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# MINUTES OF THE COUNCIL MEETING

Held on Monday 5 September 2016

Released to the public on Thursday 8 September 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 5 SEPTEMBER 2016**

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**THE MEETING OPENED AT 7.00 PM**

**1. PRESENT**

***Councillors***

Cr. Vince Fontana (Mayor) (Chairperson)  
Cr. Gaetano Greco  
Cr. Tim Laurence  
Cr. Bo Li  
Cr. Trent McCarthy  
Cr. Steven Tsitas  
Cr. Angela Villella  
Cr. Oliver Walsh  
Cr. Julie Williams

***Council Officers***

Steve Hamilton – Acting Chief Executive  
Katrina Knox – Director Community Development  
Allan Cochrane – Acting Director Corporate Services  
Libby Hynes – Acting Director Culture, Leisure and Works  
Jacinta Stevens – Executive Manager Corporate Governance and Performance  
Katia Croce – Coordinator Council Business  
Jody Brodribb – Council Business and Governance Officer  
Verica Jokic – Senior Media Advisor

**2. APOLOGIES**

Nil

**3. DISCLOSURES OF CONFLICTS OF INTEREST**

Cr. Greco disclosed a conflict of interest in Item 14.3 – CEO 2016/2017 Performance Criteria.

**4. CONFIRMATION OF THE MINUTES OF COUNCIL MEETINGS**

<b>Council Resolution</b>
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**MOVED:** Cr. T. McCarthy

**SECONDED:** Cr. B. Li

**THAT** the Minutes of the Ordinary Meeting of Council held on 15 August 2016 be confirmed as a correct record of business transacted.

**CARRIED**

## 5. PUBLIC QUESTION TIME

MINUTE NO. 329

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

- **Manny Spiteri of Northcote asked the following questions:**

### **Question 1:**

Has the council and will the council conduct a Cultural Impact Assessment on how the development will affect, change, alter, influence, modify, transform, and refashion the cultural essence and nature of the current Preston Market visitor experience? If so when will it be available? If not why not, on such an important Cultural icon that will be going unprecedented change?

### **Response:**

The Chairperson advised that any Planning Application received will be processed in accordance with the requirements of the Darebin Planning Scheme and specifically the Preston Market Incorporated Plan. It is understood that you have been directed to a copy of the Preston Market Incorporated Plan and have been given a full opportunity to discuss the contents and implications of this plan together with how it binds Council to support the redevelopment of the market site in a way that accords with this plan.

As you are aware there are two current applications with Council and there is also comprehensive set of plans and supporting reports that explain the proposal in full. Please note it is the applicant's responsibility and not Council's to document the full social, economic and environmental impacts, Council's role will be to review this information and this review will be documented in an open and transparent manner. You are welcome at any time during office hours to view these plans and supporting information.

The issue of cultural significance has been responded to in a Council report (5 October 2015) with Council also writing to the Minister for Planning highlighting the cultural significance of the market site. The Minister for Planning has declined to pursue any interim heritage controls on Council's behalf. In terms of processing any planning application Council is duty bound to assess the merits of any planning application based on the current content in the planning scheme and at present this encourages the complete redevelopment of the market subject to the fresh food components being maintained at the site.

### **Question 2:**

**Parking; “Prepare guidelines for the preparation of travel plans to developers for large sites”.**

What and how is the City of Darebin going to provide the visitor and shoppers with appropriate parking facilities as part of these guidelines? These being; “Prepare guidelines for the preparation of travel plans to developers for large sites”.

### **Response:**

The Chairperson advised that an assessment of the adequacy of car parking will be undertaken through the planning process in line with Darebin's Planning Scheme and the associated decision guidelines outlined in Clause 52.06.

- **Marion Harper of Reservoir asked the following questions:**

**Question:**

Does Council plan to provide the community with full details of developer's plans for re-development of Preston Market, as we are concerned that current proposals could have significant impact on the multicultural amenity and integrity of our current market and its traders?

Will Council support the community in its public efforts to protect the market from being turned into a sterile apartment/supermarket/overcrowded shadow of a Darebin icon beloved by the whole community?

**Response:**

The Chairperson advised that both current applications will be reported to the Planning Committee by the end of the year.

Retaining the fresh food market is a strong emphasis within the planning scheme and Council remains committed to applying this in any decision it makes under the planning scheme.

The planning requirements for the redevelopment of the Preston market were part of a thorough consultation and engagement process prior to being incorporated into the Darebin Planning Scheme. The Darebin Planning Scheme fully supports the retention of the Preston Market.

- **Serena O'Meley of Reservoir asked the following questions:**

**Question 1:**

**Disposition of former school sites in Darebin**

In the interests of transparent governance:

- (a) Will council bring forward agenda item 14.3 *Purchase of Former Ruthven Primary School and Lakeside Secondary School Sites* (Report) to accommodate nearby residents who are attending the meeting tonight?
- (b) Will council discuss and debate the report in public rather than *in camera*?

**Response:**

The Chairperson advised that agenda item 14.3 relates to the CEO 2016/2017 Performance Criteria. There is currently no agenda item titled *Purchase of Former Ruthven Primary School and Lakeside Secondary School Sites* (Report).

If an urgent report is submitted and accepted onto the agenda through item 9 - "Urgent Business" Council will then make a determination if the matter will be considered in camera or in public.

**NOTE:** Council acknowledges that there was an oversight in the agenda inadvertently published on the website which Ms O'Meley was referring to in her public question.

**Question 2:**

In order to avoid contravention of Section 93A – Conduct of Council during election period of the Local Government Act (Vic) 1989 (the Act) will the council, if necessary, undertake to write to Minister Hutchins, in accordance with Section 93A(2) of the Act to request an exception from the prohibition upon making a major policy decision during the election period for a general election?

**Response:**

The Chairperson advised that the question will be taken on notice.

- **Terry Mason of Reservoir asked the following questions which were responded to by the Chairperson:**

**Question:****Disposition of Department of Education School sites**

- (a) Noting that the value of the two former school sites at Ruthven and Lakeside is a matter of public interest, and must at some point be disclosed for audit purposes, can you please tell the public the Valuer General Valuation for each site?
- (b) As it is the council's responsibility in these negotiations to make a realistic offer for the land what is the council's current highest offer for each site?

**Response:**

The Chairperson advised that this matter may be the subject of an 'urgent business' report tonight. Cr Greco has foreshadowed that if the urgent business item is accepted to into the agenda he will be moving a motion for the item to be heard in the open meeting, and not 'in camera'.

- **Damien Kingsbury of Thornbury asked the following question which was responded to by the Chairperson:**

**Question:**

To demonstrate they are not acting in bad faith towards Darebin voters, will sitting councillors intending to stand in the forthcoming council elections formally commit at this meeting, if elected, to remaining in council for the full forthcoming term?

**Response:**

The Chairperson advised that he could not answer this question, or speak on behalf of councillors that may be intending to stand again and that those councillors could answer in due course.

- **Juliet Hall of Northcote asked the following question which was responded to by the Chairperson:**

**Question:**

Given the existing development at 200 Beavers Rd and the proposed development at 198 Beavers Rd are expected to bring hundreds of new residents to the immediate vicinity, will council be seeking a financial contribution from these 2 developers to help fund a new bridge over the Merri Creek near the end of Beavers Rd, Northcote?

**Response:**

The Chairperson advised that due to the preliminary nature of the project Council does not have the power to mandate a contribution toward the project from the developers.

The State Government legislation and supporting guidelines set out how Council can gain contributions from developers. This criteria is strict and requires a rigorous level of assessment and analysis which cannot be done for a project that is at the early investigation stage. This may be an option available in the future should Council proceed with development contributions plan.

- **Helen McDonald of Northcote asked the following question which was responded to by the Chairperson:**

**Question:**

Will Council act swiftly to design and construct a new bridge over the Merri Creek given the very real safety risks to pedestrians and cyclists crossing via Arthurton Road bridge.

**Response:**

The Chairperson advised that this is a matter being considered tonight to see if we can proceed to the next stage so he could not provide any more information apart from what would be looked at tonight as an agenda item.

- **Michael Brennan of Reservoir asked the following question which was responded to by the Chairperson:**

**Question:**

When will this Council fix the sound system in these chambers so all can hear?

**Response:**

The Chairperson checked the sound system and confirmed it is currently working.

- **Peter Thomson of Reservoir asked the following questions which was responded to by the Chairperson:**

**Question 1:**

Re VicPol resources in personnel in Reservoir/Preston. As in 2010 as per your/my correspondence to the then Mayor, Vince Fontana, I again ask you to support a community driven effort through RCAG to boost police numbers in Reservoir/Preston by writing to the Divisional Inspector at your earliest convenience. The need is pressing as can be proved through actual street crime stats from community.

**Response:**

The Chairperson advised that he would consider Mr Thomson's request and further stated that he would be meeting with the District Inspector this week.

**Question 2:**

On the 1<sup>st</sup> August I raised a question during public question time re: to provide the defunct Reservoir Library building under suitable terms of course for future use as the office/cultural space for the Wurundjeri Tribe Land Compensation and Cultural Heritage Council. I therefore resubmit this request again in my capacity as the convenor of the Darebin Reconciliation Action Group. I await your consideration and decision by return correspondence.

**Response:**

The Chairperson advised that a written response will be provided.

**Responses to Public Questions taken on notice at the Council meeting held on 15 August 2016**

At the Council meeting held on 15 August 2016, the following questions were taken on notice by the Chairperson. In accordance section 54(12) of the Darebin Governance Local Law, written responses have now been provided as indicated.

