage pipes that had been propagating the ground movement by releasing water. Both pipes have already been fixed by Yarra Valley and Darebin Council respectively.

In 2015, Council provided a brief for the civil re-design of the intersection given that McLachlan Street and the Merri Creek Bridge are a link to a major bicycle path: The Merri Creek Trail. The consultant completed the documentation phase (Phase 2 – Detail Design Phase) for this project in July 2016 (see list of related documents below).

Previous Council Resolution

This matter is not the subject of a previous Council resolution

Previous Briefing(s)

This matter has not previously been to a Councillor briefing.

Council Plan Goal/endorsed Strategy

This project relates to the Sustainable and Resilient Neighbourhoods and Excellent Service Council Plan goals.

Summary

The document prepared by Coffey after the investigation in 2013 found that the slope is unstable and has the potential to fail. The report provides a risk assessment highlighting the risks associated with landslides. If the slope was to fail it would cause major damage to the intersection, the bridge, private properties, and council assets, as well as posing a high risk on people's lives.

A budget of \$550,000 GST inclusive (based on the designer's estimate for the works) has been allocated to undertake the works as part of the 2016-2017 Capital Works Program.

From the investigation proposed works include the removal of existing pavement and associated road and drainage infrastructure, removal of up to 2.5m of fill, installation of lightweight foam blocks to retain the slope, backfilling the excavation, and reconstruction of road and drainage infrastructure.

A tender process has been conducted to select a civil contractor to carry out the designed works. Details of the tender process including tender responses, and tender evaluation and assessment processes are contained in the body of this report. Risks associated to the Slope Remediation Project are also provided.

This report recommends the award of contract CT201632 to a suitably experienced civil contractor.

Recommendation

MOVED: Cr. T. McCarthy

SECONDED: Cr. S. Rennie

That Council:

- (1) Awards Contract No. CT201632 for the Slope Remediation Project intended to CDN Constructors Pty Ltd for the contract sum of five hundred and thirty five thousand six hundred and eighty five dollars and eight cents (\$535,685.08) GST inclusive.
- (2) Authorises the Chief Executive to finalise and execute the contract documentation on behalf of Council.
- (3) Authorises additional budget for Slope Remediation Project (6810) of \$53,000 from Road Resurface Program (5228) being approximate 10% of the contract amount, to be used if required on contract CT201632 for any unforeseen risks such as those identified in this report.

Council Resolution

MOVED: Cr. T. McCarthy

SECONDED: Cr. S. Rennie

That Council:

- (1) Awards Contract No. CT201632 for the Slope Remediation Project intended to CDN Constructors Pty Ltd for the contract sum of five hundred and thirty five thousand six hundred and eighty five dollars and eight cents (\$535,685.08) GST inclusive.
- (2) Authorises the Acting Chief Executive to finalise and execute the contract documentation on behalf of Council.

- (3) Authorises additional budget for Slope Remediation Project (6810) of \$53,000 from Road Resurface Program (5228) being approximate 10% of the contract amount, to be used if required on contract CT201632 for any unforeseen risks such as those identified in this report.

CARRIED UNANIMOUSLY

6.6 DELEGATIONS OF POWER, DUTIES AND FUNCTIONS TO COUNCIL STAFF

MINUTE NO. 38

Author: Coordinator Council Business**Reviewed By: Director Civic Governance and Compliance****Report Background**

This report is to seek recommendation from Council to approve an updated Instrument of Delegation from Council to various positions within the organisation.

Previous Council Resolution

At its meeting held on 6 June 2016:

'That in the exercise of the powers conferred by section 98(1) of the Local Government Act 1989 (the Act) and the other legislation referred to in the attached Instrument of Delegation, Darebin City Council (Council) resolves that:

- (1) There be delegated to the members of Council staff holding, acting or performing the duties of the offices or positions referred to in the attached Instrument of Delegation to members of Council staff, the powers, duties and functions set out in that Instrument attached as Appendix A, subject to the conditions and limitations specified in that Instrument.*
- (2) The Instrument comes into force immediately the common seal of Council is affixed to the Instrument.*
- (3) On the coming into the force of the Instrument all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked.*
- (4) The duties and functions set out in the Instrument must be performed, and the powers set out in the Instrument must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.'*

Previous Briefing(s)

This report is not subject to any previous Councillor briefings.

Council Plan Goal/Endorsed Strategy

Open and Accountable Democracy

Summary

This report takes into account recent legislation amendments and seeks approval by Council for the revised *Instrument of Delegation*.

Council Resolution

MOVED: Cr. T. Laurence

SECONDED: Cr. S. Amir

That in the exercise of the powers conferred by section 98(1) of the *Local Government Act* 1989 (the Act) and the other legislation referred to in the attached *Instrument of Delegation*, Darebin City Council (Council) resolves that:

- (1) There be delegated to the members of Council staff holding, acting or performing the duties of the offices or positions referred to in the attached *Instrument of Delegation to members of Council staff*, the powers, duties and functions set out in that Instrument attached as **Appendix A**, subject to the conditions and limitations specified in that Instrument.
- (2) The Instrument comes into force immediately the common seal of Council is affixed to the Instrument.
- (3) On the coming into the force of the Instrument all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked.
- (4) The duties and functions set out in the Instrument must be performed, and the powers set out in the Instrument must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

CARRIED

7. CONSIDERATION OF RESPONSES TO NOTICES OF MOTION AND GENERAL BUSINESS

Nil

8. NOTICES OF MOTION

8.1 ELECTRIC CARS IN DAREBIN

MINUTE NO. 39

NOTICE OF MOTION NO.

318

CR. STEPH AMIR

Take notice that at the Ordinary meeting to be held on 12 December 2016, it is my intention to move:

'That Councillors receive a preliminary scoping report by 28 February 2017 regarding possible strategies and options to increase uptake of electric cars in Darebin in the medium term, giving consideration to likely future trends. Strategies should include but not be limited to:

- *Inclusion of electric cars in the council car fleet, and*
- *Installation of electric carpark rapid-charge stations in high-use locations such as Preston Market and La Trobe University.'*

Notice Received:

29 November 2016

Notice Given to Councillors:

5 December 2016

Date of Meeting:

12 December 2016

WITH LEAVE OF THE CHAIRPERSON, CR. LE CERF, CR. AMIR AMENDED HER NOTICE OF MOTION PRIOR TO IT BEING SECONDED, TO READ AS FOLLOWS:

Motion

MOVED: Cr. S. Amir

SECONDED: Cr. T. Laurence

That Councillors receive a preliminary scoping report by 28 February 2017 regarding possible strategies and options to increase uptake of electric cars in Darebin in the medium term, giving consideration to likely future trends. Strategies should include but not be limited to:

- Inclusion of electric cars in the council car fleet, and
- Installation of electric carpark rapid-charge stations in high-use locations such as Preston Market and La Trobe University.
- Feasibility of an electric car-share initiative.

