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# MINUTES OF THE COUNCIL MEETING

Held on Monday 18 April 2016

Released to the public on Thursday 21 April 2016



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**MINUTES OF THE ORDINARY MEETING OF THE  
DAREBIN CITY COUNCIL HELD AT DAREBIN CIVIC CENTRE,  
350 HIGH ST, PRESTON ON MONDAY 18 APRIL 2016**

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**THE MEETING OPENED AT 7.00 PM**

**1. PRESENT**

***Councillors***

Cr Vince Fontana (Mayor) (Chairperson)  
Cr Gaetano Greco  
Cr Tim Laurence  
Cr Bo Li  
Cr Trent McCarthy  
Cr Steven Tsitas  
Cr Angela Villella  
Cr Oliver Walsh (7.01 pm)  
Cr Julie Williams

***Council Officers***

Rasiah Dev – Chief Executive  
Katrina Knox – Director Community Development  
Steve Hamilton – Director Assets and Business Services  
Gavin Cator – Director Corporate and Planning Services  
Bridget Munro-Hobbs – Manager Aged and Disability  
Jacinta Stevens – Executive Manager Corporate Governance and Performance  
Dave Bell – Senior Media Advisor  
Jody Brodribb – Acting Coordinator Council Business  
Karlee Gray – Council Business Officer

**2. APOLOGIES**

Nil

**3. DISCLOSURES OF CONFLICTS OF INTEREST**

Nil

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

**Council Resolution**

**MOVED:** Cr. J. Williams  
**SECONDED:** Cr. G. Greco

**That** the Minutes of the Ordinary Meeting of Council held on 4 April 2016 be confirmed as a correct record of business transacted.

**CARRIED**

**SUSPENSION OF STANDING ORDERS**

**Council Resolution**

**MOVED:** Cr. O. Walsh  
**SECONDED:** Cr. G. Greco

**That** Standing Orders be suspended to allow for Cr. Walsh read an apology statement.

**CARRIED**

**RESUMPTION OF STANDING ORDERS**

**Council Resolution**

**MOVED:** Cr. O. Walsh  
**SECONDED:** Cr. J. Williams

**That** Standing Orders be resumed.

**CARRIED**

## 5. PUBLIC QUESTION TIME

MINUTE NO. 179

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

- Serena O'Meley of Reservoir asked a question in relation to the changes to Public Question Time. The Chairperson, Cr. Fontana, responded to the question and also advised that a response in writing would be provided.
- Kim Le Cerf of Thornbury asked a question in relation to comments made by Cr. Walsh about the Minister for Local Government. The Chairperson, Cr. Fontana, responded to the question and advised that the concerns raised would be subject to a confidential discussion by Councillors and any resolution made by Council would be made available to the public via the minutes of the meeting.

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<b>Procedural Motion</b>
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**MOVED:** Cr. G. Greco  
**SECONDED:** Cr. T. McCarthy

**That** Council resolve to move that Confidential Item 15.2 be made public and moved to have it heard before Item 6.

THE MOTION WAS PUT TO THE VOTE AND LOST.

Cr. Greco called for a Division

<u>For</u>	<u>Against</u>
Cr. G. Greco	Cr. B. Li
Cr. A. Villella	Cr. J. Williams
Cr. T. McCarthy	Cr. S. Tsitas
	Cr. V. Fontana
	Cr. T. Laurence
	Cr. O. Walsh

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

*Cr. Walsh temporarily left the meeting during discussions of the above item at 7.21 pm and returned at 7.22 pm.*

## 6. CONSIDERATION OF REPORTS

### 6.1 PROPOSED ROAD DISCONTINUANCE REAR 33 TO 37 COOPER STREET AND 34 TO 38 ASLING STREET, PRESTON

MINUTE NO. 180

**Author:** Manager Assets and Property

**Reviewed By:** Director Assets and Business Services

#### Report Background

This report provides details of the outcome of preliminary investigations into the proposed discontinuance and sale of part of the right-of-way / road adjoining 33-37 Cooper Street and 34-38 Asling Street, Preston

#### Previous Council Resolution

This matter has not previously been the subject of a Council resolution.

#### Previous Briefing(s)

29 March 2016

#### Council Plan Goal/Endorsed Strategy

Goal: Excellent Service – Strategy 5.4 Long term responsible financial planning  
Strategy: Property Asset Management Strategy - May 2015

Goal: Vibrant City and Innovative Economy – Strategy 1.4  
Strategy: Strategic Land Use and Sustainable Transport Planning Policies.

