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# MINUTES OF THE COUNCIL MEETING

Held on Monday 3 August 2015

Released to the public on Thursday 6 August 2015

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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 3 AUGUST 2015**

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**THE MEETING OPENED AT 7.00 PM**

**1. PRESENT**

***Councillors***

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

***Council Officers***

Steve Hamilton – Acting Chief Executive  
Katrina Knox – Director Community Development  
David Serpell – Acting Director Assets and Business Services  
Tiffany White – Acting Director Corporate and Planning Services  
Sally Jones – Acting Director Culture, Leisure and Works  
Jacinta Stevens – Manager Corporate Governance and Performance  
Libby Hynes – Manager Environment and Natural Resources  
Dave Bell – Senior Media Advisor  
Katia Croce – Coordinator Council Business  
Jody Brodribb – Council Business and Governance Officer

**2. APOLOGIES**

Cr. Steven Tsitas is on an approved leave of absence.

An apology was lodged for Rasiah Dev, Chief Executive.

**3. DISCLOSURES OF CONFLICTS OF INTEREST**

Nil

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

<b>COUNCIL RESOLUTION</b>
---------------------------

**MOVED:** Cr. J. Williams

**SECONDED:** Cr. G. Greco

**THAT** the Minutes of the Ordinary Meeting of Council held on 20 July 2015 be confirmed as a correct record of business transacted.

**CARRIED**

**5. REPORTS BY MAYOR AND COUNCILLORS****MINUTE NO. 387****5.1 REPORT OF CR. BO LI**

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

- Friends of Darebin Intercultural Centre community conversation
- Darebin Enterprise Centre Limited (DECL) Board strategic planning
- Meeting with Deputy Mayor of Aarhus (Denmark)
- Municipal Association of Victoria (MAV) councillor development weekend
- Planning Committee meeting
- Councillor Briefing session
- Residential issues including traffic management, planning and community safety

**5.2 REPORT OF CR. TRENT MCCARTHY**

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

- Meetings with Inspectors of Municipal Administration
- Meeting with Darebin Parklands Association
- Meeting with Thornbury residents regarding open space issues
- Meeting with Alphington and Fairfield residents regarding Chandler Hwy duplication and Alphington Paper Mill development
- Planning Committee meeting
- Councillor Briefing session
- Meeting with Northcote residents regarding traffic concerns
- Facility constructed on VicTrack land in Stott Street, Northcote

**5.3 REPORT OF CR. JULIE WILLIAMS**

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

- Meeting with Inspectors of Municipal Administration - Mr Bill Mountford and Mr Mark Madden
- Pre Planning Committee briefing
- Planning Committee meeting
- Councillor Briefing session
- Council meeting
- Domestic Animal Management Reference Group
- Darebin Women's Advisory Group
- Autism Health and Well Being Expo

- Citizenship Ceremony
- Attended Residents issues regarding indoor stadium and rubbish in the ROW, development, parking, Preston Market, plants and street scape on Plenty Road and various other constituent matters.

## TABLING OF PETITION

MINUTE NO. 388

### COUNCIL RESOLUTION

**MOVED:** Cr. J. Williams  
**SECONDED:** Cr. V. Fontana

**THAT** the petition “Let’s Build Darebin’s Multi-Sports Stadium at TW Blake Reserve” be referred to the Chief Executive.

**CARRIED**

**Council on 17 August 2015 (see Council Minutes item 9.5 Petition Data - pages 115 and 116) resolved to include the following data below in italics regarding the petition to the 3 August 2015 Council Minutes.**

**Total signatories:** 556

**Petition signatories who noted they live within 500m of Blake Reserve:** 10 (2%) (Note there are minimal houses within 500m of Blake Reserve as it is a predominate industrial / retail area)

**Petition signatories who have noted they live in Preston:** 76 (14%)

**Petition signatories who have noted they live in Darebin (incl. Preston above):** 222 (40%)

**Petition Wording:**

*We, the undersigned, believe that TW Blake Reserve is the best location site for the proposed multi-sport stadium project to serve the whole community of Darebin and the growing demand from netball, basketball, volleyball teams and casual sports hire users. We call on Darebin Council to back our young people and select TW Blake Reserve as the preferred option for this multi-sports stadium. This site is in an area that lacks modern sports facilities and is set for massive population growth with 18,000 new units forecast in coming years in East Reservoir and East Preston near Northlands.*

**NOTE:** Total number of petition signatories who noted they live, work or are educated within 500m of Blake Reserve is 258 (46%)

## 5.4 REPORT OF CR. VINCE FONTANA

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

- Planning Committee meeting
- Councillor Briefing session
- Visited the Northern Community Church of Christ in Oakover Road
- Citizenship Ceremony
- Bundoora vs Northcote Park football match
- Met with residents to discuss traffic issues in Sussex Street

**5.5 REPORT OF CR. TIM LAURENCE**

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

- Meeting with Inspector Mark Madden, Darebin Civic Centre, Preston
- Visit to Bundoora Homestead Art Gallery for exhibition by Ben Holgate, Northerner: a retrospective
- Council meeting
- Consultation with Rucker Ward residents re missing bus links in Darebin
- Meeting with Samoan community group
- Attended the Future Industries Fund Food and Fibre round table session in Bundoora
- Meeting with Inspector Bill Mountford, Darebin Civic Centre, Preston
- Consultation with Rucker Ward residents re healthy choices in sports facilities
- Nomination for inclusion on Creative Victoria's Advisory Panel Register for a period of three years endorsed by the Minister for Creative Industries.
- Exhibition opening of Kerry Maher's 'Along Route 86' at Bundoora Homestead Art Gallery – until 30 August 2015
- Consultation with DECC committee members re genocide monument proposal
- Consultation with Indian community regarding state government's Indian cultural precinct project

**5.6 REPORT OF CR. GAETANO GRECO**

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

- Meeting with Bill Mountford, Inspector of Municipal Administration
- Bundoora Homestead Board of Management Meeting and Workshop
- MAV Councillor Development Workshop
- Friends of Baucau Friendship Group Meeting
- Launch of 'Peace in the Bush'
- Springthorpe Local History Project
- Pre-Planning Committee briefing
- Planning Committee meeting
- Councillor Briefing session
- Attended to Residents' issues:
  - Sale of Minor Asset Policy
  - C152 and C137
  - Solar Savers Program



**5.7 REPORT OF CR. ANGELA VILLELLA**

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

- Preston Lions Official Launch of New Junior Lights
- Planning Committee meeting
- Pre Planning Committee briefing
- Councillor Briefing session
- Briefing with appointed Inspectors of Municipal Administration
- Meeting with Inspector of Municipal Administration
- Resident issues e.g. new street lights
- Bundoora Homestead Board of Management Meeting and Workshop

**5.8 REPORT OF CR. OLIVER WALSH**

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

- Council meeting
- Met with Hon David Davis shadow Minister for Local Government
- Northern Mayors and CEO meeting at Darebin
- Planning Committee meeting
- Councillor Briefing session
- Catch Up with Acting Chief Executive Officer
- Met with various Darebin Staff
- Northcote Business Association High St Meeting
- Meeting at Mayer Park
- Met with Thornbury Theatre traders
- Transport Leaders on their Vision for the Network
- DECL Strategy Planning Session
- Meeting with Mayor of Banyule
- Autism Health and Well Being Expo
- MAV Development Weekend
- Fiona Patten MLC
- Citizenship Ceremony
- Met with Whittlesea Mayor Ricky Kirkham
- Thornbury Primary School Centennial
- Met with Principal of Thornbury Primary school
- Launch of "Peace in the Bush"
- Various Constituent Matters

**6. PUBLIC QUESTION TIME****MINUTE NO. 389**

The Chairperson, Cr. Walsh, invited questions from members of the public gallery.

The following questions were submitted:

- Christopher Jennings of Thornbury asked a question regarding the proposed Multi-Sports Stadium project. The question was responded to by the Chairperson, Cr. Walsh.
- Carmel Davies of Northcote asked a question regarding Yarra Trams building a sub-station in Stott Street, Northcote. The question was responded to by the Acting Chief Executive, Steve Hamilton.
- Christie Wilson of Thornbury asked a question regarding the proposed Multi-Sports Stadium project. The question was responded to by the Chairperson, Cr. Walsh.
- Brent Jaremenko of Preston asked a question regarding the repainting of the Bike Lane on Victoria Road, Northcote. The question was responded to by the Acting Chief Executive, Steve Hamilton.
- Peter Catalano of Northcote asked a question regarding access to the rear lane of 76 Westgarth Street Northcote. The question was responded to by the Chairperson, Cr. Walsh.
- Geoffrey Richards of Northcote asked a question regarding privately owned car park fines. The question was responded to by the Chairperson, Cr. Walsh and the Acting Chief Executive, Steve Hamilton.
- Peter Thomson of Reservoir asked a question regarding the progress of the East Reservoir Community Garden. The question was responded to by the Chairperson, Cr. Walsh and the Director Community Development, Katrina Knox.

After Public Question Time had concluded, no further questions were submitted.

## 7. REPORTS OF STANDING COMMITTEES

### 7.1 AUDIT COMMITTEE

#### MINUTE NO. 390

The Audit Committee is an Advisory Committee appointed, pursuant to section 139 of the *Local Government Act 1989*, to assist Council in fulfilling its responsibilities relating to internal control mechanisms and external reporting requirements.

A meeting of the Audit Committee was held on 1 June 2015. A summary report of the meeting is attached as **Appendix A** to this report. The minutes of the meeting, incorporating the reports considered by the Committee, have been circulated to Councillors.

<b>COUNCIL RESOLUTION</b>
---------------------------

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

**THAT** the Report of the Audit Committee meeting held on 1 June 2015 be received and the Committee Recommendations be adopted.

**CARRIED UNANIMOUSLY**

**8. RECORDS OF ASSEMBLIES OF COUNCILLORS**

**8.1 ASSEMBLIES OF COUNCILLORS HELD**

**MINUTE NO. 391**

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:

- Darebin Women’s Advisory Committee – 23 July 2015
- Pre-Planning Committee Briefing – 27 July 2015
- Councillor Briefing Session – 27 July 2015

**COUNCIL RESOLUTION**

**MOVED:** Cr. V. Fontana  
**SECONDED:** Cr. J. Williams

**THAT** the record of the Assembly of Councillors held on 23 and 27 July 2015 be noted and incorporated in the minutes of this meeting.

**CARRIED**



## ASSEMBLY OF COUNCILLORS PUBLIC RECORD

<b>ASSEMBLY DETAILS:</b>	<b>Title:</b>	Darebin Women's Advisory Committee
	<b>Date:</b>	Thursday 23 July 2015
	<b>Location:</b>	Conference Room
<b>PRESENT:</b>	<b>Councillors:</b>	Cr. Julie Williams
	<b>Council Staff:</b>	Mandy Bathgate, Gabriela Cabezas
	<b>Other:</b>	Members of Darebin Women's Advisory Committee
<b>APOLOGIES:</b>		

The Assembly commenced at 6.00 pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Review and update of the Gender Equity Action Plan as part of the Women's Equity Strategy	No disclosures were made

The Assembly concluded at 8.00 pm

<b>RECORD COMPLETED BY:</b>	<b>Officer Name:</b>	Mandy Bathgate
	<b>Officer Title:</b>	Coordinator Equity and Diversity



## ASSEMBLY OF COUNCILLORS PUBLIC RECORD

<b>ASSEMBLY DETAILS:</b>	<b>Title:</b>	Pre-Planning Committee Briefing
	<b>Date:</b>	Monday 27 July 2015
	<b>Location:</b>	Councillors Room
<b>PRESENT:</b>	<b>Councillors:</b>	Cr. Vince Fontana, Cr. Oliver Walsh, Cr. Bo Li, Cr. Julie Williams, Cr. Gaetano Greco and Cr. Trent McCarthy (5.26 pm)
	<b>Council Staff:</b>	Peter Rollis and Darren Rudd
	<b>Other:</b>	
<b>APOLOGIES:</b>		Cr. Tim Laurence, Cr. Angela Villella, Cr. Tsitas (on approved leave of absence)

The Assembly commenced at 5.21 pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Planning Permit Application D/047/2014 16 Aberdeen Grove Northcote	No disclosures were made
2	Planning Permit Application D/047/2014 672 Plenty Road, Preston.	No disclosures were made,
3	Planning Permit Application D/451/2014 52 Howard Street, Reservoir	No disclosures were made

The Assembly concluded at 5.28 pm

<b>RECORD COMPLETED BY:</b>	<b>Officer Name:</b>	Darren Rudd
	<b>Officer Title:</b>	Manager City Development



## ASSEMBLY OF COUNCILLORS PUBLIC RECORD

<b>ASSEMBLY DETAILS:</b>	<b>Title:</b>	Councillor Briefing Session
	<b>Date:</b>	Monday 27 July 2015
	<b>Location:</b>	Function Room, Darebin Civic Centre
<b>PRESENT:</b>	<b>Councillors:</b>	Cr. Oliver Walsh (Deputy Mayor), Cr. Gaetano Greco, Cr. Bo Li, Cr. Julie Williams, Cr. Trent McCarthy, Cr. Vince Fontana.
	<b>Council Staff:</b>	Steve Hamilton, Jacinta Stevens, Katrina Knox, Sally Jones, Tiffany White, Lauren Close, Deb Strutt, Darren Rudd, Katia Croce (until 7.50 pm)
	<b>Other:</b>	
<b>APOLOGIES:</b>		Cr. Steven Tsitas (approved leave of absence), Cr. Tim Laurence, Cr. Angela Vilella, Rasiah Dev.