Cr. Laurence proposed to the mover that the second dot point be amended as follows. This was accepted by Cr. Amir.

- Installation of electric carpark rapid-charge stations in high-use locations such as Preston Market, La Trobe University **and in Broadway and Edwards Street, Reservoir.**

THE AMENDED MOTION THEN READ AS FOLLOWS:

Amended Motion

MOVED: Cr. S. Amir
SECONDED: Cr. T. Laurence

That Councillor's receive a preliminary scoping report by 28 February 2017 regarding possible strategies and options to increase uptake of electric cars in Darebin in the medium term, giving consideration to likely future trends. Strategies should include but not be limited to:

- Inclusion of electric cars in the council car fleet, and
- Installation of electric carpark rapid-charge stations in high-use locations such as Preston Market, La Trobe University and in Broadway and Edwards Street, Reservoir.
- Feasibility of an electric car-share initiative.

THE AMENDED MOTION WAS PUT AND CARRIED AND BECAME THE COUNCIL RESOLUTION AS FOLLOWS:

Council Resolution

MOVED: Cr. S. Amir
SECONDED: Cr. T. Laurence

That Councillor's receive a preliminary scoping report by 28 February 2017 regarding possible strategies and options to increase uptake of electric cars in Darebin in the medium term, giving consideration to likely future trends. Strategies should include but not be limited to:

- Inclusion of electric cars in the council car fleet, and
- Installation of electric carpark rapid-charge stations in high-use locations such as Preston Market, La Trobe University and in Broadway and Edwards Street, Reservoir.
- Feasibility of an electric car-share initiative.

CARRIED UNANIMOUSLY

8.2 RIVOLI THEATRE – GILBERT ROAD, PRESTON

MINUTE NO. 40

NOTICE OF MOTION NO. 319 CR. STEPH AMIR

Take notice that at the Ordinary meeting to be held on 12 December 2016, it is my intention to move:

'That Officers prepare a report exploring the feasibility of purchasing the former Rivoli Theatre site at 71-75 Gilbert Road Preston for the community, with options including the creation of a:

- *Multicultural Arts Centre*
- *Community arts hub for local artists*

- *Performance, teaching and gathering space for nearby primary schools, and/or*
- *Intercultural Centre.'*

Notice Received: 29 November 2016

Notice Given to Councillors: 5 December 2016

Date of Meeting: 12 December 2016

Motion

MOVED: Cr. S. Amir
SECONDED: Cr. G. Greco

That Officers prepare a report exploring the feasibility of purchasing the former Rivoli Theatre site at 71-75 Gilbert Road Preston for the community, with options including the creation of a:

- Multicultural Arts Centre
- Community arts hub for local artists
- Performance, teaching and gathering space for nearby primary schools, and/or
- Intercultural Centre.

Cr. Laurence proposed to the mover and seconder that the motion be amended as follows. This was accepted by Cr. Amir and Cr. Greco.

That Officers prepare a report, **in the broader context of art facilities in the City of Darebin**, exploring the feasibility of purchasing the former Rivoli Theatre site at 71-75 Gilbert Road Preston for the community, with options including the creation of a:

- Multicultural Arts Centre
- Community arts hub for local artists
- Performance, teaching and gathering space for nearby primary schools, and/or
- Intercultural Centre.

THE AMENDED MOTION THEN READ AS FOLLOWS:

Amended Motion

MOVED: Cr. S. Amir
SECONDED: Cr. G. Greco

That Officers prepare a report, in the broader context of art facilities in the City of Darebin, exploring the feasibility of purchasing the former Rivoli Theatre site at 71-75 Gilbert Road Preston for the community, with options including the creation of a:

- Multicultural Arts Centre
- Community arts hub for local artists
- Performance, teaching and gathering space for nearby primary schools, and/or
- Intercultural Centre.

THE AMENDED MOTION WAS PUT AND CARRIED AND BECAME THE COUNCIL RESOLUTION AS FOLLOWS:

Council Resolution

MOVED: Cr. S. Amir
SECONDED: Cr. G. Greco

That Officers prepare a report, in the broader context of art facilities in the City of Darebin, exploring the feasibility of purchasing the former Rivoli Theatre site at 71-75 Gilbert Road Preston for the community, with options including the creation of a:

- Multicultural Arts Centre
- Community arts hub for local artists
- Performance, teaching and gathering space for nearby primary schools, and/or
- Intercultural Centre.

CARRIED UNANIMOUSLY

8.3 EDWARDES LAKE BOAT HOUSE

MINUTE NO. 41

NOTICE OF MOTION NO. 320 CR. GAETANO GRECO

Take notice that at the Ordinary meeting to be held on 12 December 2016, it is my intention to move:

'That Council receive an options report at the Council meeting on 13 February 2017 on how to best progress the future utilisation of the Boat House at Edwards Park Lake for community use.'

Notice Received: 29 November 2016

Notice Given to Councillors: 5 December 2016

Date of Meeting: 12 December 2016

Motion

MOVED: Cr. G. Greco
SECONDED: Cr. T. McCarthy

That Council receive an options report at the Council meeting on 13 February 2017 on how to best progress the future utilisation of the Boat House at Edwardes Lake Park for community use.

Cr. Laurence proposed to the mover and seconder that the motion be amended as follows. This was accepted by Cr. Greco and Cr. McCarthy.

That Council receive an options report **including potential capital resources required** at the Council meeting on 13 February 2017 on how to best progress the future utilisation of the Boat House at Edwardes Lake Park for community use.

THE AMENDED MOTION THEN READ AS FOLLOWS:

Amended Motion

MOVED: Cr. G. Greco
SECONDED: Cr. T. McCarthy

That Council receive an options report including potential capital resources required at the Council meeting on 13 February 2017 on how to best progress the future utilisation of the Boat House at Edwardes Lake Park for community use.

THE AMENDED MOTION WAS PUT AND CARRIED AND BECAME THE COUNCIL RESOLUTION AS FOLLOWS:

Council Resolution

MOVED: Cr. G. Greco
SECONDED: Cr. T. McCarthy

That Council receive an options report including potential capital resources required at the Council meeting on 13 February 2017 on how to best progress the future utilisation of the Boat House at Edwardes Lake Park for community use.