#### Summary

This report provides the history and background relating to the right-of-way / road adjoining 33-37 Cooper Street and 34-38 Asling Street, Preston as shown in **Appendix A** as well as the outcome of the preliminary investigations into its proposed discontinuance.

In 1997, Council resolved to discontinue and sell part of the Road bound by Cooper Street, Fettleing Street, Asling Street and Spring Street in Preston. The section of the Road adjoining 33-37 Cooper Street and 34-38 Asling Street, Preston (Road) was not included for discontinuance at that time.

In 2015, Council received an enquiry from an adjoining property owner requesting the discontinuance and sale of the Road. Initial investigations identified that the Road not listed in Council's Register of Public Roads and is currently fenced and occupied by adjoining property owners.

A majority of adjoining property owners have shown support for the proposal. Internal and external referrals to Council departments and statutory authorities have raised no objections to the proposal.



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

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

**THAT** Council

- (1) Commence the statutory procedures under section 206 and clause 3 of Schedule 10 to the *Local Government Act 1989* (“*the Act*”) to discontinue the road adjoining 33 to 37 Cooper Street and 34 to 38 Asling Street, Preston (**Appendix A**).
- (2) Give public notice under Sections 207A and 82A and 223 of the Act of the proposed discontinuance in the appropriate newspapers and on Council’s website and such notice state that if discontinued, Council proposes to sell the land from the discontinued road to the adjoining property owners by private treaty, provided however, that if the discontinued road or any part of the discontinued road, for whatever reason, is not capable of being sold to the adjoining property owners by private treaty, then Council will transfer to itself the discontinued road or any part of the discontinued road.

**CARRIED**

**6.2 PROPOSED ROAD DISCONTINUANCE ADJOINING 2 GREENOCK STREET AND 8 TO 10 BANFF STREET, RESERVOIR****MINUTE NO. 181****Author:** Manager Assets and Property**Reviewed By:** Director Assets and Business Services**Report Background**

This report informs Council on the outcome of preliminary investigations into the proposed discontinuance and sale of part of the Road adjoining 2 Greenock Street and 8-10 Banff Street, Reservoir.

**Previous Council Resolution**

This matter has not been previously the subject of a Council resolution.

**Previous Briefing(s)**

29 March 2016

**Council Plan Goal/Endorsed Strategy**

Goal: Excellent Service – Strategy 5.4 Long term responsible financial planning  
Strategy: Property Asset Management Strategy - May 2015

Goal: Vibrant City and Innovative Economy – Strategy 1.4  
Strategy: Strategic Land Use and Sustainable Transport Planning Policies.

**Summary**

In 2003, Council resolved to discontinue and sell part of the Road which is bound by Darebin Boulevard, Argyle Street, Greenock Street and Banff Street in Reservoir (ROW). However, the section of the Road adjoining 2 Greenock Street and 8 to 10 Banff Street, Reservoir (Road) was not included for discontinuance at that time.

In 2014, Council received an application from an adjoining property owner requesting the discontinuance and sale of the Road. Initial investigations identified that the Road is not listed in Council's Register of Public Roads and that it is currently fenced and occupied by adjoining property owners.

The majority of adjoining property owners have shown support for the proposal. Internal and external referrals to Council departments and statutory authorities have raised no objections to the proposal.

This report provides the history and background relating to the Road adjoining 2 Greenock Street and 8 to 10 Banff Street, Reservoir as shown in **Appendix A** (Road) as well as the outcome of the preliminary investigations into its proposed discontinuance.

**Council Resolution**

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

**THAT** Council:

- (1) Commence the statutory procedures under section 206 and clause 3 of Schedule 10 to the *Local Government Act 1989* ("the Act") to discontinue the road adjoining 2 Greenock Street and 8 to 10 Banff Street, Reservoir (shown cross hatched on **Appendix A**).
- (2) Give public notice under Sections 207A and 82A and 223 of the Act of the proposed discontinuance in the appropriate newspapers and on Council's website and such notice state that if discontinued, Council proposes to sell the land from the discontinued road to the adjoining property owners by private treaty, provided however, that if the discontinued road or any part of the discontinued road, for whatever reason, is not capable of being sold to the adjoining property owners by private treaty, then Council will transfer to itself the discontinued road or any part of the discontinued road.