The Assembly commenced at 7.15 pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Multi-Spots Stadium Project - Verbal	No disclosures were made
2	Batman Park Landscape Master Plan	No disclosures were made
3	Progress report – Precinct Traffic Management Process	No disclosures were made
4	Progress report – Junction Urban Master Plan Project	No disclosures were made
5	Edwardes Lake Boathouse	No disclosures were made

The Assembly concluded at 8.10 pm

<b>RECORD COMPLETED BY:</b>	<b>Officer Name:</b>	Katrina Knox
	<b>Officer Title:</b>	Director Community Development

## 9. CONSIDERATION OF REPORTS

### 9.1 MOU BETWEEN DAREBIN CITY COUNCIL AND OMAR BIN AL KATTAB MOSQUE

MINUTE NO. 392

**AUTHOR:** Manager Children, Families and Community

**REVIEWED BY:** Director Community Development

#### SUMMARY

At its meeting on 18 August 2014, Council resolved:

*'That Council:*

- (1) Endorse the revised and updated Memorandum of Understanding, (attached as Appendix A to this report) with the Omar Bin Al Kattab Mosque that includes the re-establishment of the Council-Preston Mosque working committee.*
- (2) Receive an update after 12 months on the progress of the 'future actions' as outlined in the report.'*

This report provides an update of the work undertaken by the Islamic Society of Victoria (Preston Mosque) and Darebin Council during 2014/2015 through the Memorandum of Understanding (MOU) arrangement.

Council has actively engaged with the Omar Bin Al Kattab Mosque in Cramer Street, Preston since 2003. The relationship was formalised in 2009 with the signing of the MOU between the Islamic Society of Victoria (Omar Bin Al Kattab Mosque) and Darebin City Council, reflecting what was and continues to remain a significant and evolving local partnership.

A revised and updated MOU was endorsed by Council in August 2014, with a public launch held on 5 February 2015 as part of the International Interfaith Harmony Day celebration. The MOU guides the relationship between the Council and the Mosque in working together to address local issues for the benefit of both residents and visitors to the Mosque, particularly around key dates such as Ramadan.

Strategically, at a time where we see increased debate on matter of national security and heightened community anxiety regarding the issues of radicalisation and domestic terrorism, it provides an important platform from which to respond.

#### CONSULTATION

- Equity and Diversity Team
- Darebin Intercultural Centre
- Interfaith Development Officer
- Multicultural Affairs Officer
- Traffic Enforcement
- Tarik Nashaar, Vice President, Islamic Society of Victoria



- Ahmed Alloush, President, Islamic Society of Victoria
- Darebin Interfaith Council
- Victoria Police

**RECOMMENDATION**

**THAT** Council note the progress report on the MOU between Darebin City Council and the Islamic Society of Victoria (Preston Mosque).

**MOTION**

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

**THAT** Council note the progress report on the MOU between Darebin City Council and the Islamic Society of Victoria (Preston Mosque).

*Cr. Greco proposed to the mover and seconder that an additional point (2) be added to the motion. This was accepted by the Cr. Laurence and Cr. Villella.*

- (2) Thank the Preston Mosque for their continued cooperation.

THE AMENDED MOTION THEN READ AS FOLLOWS:

**AMENDED MOTION**

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

**THAT** Council:

- (1) Note the progress report on the MOU between Darebin City Council and the Islamic Society of Victoria (Preston Mosque).
- (2) Thank the Preston Mosque for their continued cooperation.

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

**COUNCIL RESOLUTION**

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

**THAT** Council:

- (1) Note the progress report on the MOU between Darebin City Council and the Islamic Society of Victoria (Preston Mosque).
- (2) Thank the Preston Mosque for their continued cooperation.

**CARRIED UNANIMOUSLY**

**REPORT****INTRODUCTION AND BACKGROUND**

Council has actively engaged with the Omar Bin Al Kattab Mosque in Cramer Street, Preston since 2003, largely in response to community concerns about the Mosque's activities and the impact on the surrounding neighbourhood, particularly in relation to traffic management and parking issues associated with usage of the Mosque on Fridays and during religious events.

On 14 August 2009, Council officers began negotiations for a longer term stable outcome to ongoing traffic management issues and the need for a formal relationship with the Mosque via an MOU. A revised and updated MOU was endorsed by Council in August 2014.

A formalised agreement between the two organisations has provided for a constructive and robust relationship and it has been critical to enabling both organisation to work together to ensure the safety of residents and worshippers.

The Mosque is numerically one of the largest in Australia and exercises significant influence on the Islamic sector. It is a first point of contact for Muslim migrants and refugees coming to Australia with services are also accessed by the wider non-Muslim population.

The working partnership between the Omar bin Al Kattab Mosque and the City of Darebin is based on the following principles:

- A respectful, collaborative and robust relationship
- Commitment to open dialogue for effective problem solving
- Obligation to community integration and positive neighbourhood relations
- Dedication to responding to the needs and issues of the Mosque, Council and the wider community.

**ISSUES AND DISCUSSION****Building community resilience**

The MOU offers an effective and proactive prevention-oriented approach which allows a joint response to unanticipated human or community relations 'disasters' as a result of the impact of international and national events on the local community.

It also creates an opportunity to influence perspectives and encourage interaction with the wider community, particularly for Muslim young people who are newly arrived, refugees or are seeking asylum in Australia.

Nationally and internationally, events linking terrorism with Muslim communities, the resurgence of the Islamic State with international recruitment of young people (including young Australians), negative media depictions of Muslim people and increased debate on matter of national security has heightened community anxiety. Whenever there are incidents linking Muslims and terrorism, the Mosque is put under pressure by Government, federal police and media, raising concerns within the wider community.

As such, the MOU provides a timely, strategic platform for joint response.

**Organisational benefits**

The existence of a robust relationship entitles Council to engage in the discussion of complex and emerging local issues and it encourages the joint consideration of diverse perspectives and strategic solutions.

**Community benefits**

The MOU sets the framework for development of an ongoing community relations plan supporting communication between the Mosque and neighbouring residents, fostering better rapport and a more positive image in the local community.

The MOU partnership has enabled both organisations to cooperate in responding to complaints regarding traffic and noise matters. The Mosque educates visitors and the Muslim community in Darebin regarding traffic and parking regulations that need to be observed and regularly provides information about infringement penalties. Efforts are made to keep noise levels to a minimum particularly during Friday prayers and at two annual morning services: Eid El Fitr and Eid El Adha.

More intense community relations work is required around the time of Ramadan and in the context of increasing anti-Muslim sentiments, community perceptions and concerns.

**Equity and inclusion**

Council has a long standing commitment to building a safe, inclusive and harmonious community. This commitment is enshrined in the Darebin Council Plan (2013-2017), the Darebin Health and Wellbeing Plan (2013-2017) and the Darebin Equity and Inclusion Policy (2012-2015). These strategic commitments are underpinned by a rights-based approach in addressing the needs of the most vulnerable members in our City and, in particular, those at risk of exclusion.

The MOU with the Mosque is another vehicle to support this goal, working with a key population group in responding to emerging issues of concern.

**Key outcomes during 2015**

1. Public launce of an endorsed MOU as part of the International Harmony Day celebration in February 2015 with the participation of religious leaders, Councillors and staff.
2. Strengthening of relationship between the two organisations with, regular, direct and open communications.
3. Active engagement with elected Council.
  - a. Support with events and monitoring of compliance arrangement with regards to Ramadan, Eid El Fitr, and Eid El Adha.
  - b. Establishment of the Preston Mosque 0 Council Collaboration Committee to monitor the progress of the implementation of the MOU. The Committee meets on a bimonthly basis and offers an opportunity for Council departments to engage with the Preston Mosque on issues such as community safety, community engagement and family violence.
  - c. Compliance with emergency management policies, procedures and City of Darebin's parking regulations and event management guidelines including road closure permit regulations and traffic management.

- d. Support with interfaith dialogue, forums and events to encourage community cohesion and harmony. The Preston Mosque is an active participant in the Darebin Interfaith Council.
- e. Assist each other with projects of benefit to the Darebin Community.

## **POLICY IMPLICATIONS**

### **Environmental Sustainability**

The MOU provides for an effective and practical framework to work with the Islamic Society of Victoria and our Muslim residents in promoting a culture and practice that protects our environment. This can be of great benefit for Council to reach out to these communities and to collaborate in the discussion and implementation of Council's environmental policies and programs. This includes environmental sustainability and using efficient energy sources to minimise waste particularly during the hottest part of the year.

### **Human Rights, Equity and Inclusion**

The MOU is underpinned by Darebin's Equity and Inclusion Policy and a range of Action Plans such as the Human Rights, Aboriginal and Multicultural Action Plans.

The Equity and Inclusion Policy addresses the various barriers to achieving equity and inclusion experienced by Darebin citizens in a holistic way and based on a human rights approach. It seeks to strengthen Council's efforts to include groups at risk of exclusion. This includes members of religious minorities with a particular impact on Muslim communities.

The Action Plans seek to build and strengthen capacities across all levels of Council to plan, develop, provide services and advocate for the human rights of Darebin citizens and communities. It contains actions aimed at outreaching, promoting and responding to diverse community groups and community based organisations on human rights learning and advocacy.

The Darebin Interfaith Council represents communities and in particular Darebin's Muslim communities which are heavily impacted by discrimination. They are a key factor in working with Council to promote a culture of Human Rights and to assist community members to be aware of their rights and how to use the Charter of Human Rights in practice to address discrimination.

### **Economic Development**

A strong relationship between Council and the Preston Mosque helps build a community where Muslims and non-Muslim residents interact through increased business opportunities and the productivity and economic benefits of reinforcing and promoting Darebin as a diverse, inclusive, peaceful and prosperous city. This has been identified as one of the main reasons people and businesses want to live and trade in Darebin.

### **Other**

The Multicultural Affairs Action Plan 2012-2015 guides Council's work in service provision, planning and engagement with its culturally diverse communities. In particular it aims at developing services and programs that respond to the needs of people at risk of exclusion such as members of Darebin's religious minorities and to play an active role in interfaith dialogue and cooperation to build community cohesion and harmony.

Many of the members of Darebin's Muslim communities are refugees and asylum seekers on bridging visas including men, women and children. Darebin Council has played a leadership role to support asylum seekers who are the victims of discrimination and who experience complex social and cultural needs and who constitute the most disadvantaged sector of the Darebin community.

The Anti-Racism Strategy is a vision to work towards a racism-free Darebin, where the diversity of the Darebin community is valued, celebrated, respected, embraced and leveraged. Members of Culturally and Linguistically Diverse Communities and members of religious minorities were found to be amongst the most discriminated against in Darebin. The strategy seeks to foster a community where racism and race-based discrimination are not acceptable and where there is a shared vision that citizens should be free from racism. The Memorandum of Understanding with the Preston Mosque establishes the ground for a strong partnership with the Islamic Society of Victoria to participate in the delivery of Council's Anti-Racism Strategy.

### **FINANCIAL AND RESOURCE IMPLICATIONS**

Activities associated and programs associated with the MOU will be managed with the Equity and Inclusion and related program budgets.

### **CONCLUSION**

The MOU between the Darebin City Council and the Islamic Society of Victoria / Preston Mosque has continued to deliver positive community outcomes. In particular it has ensured that the coordination of events in and around the Mosque is undertaken with a minimum of disruption to local traffic and ensuring the safety of both local residents and Mosque visitors.

The MOU also continues to provide a strong basis for positive and constructive engagement between Darebin Council and its Muslim residents in areas such as community relations, support with major events, social activities, participation in Council activities through the Darebin Interfaith Council, violence against women and family violence, environmental protection, anti-racism and support to refugees and asylum seekers.

The MOU partnership with the Preston Mosque and the bimonthly collaboration meetings will be critical in the development and delivery of a Community Inclusion Plan aimed at young people to be developed during 2015/2016 financial year.

### **FUTURE ACTIONS**

- Bi-monthly Council – Mosque Collaboration Committee meetings to monitor progress of the MOU.
- Assist the Mosque to host neighbourhood gatherings or open day events to encourage positive relations between the Mosque and wider community.
- Implementation of New Initiative: Development of a Preventing Violence Guide for the Victorian Board of Imams and the Islamic Society of Victoria.
- Implementation of New Initiative: Community Inclusion Plan aimed at developing a Social Inclusion Framework for young Muslim people.