- **Manny Spiteri from the Preston Market Traders submitted the following question:**

*“How and when as a result of this major amendment has the Council met with and consulted with traders as specified by this document (Darebin Planning Scheme C135) as by my research and questioning the Council has not met with the traders to implement the recommendations and actions specified under the amendment.”*

As Mr Spiteri did not provide an address for a response to be sent to him, the following is provided by the Acting Director Assets and Business Services:

*Over the past 8 years Council has not progressed any Planning Scheme amendment that varies or changes the planning controls that apply to the Preston Market site. The existing controls were the subject of extensive community consultation (including traders) and have remained the same since 2008.*

*In 2014, the owners of the site proposed changes to the planning scheme, however these were not supported by Council and as a consequence have not been progressed. Further, Amendment C135 did not make any changes to the planning controls that apply to the Preston Market site and related to land use controls for the Regent precinct of High Street and building heights on the corner of Spring Street and Murray Road, Preston.*

- **David Lester of Reservoir submitted the following questions:**

1. *What measures do Council plan to ensure residents affected by the proposed closure of Cheddar Rd and Carol St to have ready access to their home while also allowing emergency services and access regress through, both north and south of Carrol St?*
2. *What measures will Council undertake to ensure procedural fairness and transparency planning decisions are made.*

As Mr Lester did not provide an address for a response to be sent to him, the following is provided by the Acting Director Assets and Business Services:

*Thank you for your questions submitted to Public Question Time at the 15 August 2016 Council Meeting regarding the proposed median closure on Cheddar Road and Carrol Street Reservoir. As previously advised, community consultation regarding the proposed closure was conducted as part of Council's Blackspot Funding Submission to VicRoads.*

However as there has been little support for this proposal Council will not be progressing this and will instead investigate alternative options to improve road user safety in the area that do not involve the closure of the median openings in Cheddar Road.

- **Dulcie Hook of Reservoir submitted the following question:**

*“My concern is regarding Council’s proposed permanent closure of the central median strip on Cheddar Road at Carrol Street, Reservoir. I live in Carrol Street.*

*The letter dated 12 July 2016 – with queries or comments by 25 July 2016, was not received until 4 August 2016 with the ‘Preston Leader’. Some folks have not seen it.*

*Why have you planned this action? I ask you Councillor’s, and the Engineers, what points you considered before coming to your decision? Did you visit the site?*

- *I don’t believe this intersection is a ‘black spot’ area. There is uninterrupted visibility to the left and to the right.*
- *Carrol Street is not busy at the late afternoon peak time there is more traffic with vehicles diverting from Broadway along Carrol Street to avoid the top of Broadway congestion. Vehicles coming from Reservoir Station direction into Carrol Street would also be affected if the strip is closed.*

*More traffic will need to wind through residential streets; those going further north will use the Crookston Road median strip. Do you plan to close that also? Then to close the two strips further north?*

*The letter also blatantly falsely states the Reservoir level crossing is to be grade separated by 2018. The State Government announced that work to start in 2018 – finish 2022 (i.e. if they really do as promised).*

*My request is that you meet with concerned people at the Cheddar Road, Carrol Street intersections and you also have community consultation.*

*We look forward to hearing from you in writing please.”*

Chris Meulblok, Acting Director Assets and Business Services provided the following written response was also provided to Ms Hook, dated 22 August 2016.

*“Thank you for your questions submitted to Public Question Time at the 15 August 2016 Council meeting regarding the proposed median closure on Cheddar Road and Carrol Street Reservoir.*

*As previously advised, community consultation regarding the proposed closure was conducted as part of Council’s Blackspot Funding Submission to VicRoads. However as there has been little support for this proposal Council will not be progressing this and will instead investigate alternative options to improve road user safety in the area that do not involve the closure of the median openings in Cheddar Road.”*

- **Amy Stubberfield of Reservoir submitted the following question:**

*Does the Council currently have any plans, or future plans to address the gender pay gap amongst workers?*

Allan Cochrane, Acting Director Corporate Services provided the following written response to Ms Stubberfield, dated 2 September 2016.

*“All staff are engaged under Council’s Recruitment and Selection Policy to ensure adherence to Equal Employment Opportunity legislation.*

*All successful applicants are selected on their merit, ensuring all potential employees are treated equitably according to their diverse knowledge, background and experience.*

*Darebin City Council pays its staff in accordance with the Local Government Award. Every position that is classified as being under the award is banded through an assessment of the accountabilities, responsibilities and duties associated with that position. Those who are engaged in positions of the same banding are paid similar rates of pay regardless of the employees' gender.*

*For positions that are assessed as being above Award, the level of pay is based on the accountabilities, responsibilities and duties associated with that position. In addition Council regularly benchmarks against similar roles in the market as well as other comparable positions within Council. Council has an excellent balance of gender and remuneration in staff in above award positions.*

*Accordingly, Darebin City Council is confident we do not have a gender pay gap amongst our workers."*

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

1. *Is there anyone who inspects the quality and workmanship of footpath replacement once completed? E.g. 93 Darebin Blvd, Reservoir. The footpath is uneven and tripping hazard.*
2. *Is it possible to have lights installed along the walking path at Bundoora Park?*

Chris Meulblok, Acting Director Assets and Business Services provided the following written response to Mr Coffey, dated 1 September 2016.

1. ***Is there anyone who inspects the quality and workmanship of footpath replacement once completed? E.g. 93 Darebin Blvd, Reservoir. The footpath is uneven and tripping hazard.***

*All infrastructure handed over to Council is inspected before a bond is returned. A council officer inspected the footpath and found a poorly finished footpath left with high construction joints and tripping hazards. Accordingly our Asset Protection Officer has sent a notice to comply to the developer requesting the footpath be removed and replaced to Council's satisfaction. The time frame for repair of the footpath at the above address is 26 September 2016. Council is holding the bond until all works are completed to our requirements.*

2. ***Is it possible to have lights installed along the walking path at Bundoora Park?***

*Council is in the process of reviewing its Open Space Strategy and one of the topics that will be considered during this review is the lighting of public open spaces. At present, Council does not light public open spaces, with the exception of public transport nodes and sports lighting that is illuminated when practice or games are active.*

*Lighting in public open spaces often has high installation and running costs and there may be issues with light spill into nearby residences, disruption of habitat for nocturnal wildlife and an increase in the perception of safety without guaranteeing an increase in actual safety."*

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

**Council Resolution**

**MOVED: Cr. G. Greco**  
**SECONDED: Cr. T. Laurence**

**That** the order of business be amended to hear Item 9. 'Urgent Business' items as the first agenda item for Council's consideration.

**CARRIED**

At this point in the meeting Section 9 - Urgent Business was heard. Refer to page 28 of these minutes.

## 6. CONSIDERATION OF REPORTS

### 6.1 2015/2016 FINANCIAL STATEMENTS AND PERFORMANCE STATEMENT

MINUTE NO. 332

**Author:** Financial Accountant

**Reviewed By:** Acting Director Corporate Services

#### Report Background

The report recommends that Council approves in principle the Financial Statements and Performance Statement for the 2015/2016 financial year and authorises two Councillors to sign the Statements in their final form.

The financial statements disclose a surplus for the year of \$20.06 million.

#### 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

Goal 6 - Open and Accountable Democracy

2015/2016 Strategic Resource Plan

#### Summary

The report recommends that Council approves in principle the Financial Statements and Performance Statement for the 2015/2016 financial year and authorises two Councillors to sign the Statements in their final form.

The financial statements disclose a surplus for the year of \$20.06 million.

<b>Recommendation</b>
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**That Council:**

- (1) Approve in principle the Financial Statements for the 2015/2016 year enclosed in **Appendix A** to this report.
- (2) Authorise Cr. Vince Fontana and Cr. Oliver Walsh to sign the Financial Statements in their final form after any changes recommended or agreed to by the Auditor have been made.
- (3) Approve in principle the Performance Statements for the 2015/2016 year enclosed in **Appendix B** to this report.
- (4) Authorise Cr. Vince Fontana and Cr. Oliver Walsh to sign the Performance Statement in its final form after any changes recommended or agreed to by the Auditor have been made.

**Motion**

**MOVED: Cr. O. Walsh**  
**SECONDED: Cr. S. Tsitas**

**That Council:**

- (1) Approve in principle the Financial Statements for the 2015/2016 year enclosed in **Appendix A** to this report.
- (2) Authorise Cr. Vince Fontana and Cr. Oliver Walsh to sign the Financial Statements in their final form after any changes recommended or agreed to by the Auditor have been made.
- (3) Approve in principle the Performance Statements for the 2015/2016 year enclosed in **Appendix B** to this report.
- (4) Authorise Cr. Vince Fontana and Cr. Oliver Walsh to sign the Performance Statement in its final form after any changes recommended or agreed to by the Auditor have been made.

*Cr. Tsitas proposed to the mover that point (5) be added to the motion as follows. This was accepted by Cr. Walsh.*

- (5) References made to Rasiah Dev, Chief Executive on pages 45 of the Financial Statement and page 7 of the Performance Statement be amended to read Steve Hamilton as Acting Chief Executive to enable signing of both statements in his acting capacity.

THE AMENDED MOTION THEN READ AS FOLLOWS:

**Amended Motion**

**MOVED: Cr. O. Walsh**  
**SECONDED: Cr. S. Tsitas**

**That Council:**

- (1) Approve in principle the Financial Statements for the 2015/2016 year enclosed in **Appendix A** to this report.
- (2) Authorise Cr. Vince Fontana and Cr. Oliver Walsh to sign the Financial Statements in their final form after any changes recommended or agreed to by the Auditor have been made.
- (3) Approve in principle the Performance Statements for the 2015/2016 year enclosed in **Appendix B** to this report.
- (4) Authorise Cr. Vince Fontana and Cr. Oliver Walsh to sign the Performance Statement in its final form after any changes recommended or agreed to by the Auditor have been made.
- (5) References made to Rasiah Dev, Chief Executive on pages 45 of the Financial Statement and page 7 of the Performance Statement be amended to read Steve Hamilton as Acting Chief Executive to enable signing of both statements in his acting capacity.

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

<b>Council Resolution</b>
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**MOVED:** Cr. O. Walsh

**SECONDED:** Cr. S. Tsitas

**That Council:**

- (1) Approve in principle the Financial Statements for the 2015/2016 year enclosed in **Appendix A** to this report.
- (2) Authorise Cr. Vince Fontana and Cr. Oliver Walsh to sign the Financial Statements in their final form after any changes recommended or agreed to by the Auditor have been made.
- (3) Approve in principle the Performance Statements for the 2015/2016 year enclosed in **Appendix B** to this report.
- (4) Authorise Cr. Vince Fontana and Cr. Oliver Walsh to sign the Performance Statement in its final form after any changes recommended or agreed to by the Auditor have been made.
- (5) References made to Rasiah Dev, Chief Executive on page 45 of the Financial Statement and page 7 of the Performance Statement be amended to read Steve Hamilton as Acting Chief Executive to enable signing of both statements in his acting capacity.