CARRIED UNANIMOUSLY

8.4 REVIEW OF DAREBIN PLANNING SCHEME

MINUTE NO. 42

NOTICE OF MOTION NO. 321 CR. GAETANO GRECO

Take notice that at the Ordinary meeting to be held on 12 December 2016, it is my intention to move:

That Council:

- (1) *Sets up a Darebin Planning Scheme Task Team to review and improve aspects of Darebin's current MSS. The task team will be chaired by the Mayor and include Councillors_____ (to be nominated at the Council meeting).*
- (2) *The task team will meet on a regular basis over the next few months and be supported by relevant officers.*
- (3) *The task team will provide a progress report to Council on proposals to improve Council's current planning scheme in March 2017.'*

Notice Received: 29 November 2016

Notice Given to Councillors: 5 December 2016

Date of Meeting: 12 December 2016

WITH LEAVE OF THE CHAIRPERSON, CR. LE CERF, CR. GRECO AMENDED HIS NOTICE OF MOTION PRIOR TO IT BEING SECONDED, TO READ AS FOLLOWS:

Motion

MOVED: Cr. G. Greco
SECONDED: Cr. S. Rennie

That Council:

- (1) Sets up a Darebin Planning Scheme Working Group to review and improve aspects of Darebin's current MSS. The Working Group will be chaired by the Mayor and include all interested Councillors.
- (2) The Working Group will meet on a regular basis over the next few months and be supported by relevant officers.
- (3) The Working Group will provide a progress report to Council on proposals to improve Council's current planning scheme in March 2017.

Cr. Laurence proposed to the mover and seconder that point (1) be amended as follows. This was accepted by Cr. Greco and Cr. Rennie.

- (1) Sets up a Darebin Planning Scheme Working Group to review and improve aspects of Darebin's current MSS **to protect our local neighbourhood character and valued streetscapes and increase access to social and affordable housing**. The Working Group will be chaired by the Mayor and include all interested Councillors.

Cr. McCarthy further proposed to the mover and seconder that point (1) be amended as follows. This was accepted by Cr. Greco and Cr. Rennie.

- (1) Sets up a Darebin Planning Scheme Working Group to review and improve aspects of Darebin's current MSS **and Planning Scheme** to protect our local neighbourhood character and valued streetscapes and increase access to social and affordable housing. The Working Group will be chaired by the Mayor and include all interested Councillors.

THE AMENDED MOTION THEN READ AS FOLLOWS:

Amended Motion

MOVED: Cr. G. Greco
SECONDED: Cr. S. Rennie

That Council:

- (1) Sets up a Darebin Planning Scheme Working Group to review and improve aspects of Darebin's current MSS and Planning Scheme to protect our local neighbourhood character and valued streetscapes and increase access to social and affordable housing. The Working Group will be chaired by the Mayor and include all interested Councillors.
- (2) The Working Group will meet on a regular basis over the next few months and be supported by relevant officers.
- (3) The Working Group will provide a progress report to Council on proposals to improve Council's current planning scheme in March 2017.

THE AMENDED MOTION WAS PUT AND CARRIED AND BECAME THE COUNCIL RESOLUTION AS FOLLOWS:

Council Resolution

MOVED: Cr. G. Greco
SECONDED: Cr. S. Rennie

That Council:

- (1) Sets up a Darebin Planning Scheme Working Group to review and improve aspects of Darebin's current MSS and Planning Scheme to protect our local neighbourhood character and valued streetscapes and increase access to social and affordable housing. The Working Group will be chaired by the Mayor and include all interested Councillors.
- (2) The Working Group will meet on a regular basis over the next few months and be supported by relevant officers.
- (3) The Working Group will provide a progress report to Council on proposals to improve Council's current planning scheme in March 2017.

CARRIED UNANIMOUSLY

8.5 COMMUNITY CONSULTATION REGARDING RESERVOIR RAIL CROSSING

MINUTE NO. 43

NOTICE OF MOTION NO. 322 CR. GAETANO GRECO

Take notice that at the Ordinary meeting to be held on 12 December 2016, it is my intention to move:

That Council:

- (1) *Undertakes broad and socially inclusive community consultations by the end of March to gain community feedback on whether the proposed Reservoir Rail crossing should be above or below ground.*
- (2) *Officers to provide a briefing paper to Councillors regarding the consultation strategy in February 2017.*
- (3) *Officers provide a report to Council in late April of the outcome of the community consultations.'*

Notice Received: 29 November 2016

Notice Given to Councillors: 5 December 2016

Date of Meeting: 12 December 2016

Motion

MOVED: Cr. G. Greco
SECONDED: Cr. S. Newton

That Council:

- (1) Undertakes broad and socially inclusive community consultations by the end of March to gain community feedback on whether the proposed Reservoir Rail crossing should be above or below ground.
- (2) Officers to provide a briefing paper to Councillors regarding the consultation strategy in February 2017.
- (3) Officers provide a report to Council in late April of the outcome of the community consultations.

Cr. Rennie proposed to the mover and seconder that point (1) be amended as follows.

- (1) Advocates for the Local Crossing Removal Authority to undertake broad and socially inclusive community consultations by the end of March to gain community feedback on whether the proposed Reservoir Rail crossing should be above or below ground.

This was not accepted by Cr. Greco and Cr. Newton.

Amendment

MOVED: Cr. S. Rennie
SECONDED: Cr. T. Laurence

That Council:

- (1) Advocates for the Local Crossing Removal Authority to undertake broad and socially inclusive community consultations by the end of March to gain community feedback on whether the proposed Reservoir Rail crossing should be above or below ground.

THE AMENDMENT WAS PUT TO THE VOTE AND LOST.

Cr. McCarthy subsequently proposed to the mover and seconder that the substantive motion be amended as follows. This was accepted by Cr. Greco and Cr. Newton.

That Council:

- (1) **Considers** undertaking broad and socially inclusive community consultations by the end of March to gain community feedback on whether the proposed Reservoir Rail crossing should be above or below ground.
- (2) Officers to provide a briefing paper to Councillors regarding ~~the~~ **a potential** consultation strategy in February 2017.
- (3) Officers provide a report to Council in late April of the outcome of the community consultations, **should it be undertaken.**

THE AMENDED MOTION THEN READ AS FOLLOWS:

Amended Motion

MOVED: Cr. G. Greco
SECONDED: Cr. S. Newton

That Council:

- (1) Considers undertaking broad and socially inclusive community consultations by the end of March to gain community feedback on whether the proposed Reservoir Rail crossing should be above or below ground.
- (2) Officers to provide a briefing paper to Councillors regarding a potential consultation strategy in February 2017.
- (3) Officers provide a report to Council in late April of the outcome of the community consultations, should it be undertaken.

THE AMENDED MOTION WAS PUT AND CARRIED AND BECAME THE COUNCIL RESOLUTION AS FOLLOWS:

Council Resolution

MOVED: Cr. G. Greco
SECONDED: Cr. S. Newton

That Council:

- (1) Considers undertaking broad and socially inclusive community consultations by the end of March to gain community feedback on whether the proposed Reservoir Rail crossing should be above or below ground.
- (2) Officers to provide a briefing paper to Councillors regarding a potential consultation strategy in February 2017.
- (3) Officers provide a report to Council in late April of the outcome of the community consultations, should it be undertaken.