**DISCLOSURE OF INTERESTS**

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.

**RELATED DOCUMENTS**

- Darebin Equity and Inclusion Policy 2012-2015
- Multicultural Action Plan 2012-2015
- Human Rights Action Plan 2012-2015
- Darebin Anti-Racism Strategy 2012-2015
- MOU between City of Darebin and Islamic Society of Victoria (Preston Mosque)
- Council Meeting Minutes – 18 August 2014

**9.2 NORTHERN ALLIANCE FOR GREENHOUSE ACTION  
MEMORANDUM OF UNDERSTANDING****MINUTE NO. 393****AUTHOR: Manager Environment and Natural Resources****REVIEWED BY: Acting Director Assets and Business Services****SUMMARY**

At its meeting on 26 November 2012, Council authorised the signing of the Northern Alliance for Greenhouse Action (NAGA) Memorandum of Understanding (MOU) for the period to 30 June 2015. Under the existing agreement, Council has the option of a 2 year extension to 30 June 2017.

Continuing membership of NAGA will ensure that the Darebin community has access to significant information, collaboration and advocacy resources resulting from NAGA regional work and networks.

**CONSULTATION**

- NAGA Executive Officer

**RECOMMENDATION**

**THAT** Council authorise the Chief Executive to sign the Northern Alliance for Greenhouse Action (NAGA) Memorandum of Understanding (attached to this report as **Appendix A**) for the period completing 30 June 2017 at a total cost of \$48,800 (GST inclusive).

**MOTION**

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

**THAT** Council authorise the Chief Executive to sign the Northern Alliance for Greenhouse Action (NAGA) Memorandum of Understanding (attached to this report as **Appendix A**) for the period completing 30 June 2017 at a total cost of \$48,800 (GST inclusive).

*Cr. Greco proposed to the mover and seconder that an additional point (2) be added to the motion. This was accepted by the Cr. McCarthy and Cr. Li.*

- (2) Receive an annual report regarding the work and outcomes of NAGA.

THE AMENDED MOTION THEN READ AS FOLLOWS:

**AMENDED MOTION**

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

**THAT** Council

- (1) Authorise the Chief Executive to sign the Northern Alliance for Greenhouse Action (NAGA) Memorandum of Understanding (attached to this report as **Appendix A**) for the period completing 30 June 2017 at a total cost of \$48,800 (GST inclusive).
- (2) Receive an annual report regarding the work and outcomes of NAGA.

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

**COUNCIL RESOLUTION**

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

**THAT** Council

- (1) Authorise the Chief Executive to sign the Northern Alliance for Greenhouse Action (NAGA) Memorandum of Understanding (attached to this report as **Appendix A**) for the period completing 30 June 2017 at a total cost of \$48,800 (GST inclusive).
- (2) Receive an annual report regarding the work and outcomes of NAGA.

**CARRIED UNANIMOUSLY**

**REPORT**

**INTRODUCTION AND BACKGROUND**

At its meeting on 26 November 2012, Darebin Council authorised the signing of the Northern Alliance for Greenhouse Action (NAGA) Memorandum of Understanding (MOU) for the period completing 30 June 2015. The MOU has an option to renew for a two year extension to 30 June 2017.

NAGA formed in 2002 as a network to share information, skills and resources related to climate change action. NAGA's current members are the cities of Banyule, Hume, Manningham, Melbourne, Moreland, Whittlesea and Yarra, Shire of Nillumbik and Moreland Energy Foundation.

NAGA's goal is to substantially contribute to the transition to a climate-changed, low-carbon future by delivering effective programs and leveraging local government, community and business action.



Through NAGA's and its members' commitment to regional collaboration on climate change action, they have established a leadership reputation successfully attracting millions of dollars of grants funding to the region's climate change and energy efficiency efforts.

Council annually appoints a member to the NAGA executive who determine the strategic direction of NAGA and the current appointee is Cr. McCarthy. Darebin has been an active NAGA participant and has benefitted from its involvement in terms of:

- Significant grant funding and partnership opportunities – including two Victorian Adaptation and Sustainability Partnership grants (over \$230,000)
- Advocacy for energy efficiency and carbon reduction programs including upgrading to energy efficient street lighting
- The provision of community energy data from distribution businesses so that community progress can be tracked – data up to 2012 has now been provided
- Promotion of solar panels for electricity and solar hot water
- Information sharing, networking and significant capacity building amongst member Councils.

## **ISSUES AND DISCUSSION**

NAGA has led a number of significant regional projects in the last few years. Some of the highlights are:

- **'Adaptation in the North' - Integrated Regional Vulnerability Assessment project**

NAGA applied for and led the Victorian Adaption Sustainability Partnership program (\$150,000 funding hosted by Whittlesea Council) for an Integrated Regional Vulnerability Assessment across the northern region. This has been a comprehensive study which has reviewed the impact of climate change and need for appropriate adaptation strategies for each Council area. The report 'Adaptation in the North' is to be launched soon.

It anticipated that State Government will announce new funding arrangements perhaps more akin to the Sustainability Accord rather than the Victorian Adaptation and Sustainability Program. NAGA will be in a strategic position to seek funding for various climate change mitigation and adaptation programs as new funding opportunities arise.

- **Municipal energy data profiles and Communicating Energy Use project**

NAGA has delivered energy profiles for 2010, 2011 and 2012 for Darebin residential and commercial services. This is a complex and detailed collection of data from distribution businesses. Without the resources of NAGA, Council would struggle to collect and analyse community energy data. The municipal energy profile has led to the Communicating Energy use project which all Councils have found useful in engaging their local communities and setting targets to reduce community emissions on a household level.

- **Advocacy on key policy, program and pricing matters**

NAGA has a strong record in advocating for a low carbon economy and society, and in particular responding to government reviews and policy changes. Some of the recent NAGA submissions include:

- a. The Australian Energy Regulator on the Electricity Distribution Price Review in conjunction with the Municipal Association of Victoria;

- b. The Federal Government on the Emissions Reduction Fund Safeguard Mechanism, the Renewable Energy Target and the post -2020 Emissions Reduction target; and
- c. The Victorian Government review on Victorian Energy Efficiency Target (VEET) and the future of unconventional gas production.

- **Solar scale up and street lighting working groups**

One of the many benefits of participation in a regional alliance is the opportunity to learn from others who have had previous experience in technical areas. In the last 3 years the solar scale up and streetlight working groups have been of particular value as officers have been able to learn from other Councils and fast track the implementation of key solar photovoltaic and energy efficient street light projects.

- **Energy efficiency for small to medium enterprises (SME)**

The NAGA regional project 'Easy Energy Efficiency for SMEs', auspiced by the Moreland Energy Foundation (MEFL) received a Federal Government grant of \$881,904 for providing energy efficiency information and assistance to businesses in the NAGA area 2012- 2015. This project focused on development and delivery of easy-to-implement energy efficiency actions to small and medium enterprises (SMEs) across northern metro Melbourne, targeting: food services and manufacturing, retail, accommodation and professional, scientific and technical Services. The information is available in a number of languages including Arabic, Turkish, Vietnamese, Chinese (Mandarin), Italian and Greek.

MEFL has trained Council environment health officers and community workers within peak agencies in the six language groups to engage with SMEs and encourage the uptake of energy efficiency actions.

## **POLICY IMPLICATIONS**

### **Environmental Sustainability**

Participation in NAGA complements and adds value to Darebin's leadership position on climate change action within our operations and the community. It is consistent with Council's climate change action plans.

### **Human Rights, Equity and Inclusion**

NAGA regional projects target low income and CALD communities across the northern region.

### **Economic Development**

NAGA promotes and facilitates Councils, the community and business moving to a low carbon economy. Through the 'Easy Energy Efficiency for SMEs' project NAGA (with the aid of a grant of \$881,904) supported small and medium enterprises (SMEs) with energy efficiency information across northern metro Melbourne.

### **Other**

Membership of NAGA and involvement in regional projects is consistent with Council Plan commitments regarding: leadership and engagement, environmental sustainability and prudence and prosperity.

**FINANCIAL AND RESOURCE IMPLICATIONS**

The 2015 – 2017 NAGA MOU commits Council to an annual contribution of \$24,039 (GST inclusive) in the 2015/2016 financial year and \$24,761 (GST inclusive) in the 2016/2017 financial year. This membership fee is included in the Environment and Natural Resources operating budget. The MOU and annual membership commitment can be terminated by providing 21 days' notice.

**CONCLUSION**

It is recommended that Council continue membership of NAGA by signing the MOU to 30 June 2017. The benefits NAGA provide outweigh Council's annual contribution costs in value to our community and region. This northern regional alliance is consistent with Council's other regional partnerships and consistent with Council's stated environmental and Council plan commitments. The NAGA MOU sets out clear responsibilities and allows opportunity for termination during its term with 21 days' notice.

**FUTURE ACTIONS**

- Subject to Council resolution, sign the NAGA Memorandum of Understanding
- Maintain the regional and local focus on adaptation to climate change through the 'Adaptation in the North' – to be launched in coming months.
- Exploration of opportunities to support low income households participation in solar and energy efficiency
- Continued advocacy for Federal and State Government roles in climate change action, energy efficiency and renewable energy.

**DISCLOSURE OF INTERESTS**

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.

**RELATED DOCUMENTS**

- Northern Alliance for Greenhouse Action Memorandum of Understanding (attached as **Appendix A**)
- Council Meeting Minutes – 26 November 2012

*Jacinta Stevens, Manager Corporate Governance and Performance temporarily left the meeting during discussion of the above item at 8.12 pm and returned at 8.16 pm.*

**9.3 SOLAR \$AVER PROGRAM 2015/2016**

**MINUTE NO. 394**

**AUTHOR: Manager Environment and Natural Resources**

**REVIEWED BY: Acting Director Assets and Business Services**

**SUMMARY:**

Council has allocated \$1 million in the 2015/2016 budget for a second round of the Solar \$aver program. This report sets out options and timing relating to the delivery of the 2015/2016 program.

Solar \$aver has been a very popular and successful trial program. It has significantly boosted Council’s reputation as an environmental leader and developed a program that can be (and is being) easily replicated by others. Building on the successful program it is proposed to extend the service to more pensioner home owners and explore opening the program to all property owners including rental property owners and businesses. It is proposed that Council invite tenders for the new program and consultation be undertaken to determine interest in program participation.

**CONSULTATION:**

- Council Briefing – 13 July 2015
- Moreland Energy Foundation (Positive Charge)
- Community Planner
- Business Development Coordinator
- Tenants Union of Victoria.

**COUNCIL RESOLUTION**

**MOVED: Cr. T. McCarthy**

**SECONDED: Cr. J. Williams**

**THAT Council:**

- (1) Note that a competitive tender process will be undertaken for the 2015/2016 Solar \$aver program to include Solar PV options for a special charge scheme and bulk buy program.
- (2) Note officers will undertake consultation to determine participation and interest in the 2015/2016 Solar \$aver program with pensioners, general community and business.
- (3) Note a further report will be provided to Council for consideration and endorsement following the evaluation of the tender and consultation results.

**CARRIED UNANIMOUSLY**

<b>REPORT</b>
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**INTRODUCTION AND BACKGROUND**

On 1 September 2014 Council declared a special charge for the Solar \$aver scheme and resolved to receive a further report on the Solar \$aver project following installation of solar systems at households in February 2015.

Two hundred and ninety-two (292) solar PV systems were installed between September and December 2014. As a complementary project 114 households arranged solar installations through the general Darebin solar bulk buy offer run in conjunction with the Solar \$aver program. This equates to over 306 kW and is an excellent outcome for the project.

The outcomes of the Solar \$aver and Bulk Buy programs are summarised in the following table. The program has increased solar capacity in Darebin by over 5%.

Program	Total installed capacity kW	Electricity generated (kwh per year)	Greenhouse gas emissions equiv./year
<b>Solar \$aver</b>	544.75 kW	715,802 kwh	945 tonnes
<b>Bulk Buy – 114 households</b>	306.0 kW	402,084 kwh	531 tonnes
<b>Total</b>	850.75 kW	1,091,606 kwh	1,476 tonnes

Recent analysis of interval data for 167 Solar \$aver PV systems showed that 83% of households had a 20% or greater reduction to their bills over the period November 2014 to March 2015.

The Solar \$aver program continues to create interest within Victoria and interstate. In two separate projects Central Victoria Greenhouse Alliance and Eastern Alliance for Greenhouse Action representing 28 Councils across Victoria are actively exploring rolling out solar PV special charge scheme projects for pensioners who receive a rate rebate with a total value of over \$20 million.

Following the review of the program on 16 February 2015 \$1 million has been allocated in the Council budget for the delivery of the program in 2015/2016.