**CARRIED**

**6.2 AMENDMENT C153 –CORRECTIONS TO THE RESIDENTIAL GROWTH ZONE SCHEDULES 2, 3 AND 5****MINUTE NO. 333****Author:** Manager City Development**Reviewed By:** Acting Director Assets and Business Services**Report Background**

This report seeks Council endorsement of a proposed Ministerial Amendment to the Darebin Planning Scheme. Amendment C153 is proposed to amend Schedules 2, 3 and 5 of the Residential Growth Zone (RGZ) which facilitate 'Garden Apartment' style developments in designated residential growth precincts. These RGZ schedules were originally introduced to the Darebin Planning Scheme in January 2015 via Amendment C147 following Council's participation in the Residential Zones Standing Advisory Committee process. Amendment C153 is designed to correct omissions in the Schedules that inadvertency occurred in the Minister's approval of Amendment C147.

**Previous Council Resolution**

This matter is not the subject of a previous Council resolution.

**Previous Briefing(s)**

Councillor Briefing – 8 August 2016

**Council Plan Goal/Endorsed Strategy**

The project will deliver on Goal 1 – a Vibrant City and Innovative Economy by facilitation of well-designed, well-located, higher density housing that is consistent with Council's Housing strategies

**Summary**

Council officers have prepared Amendment C153 to make necessary corrections to Schedules 2, 3 and 5 of the Residential Growth Zone (RGZ). The Schedules were originally introduced into the Darebin Planning Scheme on 15 October 2015 via Planning Scheme Amendment C147. The Schedules apply to RGZ zoned land around the Northland Urban Renewal Precinct, the Reservoir Activity Centre and Station Street Fairfield south of the railway line.

Council officers have identified an omission within the approved version of the RGZ Schedules 2, 3 and 5. Key ground and upper level side setback requirements for the rear parts of Garden Apartment suitable sites are missing from the identified Schedules to the RGZ.

The omission of these requirements are a result of the Residential Zones Standing Advisory Committee's (RZSAC) recommendation to omit the *Higher Density Residential Building Typologies September 2014 Incorporated Document* from the Amendment C147 package. In its list of recommendations, the RZSAC considered the incorporated document to be unnecessary, as it would deliver the same requirements and statutory weight as the other planning tools proposed by Council.

However, the incorporated document was the only document which explicitly provided for side setback requirements for Garden Apartment proposals. Therefore, when omitting the incorporated document, the RGZ schedules were approved and gazetted without rationalising these side setback requirements into the relevant RGZ Schedules.

Amendment C153 is required to:

- Amend RGZ Schedules 2, 3 and 5 to ensure they include necessary side setback and boundary wall requirements for Garden apartment development proposals, and
- Provide greater certainty for the community in the delivery of good quality higher density residential development in the City of Darebin that is consistent with local policy.

Amendment C147 was publicly exhibited and submissions from the community were received and reviewed as part of the RSZAC process. Council officers are satisfied that the views of affected parties were previously sought, analysed and addressed through this process. As such, the Minister for Planning's intervention will be sought under Section 20(4) of the *Planning and Environment Act 1987* (the Act) for Amendment C153 to be submitted directly to the Minister for approval and exempted from further public exhibition requirements.

Amendment C153 is now presented to Council for endorsement. The relevant planning scheme documentation package prepared for submission to the Minister is attached at **Appendix A**. The documentation includes a written 'reasons for ministerial intervention' document in support of the Section 20(4) request.

### Council Resolution

**MOVED:** Cr. T. McCarthy  
**SECONDED:** Cr. B. Li

**That Council:**

- (1) Endorse proposed Amendment C153 to the Darebin Planning Scheme as attached in **Appendix A**.
- (2) Request the Minister for Planning to exercise his power to prepare and approve Amendment C153 under Section 20(4) of the *Planning and Environment Act 1987*.
- (3) Request the Minister for Planning to consult with Council officers on any changes proposed to the documents submitted as part of Amendment C153.

**CARRIED**

*Cr. Tsitas temporarily left the meeting during discussion of the above item at 8.02 pm.*

**6.3 MERRI CREEK BRIDGE FEASIBILITY STUDY****MINUTE NO. 334****Author:** Manager Assets and Properties**Reviewed By:** Acting Director Assets and Business Services**Report Background**

This report is provided in response to a Council resolution at its meeting of 23 November 2015. At this meeting Council resolved to undertake a feasibility study into the provision of a footbridge across the Merri Creek in the vicinity of Beavers Road, Northcote.

**Previous Council Resolution**

At its meeting held on 23 November 2015, Council resolved:

*That*

1. *Council note that a report has been provided in response to minute No. 432 – Feasibility of Merri Creek Bridge.*
2. *A project to conduct a feasibility study into the provision of an additional footbridge across the Merri Creek in the vicinity of Beavers Road, Northcote, be referred to the 2015/2016 mid-year budget review considerations including consultation with the following stakeholders:*
  - a. *City of Moreland*
  - b. *CERES*
  - c. *Melbourne Water*
  - d. *Beavers Road businesses*
  - e. *Merri Creek Management Committee*
  - f. *State Government*
  - g. *Victoria Walks*
  - h. *Bicycle Victoria*
  - i. *Darebin Bicycle Users Group*
  - j. *VicRoads*
3. *The Moreland City Council be approached to contribute 50% of the cost of conducting a feasibility study into the possibility of placing a new footbridge between Beavers Road and Kingfisher Gardens.'*

**Previous Briefing(s)**

Councillor Briefing – 8 August 2016

**Council Plan Goal/Endorsed Strategy**

- Goal 1 – Vibrant and Innovative Economy
  - Strategy 1.4 – Strategic land use and sustainable transport planning policies
  - Strategy 1.5 – Existing and new physical assets and infrastructure

- Goal 2 – Healthy and Connected Community
  - Strategy 2.1 – Community Services
  - Strategy 2.2 – Community Safety
  - Strategy 2.3 – Quality of Life
  - Strategy 2.6 – Community health and fitness and access to opportunities
  - Strategy 2.10 – Social and physical connectedness
  - Strategy 2.13 – Equitable access to all community facilities
- Goal 3 – Sustainable and Resilient Neighbourhoods
  - Strategy 3.1 – Environment protection
  - Strategy 3.2 – Sustainable transport
  - Strategy 3.3 – Land use, WSUD and transport planning
  - Strategy 3.7 – Biodiversity, wildlife corridors, cultural heritage

### **Summary**

A study into the feasibility of providing an additional footbridge across the Merri Creek in the vicinity of Beavers Road, Northcote has been completed for the Darebin and Moreland City Councils by specialist engineering consultants, pittandsherry. The study included consultation with stakeholders, a face to face group stakeholder meeting and community survey. Moreland City Council jointly funded the investigation.

The feasibility study identified two options to improve cyclist and pedestrian accessibility in the area:

1. Widening of the Arthurton Road bridge (approx. value \$530,000).
2. Construction of a new 100m long cable stay bridge spanning from Beavers Road to Kingfisher Gardens and additional paths and viewing platforms (approx. value \$2.16M + design/supervision costs of approx. \$315,000 – total project cost estimated at \$2.48M)

Upgrade works to widen the Arthurton Road Bridge appear to be technically feasible though would not address safety concerns for pedestrians and, particularly cyclists, travelling along Arthurton Road/Blyth Street on either side of the bridge. It was evident through the stakeholder consultation process that there was a strong preference from the community for a new cyclist/pedestrian bridge located away from busy roads and congestion.

Whilst there are a number of site constraints in the vicinity of Beavers Road and Kingfisher Gardens, including high voltage transmission lines, underground services, vegetation and restrictions around flood levels, the investigation found that a new bridge crossing is feasible, though expensive.

Support for this option was received from external stakeholders including bicycle user groups, Friends of Merri Creek, CERES, the Croxton School Council and BIGBANG studio. Benefits of a new pedestrian and cyclist bridge located near Beavers Road would include:

- Pedestrians and cyclists, including students of Brunswick East Primary School, would have a much safer alternative to the Arthurton Road Bridge, even if the current bridge was upgraded
- Darebin residents could more easily access the CERES park, facilities and sustainability programs
- A bridge would encourage more sustainable transport such as walking and cycling in the local area

- Croxton School students could make use of the facility to participate in travel training and bike education.

Funds have been allocated within the 2016/2017 Capital Works program to undertake detailed design of the bridge. It is recommended that council proceed with the design and refer consideration of funding the bridgeworks to the 2017/2018 budget process.

The Moreland City Council would need to meet any costs for the proposed bridge on a 50/50 basis. Council has already received \$75,000 from Moreland being 50% of the detailed design cost.

<b>Council Resolution</b>
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**MOVED: Cr. O. Walsh**  
**SECONDED: Cr. T. McCarthy**

**That Council:**

- (1) Proceed with the detailed design and documentation of shared path bridge over Merri Creek in the vicinity of Beavers Road, Northcote in the current financial year, using the \$75,000 allocated for this work in the 2016/2017 budget and the Moreland City Council contribution of \$75,000 paid to this Council in anticipation of the work proceeding.
- (2) Consider allocating an amount of \$1.165M in the 2017/2018 budget as its half share for the construction of the bridge.
- (3) Advise Moreland City Council of its decision and request that it also considers the allocation of an amount of \$1.165M in its 2017/2018 budget as its half-cost share for the construction of the bridge.

**CARRIED UNANIMOUSLY**

*Cr. Tsitas returned to the meeting during discussion of the above item at 8.08 pm.*

**6.4 LEISURE, PUBLIC REALM AND PARKS CAPITAL UPDATE****MINUTE NO. 335****Author:** Manager Capital Works and Engineering**Reviewed By:** Director Assets and Business Services**Report Background**

This report is requesting Council approval on an amendment of scope on a number of projects endorsed in the 2016/2017 capital budget.

**Previous Council Resolution**

The report relates to Council's adopted 2016/2017 capital works budget.

**Previous Briefing(s)**

This matter has not previously been to a Councillor briefing

**Council Plan Goal/Endorsed Strategy**

- Council plan 2013 – 2017 Performance indicator 1.4 delivery of capital works; 2.6 Community health and fitness; and access to opportunities; 2.10 Social and physical connectedness; 2.13 equitable access for all; 2.15 equity in sport; 5.2 access and inclusion
- Darebin Health and Wellbeing Plan 2013 – 2017 goal 4 – build healthy, safe and accessible places for people to play and connect; goal 5 protect and promote Darebin people's physical health
- Darebin Leisure Strategy (2010 – 2020) and Leisure Services Action Plan 2015 - 2020

**Summary**

Implementation of capital works projects funded in the 2016/2017 budget has now commenced. Following an update of Project Initiation Documentation new information has provided further details for some projects that would support an amendment of scope for these projects. An adjustment of scope for these projects will still enable Council to deliver these projects in 2016/2017, whilst meeting community needs and providing best value to Council.