CARRIED

Cr. Messina abstained from voting on the above motion.

Cr. Amir temporarily left the meeting during discussion of the above item at 8.07 pm and returned at 8.10 pm.

8.6 COUNCIL'S MULTILINGUAL LANGUAGE SERVICES

MINUTE NO. 44

NOTICE OF MOTION NO.

323

CR. GAETANO GRECO

Take notice that at the Ordinary meeting to be held on 12 December 2016, it is my intention to move:

That Council:

- (1) *Receives a Council report on 13th February 2017 regarding Council's multilingual language services.*

- (2) *Without limiting the scope of the report it could include information on:*
- a) *A breakdown of inquiries by language*
 - b) *The nature of the inquiries in different languages*
 - c) *The number of inquiries assisted by internal bilingual staff verses external interpreters services*
 - d) *The bilingual skill set of our customer service team*
 - e) *What strategies are in place to increase the bilingual skill set of our customer service team.*
 - f) *How does Council currently promote the availability of multilingual communication services?'*

Notice Received: 29 November 2016

Notice Given to Councillors: 5 December 2016

Date of Meeting: 12 December 2016

Council Resolution

MOVED: Cr. G. Greco
SECONDED: Cr. T. McCarthy

That Council:

- (1) Receives a Council report on 13th February 2017 regarding Council's multilingual language services.
- (2) Without limiting the scope of the report it could include information on:
 - a) A breakdown of inquiries by language
 - b) The nature of the inquiries in different languages
 - c) The number of inquiries assisted by internal bilingual staff verses external interpreters services
 - d) The bilingual skill set of our customer service team
 - e) What strategies are in place to increase the bilingual skill set of our customer service team.
 - f) How does Council currently promote the availability of multilingual communication services?

CARRIED UNANIMOUSLY

8.7 FUTURE INFRASTRUCTURE AND SERVICES

MINUTE NO. 45

NOTICE OF MOTION NO.

324

CR. TRENT MCCARTHY

Take notice that at the Ordinary meeting to be held on 12 December 2016, it is my intention to move:

'That Council establishes a Future Infrastructure AND Services Working Group to further develop Council proposals for Intergenerational infrastructure projects and expanded and

sustainable services for our diverse and growing community, as announced by the Mayor during her recent acceptance speech.

The Working Group will comprise the Mayor and Councillors _____ (Councillors to be named at the meeting) and will be supported by relevant Council officers. The Working Group will meet on a regular basis over coming months to develop proposals for Council's consideration at a meeting in March 2017.'

Notice Received: 29 November 2016

Notice Given to Councillors: 5 December 2016

Date of Meeting: 12 December 2016

WITH LEAVE OF THE CHAIRPERSON, CR. LE CERF, CR. MCCARTHY AMENDED HIS NOTICE OF MOTION PRIOR TO IT BEING SECONDED, TO READ AS FOLLOWS:.

Motion

MOVED: Cr. T. McCarthy
SECONDED: Cr. S. Amir

That Council establishes a Future Infrastructure and Services Working Group to further develop Council proposals for Intergenerational infrastructure projects and expanded and sustainable services for our diverse and growing community, as announced by the Mayor during her recent acceptance speech.

The Working Group will comprise the Mayor and Councillors and will be supported by relevant Council officers. The Working Group will meet on a regular basis over coming months to develop proposals for Council's consideration at a meeting in March 2017.

Cr. Laurence proposed to the mover and seconder that paragraph one of the motion be amended as follows.

That Council establishes a Future **Population**, Infrastructure and Services Working Group to further develop Council proposals for Intergenerational infrastructure projects and expanded and sustainable services for our diverse and growing community, as announced by the Mayor during her recent acceptance speech.

This was not accepted by Cr. McCarthy and Cr. Amir.

Amendment

MOVED: Cr. T. Laurence
SECONDED: -

That Council establishes a Future **Population**, Infrastructure and Services Working Group to further develop Council proposals for Intergenerational infrastructure projects and expanded and sustainable services for our diverse and growing community, as announced by the Mayor during her recent acceptance speech.

THIS AMENDMENT LAPSED FOR WANT OF A SECONDER

THE MOTION BEFORE THE CHAIR IS AS FOLLOWS:

Motion

MOVED: Cr. T. McCarthy
SECONDED: Cr. S. Amir

That Council establishes a Future Infrastructure and Services Working Group to further develop Council proposals for Intergenerational infrastructure projects and expanded and sustainable services for our diverse and growing community, as announced by the Mayor during her recent acceptance speech.

The Working Group will comprise the Mayor and Councillors and will be supported by relevant Council officers. The Working Group will meet on a regular basis over coming months to develop proposals for Council's consideration at a meeting in March 2017.

THE MOTION WAS PUT AND CARRIED AND BECAME THE COUNCIL RESOLUTION AS FOLLOWS:

Council Resolution

MOVED: Cr. T. McCarthy
SECONDED: Cr. S. Amir

That Council establishes a Future Infrastructure and Services Working Group to further develop Council proposals for Intergenerational infrastructure projects and expanded and sustainable services for our diverse and growing community, as announced by the Mayor during her recent acceptance speech.

The Working Group will comprise the Mayor and Councillors and will be supported by relevant Council officers. The Working Group will meet on a regular basis over coming months to develop proposals for Council's consideration at a meeting in March 2017.

CARRIED

8.8 DONATH AND DOLE MASTERPLAN REPORT

MINUTE NO. 46

NOTICE OF MOTION NO. 325 CR. SUSANNE NEWTON

Take notice that at the Ordinary meeting to be held on 12 December 2016, it is my intention to move:

'That Council requests officers to bring a report to a Council meeting in February 2017 that Council:

- a) Explores ways to facilitate funding of the Donath and Dole Reserves Master Plan for consideration as part of the 2017/18 budget process.*
- b) Sets terms of reference regarding the establishment of a Donath and Dole Community Reference Group '*

Notice Received: 29 November 2016

Notice Given to Councillors: 5 December 2016

Date of Meeting: 12 December 2016

Council Resolution

MOVED: Cr. S. Newton
SECONDED: Cr. T. Laurence

That Council requests officers to bring a report to a Council meeting in February 2017 that Council:

- a) Explores ways to facilitate funding of the Donath and Dole Reserves Master Plan for consideration as part of the 2017/18 budget process.
- b) Sets terms of reference regarding the establishment of a Donath and Dole Community Reference Group.

CARRIED UNANIMOUSLY

8.9 AMENITY CONCERNS IN KEON PARK

MINUTE NO. 47

NOTICE OF MOTION NO. 326 CR. SUSANNE NEWTON

Take notice that at the Ordinary meeting to be held on 12 December 2016, it is my intention to move:

'That Council requests for Mayor Le Cerf to write to Whittlesea Council about amenity concerns in the Keon Park area of Reservoir that borders Whittlesea Council, with a view of seeing their collaboration in addressing their concerns.'