**ISSUES AND DISCUSSION****Options**

The following options have been considered for the second Solar \$aver program in 2015/2016:

- 1. Continuation of pensioner home-owner program with no changes.**

There is strong demand for continuation of the program for pensioners. Over 100 households have already registered interest. It is likely that Council would need to recruit another 500 households given that in the last program only 50% of households finally proceeded to sign a householder agreement with Council.

Recruitment would include a mail out to approximately 3,000 pensioner households (who have not been included in previous mail outs), general advertising and contact with community groups.

## **2. Expand offer to other property owners**

Council have indicated interest in expanding the Solar Saver program to accommodate low income renters. Additionally, general (non-pensioner) home owners and small businesses could benefit from this program.

### Rental homes with low income tenants

A landlord typically will not install solar PV as the landlord incurs the costs of installing the solar system but doesn't benefit financially as the tenant typically pays the reduced electricity costs as a result of solar PV. This 'split incentive' has been the substantial barrier to solar PV being installed in the rental housing market.

As the special charge is tied to the rate-payer, the landlord, rather than the tenant, would be required to undertake the agreement with Council. The scheme could be promoted to landlords and tenants and offered to properties with low income tenants (tenants who have a pensioner concession card, Department Veteran Affairs Gold card or Totally and Permanently Incapacitated (TPI) card) with leases of 12 months or more.

Because of the split incentive, there is unlikely to be a high take up with general landlords and tenants, however there are a number of social housing groups operating in Darebin. Most social housing groups are not-for-profit and have a primary focus of providing housing assistance to low income and disadvantaged community members. Typically the housing association is the property owner or has an agreement with the property owner. As housing associations commonly have multiple tenants, this would be an effective way of approaching a number of low-income tenants directly.

Whilst individual landlords and tenants would have to negotiate their own terms around rent rises due to the solar scheme, Council may be able to form a simple 'heads of agreement' with participating social housing groups, regarding any increases in rent relating to additional Special Charge for solar PV.

### Open to any ratepayer – residential or business

The Solar Saver program could be made available to any ratepayer regardless of their income, including business properties. The issues to be considered here include:

- The 1.5kW or 2kW sizes offered in the previous program may be too small for larger residences and businesses. A 5kW system is becoming a popular size but could cost \$9,000. This would reduce the number of property owners able to participate in the program.
- Should interest and full administration costs be charged to non-low income participants? For example on a \$3,000 system – these additional costs would add in the order of \$850 and the total price would be GST free. These costs could be tax deductible for landlords and businesses and would likely compare well against other financing options available.
- A bulk buy may suit many residents and businesses better as this could be more flexible and small businesses could potentially take advantage of the Federal Government small business \$20,000 tax relief provisions. 114 households took up the bulk buy offer in the last program.

**3. Extend program to include other products such as hot water or insulation**

Recent experience suggests that other Council hosted bulk-buys for solar hot water services have not created the same degree of interest as solar PV.

Hot water services tend to be replaced when they fail and need to be replaced immediately. A Solar \$aver program for hot water would be limited because the delays between installation and declaring the Special Charge would be too long and impractical. Additionally pensioner households of one or two people would not typically be using enough hot water to offset the cost of a solar hot water system.

There is a need for programs to support low income households to improve the thermal performance of existing housing stock and the purchase of energy efficient appliances. The State Government is presently reviewing energy efficiency policy and a number of programs for low income households including the VEET scheme, support for home insulation programs, a residential efficiency scorecard and other measures.

A Special Charge program that partners with State Government supported programs such as retrofitting insulation, energy efficient air-conditioning, and improving air-tightness may work well. As the State Government is still consulting with stakeholders and the community it is recommended that Council postpone consideration of an energy efficiency retrofit option for a future year.

Accordingly it is not recommended that Council extend the Solar \$aver program to include other products this year. It is however recommended that Council continue to advocate for State Government policy and program support that reduces climate change and energy price challenges for low income households.

**Analysis of options**

As Council's aim has been not only to reduce emissions, but to support those most vulnerable to climate change impacts and increasing energy costs it would be recommended to maintain a focus on low income homes. This could be exclusive or could be managed by using the "no interest" costs as a discount for these low-income homes.

It would be a natural extension of the program to extend out to other property owners including business, though a bulk buy option may be more preferable to this wider audience. As discussed above it is not recommended to extend the program to include other products this year, however it is recommended that Council continue to advocate for State Government policy and program support that reduces climate change and energy price challenges for low income households.

**Process from here****Tender for the delivery of solar PV supply and installation services**

It is proposed to tender for the supply and installation of solar PV systems on a similar basis to the previous Solar \$aver program with a bulk buy component included. It's proposed that the tender would request pricing for a broad range of solar systems. As part of the tender award Council could make the decision which systems would be included in the Special charge and which would only be available through the bulk buy, as well as any limitations or interest costs charged to some sectors.

Expressions of interest and further consultation

Whilst the tender process is proceeding it is proposed to invite expressions of interest for the program and bulk-buy and gather further information as to the different group’s likely interest. This could include:

- Direct mail out to 3,000 pensioners
- Target social housing providers to determine interest
- Target some small businesses and traders associations directly to understand if and how the program would be of benefit to them.
- General publicity with newspaper advertisements, community group contacts (particularly multicultural pensioner groups) and online promotion.

This feedback would be provided to Council together with the tender award so that Council could determine the best Solar \$aver program offer.

**Indicative timetable**

Tender for Service	15 August - 30 September 2015
Expression of interest/consultation	August to September
Council appoint Contractor and finalise Solar \$aver offer	October/November 2015
Formal recruitment and quotations -signed agreements	November – January 2015
Propose Special Charge Scheme	February 2016
Declare Special Charge Scheme	March 2016
Installation	April – June 2016

**POLICY IMPLICATIONS**

**Environmental Sustainability**

This project is consistent with Darebin’s Community Climate Change Action Plans and the Darebin Climate Change and Peak Oil Adaptation Plan. The adopted project aims included:

- *To reduce greenhouse emissions in the Darebin community and organisation towards progress of the 2020 zero emissions targets.*
- *To increase the amount of renewable energy in Darebin.*
- *To facilitate, catalyse and develop mechanisms to develop scaled up solar and resource efficiency projects.*
- *To future-proof the community and Council against increasing energy prices, particularly low income households in our community most vulnerable to increasing energy costs.*
- *To develop long term financing and management models which provide benefits for the community and Council, including leveraging funds from government grants and philanthropy.*
- *To demonstrate Council leadership, engage with and inspire the community regarding renewable energy and energy efficiency*
- *To create community resilience and pride.*



**Human Rights, Equity and Inclusion**

Council has committed through its Community Climate Action Plan not only to reduce emissions, but to support those most vulnerable to climate change impacts and increasing energy costs. This project was specifically aimed at pensioner households, who are more vulnerable to increasing energy costs.

Project community engagement and promotion has included communications aimed at culturally and linguistically diverse (CALD) communities. There has been a good take up of the offer by these communities.

**Economic Development**

The Solar Saver program could be used to support small business purchase of solar systems which could provide ongoing utility savings to businesses. The recent Federal Government small business \$20,000 tax relief provisions may enable more interest in solar as an asset that could be invested in to provide ongoing savings.

It is estimated that the average participating household could save \$380 in electricity bills over the first year based on current electricity pricing, a saving of \$90 after the special charge scheme payment. After 10 years households can save over \$400 per year. This represents potential funds that can be spent within the Darebin community rather than on utility bills.

It has now become apparent that the program will be rolled out in many parts of Australia-creating many more solar installation opportunities for the solar industry, resulting in greater demand/jobs for that industry.

**Other**

This is consistent with and supports the Council Plan 2013 – 2017.

**FINANCIAL AND RESOURCE IMPLICATIONS**

Council has allocated \$1 million from the 2015/2016 Council budget for the delivery of the Solar Saver program in 2015/2016. There will be minor administration costs in the program including postage and advertising with the majority of costs returned to general revenue to offset the project costs over 10 years. It should be noted that the 2014-2015 special charge scheme acted as an interest free loan to the low income households.

**CONCLUSION**

It is proposed that Council invite tenders for the supply and installation of solar PV systems on a similar basis to the previous Solar Saver program with a bulk buy component included. Concurrently consultation will be undertaken to determine interest in program participation prior to Council deciding on the tender and final program mix.

**FUTURE ACTIONS**

- Subject to Council resolution invite tenders for solar PV
- Undertake consultation process
- Council consider further report following tender and consultation evaluation

**DISCLOSURE OF INTERESTS**

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

**RELATED DOCUMENTS**

- Council Meeting Minutes – 1 September 2014 and 16 February 2015
- *Local Government Act 1989*
- Community Climate Change Action Plan

**9.4 DAREBIN AUSTRALIA DAY AWARDS****MINUTE NO. 395****AUTHOR: Acting Manager Communications and Marketing****REVIEWED BY: Acting Director Corporate Services****SUMMARY**

Following a confidential report to Council on 18 August 2014, Council resolved that a review of the Darebin Australia Day Awards be undertaken and the outcome reported back to Council.

This report outlines the review and the recommendations to amend elements of the process and guidelines for the Darebin Australia Day Awards and implement them for the 2016 Awards.

**CONSULTATION**

- Chief Executive
- Director Corporate Services
- Executive Management Team
- Manager Communications and Marketing
- Project Officer, Communications and Marketing
- People and Performance Business Unit
- Other key Internal Business Units that manage other Darebin awards
- Other Victorian Local Government Councils
- Local Government Professional Events Network

**RECOMMENDATION****THAT** Council:

- (1) Resolves to add the following points to the Darebin Australia Day Awards guidelines to be implemented for the 2016 Darebin Australia Day Awards round:
  - An elected Councillor of Darebin Council cannot submit a nomination or be a referee for a Darebin Australia Day Award nominee.
  - Elected Councillors' family members are not eligible for nomination.
  - Current Darebin employees are not eligible for nomination and cannot be a referee for a nominee.
- (2) Resolves to include these points in all other Darebin Award guidelines for consistency and transparency across all awards processes.

**MOTION**

**MOVED:** Cr. A. Villella  
**SECONDED:** Cr. J. Williams

**THAT** Council:

- (1) Resolves to add the following points to the Darebin Australia Day Awards guidelines to be implemented for the 2016 Darebin Australia Day Awards round:
  - An elected Councillor of Darebin Council cannot submit a nomination or be a referee for a Darebin Australia Day Award nominee.
  - Elected Councillors' family members are not eligible for nomination.
  - Current Darebin employees are not eligible for nomination and cannot be a referee for a nominee.
- (2) Resolves to include these points in all other Darebin Award guidelines for consistency and transparency across all awards processes.

*Cr. Greco proposed to the mover and seconder that the third point of (1) be amended as follows. This was not as accepted by the Cr. Villella and Cr. Williams.*

- Current Darebin employees and immediate family members are not eligible for nomination and cannot be a referee for a nominee.

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

**COUNCIL RESOLUTION**

**MOVED:** Cr. A. Villella  
**SECONDED:** Cr. J. Williams

**THAT** Council:

- (1) Resolves to add the following points to the Darebin Australia Day Awards guidelines to be implemented for the 2016 Darebin Australia Day Awards round:
  - An elected Councillor of Darebin Council cannot submit a nomination or be a referee for a Darebin Australia Day Award nominee.
  - Elected Councillors' family members are not eligible for nomination.
  - Current Darebin employees are not eligible for nomination and cannot be a referee for a nominee.
- (2) Resolves to include these points in all other Darebin Award guidelines for consistency and transparency across all awards processes.

**CARRIED UNANIMOUSLY**

**REPORT****INTRODUCTION AND BACKGROUND**

Following a confidential report to Council on 18 August 2014 regarding the Darebin Australia Day Awards, Council resolved to undertake two actions.

The first action was to revoke an award previously awarded in 2012. The decision was based on the recipient's unsuitability to hold a Darebin award after being convicted of rape and sentenced to jail subsequent to receiving a commendation award in 2012.

The second action was to review the Australia Day Award process to ensure governance processes are in line with Council policies and standards.

The first action was completed promptly, with the recipient notified. The second action to undertake a full review of the Darebin Australia Day Awards was completed in June 2015.

The review included consulting on processes being used by other Councils for their Australia Day Awards, and looking at how other departments at Darebin run their award processes.

Consideration was also given to the points raised in the confidential report to Council on 18 August 2014. These included:

1. In line with other Darebin awards, the Committee should make a recommendation which is then endorsed by Council
2. Referee checks form part of the nomination process (note: this may need permission from the nominee)
3. Elected Councillors and Council staff should not be referees for nominees
4. Elected Councillors' family members should not be eligible for nomination
5. Council staff should not be eligible for nomination.

At the time of the confidential report going to Council in August 2014, the 2015 Awards nominations process had already commenced, so it was determined to ensure item one listed above was included in the decision-making process for the 2015 awards, and to complete a full review of the Awards after the 2015 event had been held. It was also identified that item two listed above is already included as part of the current award process and will continue to be implemented.