**CARRIED**

**6.3 OUTCOME OF STATUTORY PROCESS TO ENTER INTO LEASE AGREEMENTS WITH EARLY CHILDHOOD MANAGEMENT SERVICES INCORPORATED****MINUTE NO. 182**

**Author:** Manager, Assets and Properties  
Manager, Children, Families and Community

**Reviewed By:** Director Assets and Business Services  
Director Community Development

**Report Background**

This report informs Council of the outcome of the statutory process to enter into lease agreements with Early Childhood Management Services Incorporated (ECMS).

**Previous Council Resolution**

At its meeting on 23 November 2015, Council resolved:

*'That Council endorse the commencement of the statutory process to enter into a lease agreement with Early Childhood Management Services for the Oakhill Family Centre Reservoir, Darebin North East Community Hub and Keon Park Children's Hub.'*

**Previous Briefing(s)**

Councillor Briefing – 29 March 2016

**Council Plan Goal/Endorsed Strategy**

Goal: Healthy and Connected Community – Strategy 2.1 Community Services

Strategy: Property Asset Management Strategy - 19 May 2014  
Early Years Strategy 2011-2021

**Summary**

Following the 'In Principle' approval provided by Council at its Ordinary Meeting on 6 October 2014 to enter into lease agreements with ECMS, this organisation has occupied the new early years facilities at Oakhill Family Centre Reservoir, Darebin North East Community Hub and Keon Park Children's Hub.

In accordance with *Local Government Act 1989*, Council notified the community of its intention to enter into the leases by placing a public notice in the Preston Leader and Northcote Leader in the week commencing 15 December 2015. No public submissions were received in response to the notification.

Council approval is now sought to enter into a lease agreement with ECMS for the provision of early childhood services at each of Council's new early years' facilities.

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

**MOVED:** Cr. J. Williams

**SECONDED:** Cr. G. Greco

**That Council:**

- (1) Having complied with Section 190 and Section 223 of the *Local Government Act 1989*, and with no submissions having been received, resolve to enter into lease agreements with Early Childhood Management Services Incorporated (ECMS) at each of the new early years facilities -
  - a) Oakhill Family Centre Reservoir located at 91-95 North Road, Reservoir
  - b) Darebin North East Community Hub located at 35 Copernicus Crescent, Bundoora
  - c) Keon Park Children's Hub located at 7 Dole Avenue, Reservoirthe terms and conditions detailed in the statutory advertisement are attached as **Appendix B** to this report.
- (2) Authorises the Director, Community Development to execute new lease agreements with Early Childhood Management Services Incorporated for the above mentioned Council premises.

**CARRIED**

## 6.4 AMENDMENT GC42 – ENVIRONMENTALLY SUSTAINABLE DEVELOPMENT LOCAL PLANNING POLICY – CONSIDERATION OF SUBMISSIONS

MINUTE NO. 183

**Author:** Manager City Development

**Reviewed By:** Director Assets and Business Services

### Report Background

The purpose of this report is to consider submissions received during exhibition of Amendment GC42 (Environmentally Sustainable Development Local Planning Policy) to the Darebin Planning Scheme.

### Previous Resolution

At its meeting on 7 December 2015, Council resolved to:

- (1) *Request under section 9(2) of the Planning and Environment Act 1987 that the Minister for Planning authorise Darebin City Council to prepare Amendment GC42 to the Darebin Planning Scheme;*
- (2) *When authorised by the Minister for Planning exhibit Amendment GC42 to the Darebin Planning Scheme for a period of one month and/or in accordance with notice requirements under section 19 of the Planning and Environment Act 1987;*
- (3) *Authorise the Manager City Development to make minor alterations and corrections, where necessary, to Amendment GC42 material as attached at **Appendix A** prior to the lodgement of the authorisation request with the Minister for Planning and/or the exhibition period.*
- (4) *Endorse the Amendment GC42 – Rationale Report as the key supporting document to Amendment GC42 as attached in **Appendix B**.*
- (5) *Endorse the Darebin Sustainable Design Assessment in the Planning Process (SDAPP) 10 Key Sustainable Building Categories Fact Sheets as a Reference Document within the policy, noting that they will be subject to future updates.*

### Briefing Date

This matter was subject to an e- bulletin on 1 April 2016.

