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MINUTES OF THE COUNCIL MEETING

Held on Monday 3 July 2017

Released to the public on Thursday 6 July 2017

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**MINUTES OF THE ORDINARY MEETING OF THE
DAREBIN CITY COUNCIL HELD AT DAREBIN CIVIC CENTRE,
350 HIGH STREET PRESTON ON MONDAY 3 JULY 2017**

THE MEETING OPENED AT 6.05PM

WELCOME

The Chairperson, Cr. Le Cerf opened the meeting with the following statement:

“I would like to acknowledge the traditional owners and custodians of the land on which we stand here today, the Wurundjeri people, and pay my respects to their Elders, past and present, as well as to Elders from other communities who may be with us today.”

1. PRESENT

Councillors

Cr. Kim Le Cerf (Mayor) (Chairperson)
Cr. Steph Amir
Cr. Gaetano Greco (Deputy Mayor)
Cr. Trent McCarthy
Cr. Lina Messina
Cr. Susanne Newton
Cr. Susan Rennie
Cr. Julie Williams

Council Officers

Phil Shanahan - Acting Chief Executive Officer
Steve Hamilton - Director City Futures and Assets
Andrew McLeod - Director Corporate Services
Oliver Vido - Director Operations and Environment
Katia Croce - Coordinator Council Business
Jody Brodribb - Council Business and Governance Officer
Dave Bell - Senior Media Advisor

2. APOLOGIES

Cr. Laurence is on an approved leave of absence.

3. DISCLOSURES OF CONFLICTS OF INTEREST

Cr. Le Cerf disclosed a conflict of interest in Item 6.2 – Darebin Kindergarten Centralised Waiting List.

Cr. McCarthy disclosed a conflict of interest in Item 6.2 – Darebin Kindergarten Centralised Waiting List.

4. CONFIRMATION OF THE MINUTES OF COUNCIL MEETINGS

Council Resolution

MINUTE NO. 17-232

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

That the Minutes of the Ordinary Meeting of Council held on 19 June 2017 and the Special Meeting of Council held on 22 June 2017 be confirmed as a correct record of business transacted.

CARRIED

5. QUESTION AND SUBMISSION TIME

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

- **Bridget Absalom-Wong, Reservoir**

*“Would be a wonderful public service if a rubbish bin was placed here Foch st playground It is used a lot by the community.
Wondering why isn't one already?”*

Also wondering why Wood St park isn't looked after more it's my understanding that we pay a fee on our water bills for grass to be watered every summer it is dry and dead looking not in good condition at all. In comparison all Nations Park seems to be lush and looked after well. Is this because more money is spent in Northcote? Wood St is the only large playground in walking distance to my house it would be lovely to be proud of it.”

Response:

“Foch Reserve is a small park and generally pocket parks do not have bins installed unless a significant litter issue exists. Council has not received complaints of any litter issues in this reserve however staff will continue to monitor the situation and take further action if required.

We do not water parks and reserves with the exception of sporting ovals to maintain a safe playing surface.

Darebin, like all councils would like to water all of our parks and gardens however, both the cost and environmental impact of doing so is prohibitive.

All Nations Park is an exception. The park was established over a large landfill and which has been capped with several metres of clay and soil to prevent pollution from escaping. The EPA requires us to keep the soil at a particular moisture level to maintain its integrity.”

- **Brian Sanaghan, West Preston**

The following is a direct transcript of the events that took place during Mr Sanaghan's questions.

Cr. Le Cerf – The next two questions are from Brian Sanaghan. Would you like to read your questions?

Mr Sanaghan – Welcome back Princess, I hope you enjoyed your little trip away

Cr. Le Cerf – I would just like to remind you if you would like to participate in this meeting that you need to be respectful of everyone that is here.

Mr Sanaghan– I think that's very respectful, I call my niece's princess. They find it respectful.

Cr. Le Cerf – That is not respectful and if you'd like....

Mr Sanaghan – Oh don't start.

Cr. Rennie – I'd like to move that Mr Sanaghan be asked to leave the Chamber.

Cr. Amir – I second the motion.

Mr Sanaghan – Removed and not be heard. Can I read the question please.

Cr. Le Cerf – No, I just need to say one thing. There is a provision.

Mr Sanaghan– Two, testing.

Cr. Le Cerf – Sorry, can you let me...?

Mr Sanaghan – Do I have the floor?

Cr. Le Cerf – No you don't.

Mr Sanaghan – You just gave it to me.

Cr. Le Cerf – Then I said I would like to say something.

Mr Sanaghan – Go on then.

Cr. Le Cerf – There is a provision in the Local Law to ask you to leave and if you do interject or be offensive, I will ask you to leave. So if you could read your question, I will provide a response.

Mr Sanaghan – Do I have the floor?

Cr. Le Cerf – Yes

Mr Sanaghan – OK, now that we are in the new financial year, can you tell me, will the audited accounts of Darebin City Council for FY 2016/2017 to be submitted to the Australian Tax Office, contain the exact dollar amount that Council has paid to the MAV, for the MAV's legal costs in Darebin Council and Coral Ross versus the MAV? What were the MAV's exact legal costs?

Cr. Le Cerf – The amount Council paid to the MAV will be included in the audited financial statements that will feature in our 2016/2017 annual report, but not as a separate line item – that level of detail is neither required nor practical for reporting and auditing purposes.