The identified projects are:

- 5114 – GH Mott Reserve Pavilion redevelopment
- 6367 – Sporting pavilion bin enclosures
- 6858 – Gas Enclosures
- 6693 – Warm Season Turf Establishment

**Recommendation**

**That Council:**

- (1) Notes this report.
- (2) Endorses the noted scope changes to the following capital projects as detailed within this report:
  - a) 5114 – GH Mott Reserve Pavilion redevelopment
  - b) 6367 – Sporting pavilion bin enclosures
  - c) 6858 – Gas Enclosures
  - d) 6693 – Warm Season Turf Establishment

**Council Resolution**

**MOVED: Cr. B. Li**  
**SECONDED: Cr. T. McCarthy**

**That Council:**

- (1) Notes this report.
- (2) Endorses the noted scope changes to the following capital projects as detailed within this report:
  - a) 5114 – GH Mott Reserve Pavilion redevelopment
  - b) 6367 – Sporting pavilion bin enclosures
  - c) 6858 – Gas Enclosures
  - d) 6693 – Warm Season Turf Establishment
- (3) Notes the \$600,000 savings from the GH Mott Reserve Redevelopment project and resolves to receive a report as part of the mid-year budget update on similar projects that this saving can be redirected to.

**CARRIED**

**6.5 BOWLS CLUBS PAYING RATES AND LEASE / LICENCE FEES**

MINUTE NO. 336

**Author:** Acting Director Corporate Services**Reviewed By:** Acting Chief Executive**Report Background**

This report is in response to General Business Item Minute No. 457 from the Council meeting held on 7 September 2015.

**Previous Council Resolution**

At its meeting on 7 September 2015, Council resolved:

*“That Officers report back to Council in October on the situation for those bowls clubs that are being charged cultural and recreational land rates in addition to lease fees for facilities on Council land.*

*The report should also report back on the amounts being charged to these club/s and any possible policy options for Council to remove this double payment on not-for-profit organisations who are focussed on keeping our community active.”*

This report responds to that the resolution and provides details of the current arrangements for the Kingsbury Bowls Club and the Preston Reservoir Bowls Club.

**Previous Briefing(s)**

Councillor Briefing – 22 August 2016

**Council Plan Goal/Endorsed Strategy**

Goal 6 - Open and Accountable Democracy

**Summary**

There is currently in place a lease for the Kingsbury Bowls Club and a licence in place for the Preston Reservoir Bowls Club.

The land occupied by the Kingsbury Bowls Club and the Preston Reservoir Bowls Club is rateable land under section 154 of the *Local Government Act 1989* and meets the definition of recreational lands under the *Cultural and Recreational Lands Act 1963*. Accordingly, the Kingsbury Bowls Club and the Preston Reservoir Bowls Club are charged cultural and recreational land rates.

The rent charged to these clubs under their respective lease and licence is in accordance with the Sporting Fees, Charges and Occupancy Agreement Policy 2016.

**Council Resolution****MOVED:** Cr. O. Walsh**SECONDED:** Cr. B. Li

**That** Council notes this report on bowls clubs paying rates and lease or licence fees.

**CARRIED**

**6.6 INSTRUMENT OF APPOINTMENT AND AUTHORISATION  
TO APPOINT AUTHORISED OFFICERS TO ENFORCE THE  
PLANNING AND ENVIRONMENT ACT 1987**

MINUTE NO. 337

**AUTHOR:** Coordinator Council Business**REVIEWED BY:** Executive Manager Corporate Governance and Performance**Report Background**

*The Local Government Act 1989* provides for the appointment of Authorised Officers for the purposes of the administration and enforcement of any Act, regulations or local laws which relate to the functions and powers of the Council.

The Chief Executive Officer, by authority conferred by instrument of delegation from Council dated 17 March 2015, makes these appointments. Maddocks Lawyers' model *Instrument of Appointment and Authorisation* developed for Victorian councils is used for this purpose.

Maddocks Lawyers have a separate *Instrument of Appointment and Authorisation* specifically for authorised officers appointed under the *Planning and Environment Act 1987*. This *Instrument of Appointment and Authorisation* provides for councils (rather than CEO's by delegation) to appoint officers by a resolution.

This report therefore presents for Council approval the *Instrument of Appointment and Authorisation* to appoint authorised officers for the purposes of enforcing the *Planning and Environment Act 1987*.

**Previous Council Resolution**

At its meeting held on 4 July 2016, Council resolved:

*'That in the exercise of the powers conferred by section 147 (4) of the Planning and Environment Act 1987 and section 232 of the Local Government Act 1989, Darebin City Council resolves that:*

- a) *The member of Council staff referred to in the Instrument attached as Appendix A be appointed and authorised as set out in the instrument.*
- b) *The instrument comes into force immediately the common seal of Council is affixed to the instrument, and remains in force until Council determines to vary or revoke it.'*

**Previous Briefing(s)**

This matter has not previously been to a Councillor briefing.

**Council Plan Goal/Endorsed Strategy**

Open and Accountable Democracy

**Summary**

This report seeks approval by Council for Council staff to be appointed and authorised to enforce the *Planning and Environment Act 1987*.

<b>Council Resolution</b>
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**MOVED:** Cr. S. Tsitas

**SECONDED:** Cr. G. Greco

**That** in the exercise of the powers conferred by section 147 (4) of the *Planning and Environment Act 1987* and section 232 of the *Local Government Act 1989*, Darebin City Council resolves that:

- (1) The member of Council staff referred to in the Instrument attached as **Appendix A** be appointed and authorised as set out in the instrument.
- (2) The instrument comes into force immediately the common seal of Council is affixed to the instrument, and remains in force until Council determines to vary or revoke it.

**CARRIED**

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

Nil

## 8. NOTICES OF MOTION

### 8.1 INCREASED POLICE NUMBERS IN DAREBIN

MINUTE NO. 338

NOTICE OF MOTION NO.

303

CR. OLIVER WALSH

Take notice that at the Ordinary meeting to be held on 15 August 2016, it is my intention to move:

***That*** Council:

(1) Notes that:

- (a) *Property and Deception offences have increased throughout Darebin as a whole*
- (b) *Justice and Procedures offences have increased in locations such as Bundoora, Kingsbury, Thornbury, Alphington and Fairfield.*
- (c) *Drug Offences have increased in locations such as Preston and Reservoir.*
- (d) *That Crimes against the person have increased in suburbs such as Northcote*

(2) *Resolves to write to the Minister for Police advocating for higher Police numbers in Darebin.*

Notice Received:

2 August 2016

Notice Given to Councillors:

8 August 2016

Date of Meeting:

5 September 2016

**Motion**

**MOVED:** Cr. O. Walsh

**SECONDED:** Cr. B. Li

**That** Council:

(1) Notes that:

- (a) Property and Deception offences have increased throughout Darebin as a whole
- (b) Justice and Procedures offences have increased in locations such as Bundoora, Kingsbury, Thornbury, Alphington and Fairfield.
- (c) Drug Offences have increased in locations such as Preston and Reservoir.
- (d) That Crimes against the person have increased in suburbs such as Northcote

(2) Resolves to write to the Minister for Police advocating for higher Police numbers in Darebin.

*Cr. Li proposed to the mover that point (2) be amended as follows. This was accepted by Cr. Walsh.*

- (2) Resolves to write to the Minister for Police advocating for higher Police numbers in Darebin **and other crime reduction resources**.

THE AMENDED MOTION THEN READ AS FOLLOWS:

**Amended Motion**

**MOVED: Cr. O. Walsh**  
**SECONDED: Cr. B. Li**

**That Council:**

- (1) Notes that:
- (a) Property and Deception offences have increased throughout Darebin as a whole
  - (b) Justice and Procedures offences have increased in locations such as Bundoora, Kingsbury, Thornbury, Alphington and Fairfield.
  - (c) Drug Offences have increased in locations such as Preston and Reservoir.
  - (d) That Crimes against the person have increased in suburbs such as Northcote
- (2) Resolves to write to the Minister for Police advocating for higher Police numbers in Darebin and other crime reduction resources.

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

**Council Resolution**

**MOVED: Cr. O. Walsh**  
**SECONDED: Cr. B. Li**

**That Council:**

- (1) Notes that:
- (a) Property and Deception offences have increased throughout Darebin as a whole
  - (b) Justice and Procedures offences have increased in locations such as Bundoora, Kingsbury, Thornbury, Alphington and Fairfield.
  - (c) Drug Offences have increased in locations such as Preston and Reservoir.
  - (d) That Crimes against the person have increased in suburbs such as Northcote
- (2) Resolves to write to the Minister for Police advocating for higher Police numbers in Darebin and other crime reduction resources.

**CARRIED UNANIMOUSLY**

**8.2 NORTHCOTE AQUATIC CENTRE FEASIBILITY STUDY**

MINUTE NO. 339

NOTICE OF MOTION NO.

306

CR. OLIVER WALSH

Take notice that at the Ordinary meeting to be held on 5 September 2016, it is my intention to move:

*“That officers include in the Northcote Aquatic Centre feasibility study the reinstatement of the Diving Pool with the 1 and 3 M springboards in the redevelopment of NARC.”*

**Notice Received: 24 August 2016**

**Notice Given to Councillors: 31 August 2016**

**Date of Meeting: 5 September 2016**

**Motion**

**MOVED: Cr. O. Walsh**  
**SECONDED: Cr. T. McCarthy**

**That** officers include in the Northcote Aquatic Centre feasibility study the reinstatement of the Diving Pool with the 1 and 3 M springboards in the redevelopment of NARC.

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

**That** officers include in the Northcote Aquatic Centre feasibility study **the option of** the reinstatement of the Diving Pool with the 1 and 3 M springboards in the redevelopment of NARC.

THE AMENDED MOTION THEN READ AS FOLLOWS:

**Amended Motion**

**MOVED: Cr. O. Walsh**  
**SECONDED: Cr. T. McCarthy**

**That** officers include in the Northcote Aquatic Centre feasibility study the option of the reinstatement of the Diving Pool with the 1 and 3 M springboards in the redevelopment of NARC.