### Council Plan Goal/Endorsed Strategy

- Council Plan 2013-2017 Goal 3: Lead and work with our community and partners to achieve a rapid transition to an environmentally sustainable city.
- Darebin Housing Strategy 2013.
- Watershed: Towards a Water Sensitive Darebin, Darebin City Council Whole of Water Cycle Management Strategy 2015-2025.
- Watershed: Towards a Water Sensitive Darebin, Implementation Plan 2015-2025.

## Summary

- Darebin City Council, together with Manningham City Council, is participating as a second round group of metropolitan Councils proposing to introduce an Environmentally Sustainable Development (ESD) Policy in their planning schemes.
- Amendment GC42 builds on the collaborative process undertaken by the Cities of Banyule, Moreland, Port Phillip, Stonnington, Whitehorse and Yarra (the Joint Councils) who recently introduced an Environmentally Sustainable Development policy into their respective planning schemes, gazetted on 19 November 2015.
- The proposed policy also sets out application requirements and dependent on the scale of the development, an applicant needs to demonstrate how the relevant policy objectives will be achieved by completing either a Sustainable Design Assessment (SDA) or a Sustainability Management Plan (SMP).
- Minor changes to the ESD Policy were required by the Minister to ensure consistency with the ESD Policy gazetted on 19 November 2015. As a result the Darebin Sustainable Design Assessment in the Planning Process (SDAPP) 10 Key Sustainable Building Categories Fact Sheets is not a Reference Document within the policy.
- On 19 January 2016, Darebin and Manningham Council received authorisation to prepare Amendment GC42 to the Darebin and Manningham Planning Scheme.
- The amendment was placed on exhibition from 11 February 2016 and 15 March 2016. Darebin Council and Manningham Council have adopted a joint and consistent approach to the exhibition process.
- A total of eleven (11) submissions were received by Darebin and Manningham, of which eight (8) were in support of the amendment, 1 recommended a minor change, and two (2) late submissions were received, one of which was lodged by the Housing Industry Association Ltd (HIA) objecting to the introduction of the Policy.
- The exhibition period has now closed and Council is required to consider all submissions received. It is recommended that the HIA submission be referred to an independent Panel for consideration.
- This report outlines the consultation process undertaken and the submissions received.

## Recommendation

### That:

HAVING prepared and exhibited Amendment GC42 to the Darebin Planning Scheme under section 19 of the *Planning and Environment Act 1987*.

HAVING in accordance with section 12 of the Planning and Environment Act 1987 had regard to the Minister's directions and the Victorian Planning Provisions, and taken into account any significant effects which the planning scheme might have on the environment or that the environment might have on use and development envisaged in the planning scheme and taken into account the social and economic effects.

HAVING considered all submissions to Amendment GC42 under Section 22 of the *Planning and Environment Act 1987* in accordance with the separately distributed summary and recommendations.

Council resolves to:

- (1) Note all submissions received in response to Amendment GC42 to the Darebin Planning Scheme.
- (2) Endorse the officers' recommended responses to the issues raised by submitters as shown in the table forming **Appendix A**
- (3) Endorse Amendment GC42 as exhibited, subject to the changes in **Appendix B and Appendix C**
- (4) Request that the Minister for Planning appoint an independent Panel under Part 8 of the *Planning and Environment Act 1987* to consider all submissions received in response to Amendment GC42 to the Darebin Planning Scheme.
- (5) Advise all submitters of Council's resolution.

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

**MOVED:** Cr. T. McCarthy

**SECONDED:** Cr. B. Li

**That:**

HAVING prepared and exhibited Amendment GC42 to the Darebin Planning Scheme under section 19 of the *Planning and Environment Act 1987*.

HAVING in accordance with section 12 of the Planning and Environment Act 1987 had regard to the Minister's directions and the Victorian Planning Provisions, and taken into account any significant effects which the planning scheme might have on the environment or that the environment might have on use and development envisaged in the planning scheme and taken into account the social and economic effects.

HAVING considered all submissions to Amendment GC42 under Section 22 of the *Planning and Environment Act 1987* in accordance with the separately distributed summary and recommendations.