**ISSUES AND DISCUSSION**

Information was received from 21 Councils across Victoria, revealing that there is no standard approach to the awards.

The criminal conviction of a former award recipient raised the question of police checks for nominees. Other Councils don't include a police check as part of their process, and it was determined that Darebin Council doesn't have the jurisdiction to run police checks on award nominees as our jurisdiction only extends to Council employees and potential employees as part of a recruitment process. Recruitment police checks are undertaken with the subject's permission.

The following awards managed by other areas of Council were also identified in the review:

- Business Award for Community Contribution
- Darebin Art Prize
- Good Neighbour and Good Citizen Award
- The Darebin Music Feast Songwriters' Award
- Darebin Mayors Writing Award for Poetry
- Darebin Sporting Club of the Year
- Darebin Sports Volunteer of the Year
- Sustainability Awards

While there is no standard approach in place for Council-run awards, other Darebin award recipient recommendations are endorsed by the full Council. This practice was implemented for the 2015 Darebin Australia Day Awards as a precursor to the full review.

A review of the current Darebin Australia Day Awards Guidelines and nomination form identified the need to include the following additional points under the conditions of entry:

- An elected Councillor of Darebin City Council cannot submit or be a referee for a Darebin Australia Day Award nominee.
- Elected Councillors' family members are not eligible for nomination
- Current Darebin employees are not eligible for nomination and cannot be a referee for a nominee.

These conditions help to ensure that the awards are clearly presented as awards for the community, with nominations coming from the community that are not influenced by Councillors or staff.

## **POLICY IMPLICATIONS**

### **Environmental Sustainability**

Nil

### **Human Rights, Equity and Inclusion**

The Darebin Australia Day Awards are open to anyone who resides, works or studies in the City of Darebin and every effort is made to promote them widely to attract diverse nominations.

### **Economic Development**

Not applicable.

### **Other**

Not applicable.

**FINANCIAL AND RESOURCE IMPLICATIONS**

The review of the Australia Day Awards process and guidelines was conducted with existing resources and has no financial impact on the awards program.

**CONCLUSION**

The unfortunate instance of a recipient being convicted of a criminal offence subsequent to receiving an Australia Day Award made it timely to review Darebin's award process and guidelines.

While the changes recommended cannot guarantee another such unfortunate and unlikely occurrence, they have strengthened the governance around the Australia Day awards and can be adopted across all of Darebin Council's award programs.

In line with other Darebin awards, the decision-making process has also been amended so that the Australia Day Committee makes a recommendation and the decision is endorsed by the full Council. This change was implemented for the 2015 award round.

**FUTURE ACTIONS**

- Update the Darebin Australia Day Awards Guidelines
- Promote the 2016 Darebin Australia Day Awards, to commence in mid-August
- Appoint the 2015/16 Darebin Australia Day Committee
- Schedule the first meeting of the new committee for early September 2015
- Plan for the 2016 Awards and Event.

**DISCLOSURE OF INTERESTS**

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.

**RELATED DOCUMENTS**

- Darebin Australia Day Awards Guidelines
- Darebin Australia Day Awards and Event Policy
- Darebin Australia Day Awards nomination form
- Confidential Council Minutes – 18 August 2014

*Libby Hynes, Manager Environment and Natural Resources left the meeting at the conclusion of the above item – 8.28 pm.*

**9.5 EXTERNAL GOVERNANCE COMMITTEE****MINUTE NO. 396****AUTHOR: Acting Director Corporate Services****REVIEWED BY: Acting Chief Executive****SUMMARY**

At its meeting of 1 December 2014 Council raised the question of costs associated with administering the External Governance Committee. Council resolved to receive a report reviewing the External Governance Committee's Charter and Terms of Reference, and to receive more detailed reporting of the Committee's recommendations and minutes.

The External Governance Committee's Terms of Reference include a sunset clause that sees the Committee cease at the end of two years, with a provision for extending the Committee for a further period if deemed necessary.

In line with the sunset clause the Committee is due to cease on 16 December 2015 so it is timely to consider its function to date and whether it is required in future.

**CONSULTATION**

- Chief Executive
- Manager Governance and Corporate Performance
- Chief Financial Officer
- External Governance Committee Chair

**RECOMMENDATION****THAT** Council:

- (1) Resolves to retire the External Governance Committee before its sunset date of December 2015.
- (2) Resolves to review the need for ongoing external governance advice upon completion of the Inspectors of Municipal Administrations' three month term.
- (3) Resolves to write to the External Governance Committee Chair to thank the Committee for its contribution to Council.



**MOTION**

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

**THAT** Council:

- (1) Resolves to retire the External Governance Committee before its sunset date of December 2015.
- (2) Resolves to review the need for ongoing external governance advice upon completion of the Inspectors of Municipal Administrations' three month term.
- (3) Resolves to write to the External Governance Committee Chair to thank the Committee for its contribution to Council.

*With leave of the Chairperson, Cr. Walsh, Cr. Villella withdrew as seconder to the motion.*

*Cr. Fontana subsequently seconded the motion.*

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

- (1) Resolves to retire the External Governance Committee before its sunset date of December 2015, **subject to the receipt of a final report to Council from the Committee.**

THE AMENDED MOTION THEN READ AS FOLLOWS:

**AMENDED MOTION**

**MOVED:** Cr. T. Laurence  
**SECONDED:** Cr. V. Fontana

**THAT** Council:

- (1) Resolves to retire the External Governance Committee before its sunset date of December 2015, subject to the receipt of a final report to Council from the Committee.
- (2) Resolves to review the need for ongoing external governance advice upon completion of the Inspectors of Municipal Administrations' three month term.
- (3) Resolves to write to the External Governance Committee Chair to thank the Committee for its contribution to Council.

A VOTE ON THE AMENDED MOTION WAS TIED.

THE CHAIRPERSON, CR. WALSH USED HIS CASTING VOTE AGAINST THE MOTION.

Cr. Williams called for a Division:

For

Cr. Vince Fontana  
Cr. Julie Williams  
Cr. Tim Laurence  
Cr. Oliver Walsh

Against

Cr. Trent McCarthy  
Cr. Angela Villella  
Cr. Gaetano Greco  
Cr. Bo Li

The Chairperson, Cr. Walsh used his casting vote to declare the motion lost.

**ALTERNATIVE MOTION**

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

**THAT** Council:

- (1) Receives and notes this report.
- (2) Resolves to receive a report by the External Governance Committee on the following matters:
  - (a) Any deficiencies or areas for improvement in governance.
  - (b) Any suggestions for governance improvement by the Council or Executive staff.
  - (c) A suitable timeframe for addressing (a) and (b) above.
  - (d) Any other governance matters that the Committee sees fit to bring to Councils attention.

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

**COUNCIL RESOLUTION**

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

**THAT** Council:

- (1) Receives and notes this report.
- (2) Resolves to receive a report by the External Governance Committee on the following matters:
  - (a) Any deficiencies or areas for improvement in governance.
  - (b) Any suggestions for governance improvement by the Council or Executive staff.
  - (c) A suitable timeframe for addressing (a) and (b) above.
  - (d) Any other governance matters that the Committee sees fit to bring to Councils attention.

**CARRIED**

Cr. Fontana called for a Division:

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

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

## REPORT

### INTRODUCTION AND BACKGROUND

The Municipal Association of Victoria's (MAV) Good Governance Guide defines good governance as the following:

*“Good governance is about the processes for making and implementing decisions. It’s not about making ‘correct’ decisions, but about the best possible process for making those decisions.*

*Good decision-making processes, and therefore good governance, share several characteristics. All have a positive effect on various aspects of local government including consultation policies and practices, meeting procedures, service quality protocols, Councillor and officer conduct, role clarification and good working relationships.”*

The City of Darebin currently has three formal forums where governance matters are monitored and discussed. They are the:

- External Governance Committee;
- Audit Committee; and
- Governance, Risk and Corporate Performance Committee (internal).

#### External Governance Committee

The External Governance Committee was endorsed and established by Council on 16 December 2013 in order to respond to the governance actions and processes required by the former Minister for Local Government in her letter of 17 September 2013, and to enable Council to embed best practice governance throughout its operations. The Committee was established prior to the appointment of a Municipal Monitor by the Minister in January 2014.

The Committee meets quarterly and its terms of reference state that its purpose is:

*To act as a steering committee for good governance for Darebin City Council and provide expert advice on:*

- *Our response to the Minister for Local Government’s letter requiring enhancements to our governance, post the recent external investigation*
- *Implementation of the ethical decision making framework*

- *All key governance issues facing Council:*
  - *Legislative compliance with the Local Government Act 1989*
  - *Compliance with changes to the Local Government Act 1989*
  - *Review and compliance with external reviews of Council's governance*
  - *Review of major internal governance investigations*
  - *Oversight of Advisory Committee governance and,*
- *Implement processes to enable leadership in local government good governance.*

The terms of reference include a sunset clause that sees the External Governance Committee cease at the end of two years, with a provision for extending the Committee for a further period if deemed necessary.

The Committee has met on four occasions to date:

- 15 May 2014
- 13 August 2014
- 11 December 2014
- 30 April 2015

The Committee has discussed the following topics:

- Progress associated with the governance actions required by the Minister for Local Government
- A review of the Councillor Code of Conduct and Excellence in Governance Staff Code of Conduct
- A review of the Councillor and Staff Interaction Protocol
- Council's proactive risk management systems
- A review of Council's Ethical Decision Making Framework
- A review of Council's Community Support Program for 2013/2014
- Review and endorsement of the External Governance Committee's purpose and terms of reference
- Council's Gifts and Hospitality Policy with respect to the Minister for Local Government's requirements
- CEO Employment Matters Committee (of Council)
- Darebin Best Value Framework
- Procurement: Section 186
- Council's Fraud Policy

The Committee has reviewed governance documents as outlined above, has identified some internal inconsistencies and has recommended areas for improvement and amendment, including undertaking an assessment of Council's culture of internal compliance.

While it is clear that the External Governance Committee has received information and made some recommendations on governance matters, there also seems to be some overlap with the functions and interests of the Audit Committee, and with the observations and advice of the former Municipal Monitor.

A key difference between the Audit Committee and External Governance Committee is that the Audit Committee has a clear work plan to plot the agendas for the year across five meetings, which is actively managed in conjunction with an internal audit strategy. The External Governance Committee commenced with a plan to review key governance documents, but raised the issue of the lack of a more comprehensive work plan with the then Director administering the Committee. The lack of a work plan for the External Governance Committee appears to have contributed to agenda content that does not necessarily reflect governance concerns. Council has raised the issue of the Committee's relevance and value for money and the Committee itself has raised questions about the relevance of some agenda material and what role the Committee can play in relation to it.

Items for noting only, for example, don't give the Committee an opportunity to provide advice as per its terms of reference.

### **Audit Committee**

It is a requirement of the *Local Government Act 1989* for Councils to have an Audit Committee and best practice to have an independent, external member as Chair. Darebin's Audit Committee has an independent Chair and two independent members along with a VAGO representative in attendance.

The Audit Committee Charter outlines its key focus on risk management and financial management, control and reporting. Accordingly the Audit Committee has responsibilities in relation to financial reporting, internal control, risk management, business continuity, internal audit, external audit and compliance. The Audit Committee meets quarterly and has recently introduced a fifth annual meeting dedicated to end of year financial reports.

### **Governance, Risk and Corporate Performance Committee (internal)**

The Governance, Risk and Corporate Performance Committee was established in August 2010 and meets six times a year. Its purpose as stated in its terms of reference is:

*"to monitor and inform Council's governance, risk and corporate performance practices, culture and systems, identify areas of concern, potential risks, ineffective systems and processes and recommend improvements to the Executive Management Team for endorsement."*

Included in its listed objectives are to ensure leading governance practices and training are in place and to oversee the implementation of governance strategies. An example of this is the Committee's review and endorsement of the execution of process for the 2015/2016 Community Support Program. This internal committee has no external, independent members. Minutes of the Governance, Risk and Corporate Performance Committee are reported to the Audit Committee.

### **Governance in practice at Darebin**

The last two to three years have seen a heightened focus on governance at Darebin and associated changes to policy and culture.

The issues raised in the 10-point letter of 17 September 2013 from the former Minister for Local Government, referred to in the External Governance Committee's Terms of Reference, have all been addressed. The current Minister for Local Government wrote to the Mayor on 30 April 2015, seeking clarification and action on some further concerns identified in the Municipal Monitor's final report of 28 May 2015. The Mayor responded with an action plan as requested.