Notice Received: 29 November 2016

Notice Given to Councillors: 5 December 2016

Date of Meeting: 12 December 2016

Council Resolution

MOVED: Cr. S. Newton
SECONDED: Cr. G. Greco

That Council requests for Mayor Le Cerf to write to Whittlesea Council about amenity concerns in the Keon Park area of Reservoir that borders Whittlesea Council, with a view of seeing their collaboration in addressing their concerns.

CARRIED UNANIMOUSLY

8.10

NEIGHBOURHOOD RESIDENTIAL ZONES IN KEON PARK

MINUTE NO. 48

NOTICE OF MOTION NO.

327

CR. SUSANNE NEWTON

Take notice that at the Ordinary meeting to be held on 12 December 2016, it is my intention to move:

'That Requests an officer report at a February 2017 Council meeting to consider options for the protection of the neighbourhood character of Keon Park through reviewing Neighbourhood Residential Zones and/or other planning mechanisms.'

Notice Received:

29 November 2016

Notice Given to Councillors:

5 December 2016

Date of Meeting:

12 December 2016

Council Resolution

MOVED: Cr. S. Newton

SECONDED: Cr. G. Greco

That Requests an officer report at a February 2017 Council meeting to consider options for the protection of the neighbourhood character of Keon Park through reviewing Neighbourhood Residential Zones and/or other planning mechanisms.

CARRIED

Cr. Amir abstained from voting on the above motion.

Council resolved earlier in the meeting that 'Urgent Business' items be brought forward for Council's consideration.

9. URGENT BUSINESS

Council Resolution

MOVED: Cr. T. McCarthy
SECONDED: Cr. L. Messina

That an Urgent Business item relating to 'Preston Market Reference Group' be admitted to the agenda to be heard as Item 9.1.

CARRIED

9.1 PRESTON MARKET REFERENCE GROUP

MINUTE NO. 30

Author: Manager Planning and Building

Reviewed By: Director City Futures and Assets

Report Background

This report responds to the Council resolution of 5 December 2016 and provides guidance on the formation of a reference group to consider the future of the Preston Market.

Previous Council Resolution

At its meeting on 5 December 2016, Council resolved:

That Council:

Notes the broad concerns and responses to the Preston Market stall holders and:

- (1) *Authorises the Mayor and Deputy Mayor to call an urgent meeting with Salta Properties managing director Mr Sam Tarascio and Mr Anthony Medich from the Medich Corporation. Also to be invited to the meeting, are traders and community representatives from the 'Save our Preston Market' group.*
- (2) *Receives an urgent report at the next Council meeting on 12 December 2016 regarding the establishment of a Preston Market Reference group. The report should consider appropriate terms of reference, membership composition which may consist of traders (and their nominated representatives), members of the 'Save our Preston Market' group, representatives from the Preston Market Management, Council Officers, and Councillors.*
- (3) *Immediately suspends undertaking enforcement of the car parking arrangements associated with the new parking meters in the Preston Market car park and enters into discussions with the Preston Market Management to explore alternative parking enforcement arrangement to manage parking restrictions at the Preston Market site. The reasons for the suspension are that the operational decision of Council to enter into a contract to enforce the new ticketing system on behalf of the Preston Market Management are;
 - a) *Disadvantaging shoppers especially CALD communities members and senior citizens and may be contrary to council's social inclusion policies**

- b) *Adversely affecting Council's reputation with shoppers, traders and residents at large*
- (4) *Organises an urgent community meeting within two weeks at Preston Town Hall or other suitable venue regarding the future of Preston Market.*
- (5) *The Mayor immediately write to Mr Richard Wynne, Minister for Planning requesting that he:*
- a) *'Calls in' the current planning applications before council regarding the Preston Market site.*
- b) *Immediately introduces interim planning controls that will safeguard the social significance of Preston Market pending a review of the Preston Market Structure Plan by Council.*
- (6) *Receive a Council report as soon as possible on possible options available to Council to update the 2007 Preston Market Structure Plan.*
- (7) *Notes the public interest to maintain the essence and character of Preston Market.*
- (8) *Supports the on-going viability of Preston Market as asserted by all stakeholders including the owners, traders and residents by displaying a large banner with the words "We love Preston Market" as soon as possible at the front of the Council building in High Street Preston."*

Previous Briefing(s)

There have been no briefings in relation to the Notice of Motion from 5 December 2016.

Council Plan Goal/Endorsed Strategy

Open and Accountable Democracy

- Provide a 'whole of organisation' response in the way we make decisions, develop policy and deliver programs and services; have a clear and transparent rationale for decisions and govern in a transparent and accountable manner in accordance with our Charter of Good Governance.

Summary and Introduction

This report provides guidance and advice on the formation of a Preston Market Reference Group, putting forward an approach to forming the terms of reference for the group and its potential membership.

This report suggests that the group itself should determine through consensus what the terms of reference should be including clear definition of its purpose and what it considers to be the core issue or problem it is seeking to resolve. Without out clear definition of the problem the Reference Group will lack a common purpose and fail in delivering any benefit to the community.

The report also briefly touches on a way forward in ensuring the Council's intentions are delivered in respect to the aspects of the resolution from the 5 December 2016 that require further action from officers.

Recommendation

That Council:

- (1) Note the guidelines and suggested composition of the Preston Market Reference Group and that this be used as basis for a future workshop at a special briefing with Councillors to be held before the end of 2016.
- (2) Receive a further report based on the outcomes of the Councillor workshop at its briefing on 20 February 2017.
- (3) That Council provide direction on its preferred method of engaging with the community in regard to the future of the Preston Market noting the details in this report about the challenges with town hall meetings.

Motion

MOVED: Cr. L. Messina

SECONDED: Cr. S. Newton

That Council:

- (1) Note the guidelines and suggested composition of the Preston Market Reference Group and that this be used as basis for a future workshop at a special briefing with Councillors to be held before the end of 2016.
- (2) Receive a further report based on the outcomes of the Councillor workshop at its briefing on 20 February 2017.
- (3) That Council provide direction on its preferred method of engaging with the community in regard to the future of the Preston Market noting the details in this report about the challenges with town hall meetings.

Cr. Greco proposed to the mover and seconder that point (1) of the motion be amended as follows. This was accepted by Cr. Messina and Cr. Newton.

- (1) Note the guidelines and suggested composition of the Preston Market Reference Group with the following alterations:
 - Mayor to be chairperson;
 - Three business owners/stall holders that operate businesses in the Market, and/or their representative;
 - Three community representatives such as "Save Preston Market" group;and that this be used as a basis for a future workshop at a special briefing with Councillors to be held before the end of 2016.