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

**Council Resolution**

**MOVED: Cr. O. Walsh**  
**SECONDED: Cr. T. McCarthy**

**That** officers include in the Northcote Aquatic Centre feasibility study the option of the reinstatement of the Diving Pool with the 1 and 3 M springboards in the redevelopment of NARC.

**CARRIED**

Cr. Walsh called for a Division:

<u>For</u>	<u>Against</u>
Cr. Angela Villella	Cr. Vince Fontana
Cr. Gaetano Greco	
Cr. Oliver Walsh	
Cr. Tim Laurence	
Cr. Steven Tsitas	
Cr. Julie Williams	
Cr. Trent McCarthy	
Cr. Bo Li	

The Chairperson, Cr. Fontana declared the motion to be carried.

*Cr. Tsitas temporarily left the meeting during discussion of the above item at 8.21 pm and returned at 8.22 pm.*

### 8.3 DAREBIN OLYMPIANS

MINUTE NO. 340

NOTICE OF MOTION NO. 307

CR. OLIVER WALSH

Take notice that at the Ordinary meeting to be held on 5 September 2016, it is my intention to move:

*“That the Mayor writes to Darebin Residents*

- *Eoin Coughlan*
- *Robin Middleton*
- *Lisa Weightman*
- *Hannah Cross*

*congratulating them on performing in the Olympic Games in Rio.”*

**Notice Received: 24 August 2016**

**Notice Given to Councillors: 31 August 2016**

**Date of Meeting: 5 September 2016**

<b>Council Resolution</b>
---------------------------

**MOVED: Cr. O. Walsh**

**SECONDED: Cr. B. Li**

**That** the Mayor writes to Darebin Residents

- Eoin Coughlan
- Robin Middleton
- Lisa Weightman
- Hannah Cross

congratulating them on performing in the Olympic Games in Rio.

**CARRIED**

*Council resolved earlier in the meeting that 'Urgent Business' items be brought forward for Council's consideration see page 10.*

## 9. URGENT BUSINESS

<b>Council Resolution</b>
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**MOVED:** Cr. A. Villella  
**SECONDED:** Cr. B. Li

**That** an Urgent Business item relating to 'Update on Negotiations for Surplus Victorian Government Land – Department of Education Sites at Ruthven and Lakeside' be deemed not confidential and admitted to the agenda to be heard at Item 9.1.

**CARRIED**

### 9.1 UPDATE ON NEGOTIATIONS FOR SURPLUS VICTORIAN GOVERNMENT LAND – DEPARTMENT OF EDUCATION SITES AT RUTHVEN AND LAKESIDE

**MINUTE NO. 330**

**Author:** Acting Director Assets and Business Services

**Reviewed By:** Acting Chief Executive

#### Report Background

This report provides Council with an update on negotiations with the Department of Education and Training with regard to surplus Department of Education and Training land at the former Ruthven Primary School (76 Glasgow Avenue, Reservoir) and at the Former Lakeside Secondary College (Rear of 31 Radford Road, Reservoir).

#### Previous Council Resolution

The most recent resolution in relation to this was made at Council's meeting of 1 August 2016:

*"That Council commits to securing an agreement to purchase the former Ruthven Primary School site and the relevant sections of Lakeside Secondary College before Council enters the caretaker period in September."*

Details of earlier Council resolutions on these two sites are contained in **Appendix A**.

#### Previous Briefing(s)

- These two sites have been the subject of various Council briefings.
- The most recent briefing was provided on 22 August 2016.

#### Council Plan Goal/Endorsed Strategy

Goal – Vibrant City and Innovative Economy

- Promote an innovative, vibrant and thriving economy with physical infrastructure that is both well maintained and appropriately regulated

## Summary

The Department of Education and Training has provided Council with values for their surplus land at the former Ruthven Primary School and Lakeside Secondary College.

Both sites have been assessed using the Darebin Property Management Strategy's Decision Logic Map (**Appendix B**). The assessments (**Appendices C & D**) have identified both sites as being required for public purposes and capable of providing ongoing strategic value.

The values provided by the DET for both properties likely represent the best possible offer that Council will receive from the Victorian Government for these sites. The DET is bound by Victorian Government policy in relation to land sales and 'negotiations' are limited to their offering land at a value that is set by the Valuer General.

This report recommends that Council proceed with the purchase of the Lakeside site and considers whether or not to take up the offer from the Victorian Government for the Ruthven site using funds from the Open Space Reserve. These transactions are capable of being undertaken during the 2016/17 financial year with limited budget implications in this financial year.

## Recommendation

**That Council:**

- (1) Acquire approximately 18,000m<sup>2</sup> of land at the rear of the former Lakeside Secondary College at 31 Radford Road, Reservoir for an amount of \$270,000, ex GST for the land plus any associated costs.
- (2) Pursues option \_\_\_ as detailed in the Options for Consideration section of this report.
- (3) Make arrangements for the funds to be transferred from the Open Space Reserve during the 2016/17 financial year to enable the purchase of surplus Victorian Government land.
- (4) Approve the Chief Executive to authorise, sign and seal any documents relating to the transaction.
- (5) Request the Minister for Planning to exercise his power to prepare and approve Amendment C159 to the Darebin Planning Scheme under Section 20(4) of the *Planning and Environment Act 1987* to rezone the surplus Victorian Government land to be acquired by Council, considering: 74-76 Glasgow Avenue, Reservoir and rear 31 Radford Road, Reservoir to Public Park and Recreation Zone.

## Motion

**MOVED: Cr. A. Villella**  
**SECONDED: Cr. T. Laurence**

**That Council:**

- (1) Acquire approximately 18,000m<sup>2</sup> of land at the rear of the former Lakeside Secondary College at 31 Radford Road, Reservoir for an amount of \$270,000, ex GST for the land plus any associated costs.
- (2) Pursues option 2 as detailed in the Options for Consideration section of this report.

- (3) Make arrangements for the funds to be transferred from the Open Space Reserve during the 2016/17 financial year to enable the purchase of surplus Victorian Government land.
- (4) Approve the Chief Executive to authorise, sign and seal any documents relating to the transaction.
- (5) Request the Minister for Planning to exercise his power to prepare and approve Amendment C159 to the Darebin Planning Scheme under Section 20(4) of the *Planning and Environment Act 1987* to rezone the surplus Victorian Government land to be acquired by Council, considering: 74-76 Glasgow Avenue, Reservoir and rear 31 Radford Road, Reservoir to Public Park and Recreation Zone.

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

**That** Council pursues option 2 – Purchase part of the Lakeside and all Ruthven sites as follows:

- (1) Acquire the former Ruthven Primary School site at 74-76 Glasgow Avenue, Reservoir (estimated to be approximately 30,000m<sup>2</sup> in area) from the Victorian Government for an amount of \$6,900,000, plus GST and costs; and  
Acquire approximately 18,000m<sup>2</sup> of land at the rear of the former Lakeside Secondary College at 31 Radford Road, Reservoir for an amount of \$270,000, ex GST for the land plus any associated costs.
- (2) Make arrangements for the funds to be transferred from the Open Space Reserve during the 2016/2017 financial year to enable the purchase of surplus Victorian Government land.
- (3) Approve the Chief Executive to authorise, sign and seal any documents relating to the transaction.
- (4) Request the Minister for Planning to exercise his power to prepare and approve Amendment C159 to the Darebin Planning Scheme under Section 20(4) of the *Planning and Environment Act 1987* to rezone the surplus Victorian Government land to be acquired by Council, considering: 74-76 Glasgow Avenue, Reservoir and rear 31 Radford Road, Reservoir to Public Park and Recreation Zone.

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

- (5) Writes to residents in the vicinity of Ruthven and Lakeside sites to advise of Council's agreement to purchase the land.

*Cr. McCarthy further proposed to the mover and seconder that point (6) be added to the motion as follows. This was accepted by Cr. Villella and Cr. Laurence.*

- (6) That consideration of planning and master planning for the Ruthven and Lakeside sites be referred to the 2017/2018 budget process.

THE AMENDED MOTION THEN READ AS FOLLOWS:

<b>Amended Motion</b>
-----------------------

**MOVED:** Cr. A. Villella  
**SECONDED:** Cr. T. Laurence

**That** Council pursues option 2 – Purchase part of the Lakeside and all Ruthven sites as follows:

- (1) Acquire the former Ruthven Primary School site at 74-76 Glasgow Avenue, Reservoir (estimated to be approximately 30,000m<sup>2</sup> in area) from the Victorian Government for an amount of \$6,900,000, plus GST and costs; and  
Acquire approximately 18,000m<sup>2</sup> of land at the rear of the former Lakeside Secondary College at 31 Radford Road, Reservoir for an amount of \$270,000, ex GST for the land plus any associated costs.
- (2) Make arrangements for the funds to be transferred from the Open Space Reserve during the 2016/2017 financial year to enable the purchase of surplus Victorian Government land.
- (3) Approve the Chief Executive to authorise, sign and seal any documents relating to the transaction.
- (4) Request the Minister for Planning to exercise his power to prepare and approve Amendment C159 to the Darebin Planning Scheme under Section 20(4) of the *Planning and Environment Act 1987* to rezone the surplus Victorian Government land to be acquired by Council, considering: 74-76 Glasgow Avenue, Reservoir and rear 31 Radford Road, Reservoir to Public Park and Recreation Zone.
- (5) Writes to residents in the vicinity of Ruthven and Lakeside sites to advise of Council's agreement to purchase the land.
- (6) That consideration of planning and master planning for the Ruthven and Lakeside sites be referred to the 2017/2018 budget process.

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

<b>Council Resolution</b>
---------------------------

**MOVED:** Cr. A. Villella  
**SECONDED:** Cr. T. Laurence

**That** Council pursues option 2 – Purchase part of the Lakeside and all Ruthven sites as follows:

- (1) Acquire the former Ruthven Primary School site at 74-76 Glasgow Avenue, Reservoir (estimated to be approximately 30,000m<sup>2</sup> in area) from the Victorian Government for an amount of \$6,900,000, plus GST and costs; and  
Acquire approximately 18,000m<sup>2</sup> of land at the rear of the former Lakeside Secondary College at 31 Radford Road, Reservoir for an amount of \$270,000, ex GST for the land plus any associated costs.
- (2) Make arrangements for the funds to be transferred from the Open Space Reserve during the 2016/2017 financial year to enable the purchase of surplus Victorian Government land.
- (3) Approve the Chief Executive to authorise, sign and seal any documents relating to the transaction.
- (4) Request the Minister for Planning to exercise his power to prepare and approve Amendment C159 to the Darebin Planning Scheme under Section 20(4) of the *Planning and Environment Act 1987* to rezone the surplus Victorian Government land to be acquired by Council, considering: 74-76 Glasgow Avenue, Reservoir and rear 31 Radford Road, Reservoir to Public Park and Recreation Zone.
- (5) Writes to residents in the vicinity of Ruthven and Lakeside sites to advise of Council's agreement to purchase the land.