The Municipal Monitor's role with the Council was concluded by the Minister on 25 June 2015. While announcing the conclusion of the Monitor's role in Parliament, the Minister recognised the work Council has done to put a sound governance framework in place, however indicated a need for greater compliance with governance policies. At the Minister's request, two Inspectors of Municipal Administration have been appointed in the Monitor's place for a three month period to work alongside Council to improve the governance culture. It is envisaged that during this period the Minister's remaining issues of concern will be addressed. Council understands that these issues will be mostly confined to:

- Improving the relationship and cooperation between Councillors
- Improving compliance with Council's comprehensive suite of governance policies, with particular focus on the Councillor Support and Expense Policy, Councillor Gifts and Hospitality Policy and Councillor Code of Conduct.

The outstanding issues primarily pertain to Councillors and their adherence to policies governing their conduct and use of Council resources. Councillor expenses and gifts and hospitality are issues monitored by the Audit Committee. The Councillor Code of Conduct is the domain of the Chief Executive and external authorities.

In the period preceding the establishment of the External Governance Committee and before a Monitor was appointed to Council, and since, Council has implemented a range of governance measures over and above the general standard in local government to guide the compliance of both Councillors and staff. These include:

- Implementing a Staff/Councillor interaction protocol
- Implementing a Media Policy for the Mayor and Councillors (in addition to the employee Media Relations Policy)
- Implementing a Councillor Briefing Policy to guide the conduct of briefing sessions
- Establishing a centralised procurement function and a Procurement Accreditation Committee to reach a best practice standard for procurement process
- Introducing transparent reporting of Councillor expenses online
- Developing a new policy for the Community Support Program (Community Grants) and undertaking an internal audit of the execution of the 2014/2015 program.

With these measures Council has demonstrated a sound commitment to implementing a good governance framework right across the organisation. This is supported and reinforced by the Audit Committee with its external, independent membership and a robust internal audit program. Both deal with risk management and financial management, control and reporting. At the most recent meeting of the Audit Committee on 1 June 2015 it was resolved to undertake an internal audit on governance in addition to the existing program. These measures are also supported by the internal Governance, Risk and Corporate Performance Committee.

Apart from the ongoing review of existing governance policies and procedures there is perhaps little role for external governance advice – with the exception of specialised advice tailored to the local government sector that is able to inform the mechanisms available to the Chief Executive and Council with regard to enforcing Councillor policies. For example, if Councillors do not declare their expenses on time as per policy, what consequences are there and what tools does the Mayor or Chief Executive have to drive compliance. The appointment of two Inspectors of Municipal Administration should fulfil this requirement in the short-term.

The options for Council to consider regarding the External Governance Committee's future could include:

- Continue the existing Committee, but refine and confine the agenda to specific governance policies and procedures in need of advice or review, and develop a work plan to support this.
- Continue with an External Governance Committee, but review membership to include local government experts who can advise on mechanisms for enforcing Councillor policies.
- Retire the External Governance Committee, but subsume some governance matters into the Audit Committee work plan, add an independent member expert in local government policy and compliance, and continue reporting Audit Committee outcomes to Council at least six-monthly.
- Retire the External Governance Committee, but add an external governance expert to the internal Governance, Risk and Corporate Performance Committee
- Retire the External Governance Committee before its sunset date of December 2015.

## **FINANCIAL AND RESOURCE IMPLICATIONS**

The External Governance Committee meets four times a year at a cost of approximately \$21,000 for independent member fees. Secretariat duties are provided by Council staff.

The addition of another independent member to the Audit Committee would cost approximately \$5,000 per annum. The addition of an external governance expert to the internal Governance, Risk and Corporate Performance Committee would cost approximately \$5,000 per annum.

## **CONCLUSION**

The City of Darebin has made a concerted effort over more than two years to strengthen its governance framework and compliance, and has sound internal and external governance forums in the Audit Committee and the Governance, Risk and Corporate Performance Committee.

The External Governance Committee was established in December 2013 to help drive change and to respond to the stated concerns of the Minister for Local Government. The Committee endeavoured to rise to this challenge, however its role was in part superseded by the appointment of a Municipal Monitor in January 2014. The appointment of two Inspectors of Municipal Administration to work with Council on governance matters will further erode the role of the Committee and its ability to make a meaningful contribution.

The inspectors will be equipped to address the outstanding issues related to Councillor policies and there would be little point in the External Governance Committee making recommendations on matters subject to the advice of inspectors appointed by the Minister.

At this time, Council is well served by the Audit Committee and Governance, Risk and Corporate Performance Committee along with the expert advice of two Inspectors of Municipal Administration who will work with Council for three months.

The most appropriate action may be to retire the External Governance Committee early and await the outcomes of the advice and assistance provided by the Inspectors of Municipal Administration. By October 2015 Council should be in a better position to decide whether an additional governance committee is required in future.

### **FUTURE ACTIONS**

- Retire the External Governance Committee
- Review the need for ongoing external governance advice when the three month term of the Inspectors of Municipal Administration is complete.
- Write to the External Governance Committee Chair to thank the Committee for its contribution to Council.

### **DISCLOSURE OF INTERESTS**

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

### **RELATED DOCUMENTS**

- External Governance Committee Terms of Reference (2014)
- Audit Committee Charter
- Governance, Risk and Corporate Performance Committee Terms of Reference
- Council Meeting Minutes – 16 December 2013 and 1 December 2014

### **ADJOURNMENT – 9.19 PM**

The Chairperson, Cr. Walsh adjourned the meeting for a 10 minute break.

The meeting resumed at 9.32 pm



**9.6 MULTI-SPORTS STADIUM PROJECT – PROBITY REVIEW****MINUTE NO. 397****AUTHOR: Manager Corporate Governance and Performance****REVIEWED BY: Acting Director Culture, Leisure and Works****SUMMARY**

This report is to advise Council on recent advice received following a probity audit review undertaken on the proposed Multi Sports Stadium project.

**CONSULTATION**

- Anne Dalton and Associates
- Maddocks Lawyers
- Acting Chief Executive

<b>RECOMMENDATION</b>
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**THAT** Council:

- (1) Note the probity advice dated 22 July 2015 attached as **Appendix A** to this report.
- (2) Note to maintain the integrity of the process as outlined in the probity advice dated 22 July 2015, that Council consider the revocation of the following Council Resolutions:
  - a. **Appropriate Locations for Multi-Sports Stadium**, Council Meeting Minutes of 15 June 2015, Notice of Motion Minute No. 318 attached as **Appendix B**.
  - b. **Permanent Protection of Green Open Spaces, Parks and Ovals in Darebin**, Council Meeting Minutes of 6 July 2015, Notice of Motion Minute No. 358 attached as **Appendix C**.
  - c. **Multi Sports Stadium**, Council Meeting Minutes of 6 July 2015, General Business Minute No. 365 attached as **Appendix D**.
- (3) Note a Special Councillor Briefing will be scheduled prior to a further report being presented to Council to make a final decision on the options to be presented on site selection.

**MOTION**

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

**THAT** Council:

- (1) Note the report.
- (2) Write to the Minister for Planning seeking his support to extend community consultation process in relation to Councils preferred location for the multi-sports stadium and extend the deadline for the expenditure of the Developer Contribution Plan funds by 12 months.
- (3) Write to the Members for Northcote and Preston and relevant Ministers seeking a list of State Government owned sites in the City of Darebin that could be provided as locations for this project at no cost to Council or the community.

**EXTENSION OF TIME – 9.59 PM**

**COUNCIL RESOLUTION**

**MOVED:** Cr. V. Fontana  
**SECONDED:** Cr. T. Laurence

**THAT** the Council meeting continue after 10.00 pm for 30 minutes.

**CARRIED**

A VOTE ON THE MOTION WAS PUT AND TIED.

THE CHAIRPERSON, CR. WALSH USED HIS CASTING VOTE AGAINST THE MOTION.

Cr. McCarthy called for a Division:

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

The Chairperson, Cr. Walsh used his casting vote to declare the motion lost.

**ALTERNATIVE MOTION**

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

**THAT** Council:

- (1) Note the probity advice dated 22 July 2015 attached as **Appendix A** to this report.
- (2) Note a Special Councillor Briefing will be scheduled prior to a further report being presented to Council to make a final decision on the options to be presented on site selection.

A VOTE ON THE MOTION WAS PUT AND TIED.

THE CHAIRPERSON, CR. WALSH USED HIS CASTING VOTE FOR THE MOTION.

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

**COUNCIL RESOLUTION**

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

**THAT** Council:

- (1) Note the probity advice dated 22 July 2015 attached as **Appendix A** to this report.
- (2) Note a Special Councillor Briefing will be scheduled prior to a further report being presented to Council to make a final decision on the options to be presented on site selection.

**CARRIED**

Cr. McCarthy called for a Division:

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

The Chairperson, Cr. Walsh used his casting vote to declare the motion carried.

**REPORT**

**INTRODUCTION AND BACKGROUND**

On April 29 2015, Council unanimously resolved documents and related processes for the Multi Sports Stadium and High-ball stadium (collectively the same project supporting women’s sport in Darebin) which extends to the community exhibition and consultation process. In addition the resolution committed to include consideration of funds for the project in the 2015/2016 to 2019/2020 budget process, and the 2015/2016 budget allocation process resolved to commit capital works funds for the project.

Following the resolution of 29 April 2015 and in-line with the consultation process, the information relating to the proposed project was published on the Darebin website for the community to access and submit any comment on the project. This process was in addition to the face to face consultation processes undertaken.

The community consultation period, based on the "Darebin Community Engagement Framework" (and EIPAT tool), was held over an 8 week period from 18 May 2015 to 10 July 2015.

During the consultation period there were two Notice of Motions put forward and carried in regards to the removal of two sites which included Mayer Park and McDonnell Reserve. Additionally, during this period a General Business item was resolved by Council seeking a report back to look at TW Blake Reserve as a proposed suitable site to be considered including an expansion of the community consultation to be around the Northland Shopping Centre precinct.

Due to the Notices of Motion and General Business resolutions made by council, the process, including the community consultation was at potential risk of being compromised and deviating from what had originally been resolved by Council. Furthermore, a confidential complaint in relation to the probity surrounding the process was received, therefore in line with Council's procurement policy a Probity Practitioner was engaged to review the entire process to date.

It should be noted that although the General Business resolution was for officers to bring a report back to Council in relation to TW Blake Reserve, to maintain the integrity of the entire process it has been included in this officer recommendation, along with the Notice of Motion resolutions.

## **ISSUES AND DISCUSSION**

If Council determines to continue to proceed with the exclusion of Mayer Park and McDonnell Reserve, or make any further alterations to the process as resolved on 29 April 2015, the integrity and decision making by Council of the process may be open to be challenged as outlined in the probity advice.

Accordingly, it would not be in accordance with the published Community Consultation process (resolved 29 April 2015), Councils decision making powers under the *Local Government Act 1989* and the guide published by the Victorian government, *Ensuring Unbiased Democratic Council Decision Making - 2013* (Refer Appendix A).

The attached probity advice indicates Council is open to challenge when Council decisions are not made properly;

*"Good administrative decision making practice requires that council decisions be made properly, openly, impartially and for justifiable reasons. Failure to adopt good practise could risk a council's decision making subject to legal challenge with all the associated costs and uncertainties."*

The advice received from the probity practitioner, and verbal legal advice confirming the probity advice, recommends that officers continue the process as resolved by Council on 29 April 2015. This is to ensure the integrity and validity of the project is maintained until a formal decision is made by Council.

Upon completion of the current stage of the project (site feasibility), a Special Councillor Briefing will be held to fully inform Councillors of the process and to allow for informal discussions and questions to be asked in relation to site selection. This will occur prior to the final report being submitted to council for a formal decision to be made with regard to site selection. It is at this stage Council decision making powers can resolve to accept the officer recommendations, seek further information or resolve an alternate motion.

**POLICY IMPLICATIONS****Environmental Sustainability**

Nil

**Human Rights, Equity and Inclusion**

Nil

**Economic Development**

Nil

**Other**

Nil

**FINANCIAL AND RESOURCE IMPLICATIONS**

Council not making a decision on a site is likely have adverse impact on Council's ability to fully fund and/or deliver the project within the allocated project timeline.

**CONCLUSION**

That Council consider the officer recommendations and note the probity advice dated 22 July 2015.

**FUTURE ACTIONS**

- Continuation of the project process as resolved on 29 April 2015
- Schedule a Special Councillor Briefing
- Further report to be brought to Council

**DISCLOSURE OF INTERESTS**

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.

**RELATED DOCUMENTS**

- Council Meeting Minutes 29 April 2015
- Probity Advice dated 22 July 2015 (**Appendix A**)
- Council Minute No. 318 of 15 June 2015 (**Appendix B**)
- Council Minute No. 358 of 6 July 2015 (**Appendix C**)
- Council Minute No. 365 of 6 July 2015 (**Appendix D**)

*Jody Brodribb, Council Business and Governance Officer, temporarily left the meeting during discussion of the above item at 9.41 pm and returned at 9.43 pm.*

*Jody Brodribb, Council Business and Governance Officer, temporarily left the meeting during discussion of the above item at 10.08 pm and returned at 10.12 pm.*

**9.7 STATUS REPORT ON REPORTS AND 'GENERAL BUSINESS' ITEMS OUTSTANDING****MINUTE NO. 398****AUTHOR: Coordinator Council Business****REVIEWED BY: Manager Corporate Governance and Performance****SUMMARY**

This report provides a summary of the status of reports and 'General Business' items outstanding as at July 2015.