The Council is unaware of the exact amount of the MAV's total legal costs in the matter of Darebin City Council and Coral Ross versus the Municipal Association of Victoria.

However Council paid a figure of \$52,500 in full and final settlement of the matter. This figure has been transparently provided to local media and publicly reported – and clearly articulated by you in a previous Public Questions Time session on 5th June.

Mr Sanaghan – Now listen, I asked what the MAV costs were.

Cr. Le Cerf – Sorry, is this your second question?

Mr Sanaghan – No, no, it was a very specific, a very specific question. The MAV costs were awarded by Council.

Cr. Le Cerf – I'll take this as your second question then.

Mr Sanaghan – Are we going to get the MAV costs in the audited accounts for last year?

Cr. Le Cerf – Neither....

Mr Sanaghan – Will they be in the audited accounts?

Cr. Le Cerf – They will be incorporated....

Mr Sanaghan – Can I ask the CEO that question?

Cr. Le Cerf – Of course.

Mr Shanahan – I don't actually understand the question. However...

Mr Sanaghan – Yes you do.

Mr Shanahan – No, I don't.

Mr Sanaghan – Well you shouldn't be the CEO.

Mr Shanahan – Well that might be the case

Cr. Le Cerf – If you interject one more time, I'll have to ask you to leave.

Mr Shanahan – Because we paid a sum of money to the Municipal Association of course the amount we paid is part of our financial operations for the year ending 30 June 2017. That would go without saying, whether the statement of accounts don't records, of course they don't record every debtor paid for the year, that would require....

Mr Sanaghan – That's unusual isn't it?

Cr. Le Cerf – Mr Sanaghan, I gave you a warning.

Mr Shanahan – That's completely normal, we don't make a record of every debtor. I am not sure if the questioner understands the scope of what he is talking about in the slightest. We probably have something like 20,000 debtors that would be paid during the year.

Mr Sanaghan – So, but you know what it is?

Cr. Le Cerf – Sorry, I am going to have to ask you to leave now, you have interjected again and again and I have warned you twice. I have warned you twice.

Mr Sanaghan – I have asked questions.

Cr. Le Cerf – You are allowed two questions. You have now asked the two questions.

Mr Sanaghan – No, no I have another one coming.

Cr. Le Cerf – When you interjected the first time, I said is this your second questions and you continued.

Mr Sanaghan – Now listen, I am not going to be disciplined by you, I am not going to be disciplined by anyone. Have you got anyone that can throw me out?

Cr. Le Cerf – I'd like to adjourn the meeting for 5 minutes while we call the police so that you can be removed.

Mr Sanaghan – Call the police, as I live and breathe. Do we live in a democracy or not? Do we live in a democracy? You're going to call the police on me. I'll save you the trouble Councillor and I will leave.

Cr. Le Cerf – Will you leave the microphone?

Mr Sanaghan – Just a moment, just a moment. I will save you the trouble by leaving, but I want it to be on the record. Not only the answer to my question that you were prepared to call the police to have me ejected from this forum. Highly irregular, highly unusual and completely to me, unacceptable. But I will leave. But I'll be back.

The meeting was adjourned at 6.12pm and recommenced at 6.17pm.

- **Anne Laver, Northcote**

"I commend the Darebin Council for implementing a new Parking Permit Policy, however, I wish to ask how, as more and more developments post 2004 are being built, are residents able to park?"

Does the Council have a long-term plan for parking as traffic/population increases?"

Response:

"The proposed parking policy forces developers to think about how they are going to sell a property without the ability for the future resident to park on-street. Similarly, it forces potential purchasers to consider if the number of parking spaces associated with the dwelling is sufficient to cater for their needs. More importantly, the current policy allows us to protect the existing amenity of residents from development. I note that the proposed policy simply formalises the current approach to residential parking permits that has been operating for many years.

In regards to a long term plan for parking, Council will be engaging with the community in the coming months with the intention of understanding the issues, opportunities and what actions are required to manage car parking. This engagement will lead to the development of a comprehensive car parking strategy for the Municipality."

- **Anne Laver, Northcote**

"Is the Darebin Council convinced they are getting value for money from the MAV?"

The MAV receives many millions (approx \$56m) already from the State Government and they appear to be outdated in their policies and procedures and their charges for insurance is much higher than commercial organisations."

Response:

"Council's membership with the MAV is listed on tonight's agenda for noting and the Council will determine whether to continue with its membership or not.

On 1 May 2017, Council resolved to appoint Aon as its new General Insurance Broker, so it is no longer utilising the MAV's insurance services."

- **Serena O'Meley, Reservoir**

"Darebin Council resolved on 16 May 2016 to enter into a 10 year lease arrangement with the Australian Skate Company with the intention to redevelop the Sullivan Stadium indoor skate rink to an indoor ice rink. The motion also said that Council must receive "...a yearly report on the performance and operations of the pavilion."

As far as I can see there hasn't been a report to Council in the past year. Can the Mayor please provide a progress report on the redevelopment?"

Response:

"This item has been listed to be considered at the Council meeting of 21 August 2017.

Due to the planned redevelopment works this facility is currently closed, therefore reporting on the performance and operations of the facility is unavailable until the redevelopment is completed, which is being undertaken by the leasee."