- (6) That consideration of planning and master planning for the Ruthven and Lakeside sites be referred to the 2017/2018 budget process.

**CARRIED**

Cr. Villella called for a Division:

<u>For</u>	<u>Against</u>
Cr. Angela Villella	Cr. Steven Tsitas
Cr. Gaetano Greco	
Cr. Tim Laurence	
Cr. Vince Fontana	
Cr. Julie Williams	
Cr. Trent McCarthy	
Cr. Bo Li	

The Chairperson declared the motion to be carried.

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## Introduction

The former William Ruthven Primary School site at 74-76 Glasgow Avenue, Reservoir (Ruthven site) and former Lakeside Secondary College site at 31 Radford Road, Reservoir (also known as 21-29 Radford Road) (Lakeside site), have been declared surplus by the Victorian Government and an opportunity exists for Council to purchase these sites (in accordance with Victorian Government land policy) for their preservation as community open space.

The Ruthven and Lakeside sites are undergoing a rezoning process via the Victorian Government's Fast Track Government Land Service. The Victorian Government is proposing to rezone the Ruthven site from PUZ2 to GRZ2 and to rezone the Lakeside site from PUZ2 to IND1. Council received a report on this process and outlining Council's submission at its meeting of 16 May 2016. The Minister of Planning is yet to finalise the proposed rezoning arrangements.

The Chief Executive confirmed Council's desire to negotiate the purchase of the Ruthven and Lakeside sites via a letter to the Minister for Education and the Minister for Planning in June 2016. The Department of Education have advised that valuations have been prepared by the Valuer General for the two sites and that the Victorian Government is willing to offer this land to Council for purchase. The following are the received valuations:

- The Ruthven Site has been offered to Council at a value of \$6,900,000.
- The Lakeside site has been offered to Council at a value of \$270,000.

## Issues and Discussion

### Victorian Government Surplus Land Process

The Victorian Government endorsed the *Victorian Government Landholding Policy and Guidelines* in early 2015. The policy states that Victorian Government agencies must only hold land where state ownership of that land contributes directly to current or future service delivery outcomes.

The policy and guidelines require Victorian Government departments and authorities to undertake strategic assessments of their property portfolios and provide annual reporting to the Department of Treasury and Finance (DTF) on property utilisation, including identifying parcels which are considered surplus.

Relevant points from the *Victorian Government Landholding Policy and Guidelines* include:

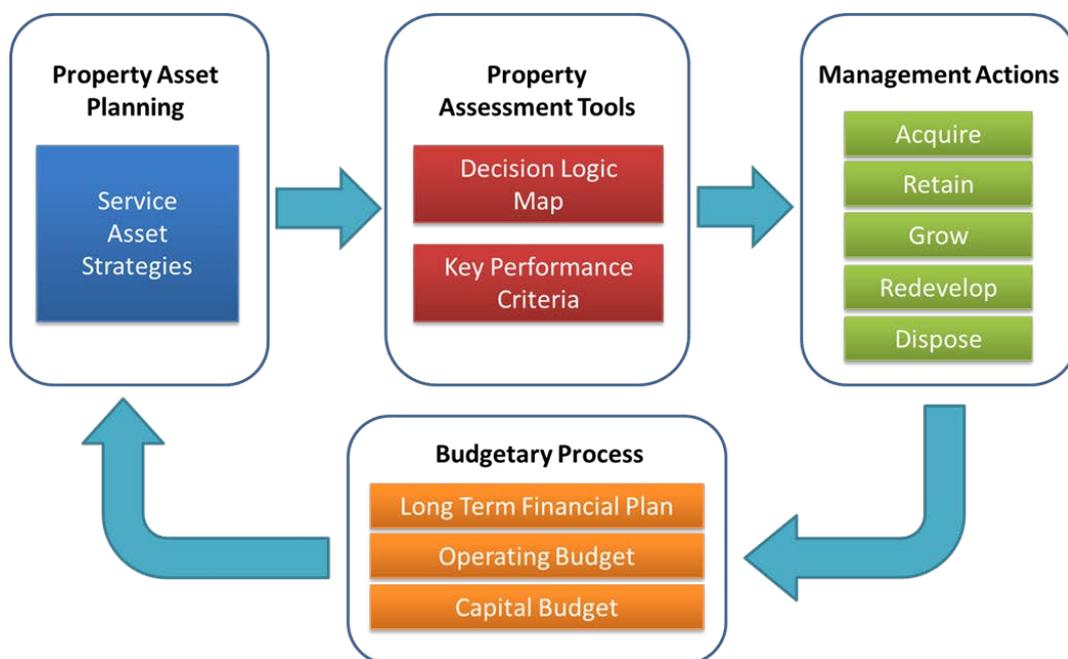
- If the terms of sale are agreed between the parties, transfer of the surplus land may proceed according to the agreed terms, at a price equal to the current market value of the land as determined by the Valuer General Victoria
- The landholding Minister may approve the sale of land for a community purpose at a price less than the current market value of the land as determined by the Valuer General Victoria
- If the terms of sale are not agreed between the parties, the disposing agency may proceed to dispose of the surplus land by public process in accordance with the Victorian Government Land Transactions Policy.

Victorian Government land transactions that are greater than \$750,000 are subject to oversight from the Victorian Government Land Monitor. The role of the Victorian Government Land Monitor is to provide government with an assurance of accountability, impartiality, transparency and integrity in land transactions by analysing each transaction to ensure that it is legal, is in the public interest, and provides best results for government.

**Property Asset Management Strategy and the Decision Logic Matrix**

Council adopted a Property Asset Management Strategy (PAMS) in 2014 which seeks to enable strategic decision making and align actions relating to property assets to Council’s broader policy objectives. PAMS provides Council with a basis for achieving a sustainable property portfolio capable of generating enhanced community outcomes.

PAMS contains a Property Management Framework (Figure 1) which depicts a methodology for municipal decision making founded on service needs and responsive to budgetary implications.



**Figure 1- Property Management Framework**

A vital element of the Property Asset Management Strategy is the Decision Logic Map (refer to **Appendix B**) which asks a series of key questions in order to arrive at one of four hold points – Dispose, Maintain, Grow or Redevelop as shown in Figure 2.

		Service Provision	
		High	Low
Development Potential	High	<b>Grow</b> (Council undertakes actions to develop the property or transform existing use)	<b>Redevelop</b> (partnership with other parties to develop property or transform existing use)
	Low	<b>Maintain</b> (business as usual)	<b>Dispose</b> (Council sells the property)

Figure 2- Decision Logic Matrix

The Decision Logic Tool assessments for the two sites (Ruthven and Lakeside) are contained in **Appendices C & D**. The assessments recommend that Council consider acquiring Ruthven (**Grow**) noting that the land could be developed to address service requirements; and acquiring the land at the rear of Lakeside (**Maintain**) which would continue to be maintained by Council as open space and bicycle path.

The assessment process now requires input from Council to determine which of the proposed management actions would be considered appropriate.

**Options for Consideration**

**Option 1 - Purchase part of the Ruthven and part of the Lakeside sites**

Council may resolve to offer to purchase either or both parcels of land from the Department of Education and Training for community use.

The valuations have been undertaken on a basis of Council accepting restrictions upon the titles to the land which would prevent Council from ever using the land as anything other than open space in the case of Lakeside, (e.g. no development of the land as housing or other commercial uses in the future) or open space and not-for-profit community facilities in the case of Ruthven.

This option is based on the principle that Council spends a total of \$5.5m to acquire both sites. This would enable the purchase part of Lakeside (\$270,000) and approximately 75% of Ruthven (\$5.2m). 75% of the Ruthven site would be sufficient to address strategic gaps and future service needs in the area.

For the remainder of the Ruthven site (25%) Council may consider advocating to the state government to ensure this land remains in government hands, and advocates that government considers the development of social / affordable housing on this portion of the site. The potential outcome of this is unknown at this stage.

Funds for the purchase of the land could be transferred from the Open Space Reserve without amendment to the 2016/17 budget.

For the Lakeside site, once purchased, the land would continue to provide the same level of service at a similar cost to present (approx. \$7,500 p.a. to weed, mow and manage remnant grassland areas).

For the Ruthven site, once purchased, \$50,000 has been allocated in the 2016/17 Capital Works Program to enable the development of a masterplan for the site. Possible future works at the site could include a sporting pavilion, kindergarten/children's services hub and a playspace. Timing of such works would be subject to funding availability and prioritisation by Council.

With regard to possible site contamination, it is expected that the Ruthven site would be transferred to Council with an environmental audit report which would clear the site for open space/community based uses. Any clean-up works of residual hazardous materials on the site (e.g. asbestos) would need to be funded and managed by the Department of Education and Training. The Lakeside site is not anticipated to be affected by hazardous materials (greater than other typical sections of public land adjoining the Merri Creek).

There is a risk that if Council were to purchase either or both parcels of land, some sections of the community may see this as inappropriate due to the land being considered already 'public land' and therefore the expenditure of public funds to preserve it would be unnecessary.

Alternate Recommendation Text:

- (2) *Acquire a portion of the former Ruthven Primary School site at 74-76 Glasgow Avenue, Reservoir (estimated to be approximately 75% of the site area) for an amount no greater than \$5,200,000, plus GST and costs.*
- (6) *That consideration of planning and master planning for the Ruthven and Lakeside sites be referred to the 2017/18 budget process.*

**Option 2 – Purchase part of the Lakeside and all Ruthven sites**

Council may resolve to offer to purchase both parcels of land from the Department of Education and Training for community use.

Option discussion is the same as for Option 1 except that Option 2 would involve the acquisition of the whole of the Ruthven site.