Cr. Laurence proposed to the mover and seconder that point (1) of the motion be further amended as follows. This was accepted by Cr. Messina and Cr. Newton.

- (1) Note the guidelines and suggested composition of the Preston Market Reference Group with the following alterations:
 - Mayor to be chairperson;
 - Three business owners/stall holders that operate businesses in the Market, and/or their representative;
 - Three community representatives such as "Save Preston Market" group;
 - **Three Councillors;**

- **Three representatives from the Preston Market Pty Ltd (owners);**
- **One representative of Department of Economic Development, Jobs, Transport and Resources;**

and that this be used as a basis for a future workshop at a special briefing with Councillors to be held before the end of 2016.

THE AMENDED MOTION THEN READ AS FOLLOWS:

Amended Motion

MOVED: Cr. L. Messina
SECONDED: Cr. S. Newton

That Council:

- (1) Note the guidelines and suggested composition of the Preston Market Reference Group with the following alterations:
 - Mayor to be chairperson;
 - Three business owners/stall holders that operate businesses in the Market, and/or their representative;
 - Three community representatives such as "Save Preston Market" group;
 - Three Councillors;
 - Three representatives from the Preston Market Pty Ltd (owners);
 - One representative of Department of Economic Development, Jobs, Transport and Resources;and that this be used as a basis for a future workshop at a special briefing with Councillors to be held before the end of 2016.
- (2) Receive a further report based on the outcomes of the Councillor workshop at its briefing on 20 February 2017.
- (3) That Council provide direction on its preferred method of engaging with the community in regard to the future of the Preston Market noting the details in this report about the challenges with town hall meetings.

THE AMENDED MOTION WAS PUT AND CARRIED AND BECAME THE COUNCIL RESOLUTION AS FOLLOWS:

Council Resolution

MOVED: Cr. L. Messina
SECONDED: Cr. S. Newton

That Council:

- (1) Note the guidelines and suggested composition of the Preston Market Reference Group with the following alterations:
 - Mayor to be chairperson;
 - Three business owners/stall holders that operate businesses in the Market, and/or their representative;
 - Three community representatives such as "Save Preston Market" group;

- Three Councillors;
- Three representatives from the Preston Market Pty Ltd (owners);
- One representative of Department of Economic Development, Jobs, Transport and Resources;

and that this be used as a basis for a future workshop at a special briefing with Councillors to be held before the end of 2016.

- (2) Receive a further report based on the outcomes of the Councillor workshop at its briefing on 20 February 2017.
- (3) That Council provide direction on its preferred method of engaging with the community in regard to the future of the Preston Market noting the details in this report about the challenges with town hall meetings.

CARRIED UNANIMOUSLY

Issues and Discussion

Council's resolution of 5 December 2016 is understood to support the principles of collaborative decision making ensuring decisions draw on a broad base of knowledge from both within and external to the organisation. This ensures decisions around issues are inclusive and responsive to community needs. Equally this ensures decisions are well informed and evidence based.

With respect to the Preston Market it is clear there is concern over its future and this is despite frequent and regular assurances from the site owners that this is not the case. Equally there appears to be concern about the plans Council has already approved and placed into its planning scheme and whether this remains as the best future plan for the market site. Council through the Preston Market Reference Group is seeking to provide some leadership to provide some clarity to the community on the future of the market and through a collaborative process attempt to achieve consensus on securing the future of the fresh food offer together with the look and feel of the market that remains something that is readily associated by the community.

Given the importance of the issues to be considered and to ensure the Council's resources are applied to a successful outcome this report recommends that Council first workshop the approach outlined in this report through a special Council briefing prior to formally establishing the Preston Market Reference Group. Council will also need to commit resources through the mid-year budget to ensure the Reference Group is appropriately resourced and supported.

In providing the framework for such a group Council through a future briefing should consider and provide feedback on the following general guidelines that are put forward as principles for ensuring the Reference Group is a worthwhile consideration.

- The Reference Group should have ownership and define its own terms of reference.
- The Reference Group needs to provide clear definition of the challenge or problem otherwise it lacks a sense of direction or common purpose.
- The Reference Group works best if achievement can be made on developing shared judgements on issues avoiding personal agenda's as this undermines the group achieving positive outcomes.
- Whilst there should be a core group, specialist knowledge should be sourced as needed from either within or external to the City of Darebin. The Reference Group should avoid making assumptions or speculating on issues that it does not have specific expertise or knowledge on.

- The composition of the group should be from diverse backgrounds and talents.

Accordingly the membership of the Reference Group is suggested to comprise the following:

- Two Councillors
- An independent business representative (paid position), acting as the chairperson. This ensures the guidelines set out above are followed and applied without bias.
- Two representatives from the Preston Market Pty Ltd (owners)
- One representative of Department of Economic Development, Jobs, Transport and Resources.
- Two business owners/stall holders that operate businesses in the Market.
- One community representative such as "Save Preston Market" Group

Council Officers with expertise in economic development, transport planning, parking management, communications and town planning will be required to support the administration and information requirements of the Reference Group (as required) and are not suggested to form part of the Group.

In ensuring this commitment is successful Council should request that the Reference Group with the support of officers to prepare a report on its progress and achievements within three months of its first meeting

Town Hall Meeting

In relation to part four of the resolution the best available research on community engagement cautions against utilising town hall style meetings for the purpose of engaging in meaningful dialogue with the community. If Council's intention is to achieve maximum community participation in informing and engaging the community in its decision making processes more inclusive practices of engaging and informing the community should be pursued.

In summary research suggests that town hall style meetings are ineffective in achieving a two way communication with the community and typically are dominated by the views of those in power or those most confident to speak out. Darebin's community is rich with diversity and given the cultural significance of the Preston Market it would be reticent of Council to exclude important elements of our community in engaging in the conversation about the future of the Market site.

If Council remains in the position of wanting to proceed with an urgent Town Hall meeting this can be arranged on either Tuesday 20 or Wednesday 21 of December 2016, commencing at 6pm. There is limited opportunity to implement a full communication plan to advertise the meeting and attendance by the community might be limited due to this being held during the same week as Christmas.

Requests to the Minister for Planning

Part five of the resolution has directed that letters be prepared for the Mayor to send to the Minister for Planning requesting that the two planning applications being D393/2016 (stage 1C) and D398/2016 (Stage 1B) be "called-in". The resolution also calls for interim controls to be prepared to protect the social significance of the Preston Market site.

As resolved letters will be prepared for the Minister for sign this week and it is suggested that Council also receive a briefing to support an advocacy plan to best present Councils position to the Minister.