6. CONSIDERATION OF REPORTS

6.1 PROGRESS REPORT - WINDOWS AND GUTTER CLEANING REIMBURSEMENT SUBSIDY PROGRAM

Author: Manager Aged and Disability

Reviewed By: Director Community Development

Report Background

This report is in response to the Council Resolution from the Council Meeting held on the 6 June 2016

Previous Council Resolution

At its meeting held on Monday 6 June 2016, Council resolved:

'That Council:

- (1) Endorse a Council subsidy to client model as detailed in this report to support window and gutter cleaning services for Commonwealth Home Support Program (CHSP) eligible clients.*
- (2) Note the window and gutter service is based on not costing more than \$240 annually.*
- (3) Endorse a level of subsidy of 50% per eligible client per annum.*
- (4) Notify all residents (in appropriate languages) that have used the service in the past and together with other eligible residents that Council has reinstated the window and gutter cleaning service.*
- (5) Receive a further report in 6 months on the uptake of the reinstated service.'*

Previous Briefing

Councillor Briefing – 27 August 2015

Council Plan Goal/Endorsed Strategy

- Goal 2 - Healthy and Connected Community
- Active and Healthy Ageing Strategy 2011-2021

Summary

The Aged and Disability department developed a program using a subsidy model to assist Commonwealth Home Support Program (CHSP) eligible residents with the cost of windows and gutter cleaning. The program commenced in November 2016. In the period since commencement to 6 June 2017, there have been 145 registered enquiries about the service and 23 claims of reimbursement. Communication was via a mail-out and direct telephone calls to inform households that were previous users of the service along with other potential CHSP eligible clients of the new subsidy program. The total of reimbursements under the program to date is \$2,466.

Recommendation

That Council:

- (1) Maintains the current model for the Window and Gutter Cleaning service.
- (2) Notes that a 12 month post implementation review will be conducted in December 2017.

Motion

MOVED: Cr. L Messina
SECONDED: Cr. G Greco

That Council:

- (1) Maintains the current model for the Window and Gutter Cleaning service.
- (2) Notes that a 12 month post implementation review will be conducted in December 2017.

Cr. Greco proposed to the mover that point (3) be added to the motion as follows. This was accepted by Cr. Messina.

- (3) Promotes the service in the Darebin Community News, Mayor's column and in different languages amongst ethnic community groups.

Cr. Messina further proposed that point (3) be amended as follows.

- (3) Promotes the service in the Darebin Community News, **Darebin's social media platforms**, Mayor's column and in different languages amongst ethnic community groups.

THE AMENDED MOTION THEN READ AS FOLLOWS:

Amended Motion

MOVED: Cr. L Messina
SECONDED: Cr. G Greco

That Council:

- (1) Maintains the current model for the Window and Gutter Cleaning service.
- (2) Notes that a 12 month post implementation review will be conducted in December 2017.
- (3) Promotes the service in the Darebin Community News, Darebin's social media platforms, Mayor's column and in different languages amongst ethnic community groups.

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

Council Resolution

MINUTE NO. 17-233

MOVED: Cr. L Messina

SECONDED: Cr. G Greco

That Council:

- (1) Maintains the current model for the Window and Gutter Cleaning service.
- (2) Notes that a 12 month post implementation review will be conducted in December 2017.
- (3) Promotes the service in the Darebin Community News, Darebin's social media platforms, Mayor's column and in different languages amongst ethnic community groups.

CARRIED

The Chairperson, Cr. Le Cerf disclosed a conflict of interest in the following item describing the type of interest as an indirect interest by close association as she has a child on the kindergarten waiting list.

Cr. McCarthy disclosed a conflict of interest in the following item describing the type of interest as an indirect interest by close association has he as a child on the kindergarten waiting list.

Cr. Le Cerf and Cr. McCarthy left the meeting prior to discussion of the item at 6.32pm.

Cr. Greco assumed the Chair.

6.2 DAREBIN KINDERGARTEN CENTRALISED WAITING LIST

Author: Coordinator Children and Community Development

Reviewed By: Director Community Development

Report Background

This report is in response to a Council resolution from the meeting of Council on 20 March 2017.

Previous Council Resolution

At its meeting held on 20 March 2017, Council resolved:

'That Council:

- (1) Maintain the current priority of access criteria for the Darebin Kindergarten Centralised Waiting List system.*
- (2) Provide a report to Council in June 2017 on early years services in Darebin that:
 - a) Identify areas of practise improvement and localised strategies to improve kindergarten participation.*
 - b) Provide specific practise improvements and strategies that will improve the participation of socio economically disadvantaged families.*
 - c) Improvements that will assist people with English language challenges to navigate the application processes**
- (3) Endorse the revised Darebin Kindergarten Centralised Waiting List Policy and Procedures attached as Appendix A to this report subject to the following changes: that Council will provide direct assistance and support regarding application on 'how to apply' procedures to socio economically disadvantaged and vulnerable families and parents with English language challenges.'*

Previous Briefing(s)

Councillor Briefing – 20 February, 2017

Council Plan Goal/Endorsed Strategy

- Goal 2 - Healthy and Connected Community
 - Early Years Strategy 2011-2021
 - Health and Wellbeing Plan 2013-2017
-

Summary

In March 2017, an updated Kindergarten Centralised Waiting List Policy and Procedure was endorsed by Council with a recommendation to work with early years services in Darebin to identify areas of practice improvement and localised strategies to improve kindergarten participation.