**RECOMMENDATION**

**THAT** the status report on Reports and 'General Business' items outstanding as at July 2015, attached as **Appendix A** to this report, be received and noted.

**MOTION**

**MOVED: Cr. B. Li**  
**SECONDED: Cr. V. Fontana**

**THAT** the status report on Reports and 'General Business' items outstanding as at July 2015, attached as **Appendix A** to this report, be received and noted.

*Cr. Greco proposed to the mover and seconder that the motion be amended to allow for the format of the report (Appendix A) to be change to include 2 additional columns. This was not accepted by the Cr. Li and Cr. Fontana.*

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

**COUNCIL RESOLUTION**

**MOVED: Cr. B. Li**  
**SECONDED: Cr. V. Fontana**

**THAT** the status report on Reports and 'General Business' items outstanding as at July 2015, attached as **Appendix A** to this report, be received and noted.

**CARRIED UNANIMOUSLY****REPORT****INTRODUCTION AND BACKGROUND**

The status of outstanding reports and actions requested by Council resolution is reported to Council monthly.

**ISSUES AND DISCUSSION**

A schedule of the reports and actions outstanding as at July 2015 is attached as **Appendix A**.

The list of reports requested includes items raised by Councillors under 'General Business'.

Items are deleted from the list once the report or action has been completed and the completed status has been noted by the Council.

**POLICY IMPLICATIONS****Environmental Sustainability**

Nil

**Human Rights, Equity and Inclusion**

Nil

**Economic Development**

Nil

**Other**

Nil

**FINANCIAL AND RESOURCE IMPLICATIONS**

Nil

**CONCLUSION**

It is recommended that this status report on Reports and 'General Business' items outstanding as at July 2015 be received and noted.

**FUTURE ACTIONS**

The next status report will be submitted to Council on 7 September 2015.

**DISCLOSURE OF INTERESTS**

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.



**RELATED DOCUMENTS**

- Minutes of previous meetings of the Council

**EXTENSION OF TIME – 10.29 PM**

**COUNCIL RESOLUTION**

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

**THAT** the Council meeting continue after 10.30 pm for 30 minutes.

**CARRIED**

**10. NOTICES OF MOTION****10.1 CAMPAIGN FOR DEDICATED CHANDLER EXPRESS BUS LANE****MINUTE NO. 399****NOTICE OF MOTION NO. 208 CR. TRENT MCCARTHY**

Take notice that at the Ordinary meeting to be held on 3 August 2015, it is my intention to move:

**THAT Council:**

- (1) *Supports the community campaign in Darebin and Yarra for a dedicated 'Chandler Express' bus lane as part of the duplication of Chandler Highway Bridge.*
- (2) *Notes that a dedicated lane will enable the provision of a high frequency bus service (such as an extended route 508 or 609) to connect the South Morang and Hurstbridge lines with the Belgrave, Lilydale and Alamein lines. Council further notes that increased bus services between these train lines will improve education, employment and transport options for thousands of Darebin residents.*
- (3) *Receives a report by October on the Andrews Government's \$100 million commitment to improving bus services and how Council can ensure that funding is allocated to the above project and other missing links in the Darebin area.*
- (4) *Receives a report by October on the impacts of the Chandler duplication occurring on the west side of the existing road reserve versus the east side of the existing bridge.*

**Notice Received: 22 July 2015**

**Notice Given to Councillors: 30 July 2015**

**Date of Meeting: 3 August 2015**

<b>MOTION</b>
---------------

**MOVED: Cr. T. McCarthy**

**SECONDED: Cr. T. Laurence**

**THAT Council:**

- (1) Supports the community campaign in Darebin and Yarra for a dedicated 'Chandler Express' bus lane as part of the duplication of Chandler Highway Bridge.
- (2) Notes that a dedicated lane will enable the provision of a high frequency bus service (such as an extended route 508 or 609) to connect the South Morang and Hurstbridge lines with the Belgrave, Lilydale and Alamein lines. Council further notes that increased bus services between these train lines will improve education, employment and transport options for thousands of Darebin residents.

- (3) Receives a report by October on the Andrews Government's \$100 million commitment to improving bus services and how Council can ensure that funding is allocated to the above project and other missing links in the Darebin area.
- (4) Receives a report by October on the impacts of the Chandler duplication occurring on the west side of the existing road reserve versus the east side of the existing bridge.

*Cr. Laurence proposed to the mover that point (5) and (6) be added as follows. This was accepted by Cr. McCarthy.*

- (5) Officers report back to council as soon as practicable regarding the recent budget announcement of the State Government to upgrade the Chandler Highway Bridge over the Yarra River and their pre-election commitment to grade separate the Grange Road level crossing and define Darebin council 'a capacity to advocate in the planning and design of these new transport facilities the following design options including but not limited to:
  - a) Bike Lanes which are separated from vehicles
  - b) Bus-only Lanes that allow through and turning buses not to be delayed by turning traffic
  - c) Separated pedestrian access
  - d) Off traffic-lane bus stops to service the proposed APM housing re-development
- (6) Also receive officer advice on other potential options to improve the Dyson's 609 bus route between Hawthorn and Fairfield (which uses the Chandler Highway bridge and Grange Road) including but not limited to these two relevant issues to improve bus frequency and access for Darebin residents:
  - a) The frequency of the timetable, and days and hours of operation need to be extended to meet modern service requirements. Currently, at one end, Hawthorn Station, it has one service per week day. At the other end, Chingford Street, Fairfield, the route 609 bus has 4 services per week day. All services end before the evening peak hour. On weekends there are no services along the entire Hawthorn-Fairfield Route. This leaves plenty of room for improvement.
  - b) The local community suggestion that a better 609 bus route would be between Glenferrie Station and Northcote Plaza and this would improve destination appeal and use.
  - c) Finally, while this is a state government project the Officers' report could also inform council about any involvement and support in the planning and consultation process that Council should consider.

THE AMENDED MOTION THEN READ AS FOLLOWS:

<b>AMENDED MOTION</b>
-----------------------

**MOVED:** Cr. T. McCarthy

**SECONDED:** Cr. T. Laurence

**THAT** Council:

- (1) Supports the community campaign in Darebin and Yarra for a dedicated 'Chandler Express' bus lane as part of the duplication of Chandler Highway Bridge.
- (2) Notes that a dedicated lane will enable the provision of a high frequency bus service (such as an extended route 508 or 609) to connect the South Morang and Hurstbridge lines with the Belgrave, Lilydale and Alamein lines. Council further notes that increased bus services between these train lines will improve education, employment and transport options for thousands of Darebin residents.
- (3) Receives a report by October on the Andrews Government's \$100 million commitment to improving bus services and how Council can ensure that funding is allocated to the above project and other missing links in the Darebin area.
- (4) Receives a report by October on the impacts of the Chandler duplication occurring on the west side of the existing road reserve versus the east side of the existing bridge.
- (5) Officers report back to council as soon as practicable regarding the recent budget announcement of the State Government to upgrade the Chandler Highway Bridge over the Yarra River and their pre-election commitment to grade separate the Grange Road level crossing and define Darebin council 'a capacity to advocate in the planning and design of these new transport facilities the following design options including but not limited to:
  - a) Bike Lanes which are separated from vehicles
  - b) Bus-only Lanes that allow through and turning buses not to be delayed by turning traffic
  - c) Separated pedestrian access
  - d) Off traffic-lane bus stops to service the proposed APM housing re-development
- (6) Also receive officer advice on other potential options to improve the Dyson's 609 bus route between Hawthorn and Fairfield (which uses the Chandler Highway bridge and Grange Road) including but not limited to these two relevant issues to improve bus frequency and access for Darebin residents:

- a) The frequency of the timetable, and days and hours of operation need to be extended to meet modern service requirements. Currently, at one end, Hawthorn Station, it has one service per week day. At the other end, Chingford Street, Fairfield, the route 609 bus has 4 services per week day. All services end before the evening peak hour. On weekends there are no services along the entire Hawthorn-Fairfield Route. This leaves plenty of room for improvement.
- b) The local community suggestion that a better 609 bus route would be between Glenferrie Station and Northcote Plaza and this would improve destination appeal and use.
- c) Finally, while this is a state government project the Officers' report could also inform council about any involvement and support in the planning and consultation process that Council should consider.

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

<b>COUNCIL RESOLUTION</b>
---------------------------

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

**THAT** Council:

- (1) Supports the community campaign in Darebin and Yarra for a dedicated 'Chandler Express' bus lane as part of the duplication of Chandler Highway Bridge.
- (2) Notes that a dedicated lane will enable the provision of a high frequency bus service (such as an extended route 508 or 609) to connect the South Morang and Hurstbridge lines with the Belgrave, Lilydale and Alamein lines. Council further notes that increased bus services between these train lines will improve education, employment and transport options for thousands of Darebin residents.
- (3) Receives a report by October on the Andrews Government's \$100 million commitment to improving bus services and how Council can ensure that funding is allocated to the above project and other missing links in the Darebin area.
- (4) Receives a report by October on the impacts of the Chandler duplication occurring on the west side of the existing road reserve versus the east side of the existing bridge.
- (5) Officers report back to council as soon as practicable regarding the recent budget announcement of the State Government to upgrade the Chandler Highway Bridge over the Yarra River and their pre-election commitment to grade separate the Grange Road level crossing and define Darebin council 'a capacity to advocate in the planning and design of these new transport facilities the following design options including but not limited to:
  - a) Bike Lanes which are separated from vehicles
  - b) Bus-only Lanes that allow through and turning buses not to be delayed by turning traffic

- c) Separated pedestrian access
  - d) Off traffic-lane bus stops to service the proposed APM housing re-development
- (6) Also receive officer advice on other potential options to improve the Dyson's 609 bus route between Hawthorn and Fairfield (which uses the Chandler Highway bridge and Grange Road) including but not limited to these two relevant issues to improve bus frequency and access for Darebin residents:
- a) The frequency of the timetable, and days and hours of operation need to be extended to meet modern service requirements. Currently, at one end, Hawthorn Station, it has one service per week day. At the other end, Chingford Street, Fairfield, the route 609 bus has 4 services per week day. All services end before the evening peak hour. On weekends there are no services along the entire Hawthorn-Fairfield Route. This leaves plenty of room for improvement.
  - b) The local community suggestion that a better 609 bus route would be between Glenferrie Station and Northcote Plaza and this would improve destination appeal and use.
  - c) Finally, while this is a state government project the Officers' report could also inform council about any involvement and support in the planning and consultation process that Council should consider.

**CARRIED**

## 10.2 REMOVAL OF LEVEL CROSSINGS

**MINUTE NO. 400**

**NOTICE OF MOTION NO. 209 CR. GAETANO GRECO**

Take notice that at the Ordinary meeting to be held on 3 August 2015, it is my intention to move:

**THAT:**

- (1) *Council note and support the State Government's commitment to removing Melbourne's 50 most dangerous and congested level crossings, including the Bell Street and Reservoir Junction crossings.*
- (2) *Council note that the State Government has confirmed and named 17 of at least 20 crossings to be removed in its first term with the remaining be announced in the coming months.*
- (3) *As a matter of urgency Council write to the Transport Minister Jacinta Allen strongly appealing that the Bell Street and Reservoir crossings be included for removal as part of the initial 20 crossing to be removed by 2018.*

**Notice Received: 29 July 2015**

**Notice Given to Councillors: 30 July 2015**

**Date of Meeting: 3 August 2015**

<b>MOTION</b>
---------------

**MOVED:** Cr. G. Greco  
**SECONDED:** Cr. B. Li

**THAT:**

- (1) Council note and support the State Government's commitment to removing Melbourne's 50 most dangerous and congested level crossings, including the Bell Street and Reservoir Junction crossings.
- (2) Council note that the State Government has confirmed and named 17 of at least 20 crossings to be removed in its first term with the remaining be announced in the coming months.
- (3) As a matter of urgency Council write to the Transport Minister Jacinta Allen strongly appealing that the Bell Street and Reservoir crossings be included for removal as part of the initial 20 crossing to be removed by 2018.

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

- (1) Council note and support the State Government's commitment to removing Melbourne's 50 most dangerous and congested level crossings, including the Bell Street, **Grange Road** and Reservoir Junction crossings.
- (2) Council note that the State Government has confirmed and named 17 of at least 20 crossings to be removed in its first term with the remaining be announced in the coming months.
- (3) As a matter of urgency Council write to the Transport Minister Jacinta Allen strongly appealing that the Bell Street, **Grange Road** and Reservoir crossings be included for removal as part of the initial 20 crossing to be removed by 2018.