Update of the Preston Market Incorporated Plan

Both a briefing and report to Council will be arranged for February 2017 with a view to Council facilitating updates to the Preston Market Incorporated Plan (2007). Council should note at this stage that any review process commenced will require amendments to be prepared to the Darebin Planning Scheme which cannot be undertaken within a timeframe that could influence the two planning applications under consideration. There are also challenges that Council will need to consider through the future Council report in relation to amending future development plans that it has already been approved for a private development site.

Financial and Resource Implications

Given the limited time available the resource requirements for the Preston Market Reference Group should be the subject of a future Council briefing and report. This will include the suggestion of a paid independent chairperson and the support of officer time and associated disbursements.

Risk Management

These will need to be consider as part of a future report.

Policy Implications**Economic Development**

It is clear Council and the proposed Reference Group would be seeking to support objectives already expressed in the Darebin Planning Scheme that seek to sustain the long term economic viability of the fresh food component of the Preston Market. Understanding the issues relating to its economic success are not easily understood or able to be communicated easily to the community and for this reason Council may require support in relation to specialist business and communication expertise.

Environmental Sustainability

Not applicable.

Human Rights, Equity and Inclusion

There are no factors in this report which impact on human rights, equity and inclusion.

Other

There are no other factors which impact on this report.

Future Actions

- That Council receive a further briefing providing the opportunity to workshop how the Reference Group may work and to ensure Council resources are utilised effectively .in supporting the success of the Reference Group.
- That Council receive a further report no later than three months from the inception meeting of the Reference Group that reports on its progress and achievements.

Conclusion

The establishment of the Preston Market Reference Group offers the potential to provide a mechanism where through a collaborative based process, Council can provide leadership to build a shared vision for the future of the Preston Market site in a manner that supports its viability, identity and sense of connection with the local community. It is suggested given the resource requirements and importance of this commitment that Council workshop this proposal further with officers through a briefing to ensure the prudent allocation of Council resources.

Disclosure of Interest

Section 80C of the *Local Government Act 1989* requires members of Council staff and persons engaged under contract to provide advice to Council to disclose any direct or indirect interest in a matter to which the advice relates.

The Officer reviewing this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

Jacinta Stevens, Director Civic Governance and Compliance entered the meeting during discussion of the above item at 6.09 pm.

Council Resolution

MOVED: Cr. T. McCarthy
SECONDED: Cr. S. Amir

That an Urgent Business item relating to 'Development Application for 195-209 St Georges Road, Northcote' be admitted to the agenda to be heard as Item 9.2.

CARRIED

9.2 DEVELOPMENT APPLICATION FOR 195-209 ST GEORGES ROAD, NORTHCOTE

MINUTE NO. 31

Motion

MOVED: Cr. T. McCarthy
SECONDED: Cr. S. Amir

That the mayor writes to the Minister for Planning that he urgently 'calls-in' the development application for 195-209 St Georges Rd, Northcote, given that this application and recent issues around it threaten the integrity of Darebin's Planning Scheme and the extensive work undertaken to date in relation to this site. A copy of this letter is to be sent to the Member for Northcote and all Northern Metropolitan MLC's.

THE MOTION WAS PUT AND CARRIED AND BECAME THE COUNCIL RESOLUTION AS FOLLOWS:

Council Resolution

MOVED: Cr. T. McCarthy
SECONDED: Cr. S. Amir

That the mayor writes to the Minister for Planning that he urgently 'calls-in' the development application for 195-209 St Georges Rd, Northcote, given that this application and recent issues around it threaten the integrity of Darebin's Planning Scheme and the extensive work undertaken to date in relation to this site. A copy of this letter is to be sent to the Member for Northcote and all Northern Metropolitan MLC's.

CARRIED

Cr. McCarthy called for a Division:

<u>For</u>	<u>Against</u>
Cr. Gaetano Greco	Cr. Tim Laurence
Cr. Susanne Newton	Cr. Susan Rennie
Cr. Kim Le Cerf	
Cr. Steph Amir	
Cr. Lina Messina	
Cr. Trent McCarthy	

The Chairperson, Cr. Le Cerf declared the motion to be carried.

Council Resolution

MOVED: Cr. S. Amir
SECONDED: Cr. G. Greco

That a confidential Urgent Business item relating to '48 Rona Street, Reservoir' be admitted to the agenda to be heard 'in-camera' as Item 14.1.

CARRIED

Council Resolution

MOVED: Cr. T. McCarthy
SECONDED: Cr. T. Laurence

That a confidential Urgent Business item relating to 'Personnel Matter' be admitted to the agenda to be heard 'in-camera' as Item 14.2.

CARRIED

Council Resolution

MOVED: Cr. T. Laurence
SECONDED: Cr. T. McCarthy

That an Urgent Business item relating to 'Parking Fines at Preston Market' be admitted to the agenda to be heard as Item 9.3.

CARRIED

9.3 PARKING FINES AT PRESTON MARKET

MINUTE NO. 32

Motion

MOVED: Cr. T. Laurence
SECONDED: Cr. T. McCarthy

That Darebin Council resolves to give waiver for all parking fines issued at Preston Market since the end of the grace period on the 30th October 2016 in the wake of the community outrage at the new parking system.

Cr. McCarthy proposed to the mover that the motion be amended as follows. This was accepted by Cr. Laurence.

That Darebin Council receives an urgent report in relation to the potential to give a waiver for all parking fines issued at Preston Market since the grace period on the 30th October 2016 in the wake of the community outrage at the new parking system.

THE AMENDED MOTION THEN READ AS FOLLOWS:

Amended Motion

MOVED: Cr. T. Laurence
SECONDED: Cr. T. McCarthy

That Council receives an urgent report in relation to the potential to give a waiver for all parking fines issued at Preston Market since the grace period on the 30th October 2016 in the wake of the community outrage at the new parking system.

THE MOTION WAS PUT AND CARRIED AND BECAME THE COUNCIL RESOLUTION AS FOLLOWS:

Council Resolution

MOVED: Cr. T. Laurence
SECONDED: Cr. T. McCarthy

That Council receives an urgent report in relation to the potential to give a waiver for all parking fines issued at Preston Market since the grace period on the 30th October 2016 in the wake of the community outrage at the new parking system.

CARRIED UNANIMOUSLY

10. GENERAL BUSINESS

Nil

11. PETITIONS

11.1 RELEASE OF PRESTON MARKET REDEVELOPMENT MASTER PLAN

MINUTE NO. 49

Council Resolution

MOVED: Cr. G. Greco
SECONDED: Cr. S. Amir

That the petition from 'Save our Preston Market Group':

"Petition to demand the public release of Preston Market Redevelopment Master Plan."

be referred to the Chief Executive and a report presented to Council.