This report is in response to the Council resolution and provides information on projects which currently address participation specific to socio-economically disadvantaged families and people with English language challenges to navigate the application process.

This report recommends the continued work under the Darebin Early Years Strategy 2011-2021 and *Kindergarten Centralised Waiting List Policy and Procedures* to work in collaboration with key providers of early years services and programs to improve kindergarten participation in Darebin.

Recommendation

That Council:

- (1) Continues its work under the Darebin Early Years Strategy 2011-2021 to work in collaboration with key providers of early years services and programs in addressing kindergarten participation specific to socio-economically disadvantaged families and people with English language challenges, strengthening strategies and communication to engage families into services.
- (2) Services respond to the needs of individual kindergartens to identify local challenges to participation and areas of practice improvement through existing networks, reference groups and partnerships, with follow up of vulnerable families and flexibility to services supporting vulnerable families through enrolment.
- (3) Supports the promotion of kindergarten and active engagement of families through community centres, public spaces and events accessed by target audiences.
- (4) Progresses projects that remove barriers to kindergarten participation, particularly the administrative burden for families experiencing vulnerability through an online Parent Portal and high priority referral forms.

Motion

MOVED: Cr. J Williams

SECONDED: Cr. S Amir

That Council:

- (1) Continues its work under the Darebin Early Years Strategy 2011-2021 to work in collaboration with key providers of early years services and programs in addressing kindergarten participation specific to socio-economically disadvantaged families and people with English language challenges, strengthening strategies and communication to engage families into services.
- (2) Services respond to the needs of individual kindergartens to identify local challenges to participation and areas of practice improvement through existing networks, reference groups and partnerships, with follow up of vulnerable families and flexibility to services supporting vulnerable families through enrolment.

- (3) Supports the promotion of kindergarten and active engagement of families through community centres, public spaces and events accessed by target audiences.
- (4) Progresses projects that remove barriers to kindergarten participation, particularly the administrative burden for families experiencing vulnerability through an online Parent Portal and high priority referral forms.
- (5) Council receives a further report in February 2018 that provides statistical information and analysis that measures and compares 2016 and 2017 participation rates for:
 - a. socio-economically disadvantaged families
 - b. vulnerable families
 - c. non English speaking families

Cr. Amir proposed to the mover that Point (6) be added to the motion as follows. This was accepted by Cr. Williams.

- (6) Kindergarten applications be part of Darebin's digital transformation project. This should include a simplified application process to improve accessibility for families and trace their position on the waitlist for their preferred kindergartens.

THE AMENDED MOTION THEN READ AS FOLLOWS:

Amended Motion

MOVED: Cr. J Williams
SECONDED: Cr. S Amir

That Council:

- (1) Continues its work under the Darebin Early Years Strategy 2011-2021 to work in collaboration with key providers of early years services and programs in addressing kindergarten participation specific to socio-economically disadvantaged families and people with English language challenges, strengthening strategies and communication to engage families into services.
- (2) Services respond to the needs of individual kindergartens to identify local challenges to participation and areas of practice improvement through existing networks, reference groups and partnerships, with follow up of vulnerable families and flexibility to services supporting vulnerable families through enrolment.
- (3) Supports the promotion of kindergarten and active engagement of families through community centres, public spaces and events accessed by target audiences.
- (4) Progresses projects that remove barriers to kindergarten participation, particularly the administrative burden for families experiencing vulnerability through an online Parent Portal and high priority referral forms.
- (5) Council receives a further report in February 2018 that provides statistical information and analysis that measures and compares 2016 and 2017 participation rates for:
 - a. socio-economically disadvantaged families
 - b. vulnerable families
 - c. non English speaking families
- (6) Kindergarten applications be part of Darebin's digital transformation project. This should include a simplified application process to improve accessibility for families and trace their position on the waitlist for their preferred kindergartens.

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

Council Resolution

MINUTE NO. 17-234

MOVED: Cr. J Williams
SECONDED: Cr. S Amir

That Council:

- (1) Continues its work under the Darebin Early Years Strategy 2011-2021 to work in collaboration with key providers of early years services and programs in addressing kindergarten participation specific to socio-economically disadvantaged families and people with English language challenges, strengthening strategies and communication to engage families into services.
- (2) Services respond to the needs of individual kindergartens to identify local challenges to participation and areas of practice improvement through existing networks, reference groups and partnerships, with follow up of vulnerable families and flexibility to services supporting vulnerable families through enrolment.
- (3) Supports the promotion of kindergarten and active engagement of families through community centres, public spaces and events accessed by target audiences.
- (4) Progresses projects that remove barriers to kindergarten participation, particularly the administrative burden for families experiencing vulnerability through an online Parent Portal and high priority referral forms.
- (5) Council receives a further report in February 2018 that provides statistical information and analysis that measures and compares 2016 and 2017 participation rates for:
 - a. socio-economically disadvantaged families
 - b. vulnerable families
 - c. non English speaking families
- (6) Kindergarten applications be part of Darebin's digital transformation project. This should include a simplified application process to improve accessibility for families and trace their position on the waitlist for their preferred kindergartens.

CARRIED UNANIMOUSLY

Cr. Le Cerf and Cr. McCarthy returned to the meeting at the conclusion of the item at 6.37pm.