Alternate Recommendation Text:

- (2) *Acquire the former Ruthven Primary School site at 74-76 Glasgow Avenue, Reservoir (estimated to be approximately 30,000m<sup>2</sup> in area) from the Victorian Government for an amount of \$6,900,000, plus GST and costs.*
- (6) *That consideration of planning and master planning for the Ruthven and Lakeside sites be referred to the 2017/18 budget process.*

**Option 3 – Continue advocacy for transfer/protection at no cost to Council**

Council could continue its advocacy role via local politicians and the community with the intention of seeking transfer of the land at no cost to Council (and the ratepayers of Darebin).

The Department of Education and Training, the Department of Treasury and Finance and the Department of Environment, Land, Water and Planning have consistently and clearly stated that this outcome would not be possible under current Victorian Government policy.

Provision of the land to Council at no cost or the permanent reservation of the land as open space would require direct Ministerial involvement. Such direct intervention would be contrary to established Victorian Government policies and guidelines, be unprecedented and would likely have ramifications to other sales of government land in other municipal areas.

It is expected that any action by Council to continue advocacy for the sites will be seen by the Department of Education and Training as a refusal of their offer and they may proceed with plans to present the land for sale on the open market.

#### Option 4 – Decide not to purchase land (Do Nothing)

Council could resolve that the land is not required for municipal purposes and advise the Victorian Government that Council no longer retains an interest in acquiring either or both of the parcels.

Should Council, after considering this report, resolve that either or both of the parcels are not required for municipal purposes, it is expected that Department of Education and Training would proceed with plans to present the land for sale on the open market. It is likely that the land would be rezoned as GR22 by the Minister for Planning and a substantial multi-unit development would be constructed on the site.

Such action would likely expose Council to risk arising from dissatisfied local residents who consider this land to be required as public open space.

### Financial and Resource Implications

#### Public Open Space Reserve

Should Council resolve to purchase the land from the Department of Education and Training, funds for the purchase could be drawn from the Open Space Reserve. These funds, collected from developers via the *Subdivision Act 1988*, are available to be spent on purchasing or improving land set aside as public open space:

*“(2) The Council must use any payment towards public open space it receives under this Act or has received under section 569B(8A) of the Local Government Act 1958 but has not applied under sub-section (8C) of that section or the proceeds of any sale of public open space to—*

*(a) buy land for use for public recreation or public resort, as parklands or for similar purposes; or*

*(b) improve land already set aside, zoned or reserved (by the Council, the Crown, a planning scheme or otherwise) for use for public recreation or public resort, as parklands or for similar purposes”*[Subdivision Act 1988, S 20(2)]

Figure 3, below, shows the funds currently available via the Public Open Space Reserve. It is worth noting that the budgeted income for the year is slightly greater than the amount proposed to be drawn from the reserve to fund open space capital works improvements. This trend has continued for quite some time, leading the reserve to accumulate additional funds.

Opening balance (1 July 2016)	\$12,458,000
Allocation of funds to projects (2016/17)	-\$3,364,000
Budgeted income (2016/17)	\$3,500,000
Estimated opening balance (1 July 2017)	\$12,594,000

**Figure 3 – Public Open Space Reserve**

The Public Open Space Reserve is capable of being drawn upon by Council at any point during the financial year without requiring a revised budget to be created.

Funds for the purchase of both these properties could be transferred from the Public Open Space Reserve without impact on either the 2016/17 budget or future budgets of Council.

In a purchase situation, Council would not be liable for stamp duty, but would be required to pay other statutory costs associated with the transfer of land; these costs are estimated at less than \$500 and would be able to be covered with operational funding within the 2016/17 budget.

The balance of Public resort and recreation reserve as at 30 June 2016 is \$12,459,000. These funds are restricted and are unable to be used for any other purpose than as specified under the Subdivision Act 1988. This reserve is the appropriate source of funds for these purchases should they proceed. There are sufficient funds within this reserve to fund the purchase even if the maximum amount (\$7.2m) were used and also fund the capital works program funded from this reserve for 2016/17. The use of these funds from this reserve will not impact Council's long term financial sustainability. The only impact on Council's financial position (at \$7.2m withdrawal) would be interest foregone of potential \$206,000 per annum.

Council balance of cash and other financial assets as at the end of 30 June 2016 is \$64,605,000 against a budgeted cash position of \$46,037,000.

### **Future Costs to Maintain and Develop**

Council currently spends approximately \$7,500 per annum providing for path maintenance, grass mowing and weed control at the Lakeside site. No Council funds are used to maintain or provide service from the Ruthven site.

The 2016/17 budget contains \$50,000 to develop a masterplan for the Ruthven site. The production of a masterplan is aimed at allowing community consultation on upgrade of the park.

Access to the Lakeside site is currently gained by travelling through the former school. Should the remainder of the school land be privately developed this access is likely to be lost. Council would need to make arrangements to formalise approximately 100m of embankment which slopes down from the next nearest vehicle access point in Brex Court. It is estimated that these works would cost in the order of \$30,000.

### **Risk Management**

Outline of risks associated with various options are contained within the individual option analyses.

### **Policy Implications**

#### **Economic Development**

There are no factors in this report which impact upon economic development.

#### **Environmental Sustainability**

Securing the Lakeside site will enable the protection of land that holds environmental and biodiversity value.

#### **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

- Letter of acceptance of offer to be provided to the Department of Education and Training
- Community to be advised that Council will be purchasing the land
- Payment of consideration
- Transfer of land
- Referral of funding for development of masterplan for the site to the 2017/18 Capital Works Program

### Consultation and Advocacy

#### External

- Community members via public meetings, correspondence and local papers
- Department of Education and Training
- Department of Treasury and Finance
- Department of Environment, Land, Water & Planning
- Local Members of Parliament

#### Internal

- Assets and Properties
- Parks and Vegetation
- Transport
- City Development
- Communication and Marketing
- Finance

### Related Documents

- Previous resolutions of Council in relation to surplus Victorian Government land at Ruthven and Lakeside (**Appendix A**)
- Decision Logic Map (**Appendix B**)
- Assessment, 74-76 Glasgow Avenue, Reservoir (Former Ruthven Primary School) (**Appendix C**)
- Assessment, Rear 21-29 Radford Road, Reservoir (Former Lakeside Secondary College) (**Appendix D**)
- Property Asset Management Strategy, Darebin City Council, 2014
- Victorian Government Land Transactions Policy and Guidelines, Victorian Government, 2016
- Victorian Government Landholding Policy and Guidelines, Victorian Government, 2016
- Open Space Strategy, Darebin City Council, 2007
- Council Minutes – 1 August 2016

**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.

*Cr. Walsh temporarily left the meeting during discussion of the above item at 7.30 pm and returned to the meeting after the motion had been put to the vote at 7.32 pm.*

**Council Resolution**

**MOVED:** Cr. T. Laurence  
**SECONDED:** Cr. J. Williams

**That** an Urgent Business item relating to 'Relief for Italian Earthquake' be admitted to the agenda and heard at Item 9.2.

**CARRIED**

*Cr. Villella temporarily left the meeting at 7.33 pm*

*Cr. Greco declared a conflict of interest during discussion of the following item declaring the interest as an indirect interest as he is potentially a member of the Italian organisation in the motion.*

*Cr. Greco left the chambers at 7.36 pm.*

*Cr. Villella returned to the meeting during discussion of the following item at 7.36 pm*

*Cr. Villella declared a conflict of interest during discussion of the following item declaring the interest as an indirect interest as she was a member of Co.As.It.*

*Cr. Villella left the chamber at 7.46 pm.*

## **9.2 RELIEF FOR VICTIMS OF ITALIAN EARTHQUAKE**

**MINUTE NO. 331**

**Motion**

**MOVED:** Cr. T. Laurence  
**SECONDED:** Cr. J. Williams

**That** Darebin Council donate \$10,000 to the Italian welfare organisation COMITAS to aid victims of the earthquake in central Italy.

*Cr. Li proposed to the mover and seconder that the motion be amended as follows. This was accepted by Cr. Laurence and Cr. Williams.*

**That** Council:

- (1) Donate \$10,000 to an Australian registered non-government organisation in providing appropriate welfare support for victims of the earthquake in central Italy.
- (2) Prior to making the donation officers are to consult with relevant authorities (eg. Office of the Italian Consulate) and provide an urgent report at the next Council meeting.

THE AMENDED MOTION THEN READ AS FOLLOWS:

<b>Amended Motion</b>
-----------------------

**MOVED: Cr. T. Laurence**

**SECONDED: Cr. J. Williams**

**That Council:**

- (1) Donate \$10,000 to an Australian registered non-government organisation in providing appropriate welfare support for victims of the earthquake in central Italy.
- (2) Prior to making the donation officers are to consult with relevant authorities (eg. Office of the Italian Consulate) and provide an urgent report at the next Council meeting.

*Cr. Greco and Cr. Vilella returned to the meeting once the motion was amended as they no longer had a conflict of interest – 7.52 pm.*

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

<b>Council Resolution</b>
---------------------------

**MOVED: Cr. T. Laurence**

**SECONDED: Cr. J. Williams**

**That Council:**

- (1) Donate \$10,000 to an Australian registered non-government organisation in providing appropriate welfare support for victims of the earthquake in central Italy.
- (2) Prior to making the donation officers are to consult with relevant authorities (eg. Office of the Italian Consulate) and provide an urgent report at the next Council meeting.

**CARRIED**

*Cr. Walsh temporarily left the meeting during discussion of the above item at 7.36 pm and returned at 7.37 pm.*

**10. GENERAL BUSINESS**

Nil

**11. PETITIONS****11.1 EXTEND GILBERT RD TRAM NOW**

MINUTE NO. 341

<b>Council Resolution</b>
---------------------------

**MOVED:** Cr. T. Laurence  
**SECONDED:** Cr. J. Williams

**That** the petition:

*“We, the undersigned, call n Darebin Council to support Councillor Tim Laurence’s call for an initial \$20 million capital pledge for the Gilbert Rd Tram extension to help support our Federal MP’s commitment of \$22 million for this Tram extension. Darebin Council spent over \$3.6 million on the route 86 tram upgrade in High Street Northcote and we request similar council funding for route 11 in Reservoir. We condemn council for not supporting funding at its 18/7/16 Council meeting and call on Council to immediately pledged \$2 million to help attract State funding for this tram extension.”*

be tabled and referred to the Chief Executive.