CARRIED UNANIMOUSLY

12. RECORDS OF ASSEMBLIES OF COUNCILLORS**12.1 ASSEMBLIES OF COUNCILLORS HELD****MINUTE NO. 50**

An Assembly of Councillors is defined in section 76AA of the *Local Government Act 1989* to include Advisory Committees of Council if at least one Councillor is present or, a planned or scheduled meeting attended by at least half of the Councillors and one Council Officer that considers matters intended or likely to be the subject of a Council decision.

Written records of Assemblies of Councillors must be kept and include the names of all Councillors and members of Council staff attending, the matters considered, any conflict of interest disclosures made by a Councillor attending, and whether a Councillor who has disclosed a conflict of interest leaves the assembly.

Pursuant to section 80A (2) of the Act, these records must be, as soon as practicable, reported at an ordinary meeting of the Council and incorporated in the minutes of that meeting.

An Assembly of Councillors record was kept for:

- Councillor Induction – 9 November 2016
- Darebin Environmental Reference Group (DERG) – 23 November 2016
- Darebin Disability Advisory Committee – 5 December 2016

Council Resolution

MOVED: Cr. T. McCarthy
SECONDED: Cr. S. Rennie

That the record of the Assembly of Councillors held on 9 and 23 November and 5 December 2016 be noted and incorporated in the minutes of this meeting.

CARRIED

13. REPORTS BY MAYOR AND COUNCILLORS

MINUTE NO. 51

Council Resolution

MOVED: Cr. T. McCarthy
SECONDED: Cr. S. Rennie

That Council note the Reports by Mayor and Councillors.

CARRIED**13.1 REPORT OF CR. KIM LE CERF, MAYOR**

Cr. Le Cerf reported on her attendance at the following functions/activities:

- Audit Committee Meeting
- Council Meetings
- Dispute Resolution Training
- Catch Ups with CEO
- Meeting re Darebin Energy Foundation
- Preston Market Discussions
- Australia Day Advisory Committee
- Alliance for Gambling Reform
- Jika Jika Christmas BBQ
- St. Gabriel's - Judging Public Speaking Competition
- Meeting with Sam Wu - Victorian Elderly Chinese Welfare Society
- Carols at all Nations
- City of Melbourne Meeting
- Giuseppe Velardi – Resident Meeting
- Briefing re Northland Urban Renewal Precinct Steering Committee
- Communication Catch Up
- Meeting with Melbourne's Chief Resilient Officer
- Alphington Community Centre Christmas BBQ
- DECC Event for UN International Day of Remembrance and Dignity

13.2 REPORT OF CR. STEPH AMIR

Cr. Amir reported on her attendance at the following functions/activities:

- Council briefing and meeting (December 5)
- Meeting with representatives from the "Save Preston Market" group (December 6)
- Presentation of certificates and Christmas lunch with program participants at the Bridge (December 7)
- Tour of the Rivoli Theatre (December 9)
- Cantabile Choir performance at Reservoir Library (December 10)

13.3 REPORT OF CR. GAETANO GRECO

Cr. Greco reported on his attendance at the following functions/activities

-

13.4 REPORT OF CR. TIM LAURENCE

Cr. Laurence reported on his attendance at the following functions/activities

- Attended Council meeting at Preston
- Attended Council briefing at Preston
- Met with Reservoir residents regarding amenity issues in Reservoir
- Follow up consultation with Reservoir residents on planning issues
- Met with Reservoir residents re street tree issues
- Consultation with Kingsbury resident re footpath that was missed in renewal
- Consultation with residents and ratepayers regarding lack of Christmas decorations in Darebin

13.5 REPORT OF CR. TRENT MCCARTHY

Cr. McCarthy reported on his attendance at the following functions/activities:

- Meeting with Save Preston Market group, Councillors and Council officers
- Interim CEO Selection Subcommittee Meeting
- Carols in All Nations
- Northern Alliance for Greenhouse Action Executive
- Various issues on behalf of residents and traders

13.6 REPORT OF CR. LINA MESSINA

Cr. Messina reported on her attendance at the following functions/activities:

- Oath of Office
- Darebin Councillor Training 9th & 10th November
- VLGA Councillor Welcome
- Statutory Meeting
- Attended to issues raised by residents
- Preston Market- Car parking complaints re parking meters and development
- Community rezoning of 48 Rona St, Reservoir
- Individual complaints regarding street parking

13.7 REPORT OF CR. SUSANNE NEWTON

Cr. Newton reported on her attendance at the following functions/activities:

- Council meeting

13.8 REPORT OF CR. SUSAN RENNIE

Cr. Rennie reported on her attendance at the following functions/activities:

- Statutory meeting
- Briefing on Preston Market with Save our Market reps
- Metropolitan Transport Forum
- Alliance for Gambling Reform function with Tim Costello
- Save our Market community event at the Preston market
- Carols by Candlelight at All Nations
- Alphington Community House Christmas lunch
- Subcommittee meeting re interim CEO arrangements
- Responded to constituent emails and phone calls

14. CONSIDERATION OF REPORTS CONSIDERED CONFIDENTIAL**CLOSE OF MEETING****MOVED:** Cr. T. McCarthy**SECONDED:** Cr. S. Rennie

THAT in accordance with section 89(2) of the *Local Government Act* 1989, Council resolves to close the meeting to members of the public to consider items 14.1 (48 Rona Street, Reservoir) and Item 14.2 (Personnel Matter) which were admitted as Confidential Urgent Business and relate to contractual and personnel matters.

CARRIED

The meeting was closed to members of the public at 8.54 pm.

Libby Hynes, Acting Director Operations and Environment and Dave Bell, Senior Media Advisor left the meeting at 8.54 pm.

The Council considered and resolved on Confidential Urgent Business Items 14.1 (48 Rona Street, Reservoir) and Item 14.2 (Personnel Matter).

RE-OPENING OF MEETING**MOVED:** Cr. T. McCarthy**SECONDED:** Cr. S. Amir

THAT the meeting be re-opened to the members of the public.

CARRIED

The meeting was re-opened to the members of the public at 9.05 pm

CONFIDENTIAL

14.1

48 RONA STREET, RESERVOIR

MINUTE NO. 52

Council Resolution

MOVED: Cr. S. Amir
SECONDED: Cr. L. Messina

That the Council resolution and Urgent Motion remain confidential.

CARRIED

CONFIDENTIAL

14.2 PERSONNEL MATTER

MINUTE NO. 53

Author: Director Civic Governance and Compliance

Report Background

Personnel Matter.

Previous Council Resolution

This matter is not subject to a previous Council resolution.

Previous Briefing(s)

Councillor Briefing – 12 December 2016

Council Plan Goal/Endorsed Strategy

Nil

Council Resolution

MOVED: Cr. T. McCarthy

SECONDED: Cr. S. Rennie

That the Council report and resolution remains confidential.

CARRIED

15. CLOSE OF MEETING

The meeting closed at 9.06 pm.