6.3 DIGITAL TRANSFORMATION STRATEGY**Author:** Chief Information Officer**Reviewed By:** Director Corporate Services

Report Background

This report outlines key 2017/2018 actions under the Digital Transformation Strategy; the strategy was presented at a recent Council Briefing.

Previous Council Resolution

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

Previous Briefing(s)

Councillor Briefing – Digital Transformation Strategy 22 May 2017.

Council Plan Goal/Endorsed Strategy

Goal 5 - Excellent Service

Summary

This report lists the key transformation actions to be undertaken in 2017/2018 as listed below under 'Future Actions'.

Recommendation

That Council:

- (1) Adopts the Digital Transformation Strategy, and the key actions for 2017/2018 listed below under 'Future Actions'.
- (2) Notes that implementation of the Strategy is necessary for the delivery of initiatives to improve customer service and experience.
- (3) Officers include the Digital Transformation budget for Council's consideration in the financial years 2018/2019, 2019/2020, and 2020/2021.
- (4) Officers provide Council with an annual report on the Strategy's deliverables, and an implementation plan for the following year.

Motion

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

That Council:

- (1) Adopts the Digital Transformation Strategy, and the key actions for 2017/2018 listed below under 'Future Actions'.

- (2) Notes that implementation of the Strategy is necessary for the delivery of initiatives to improve customer service and experience.
- (3) Officers include the Digital Transformation budget for Council's consideration in the financial years 2018/2019, 2019/2020, and 2020/2021.
- (4) Officers provide Council with an annual report on the Strategy's deliverables, and an implementation plan for the following year.

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

- (5) Officers provide a supplementary report to Council regarding the "Digital Transformation Strategy" that addresses how residents with limited computer literacy skills or English language proficiency can share in the benefits of an improved customer centric digital service experience.

THE AMENDED MOTION THEN READ AS FOLLOWS:

Amended Motion

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

That Council:

- (1) Adopts the Digital Transformation Strategy, and the key actions for 2017/2018 listed below under 'Future Actions'.
- (2) Notes that implementation of the Strategy is necessary for the delivery of initiatives to improve customer service and experience.
- (3) Officers include the Digital Transformation budget for Council's consideration in the financial years 2018/2019, 2019/2020, and 2020/2021.
- (4) Officers provide Council with an annual report on the Strategy's deliverables, and an implementation plan for the following year.
- (5) Officers provide a supplementary report to Council regarding the "Digital Transformation Strategy" that addresses how residents with limited computer literacy skills or English language proficiency can share in the benefits of an improved customer centric digital service experience.

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

Council Resolution

MINUTE NO. 17-235

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

That Council:

- (1) Adopts the Digital Transformation Strategy, and the key actions for 2017/2018 listed below under 'Future Actions'.
- (2) Notes that implementation of the Strategy is necessary for the delivery of initiatives to improve customer service and experience.

- (3) Officers include the Digital Transformation budget for Council's consideration in the financial years 2018/2019, 2019/2020, and 2020/2021.
- (4) Officers provide Council with an annual report on the Strategy's deliverables, and an implementation plan for the following year.
- (5) Officers provide a supplementary report to Council regarding the "Digital Transformation Strategy" that addresses how residents with limited computer literacy skills or English language proficiency can share in the benefits of an improved customer centric digital service experience.

CARRIED

6.4 RESIDENTIAL PARKING PERMIT POLICY 2017**Author:** Manager Health and Compliance**Reviewed By:** Director Civic Governance and Compliance

Report Background

This report is to seek Council's endorsement of the *Residential Parking Permit Policy 2017*.

Previous Council Resolution

This report is not subject to a previous Council resolution.

Previous Briefing(s)

This matter has not previously been to a Councillor Briefing.

Council Plan Goal/Endorsed Strategy

Goal 3 - A liveable city

Summary

Historically, the issuing of parking permits has been seen as an operational function therefore the parking permit policy has not been subject to any previous Council resolution. Council has however, been responsible, through the annual budget process, to adopt the fees associated with the issuing of permits. The fees for the 2017/2018 financial year were approved by Council on 22 June 2017.

To ensure there is full transparency across policies that affect the local community, this policy was recently reviewed and is being presented to Council for consideration and endorsement.

Recommendation

That Council endorses the *Resident Parking Permit Policy 2017* attached as **Appendix A** to this report.

Council Resolution

MINUTE NO. 17-236

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

That Council defers the report on the *Resident Parking Permit Policy 2017* to the next practicable Council meeting.

CARRIED

**6.5 MUNICIPAL ASSOCIATION OF VICTORIA MEMBERSHIP
SUBSCRIPTION 2017/2018****Author:** Manager Governance and Corporate Information**Reviewed By:** Director Civic Governance and Compliance

Report Background

The purpose of this report is for Council to note the attached summary provided by the Municipal Association of Victoria outlining their achievements for the 2016/2017 financial year.

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 - A well governed Council

Summary

The attached summary provided by MAV (**Appendix A**) outlines their achievements in 2016/2017 and also includes a summary of membership benefits.

Council Resolution

MINUTE NO. 17-237**MOVED:** Cr. S Rennie
SECONDED: Cr. T McCarthy

That Council notes the attached summary provided by the Municipal Association of Victoria (**Appendix A**), highlighting their performance for the past financial year, as well as an overview of membership benefits.