Council resolves to:

- (1) Note all submissions received in response to Amendment GC42 to the Darebin Planning Scheme.
- (2) Endorse the officers' recommended responses to the issues raised by submitters as shown in the table forming **Appendix A**
- (3) Endorse Amendment GC42 as exhibited, subject to the changes in **Appendix B and Appendix C**
- (4) Request that the Minister for Planning appoint an independent Panel under Part 8 of the *Planning and Environment Act 1987* to consider all submissions received in response to Amendment GC42 to the Darebin Planning Scheme.
- (5) Advise all submitters of Council's resolution.
- (6) Include a feature item on this matter in the next Darebin Community News and a feature item on Council's Website.

**CARRIED**



**6.5 FAIRFIELD VILLAGE ACTION PLAN****MINUTE NO. 184****Author:** Manager City Development**Reviewed By:** Director Assets and Business Services**Report Background**

This briefing paper informs Council of the outcomes of the Fairfield Village Action Plan project, which was conducted from April to November 2015 in response to Council Resolution Minute 244 (below) and in response to the anticipated impacts of the proposed redevelopment of the former Amcor Paper Mill site in Alphington.

**Previous Council Resolution**

At its meeting 21 May 2012 the Council resolved that:

*'Council refer for consideration as a new initiative in the 2013/2014 budget, an amount of \$50,000 for the purposes of undertaking the preparation of an urban design framework (or similar) in relation to Station Street Fairfield to provide a greater level of guidance for land use and development decisions'*

The matter is further related to Council resolutions made on the proposed redevelopment of the former Amcor paper mill site in Alphington on 29 April 2015 and 23 November 2015; however it is not specifically the subject of a previous Council resolution.

**Previous Briefing(s)**

- Councillor Briefing - 29 March 2015
- Councillor Briefing - 14 May 2012
- Councillor E-bulletin – 1 May 2015
- Councillor E-bulletin – 5 February 2016

**Council Plan Goal/Endorsed Strategy**

The project will deliver on Goal 1 – a Vibrant City and Innovative Economy through the integration of land use planning, urban design, economic development and transport management to maintain the economic vibrancy of Fairfield activity centre, and ensuring development which respects neighbourhood character and protects local amenity.

The project advances the following endorsed Strategies:

- GreenStreets Streetscape Strategy 2012-2020
- Darebin Transport Strategy 2007-2027
- Darebin Housing Strategy 2013-2033
- Business Development and Employment Strategy 2012-2015
- Whole of Water Cycle Management Strategy 2015-25
- Playspace Strategy 2010-2020

## Summary

The *Fairfield Village Action Plan* is a framework to assist and guide Council in identifying strategic projects and works in the Fairfield Activity Centre (known as 'Fairfield Village') to improve its amenity, guide development (through built form controls) and support long term viability. The Action Plan and options for implementation are now presented to Council for consideration and endorsement.

Prepared by Hansen Partnership and Essential Economics in collaboration with several Council units, VicRoads and Melbourne Water, the Action Plan (attached at **Appendices A - F**) identifies a range of projects Council can undertake in Fairfield Village to support and enhance the centre's economic performance, public realm experience, transport functions and ensure sensitive and appropriate redevelopment of land in the centre and surrounds.

Key recommended actions include streetscape upgrades, beautification works, improvements to pedestrian and cyclist access and safety, improving street conditions around the level crossing, addressing flood issues, managing car parking including future options for the Gillies Street car park, and formalising design and development controls.

The delivery of the Action Plan is timely in light of the approval for redevelopment of the former Amcor Paper Mill site in Alphington, which is expected to bring increased economic competition and transport pressures to nearby Fairfield Village. The Action Plan also moves Council a step closer to filling the void of building height controls in the centre.

Subject to funding, officers are planning for the integration of recommended initiatives beginning in 2016/2017, including community engagement processes for key place shaping projects. Opportunities will also be taken up where applicable to seek external funding, for example through the State Government's Black Spot program. Initial assessment of feasibility, approach and indicative timing for implementation for each Action Plan recommendation is attached at **Appendix H**.

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

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

**That** Council endorse the *Fairfield Village Action Plan, November 2015* and indicative options for implementation.

**CARRIED UNANIMOUSLY**

**6.6 EAST PRESTON COMMUNITY CENTRE – OPERATIONAL AND GOVERNANCE STRUCTURE****MINUTE NO. 185****Author:** Manager Children, Families and Community**Reviewed By:** Director Community Development**Report Background**

In 2014 Darebin City Council established an infrastructure fund and made the commitment to consult with the community to determine how this fund would be utilised. Following this process it was recommended by the Citizens Jury to Council that \$865,000 should be allocated towards the establishment of an East Preston Neighbourhood House.