*Cr. Villella further proposed to the mover and seconder that point (3) of the motion be amended as follows. This was accepted by Cr. Greco and Cr. Li.*

- (3) As a matter of urgency **the Mayor writes to seek a meeting with** the Transport Minister Jacinta Allen to make a strong appeal that the Bell Street, **Grange Road** and Reservoir crossings be included for removal as part of the initial 20 crossing to be removed by 2018.

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

- (3) As a matter of urgency **the Mayor writes to seek a meeting with** the Transport Minister, Jacinta Allen **and Roads Minister, Luke Donnellan** to make a strong appeal that the Bell Street, **Grange Road** and Reservoir crossings be included for removal as part of the initial 20 crossing to be removed by 2018.

THE AMENDED MOTION THEN READ AS FOLLOWS:

**AMENDED MOTION**

**MOVED: Cr. G. Greco**  
**SECONDED: Cr. B. Li**

- (1) Council note and support the State Government's commitment to removing Melbourne's 50 most dangerous and congested level crossings, including the Bell Street, Grange Road and Reservoir Junction crossings.
- (2) Council note that the State Government has confirmed and named 17 of at least 20 crossings to be removed in its first term with the remaining be announced in the coming months.
- (3) As a matter of urgency the Mayor writes to seek a meeting with the Transport Minister, Jacinta Allen and Roads Minister, Luke Donnellan to make a strong appeal that the Bell Street, Grange Road and Reservoir crossings be included for removal as part of the initial 20 crossing to be removed by 2018.

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

**COUNCIL RESOLUTION**

**MOVED: Cr. G. Greco**  
**SECONDED: Cr. B. Li**

- (1) Council note and support the State Government's commitment to removing Melbourne's 50 most dangerous and congested level crossings, including the Bell Street, Grange Road and Reservoir Junction crossings.
- (2) Council note that the State Government has confirmed and named 17 of at least 20 crossings to be removed in its first term with the remaining be announced in the coming months.
- (3) As a matter of urgency the Mayor writes to seek a meeting with the Transport Minister, Jacinta Allen and Roads Minister, Luke Donnellan to make a strong appeal that the Bell Street, Grange Road and Reservoir crossings be included for removal as part of the initial 20 crossing to be removed by 2018.

**CARRIED UNANIMOUSLY**



## EXTENSION OF TIME – 10.59 PM

**COUNCIL RESOLUTION**

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

**THAT** the Council meeting continue after 11.00 pm for 30 minutes.

**CARRIED**

**10.3 COUNCILLOR SUPPORT AND EXPENSES POLICY**

**MINUTE NO. 401**

**NOTICE OF MOTION NO. 210 CR. GAETANO GRECO**

Take notice that at the Ordinary meeting to be held on 3 August 2015, it is my intention to move:

***THAT** Council immediately commence a comprehensive review of the current Councillor Support and Expense Policy.*

*As part of the review process the report will consider (but will not be limited to) the following*

- (1) Current policies and practise in the local government sector*
- (2) Appropriate approval and payment criteria for Conferences, training and professional development*
- (3) Improving administrative and public transparency in the application and approval process.*

**Notice Received: 29 July 2015**

**Notice Given to Councillors: 30 July 2015**

**Date of Meeting: 3 August 2015**

**MOTION**

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

**THAT** Council immediately commence a comprehensive review of the current Councillor Support and Expense Policy.

As part of the review process the report will consider (but will not be limited to) the following

- (1) Current policies and practise in the local government sector.

- (2) Appropriate approval and payment criteria for Conferences, training and professional development
- (3) Improving administrative and public transparency in the application and approval process.

**AMENDMENT**

**MOVED:** Cr. T. Laurence  
**SECONDED:** Cr. V. Fontana

**THAT** Council refer to a Briefing the matter of comprehensive review of the current Councillor Support and Expense Policy.

As part of the review process the report will consider (but will not be limited to) the following

- (1) Current policies and practise in the local government sector.
- (2) Appropriate approval and payment criteria for Conferences, training and professional development
- (3) Improving administrative and public transparency in the application and approval process.

*Cr. Li proposed to the mover and seconder that point (4) be added to the Amendment as follows. This was accepted by Cr. Laurence and Cr. Fontana.*

- (4) As part of this review that Councillors take part in a briefing on the issues.

*Cr. McCarthy further proposed to the mover and seconder that point (4) be amended as follows. This was accepted by Cr. Laurence and Cr. Fontana.*

- (4) Other issues as raised by Councillors at an upcoming Briefing.

*Cr. Laurence subsequently amended point (4) as follows:*

- (4) Other issues, such as travel and the disclosure of other benefits, as raised by Councillors at an upcoming Briefing.

THE AMENDMENT THEN READ AS FOLLOWS:

**AMENDMENT**

**MOVED:** Cr. T. Laurence  
**SECONDED:** Cr. V. Fontana

**THAT** Council refer to a Briefing the matter of comprehensive review of the current Councillor Support and Expense Policy.

As part of the review process the report will consider (but will not be limited to) the following

- (1) Current policies and practise in the local government sector.
- (2) Appropriate approval and payment criteria for Conferences, training and professional development

- (3) Improving administrative and public transparency in the application and approval process.
- (4) Other issues, such as travel and the disclosure of other benefits, as raised by Councillors at an upcoming Briefing.

THE AMENDMENT WAS PUT AND CARRIED.

THE AMENDMENT BECAME THE MOTION.

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

<b>COUNCIL RESOLUTION</b>
---------------------------

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

**THAT** Council refer to a Briefing the matter of comprehensive review of the current Councillor Support and Expense Policy.

As part of the review process the report will consider (but will not be limited to) the following

- (1) Current policies and practise in the local government sector.
- (2) Appropriate approval and payment criteria for Conferences, training and professional development
- (3) Improving administrative and public transparency in the application and approval process.
- (4) Other issues, such as travel and the disclosure of other benefits, as raised by Councillors at an upcoming Briefing.

**CARRIED**

Cr. Greco called for a Division:

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

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

**11. URGENT BUSINESS**

Nil

**12. GENERAL BUSINESS**

**ADOPTION OF SEVERAL REPORT RECOMMENDATIONS 'EN BLOC'**

**MINUTE NO. 402**

**COUNCIL RESOLUTION**

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

**THAT** Council agree to consider the adoption of the General Business Item Nos. 12.1, 12.2 and 12.3 'en bloc'.

**CARRIED**

**COUNCIL RESOLUTION**

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

**THAT** the 'General Business Item Nos. 12.1, 12.2 and 12.3 be adopted 'en bloc'.

**CARRIED**

**12.1 SALE OF MINOR ASSETS POLICY**

**MINUTE NO. 403**

**COUNCIL RESOLUTION**

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

**THAT** Council officers report back to Council in August with a report on an appropriate process, including online and other community consultation, for Council to consider the merits of reviewing the minor asset sales policy and assessing community support or opposition to the following two possible exclusions that could be added to our policy:

Option 1) That occupiers of land with evidence of 15 years or more occupation be given first right of refusal on council-vested or council-owned land being disposed by council at market valuations.

Option 2) That occupiers of land with evidence of 15 years or more occupation be given first right of refusal on council-vested or council-owned land being disposed by council at a 50% discount on the market valuations.

**CARRIED**  
**REFER MINUTE NO. 402**

12.2

**MONUMENT IN RAY BRAMHAM GARDENS**

**MINUTE NO. 404**

**COUNCIL RESOLUTION**

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

**THAT** Council:

- (1) Acknowledges the request by Darebin Ethnic Communities Council to install a community monument for 'Victims of Genocide and Genocidal Acts' in Ray Bramham Gardens.
- (2) Receives a report as soon as possible to confirm its support for this request and consider any further actions and decisions required.

**CARRIED**  
**REFER MINUTE NO. 402**

12.3

**BT CONNOR RESERVE**

**MINUTE NO. 405**

**COUNCIL RESOLUTION**

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

**THAT** Council receive a report in September 2015 on B T Connor Reserve regarding its current condition and future improvements of the facilities and surrounding park area. Officers may want to consider consulting with current users and stakeholders in preparing the report.

**CARRIED**  
**REFER MINUTE NO. 402**

**EXTENSION OF TIME – 11.24 PM**

**COUNCIL RESOLUTION**

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

**THAT** the Council meeting continue after 11.30 pm for 30 minutes.

**CARRIED**

**13. CONSIDERATION OF REPORTS CONSIDERED CONFIDENTIAL**

**CLOSE OF MEETING**

**MOVED:** Cr. A. Villella  
**SECONDED:** Cr. J. Williams

**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:

- 13.1 Supply and Installation of Flooring and Floor Coverings (CT201517)
- 13.2 Differential Rates: Multi-Unit Developments

**CARRIED**

*Dave Bell, Senior Media Advisor, left the meeting at 11.25 pm.*

The meeting was closed to members of the public at 11.25 pm.

***The Council considered and resolved on Report Item 13.1 (Supply and Installation of Flooring and Floor Coverings (CT201517)) and Item 13.2 (Differential Rates: Multi-Unit Developments) which had been circulated to Councillors on 31 July 2015 with the Council Agenda Paper.***

**RE-OPENING OF MEETING**

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

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

**CARRIED**

The meeting was re-opened to members of the public at 11.31 pm

**CONFIDENTIAL**

**13.1 SUPPLY AND INSTALLATION OF FLOORING AND FLOOR COVERINGS (CT201517)**

**MINUTE NO. 406**

**AUTHOR: Manager Assets and Properties**

**REVIEWED BY: Acting Director Assets and Business Services**

**SUMMARY**

Darebin Council is seeking to appoint suitably qualified and experienced contractors to provide Flooring and Floor Covering Services across the City of Darebin as part of a panel of suppliers. A panel will be established to ensure adequate coverage across the municipality as well as providing a contingency in the case of unforeseen circumstances preventing a single supplier from meeting their obligations.

The Flooring and Floor Covering Services contract will require the contractor to:

- Consult on appropriate flooring and floor coverings for Council facilities (and supply samples) as required
- Supply floor coverings as required:
  - Soft floor coverings including carpet and underlay as appropriate
  - Hard floor coverings including linoleum and underlay as appropriate
- Removal and disposal of old floor coverings as requested
- Installation of floor coverings to manufacturers' specifications
- Initial and re-sanding and sealing of floorboards

**CONSULTATION**

- Acting Coordinator Facilities Management
- Procurement Accreditation Committee

**RECOMMENDATION**

**THAT** the Council Resolution and the report remain confidential

**COUNCIL RESOLUTION**

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

**THAT** the Council Resolution and the report remain confidential

**CARRIED UNANIMOUSLY**

**CONFIDENTIAL****13.2 DIFFERENTIAL RATES: MULTI-UNIT DEVELOPMENTS****MINUTE NO. 407****AUTHOR: Chief Financial Officer****REVIEWED BY: Acting Director Corporate Services****SUMMARY**

At its meeting on 20 April 2015, Council resolved:

*That Council:*

- (1) *Resolves to take steps to ensure its long term ability to fund its Strategic Resource Plan of meeting the capital and operation budget needs of our community in an efficient and equitable manner while still satisfying the government objective of containing annual rate rises to the CPI by establishing a residential rates differential on multi-unit dwellings of four or more per block with an exemption for owner occupiers.*
- (2) *Ensure that this required rates burden is shared in an equitable manner between current residents, developers and future investors.*
- (3) *Receives a report on the feasibility of a rate differential for multi-unit developments in relation to:*
  - a. *DCP*
  - b. *Renter % of economic stress*
  - c. *Impact on budget 2015/2016*
  - d. *Legal opinion on probability of creating a differential to this effect*
  - e. *Appropriate sunset clause on applying an increased differential.*
- (4) *Notes the lack of affordable rental properties in the City of Darebin and the large and growing waiting list for public housing in the northern suburbs and resolves to write to the State Government and urge them to consider developing a rent control housing program of stamp duty relief for local investors who commit to rent controls to increase the supply of low cost rental stock in the suburbs.'*

This report responds to parts (1) and (3) of the resolution related to the feasibility of establishing a differential rate class for multi-unit developments of four or more units, with exemptions for owner-occupiers.

To enable the resolution to be progressed, it was considered that Council should first action 3(d) by obtaining a legal opinion on the feasibility of a differential rate for multi-unit developments with four or more properties on the same block, and with exemptions for owner-occupiers.

Accordingly, a legal firm was briefed on 24 April 2015 and their opinion was provided to Council on 5 May 2015. A copy of the legal opinion has been provided separately to Councillors.



**RECOMMENDATION**

**THAT** the Council Resolution and the report remain confidential

**COUNCIL RESOLUTION**

**MOVED:** Cr. T. McCarthy

**SECONDED:** Cr. A. Villella

**THAT** the Council Resolution and the report remain confidential

**CARRIED UNANIMOUSLY**

**14. CLOSE OF MEETING**

The meeting closed at 11.32 pm.