CARRIED

6.6 DELEGATION OF POWERS, DUTIES AND FUNCTIONS TO CHIEF EXECUTIVE OFFICER**Author:** Coordinator Council Business**Reviewed By:** Director Civic Governance and Compliance

Report Background

The current *Instrument of Delegation* (the Delegation) of powers, duties and functions to the Chief Executive Officer (CEO) was approved by Council on 16 March 2015.

Previous Council Resolution

At its meeting held 16 March 2015, Council resolved:

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

- (1) There be delegated to the person holding the position, acting in or performing the duties of Chief Executive Officer the powers, duties and functions set out in the Instrument of Delegation to the Chief Executive Officer attached as **Appendix A** to this report, subject to the conditions and limitations specified in that Instrument;*
- (2) The Delegation comes into force immediately the common seal of Council is affixed to the Delegation;*
- (3) On the coming into force of the Delegation the previous Delegation to the CEO, dated 18 February 2014, is revoked;*
- (4) The duties and functions set out in the Delegation must be performed, and the powers set out in the Delegation must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt; and*
- (5) It is noted that the Delegation includes a power of delegation to members of Council staff, in accordance with section 98(3) of the Act.'*

Previous Briefing(s)

This matter has not previously been to a Councillor Briefing.

Council Plan Goal/Endorsed Strategy

Goal 6 - Open and Accountable Democracy

Summary

The current *Instrument of Delegation* (the Delegation) of powers, duties and functions to the Chief Executive Officer (CEO) was approved by Council on 16 March 2015.

Section 89(6) of the *Local Government Act 1989* states that a Council must review, within the period of 12 months after a general election, all delegations which are in force and have been made by the Council under subsection (1) of the Act.

Council Resolution

MINUTE NO. 17-238

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

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

- (1) There be delegated to the person holding the position, acting in or performing the duties of Chief Executive Officer the powers, duties and functions set out in the *Instrument of Delegation to the Chief Executive Officer* attached as **Appendix A** to this report, subject to the conditions and limitations specified in that Instrument;
- (2) The Delegation comes into force immediately the common seal of Council is affixed to the Delegation;
- (3) On the coming into force of the Delegation the previous Delegation to the CEO, dated 17 March 2015, is revoked;
- (4) The duties and functions set out in the Delegation must be performed, and the powers set out in the Delegation must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt; and
- (5) It is noted that the Delegation includes a power of delegation to members of Council staff, in accordance with section 98(3) of the Act.

CARRIED

6.7 DELEGATIONS OF POWER, DUTIES AND FUNCTIONS TO COUNCIL STAFF

Author: Coordinator Council Business

Reviewed By: Director Civic Governance and Compliance

Report Background

In seeking to achieve its purposes under the *Local Government Act 1989* (Act), one of Council's objectives is to delegate decision making to appropriate levels within the organisation.

The Act allows both Council and the Chief Executive Officer to delegate to members of staff, by instrument of delegation, certain powers, duties and functions under any Act administered by Council.

Previous Council Resolution

At its meeting held on 12 December 2016, Council resolved:

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

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

Previous Briefing(s)

This matter has not previously been to a Councillor Briefing.

Council Plan Goal/Endorsed Strategy

Goal 6 - Open and Accountable Democracy

Summary

In the context of local government, delegation is the giving of decision-making power by Council or the Chief Executive Officer to members of staff.

The previous *Instrument of Delegation* was approved by Council on 12 December 2016.

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

Council Resolution

MINUTE NO. 17-239

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

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

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

CARRIED

6.8 APPOINTMENT OF EXTERNAL AUDIT COMMITTEE MEMBER**Author:** Manager Corporate Risk and Audit**Reviewed By:** Director Corporate Services

Report Background

The Audit Committee is an Advisory Committee appointed by the Council pursuant to section 139 of the *Local Government Act 1989* to assist Council in fulfilling its requirements relating to internal control mechanisms and external reporting requirements. The Committee comprises two Councillors and three external members, one of whom is a Chairperson.

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 - A well governed Council

Summary

Following the cessation of Michael Said's contract to the role of External Member of the Audit Committee in April 2017, a selection process commenced to appoint his replacement. An advertisement was placed in *The Age* on 6 May and the Preston and Northcote Leader newspapers in the week immediately following 6 May, seeking expressions of interest for an external member appointment to the Audit Committee. A total of eleven applications of a high calibre were received.

The Mayor, Councillor Rennie and Director Corporate Services reviewed all applications and were able to meet with their preferred applicant in mid June 2017.

Council Resolution

MINUTE NO. 17-240**MOVED:** Cr. S Rennie
SECONDED: Cr. S Amir

That Council endorses the appointment of Ms Janine Bush as an external member of Council's Audit Committee for a three year term (concluding July 2020) with an option of a further one year term by mutual consent (concluding July 2021).