This report presents and discusses options for the operational and governance structure for the centre.

**Previous Council Resolution**

At its meeting held on 20 April 2015, Council resolved:

*That Council:*

- (1) *Notes the progress to date on the development of the East Preston Neighbourhood House and the limitations of a Council/Community Co-op governance model in the context of the community needs and capacity.*
- (2) *Receives a further report in February 2016 regarding the proposed governance structure for the centre.*

**Previous Briefing(s)**

Councillor Briefing – 29 March 2016

**Council Plan Goal/Endorsed Strategy**

Goal 2: Healthy and Connected Community  
2013-2017 Health and Wellbeing Plan

**Summary**

The operational models presented in this paper each contain benefits and restrictions. Regardless of the model, allowing sufficient time for the centre to develop and establish a strong relationship with the surrounding community will be crucial to its ongoing success.

Council operating the centre for the first 12 months will allow time to build on the already strong relationship between Council and the surrounding community to establish trust and connection with the centre.

Also during the first 12 months and under direction of Council, and with advice from a Community Reference Group, Council could consider transitioning to a lead tenant model to manage the day to day coordination of the centre. A lead tenant model, whereby Council is to engage a skilled community organisation is an effective and sustainable model once the centre is established to meet the needs of the East Preston community.

**Motion**

**MOVED: Cr. J. Williams**  
**SECONDED: Cr. B. Li**

**That Council:**

- (1) Endorses the operation of the East Preston Community Centre as a Council operated facility and refer funding of this model to the 2016/17 budget process.
- (2) Note the New Initiative Bid referred to the 2016/17 budget seeks funding in line with that provided to other Neighbourhood Houses.
- (3) Receives a further report following the 12 month evaluation of the centre to determine the ongoing operational model.
- (4) Endorses the establishment of a Community Reference Group for the East Preston Community Centre.

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

- (5) The Mayor writes to the Citizen Jury members updating them on these recent developments.

THE AMENDED MOTION THEN READ AS FOLLOWS:

**Amended Motion**

**MOVED: Cr. J. Williams**  
**SECONDED: Cr. B. Li**

**That:**

- (1) Council endorses the operation of the East Preston Community Centre as a Council operated facility and refer funding of this model to the 2016/17 budget process.
- (2) Council note the New Initiative Bid referred to the 2016/17 budget seeks funding in line with that provided to other Neighbourhood Houses.
- (3) Council receives a further report following the 12 month evaluation of the centre to determine the ongoing operational model.
- (4) Council endorses the establishment of a Community Reference Group for the East Preston Community Centre.
- (5) The Mayor writes to the citizen jury members updating them on these recent developments.

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

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

**MOVED: Cr. J. Williams**

**SECONDED: Cr. B. Li**

**That:**

- (1) Council endorses the operation of the East Preston Community Centre as a Council operated facility and refer funding of this model to the 2016/17 budget process.
- (2) Council note the New Initiative Bid referred to the 2016/17 budget seeks funding in line with that provided to other Neighbourhood Houses.
- (3) Council receives a further report following the 12 month evaluation of the centre to determine the ongoing operational model.
- (4) Council endorses the establishment of a Community Reference Group for the East Preston Community Centre.
- (5) The Mayor writes to the citizen jury members updating them on these recent developments.

**CARRIED**

**6.7 ELECTRONIC GAMING MACHINES AND COUNCIL'S PLANNING SCHEME****MINUTE NO. 186****Author:** Manager Children, Families and Community**Reviewed By:** Director, Community Development**Report Background**

At the Council meeting on 1 February 2016 Council resolved in relation to the *Pokies in Darebin: Darebin Electronic Gaming Machine Policy 2016-2019* report that:

*'Consideration of this report and recommendation be deferred to the end of March pending Council briefing on feasibility of inclusions of the following clauses:*

- (1) Banning of new pokies applications on all Council owned land*
- (2) Banning of expansion of pokies applications on all Council owned land*
- (3) Council receive a further report on the progress and cost of integrating an EGM policy into Council's land use strategies and Darebin's Planning Scheme. The report should make reference to other councils (including Monash) that have already installed gaming policies as part of their planning scheme.'*

**Previous Council Resolution**

At its meeting on 17 August 2015, Council resolved:

*'That Council:*

- (1) Note the following:*
  - a) The loss of \$84 million in pokies last year by residents of Darebin.*
  - b) The estimated damage caused by gambling harm is \$16 billion per annum, compared with the estimated \$7 billion caused by illicit drugs*
  - c) Three quarters of problem gamblers admitted they have addiction to pokies*
  - d) 93% of all pokies applications as successful at the Victorian*
- (2) Continues to work to reduce the harm caused by pokies in Darebin and Australia wide by signing up as supporters of National Alliance on Gambling Reform at no cost to the Council*
- (3) Receives a report on initiatives council can undertake with key stakeholders such as other councils, clubs and other agencies to reduce the harm caused by pokies including any projects for referral to the 2016/17 budget process.*

**Previous Briefing**

Councillor Briefing 29 March 2016

**Council Plan Goal/Endorsed Strategy**

- A Healthy and Connected Community
- Darebin Electronic Gaming Machine Policy and Strategic Action Plan 2010-2014

## Summary

In response to the Notice of Motion resolved on 1 February 2016 and consistent with Darebin City Council's harm minimisation approach to managing EGMs in Darebin, the draft Electronic Gaming Machine Policy and Action Plan 2016-2019 will be amended to reflect that Council will not support any applications for;

- New EGM's on Council owned land; and
- The expansion of EGM numbers on Council owned Land

The inclusion of the Electronic Gaming Machine Policy into Council's land use strategies and planning scheme would be a costly process (estimated at \$100,000) to address the recent history of one application in five years. Whilst it has been included at Monash City Council there is sufficient existing case law and planning precedent to provide Council with guidance confidence in dealing with future planning applications for EGMs without the need for a planning scheme amendment.

### Council Resolution

**MOVED: Cr. B. Li**

**SECONDED: Cr. T. McCarthy**

**That Council:**

- (1) Endorse the Darebin Electronic Gaming Machine Policy 2016-2019 with the following amendments:
  - a) That new EGM applications on all Council owned land will not be supported.
  - b) That any applications to expand the numbers of EGM's on all Council owned land will not be supported.
- (2) Does not proceed to integrate an EGM Local Policy into the Darebin Planning Scheme at this stage.
- (3) Consider any additional land use policies in the next Darebin Electronic Gaming Machine Policy after 2019 and informed by the outcomes of the Monash University research Project.
- (4) Use existing planning precedents and case law to support Council's policy position with regards to any applications for new EGM's in Darebin or the expansion of existing EGM's in Darebin.

**CARRIED**

Cr. Li called for a Division:

For

Cr. Li  
Cr. McCarthy  
Cr. Williams  
Cr. Tsitas  
Cr. Fontana  
Cr. Laurence  
Cr. Greco  
Cr. Vilella

Against

Cr. Walsh

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

*Cr. Walsh temporarily left the meeting during discussion of the above item at 7.49 pm and returned at 7.50 pm.*

**6.8 DAREBIN SOCIAL AND AFFORDABLE HOUSING PROGRAM ON COUNCIL OWNED LAND – PILOT PROJECT****MINUTE NO. 187****Author:** Manager Children, Families and Community**Reviewed By:** Director Community Development**Report Background**

This report is in response to several Council resolutions in 2014 and 2015 in regard to Social and Affordable Housing on Council owned land.

**Previous Resolution**

At its meeting held on 1 December, 2014 Council resolved:

*That:*

.....

*(5) Council receive a further report based on the outcomes of the market testing process prior to implementing the Darebin Social/Affordable Housing Program and Pilot project.*

.....

*(9) Council receives a report on the current proposal to transfer 12,000 public housing properties in Victoria to private providers and the impact this may have on public housing in Darebin.*

**Briefing Dates**

December 2013

October 2014

18 May 2015

7 March 2016

Please see **Appendix A: Chronology of Briefings** for detail.

**Council Plan Goal/Endorsed Strategy**

The pilot project is a key strategy endorsed by Council in the Responding to Housing Stress – An Action Plan 2013 – 2017.

**Summary**

The Darebin Social and Affordable Housing Program on Council Owned Land – Pilot Project builds on Darebin City Council' long history in the providing Council owned land to increase social/affordable housing for the most disadvantaged groups in the City and to ensure that local residents with strong local links can remain close to their support networks.

It also provides a catalyst for scarce State Government investment in Darebin for social housing.