**CARRIED UNANIMOUSLY**

## 12. RECORDS OF ASSEMBLIES OF COUNCILLORS

### 12.1 ASSEMBLIES OF COUNCILLORS HELD

MINUTE NO. 342

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:

- Special Councillor Briefing Session – 1 August 2016
- Councillor Briefing Session – 8 August 2016
- Sexuality, Sex and Gender Diversity Advisory Committee – 9 August 2016
- Councillors Strategic Workshop – 15 August 2016
- Councillor Briefing Session – 22 August 2016

<b>Council Resolution</b>
---------------------------

**MOVED:** Cr. T. McCarthy

**SECONDED:** Cr. O. Walsh

**That** the record of the Assembly of Councillors held on 1, 8, 9, 15 and 22 August 2016 be noted and incorporated in the minutes of this meeting.

**CARRIED**

## 13. REPORTS BY MAYOR AND COUNCILLORS

MINUTE NO. 343

<b>Council Resolution</b>
---------------------------

**MOVED:** Cr. T. McCarthy  
**SECONDED:** Cr. B. Li

**That** Council note the Reports by Mayor and Councillors.

**CARRIED**

### 13.1 REPORT OF CR. VINCE FONTANA, MAYOR

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

- Council Strategic Workshop – 15 August 2016
- Radio interview with LaTrobe students
- Merri Creek management Committee meeting
- Hosted 2016 Mayor's Community Leaders Thank You event
- NFL Bundoora vs Northcote Park football match
- Visited SPROUT community garden
- Council Briefing session – 22 August 2016
- Planning committee meeting – 22 August 2016
- Discussion with officers and business regarding Melbourne Tomato Festival
- Meeting with Hammons Street residents regarding tree issues
- Audit committee meeting to discuss financials
- Meeting with Robin Scott MP
- Meeting with Fiona Richardson MP
- Meeting with Fiona Patten MP
- Meetings with Acting Chief Executive on issues
- Briefing with Minister Jacinta Allen regarding Grade Separation funding
- Hosted Fiona Patten MP visit to Darebin
- Council Briefing session – 5 September 2016

### 13.2 REPORT OF CR. BO LI

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

- Board meeting of Regional Kitchens
- 2016 Mayoral event
- Family movie night at Northern Community Church of Christ
- Meeting with Acting CEO regarding notice of motion

- Councillor Briefing session
- Planning Committee meeting
- Graffiti Management Forum
- Darebin Bicycle Advisory Committee meeting
- Thank you lunch for members of the Emergency Management Team
- MAV Multicultural Committee meeting
- NBAA achievement awards breakfast
- Preston Symphony Orchestra Concerto Competition
- Father's Day movie night with Fitzroy Stars
- Residential matters including planning, capital works, community safety and littering

### **13.3 REPORT OF CR. TRENT MCCARTHY**

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

- Council Briefing session
- Planning Committee meeting
- Strategic Workshop
- Ratepayers Association meeting
- Moreland Energy Foundation SPARK! conference
- Various meetings and representations on behalf of residents and traders

### **13.4 REPORT OF CR. JULIE WILLIAMS**

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

- Strategic Workshop
- Council Meeting
- Mayors Event
- Council Briefing session
- Planning Committee meeting
- Northcote Social Club
- NAIDOC Week Medal of Excellence Presentation
- Other various constituent matters

### **13.5 REPORT OF CR. TIM LAURENCE**

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

- Council meeting
- Council Briefing session
- Planning Committee meeting
- Meeting with Reservoir and Bundoora residents regarding C137 and Plenty Rd

- Meeting with Reservoir residents Gilbert Rd tram
- Consultations with traders regarding drainage in Reservoir
- Meeting with member for Thomastown regarding education funding in Darebin

### **13.6 REPORT OF CR. OLIVER WALSH**

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

- Met with North Alphington/Fairfield Residents regarding Edwin St
- Rossmoyne Village Traders
- Northcote residents
- Bundoora Businesses
- Thornbury residents
- Met with residents regarding Merri Creek bridge
- Planning Committee meeting
- Council Briefing session
- INGT board meeting
- Met with shadow minister David Davis
- Met with Craig Ondarchie
- Thornbury businesses
- Northern Business breakfast
- Mayors event
- Various constituent matters

### **13.7 REPORT OF CR. GAETANO GRECO**

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

- Active and Healthy Ageing Board meeting
- Kingsbury Bowls Club to officiate the Opening of the lawn bowling greens
- Council Briefing session
- Planning Committee meeting
- Strategic Workshop
- Attended to resident's concerns
  - Preston Market
  - Gutter and window cleaning service
  - Planning issues
  - Traffic management
  - Council Home Help service

**13.8 REPORT OF CR. ANGELA VILLELLA**

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

- .....

**13.9 REPORT OF CR. STEVEN TSITAS**

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

- .....

**14. CONSIDERATION OF REPORTS CONSIDERED CONFIDENTIAL****CLOSE OF MEETING**

**MOVED:** Cr. B. Li  
**SECONDED:** Cr. S. Tsitas

**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 the following items which relate to contractual and legal matters:

- 14.1 Legal Fees
- 14.2 DISC Synthetic Pitches
- 14.3 2016/2017 CEO Performance Criteria

**CARRIED**

The meeting was closed to members of the public at 8.30 pm.

*Verica Jokic, Senior Media Advisor left the meeting at 8.30 pm.*

***The Council considered and resolved on Report Item 14.1 (Legal Fees), Item 14.2 (DISC Synthetic Pitches), Item 14.3 (2016/2017 CEO Performance Criteria) which had been circulated to Councillors on 28 August 2016 with the Council Agenda Paper.***

**RE-OPENING OF MEETING**

**MOVED:** Cr. B. Li  
**SECONDED:** Cr. O. Walsh

**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 8.46 pm

**CONFIDENTIAL****14.1 LEGAL FEES****MINUTE NO. 344****Author:** Acting Director Corporate Services**Reviewed By:** Acting Chief Executive**Report Background**

This report was deferred from the Council meeting held on 15 August and is in response to Notice of Motion No. 273 resolved by Council at its meeting held on 21 March 2016.

**Previous Council Resolution**

At its meeting held on day month year, Council resolved:

*'That Council 'That officers table at the next council meeting of 2 May 2016 the amount council has spent on legal fees from the beginning of the current council term to end of March 2016. The data is to be itemized.'*

**Previous Briefing(s)**

Councillor Briefing – 25 July 2016

**Council Plan Goal/Endorsed Strategy**

Goal 6 - Open and Accountable Democracy

**Summary**

This report outlines the amount expended on legal services during the current council term.

**Recommendation**

**That** the Council report and resolution remains confidential.

**Council Resolution**

**MOVED:** Cr. B. Li  
**SECONDED:** Cr. O. Walsh

**That** the Council report and resolution remains confidential.

**CARRIED**

**CONFIDENTIAL****14.2 DISC SYNTHETIC PITCHES****MINUTE NO. 345****Author:** Manager Leisure and Public Realm**Reviewed By:** Director Community Development**Report Background**

This is a report in response to the deferment of a previous report by Council Resolution at the Council meeting held on 6 June 2016.

**Previous Council Resolution**

At its meeting on 6 June 2016, Council resolved that:

*‘That the Council report and resolution remains confidential.’*

**Previous Briefing(s)**

This matter has previously been to Councillor briefings on 3 May 2016 and 22 August 2016.

**Previous Council Report**

Council meeting held of 6 June 2016

**Council Plan Goal/Endorsed Strategy**

- Council plan 2013 – 2017 strategies - 2.6 Community health and fitness; and access to opportunities; 2.10 Social and physical connectedness; 2.13 equitable access for all; 2.15 equity in sport; 5.2 access and inclusion
- Darebin Health and Wellbeing Plan 2013 – 2017 goal 4 – build healthy, safe and accessible places for people to play and connect; goal 5 protect and promote Darebin people’s physical health (5.3 – increase regular physical activity for all)
- Darebin Leisure Strategy (2010 – 2020) and Leisure Services Action Plan 2015 - 2020

**Summary**

This report provides detail on the current conditions of the three synthetic pitches at the State Soccer Centre, Darebin Road Thornbury and sets out Council’s contractual obligations to maintain the synthetic pitches to a defined standard. The inter-dependencies on other Council projects within John Cain Memorial Park, including the proposed Darebin Multi-Sport Stadium are discussed. It also reports on the outcome of a meeting as per the Council resolution of 6 June 2016 between the Mayor and Chief Executive Officer with the Minister of Finance.

**Recommendation**

**That** the Council report and resolution remains confidential.

**Council Resolution**

**MOVED:** Cr. B. Li  
**SECONDED:** Cr. O. Walsh

**That** the Council report and resolution remains confidential.

**CARRIED**

**CONFIDENTIAL**

*Katrina Knox, Director Community Development, Allan Cochrane, Acting Director Corporate Services, Libby Hynes, Acting Director Culture, Leisure and Works, Katia Croce – Coordinator Council Business and Jody Brodribb, Council Business and Governance Officer left the meeting prior to discussion of the item at 8.44 pm.*

*Cr. Greco disclosed a conflict of interest in relation to the following item describing the type of interest as a direct interest due to a pending legal matter concerning the CEO.*

*Cr. Greco left the meeting prior to discussion of the item at 8.45 pm*

**14.3 CEO 2016/2017 PERFORMANCE CRITERIA****MINUTE NO. 346**

**Author:** Executive Manager Corporate Governance and Performance

**Reviewed By:** Executive Manager Corporate Governance and Performance

**Report Background**

Following endorsement, on 25 July 2016, by Council of the Chief Executive's Performance for the period 2015/2016, this report is seeking endorsement of the Chief Executive Performance Criteria for the period 11 May 2016 to 10 May 2017.

**Previous Council Resolution**

At its Special meeting held on 25 July 2016, Council resolved:

*'That the Council report and resolution remains confidential.'*

**Previous Briefing(s)**

Councillor Briefing – 1 August 2016

**Council Plan Goal/Endorsed Strategy**

Goal 6 – Open and Accountable Democracy

**Summary**

As part of Council's obligations in relation to the Chief Executive contract of employment the establishment of the 2016/2017 was undertaken by councillors with the assistance of Strategic Human Resources and agreed to by the Chief Executive.

**Recommendation**

**That** the Council report and resolution remains confidential.

**Council Resolution**

**MOVED:** Cr. B. Li  
**SECONDED:** Cr. O. Walsh

**That** the Council report and resolution remains confidential.

**CARRIED**

**15. CLOSE OF MEETING**

The meeting closed at 8.47 pm.