CARRIED

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

Nil

8. NOTICES OF MOTION

8.1 RAISING OF WEST PAPUAN FLAG ON 1 DECEMBER 2017

Councillor: Susanne NEWTON

NoM No.: 335

Take notice that at the Council Meeting to be held on 3 July 2017, it is my intention to move:

In support of Darebin's West Papuan community council resolves:

- (1) *To raise the West Papua flag on 1 December 2017 in solidarity with the West Papuan community.*
 - (2) *To write a statement of support to the West Papuans.*
 - (3) *To host an event on 1 December 2017 with Darebin Ethnic Communities Council with the West Papuan Community for awareness raising and community building, open to all Darebin residents to attend.*
-

Notice Received: 9 June 2017

Notice Given to Councillors 13 June 2017

Date of Meeting: 3 July 2017

Council Resolution

MINUTE NO. 17-241

MOVED: Cr. S Newton

SECONDED: Cr. S Amir

In support of Darebin's West Papuan community council resolves:

- (1) *To raise the West Papua flag on 1 December 2017 in solidarity with the West Papuan community.*
- (2) *To write a statement of support to the West Papuans.*
- (3) *To host an event on 1 December 2017 with Darebin Ethnic Communities Council with the West Papuan Community for awareness raising and community building, open to all Darebin residents to attend.*

CARRIED

9. URGENT BUSINESS

ADMISSION OF URGENT BUSINESS

Council Resolution

MINUTE NO. 17-242

MOVED: Cr. S Amir
SECONDED: Cr. S Rennie

That an Urgent Business item relating to the Behaviour of Mr Brian Sanaghan during Public Question Time be admitted to the agenda and heard at Item 9.1.

CARRIED

9.1 BEHAVIOUR OF MR BRIAN SANAGHAN DURING PUBLIC QUESTION TIME

Motion

MOVED: Cr. S Amir
SECONDED: Cr. S Rennie

That:

- (1) The Council minutes for the meeting held on 3 July 2017 record the behaviour of Mr Brian Sanaghan during tonight's Public Question Time.
- (2) The Chief Executive Officer write to Mr Sanaghan advising him that if there is any repeat of his unruly, belligerent and disrespectful behaviour displayed at tonight's Council meeting, at any subsequent Council meeting, the Council will seek a legal intervention seeking to forbid Mr Sanaghan's attendance at Council meetings indefinitely and until he is able to assure Council that his behaviour will meet the standards required by Council's Governance Local Law.

Cr. Rennie proposed to the mover that point (2) of the motion be amended as follows. This was accepted by Cr. Amir.

- (2) The Chief Executive Officer write to Mr Sanaghan advising him that if there is any repeat of his unruly, belligerent and disrespectful behaviour displayed at tonight's Council meeting, at any subsequent Council meeting, the Council will seek a legal intervention seeking to forbid Mr Sanaghan's attendance at Council meetings for the remainder of this 4 year council term.

THE AMENDED MOTION THEN READ AS FOLLOWS:

Amended Motion

MOVED: Cr. S Amir
SECONDED: Cr. S Rennie

That:

- (1) The Council minutes for the meeting held on 3 July 2017 record the behaviour of Mr Brian Sanaghan during tonight's Public Question Time.
- (2) The Chief Executive Officer write to Mr Sanaghan advising him that if there is any repeat of his unruly, belligerent and disrespectful behaviour displayed at tonight's Council meeting, at any subsequent Council meeting, the Council will seek a legal intervention seeking to forbid Mr Sanaghan's attendance at Council meetings for the remainder of this 4 year council term.

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

Council Resolution**MINUTE NO. 17-243**

MOVED: Cr. S Amir
SECONDED: Cr. S Rennie

That:

- (1) The Council minutes for the meeting held on 3 July 2017 record the behaviour of Mr Brian Sanaghan during tonight's Public Question Time.
- (2) The Chief Executive Officer write to Mr Sanaghan advising him that if there is any repeat of his unruly, belligerent and disrespectful behaviour displayed at tonight's Council meeting, at any subsequent Council meeting, the Council will seek a legal intervention seeking to forbid Mr Sanaghan's attendance at Council meetings for the remainder of this 4 year council term.

CARRIED**10. GENERAL BUSINESS**

Nil

11. PETITIONS

Nil

12. REPORTS OF STANDING COMMITTEES

Nil

13. RECORDS OF ASSEMBLIES OF COUNCILLORS

13.1 ASSEMBLIES OF COUNCILLORS HELD

An Assembly of Councillors is defined in section 3 of the *Local Government Act 1989* (the Act) 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:

- Aged and Care Reforms Working Group – 13 June 2017
- Councillor Briefing Session – 15 June 2017
- Councillor Briefing Session – 29 June 2017

Council Resolution

MINUTE NO. 17-244

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

That the record of the Assembly of Councillors held on 13, 15 and 29 June 2017 and attached as **Appendix A** to this report, be noted and incorporated in the minutes of this meeting.

CARRIED

14. REPORTS BY MAYOR AND COUNCILLORS

Council Resolution

MINUTE NO. 17-245

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

That Council note the Reports by Mayor and Councillors.

CARRIED

REPORT OF CR. KIM LE CERF, MAYOR

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

- 18 - 21/06/2017 – National General Assembly, Canberra
- 1st Round Interviews for CEO
- Interview for external Audit Committee Member
- Special meeting of Council to adopt Budget and Council Plan
- Preston Baseball Club Funding - Briefing
- The Big Issue Turns 21
- Launch of Exhibition – Skin Thing at Bundoora
- Regular meetings with Communications
- Regular meetings with CEO
- 2nd Round Interviews for CEO
- Council Briefing Session
- Ministerial Launch of the Koorie Kids Shine Program
- Meeting with Multicultural Arts Victoria
- Afternoon Tea to celebrate 100 years of Maternal and Child Health Nurses
- Visit to Westside Circus
- Video shoot – Council Plan and Plastic Free July
- Tour of Olivia Newton John Wellness Centre
- Darebin Creek Management Committee Meeting
- Citizenship Ceremony
- Northern Region Mayor and CEO Forum
- Meeting with Northcote Golf Club
- Rucker Ward Meeting
- MAV's Maternal and Child Health Centenary Celebrations
- Meeting with Public Transport Ombudsman
- Strathallan Community Group Meeting
- Fitzroy Stars Gala Dinner for NAIDOC week

- NAIDOC Flag Raising at Mantra Bell City
- Aborigines Advancement League NAIDOC Flag Raising
- Darebin Falcons Jumper Presentation
- Council Meeting

REPORT OF CR. STEPH AMIR

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

- Special Council meeting to adopt the budget and council plan
- Regular briefing
- Confidential briefing (CEO recruitment)
- Oakover Road slip-lane onsite consultation
- Meeting with Minus18
- Conversations with residents about planning issues
- Annual Community Iftar Dinner with Australian Albanian Prespa Islamic Mosque, Preston

REPORT OF CR. GAETANO GRECO

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

- Annual Community Iftar Dinner with Australian Albanian Prespa Islamic Mosque, Preston
- CEO interviews
- Special Council meeting to adopt Budget and Council Plan
- Council Briefing
- Multicultural Arts Victoria meeting
- Afternoon tea celebrating 100 years of Maternal and child health nurses
- Bundoora Homestead Board of Management
- Springthorpe residents' community meeting re: Parking and traffic management
- Briefing on Reservoir rail crossing
- Briefing re: Book Launch "Respect"
- Strathhallan community group meeting
- Sri Lankan flood appeal fund raiser
- NAIDOC flag raising at Mantra Hotel
- Aboriginal Advancement league flag raising for NAIDOC week
- Meeting with Macedonian senior citizens group members

REPORT OF CR. TRENT McCARTHY

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

- Iftar Dinner at Coburg Town Hall
- CEO interviews
- Special Council meeting to adopt Budget and Council Plan
- Council Briefing
- Aboriginal Advancement League flag raising for NAIDOC Week
- Rucker Ward Meeting

REPORT OF CR. LINA MESSINA

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

- Council briefings
- Planning Committee Meetings
- VCAT Hearing Preston Market
- Resident meetings to discuss local issue
- Individual resident complaints and emails.
- Preston Business Association Committee
- Northern Blues Female Luncheon
- Shower St residents Meeting
- Strategies and Policy Advisory Group
- Network of Italian Councillors and Mayors

REPORT OF CR. SUSANNE NEWTON

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

- Friends of Baucau Meeting
- VLGA Board Strategic Planning Day
- VLGA Board Meeting
- Special Meeting to Adopt Council Plan and Budget
- Council Briefing Session
- Reservoir Level Crossing Removal Briefing
- Tour of Olivia Newton-John Wellness and Research Centre
- Bundoora Homestead Board of Management Meeting
- Springthorpe parking permits meeting
- Meeting with Council, La Trobe and Springthorpe representatives
- Strathallan Community Groups Meeting
- NAIDOC Flag Raising Ceremony, Mantra Bell City

- NAIDOC Flag Raising Ceremony, Aborigines Advancement League

REPORT OF CR. SUSAN RENNIE

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

- National General Assembly of Local Government. Canberra 3 days
- CEO recruitment, round 1 interviews
- Audit committee recruitment. Interview
- Special Council meeting
- CEO recruitment, round 2 interviews
- Council briefing
- 100th anniversary of MCH afternoon tea
- DCMC
- Rucker Ward meeting
- Launch of Fitness over Fifty at the YMCA
- Phone calls and emails with residents

REPORT OF CR. JULIE WILLIAMS

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

- Council Meeting
- Special Council Meeting
- Council Briefing
- Special Meeting on Adopting Budget
- Special Meeting on Adopting Council 4 year Plan

REPORT OF CR. TIM LAURENCE

Cr. Laurence is on an approved a leave of absence.

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

The Chief Executive Officer, pursuant to section 77(2)(c) of the *Local Government Act 1989* (the Act), has designated the following items to be confidential:

15.1 Installation of a portable classroom building at the Merrilands Community Centre (CT201753)

Council Resolution

MINUTE NO. 17-246

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

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 items designated confidential by the Chief Executive Officer.

CARRIED

The meeting was closed to the members of the public at 7.10pm.

Dave Bell, Senior Media Advisor, left the meeting at 7.10pm.

The Council considered and resolved on Report Item 15.1 which had been circulated to Councillors with the Council Agenda Paper.

RE-OPENING OF MEETING

Council Resolution

MINUTE NO. 17-248

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

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 7.15pm.

CONFIDENTIAL

**15.1 INSTALLATION OF A PORTABLE CLASSROOM BUILDING
AT THE MERRILANDS COMMUNITY CENTRE (CT201753)**

Author: Coordinator Facility Design/Draft

Reviewed By: Director City Futures and Assets

Council resolved 'in camera' that the following be made public:

Recommendation

That the Council report and resolution remain confidential with the exception of the successful tenderers name and contract period.

Council Resolution

MINUTE NO. 17-249

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

That the Council report and resolution remain confidential with the exception of the successful tenderers name and contract period.

Successful Tenderer: BRB Modular Pty Let/Fleetwood

Contract Period: July 2017 to December 2017

CARRIED

16. CLOSE OF MEETING

The meeting closed at 7.16pm.