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

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

**That** Council:

- (1) Endorse the Darebin Social and Affordable Housing Program on Council Owned Land – Pilot Project.
- (2) Endorse the 3 Council owned sites for the Pilot Project:
  - 52-60 Town Hall Avenue - Preston
  - Robinson Road – Reservoir
  - Northcote Plaza car park – Northcote
- (3) Write to the Director of Housing to invite the Victorian State Government to partner in the Darebin Social and Affordable Housing Program on Council Owned Land – Pilot Project.

**CARRIED**

Cr. Laurence called for a Division:

<u>For</u>	<u>Against</u>
Cr. Li	Cr. Walsh
Cr. McCarthy	
Cr. Williams	
Cr. Tsitas	
Cr. Fontana	
Cr. Greco	
Cr. Villella	

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

*Cr. Tsitas temporarily left the meeting at the conclusion of the above item at 8.10 pm.*

**6.9 DRAFT BILL LAWRY OVAL AND OLDIS GARDENS MASTER PLAN****MINUTE NO. 188****Author:** Manager Leisure and Public Realm**Reviewed By:** Acting Director Culture Leisure and Works**Report Background**

This report presents the draft Bill Lawry Oval and Oldis Gardens Master Plan for discussion prior to the presentation to the wider community for further consultation and comment.

**Previous Council Resolution**

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

**Previous Briefing(s)**

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

**Council Plan Goal/Endorsed Strategy**

- Council Plan 2013 – 2017
  - Goal 1: Vibrant City and Innovative Economy
  - Goal 2: Healthy and Connected Community
  - Goal 3: Sustainable and Resilient Neighbourhoods
- Darebin Health and Wellbeing Plan 2013
- Darebin Open Space Strategy 2007-2017
- Darebin Playspace Strategy
- Darebin Cycling Strategy
- Darebin 'Outdoor Sports Infrastructure Priority Plan'

**Summary**

Bounded by Westgarth Street, Heidelberg Road and Merri Creek, Bill Lawry Oval and Oldis Gardens are two sites of historic, recreational and social importance to the Northcote community. During the 19<sup>th</sup> Century (1860-1907) they were the only public recreation reserves servicing the area.

Oldis Gardens is classified as a Neighbourhood Park and is primarily used for passive recreation such as walking, reading or yoga. The formal pathway layout, rockery, garden beds, heritage entrance gates, water fountain and mature vegetation are the significant heritage elements of the gardens. Bill Lawry Oval is used for active recreational uses. It is the home ground to the Northcote Park Football Club and Northcote Cricket Club. The two parks are used separately but are actually a single parcel of public open space.

The community surrounding Bill Lawry Oval and Oldis Gardens were highly engaged in the development of the draft Bill Lawry Oval and Oldis Gardens Master Plan master plan (see **Appendix A**).

Council's endorsement is now sought to present the draft to the broader community for feedback. Feedback from this second consultation phase will be incorporated into a final draft, which will be presented to Council for adoption in June 2016. The proposed actions outlined in the draft Master Plan will be subject to future capital works budget proposals.

<b>Recommendation</b>
-----------------------

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

**That** Council note the report and approve to present the draft Bill Lawry Oval and Oldis Gardens Master Plan for community consultation.

**CARRIED**

**6.10 CONFIDENTIALITY POLICY: HANDLING OF CONFIDENTIAL INFORMATION BY COUNCILLORS****MINUTE NO. 189****Author:** Executive Manager Corporate Governance and Performance**Reviewed By:** Chief Executive**Report Background**

This report is in response to an investigation conducted by the Local Government Investigations and Compliance Inspectorate regarding allegations of breaches of section 77 of the *Local Government Act 1989* relating to release of confidential information.

**Previous Council Resolution**

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

**Previous Briefing(s)**

Councillor Briefing – 11 April 2014

**Council Plan Goal/Endorsed Strategy**

Goal 6: Open and Accountable Democracy

**Summary**

The 'Confidentiality Policy: Handling of Confidential Information by Councillors' (**Appendix A**) and the 'Procedures for Handling of Confidential Information by Councillors' (**Appendix B**) have been developed in response to recommendations from the Local Government Investigations and Compliance Inspectorate.

**Council Resolution****MOVED:** Cr. J. Williams**SECONDED:** Cr. T. McCarthy**That:**

- (1) Council adopt the 'Confidentiality Policy: Handling of Confidential Information by Councillors' attached as **Appendix A** to this report.
- (2) Council adopt the 'Procedures for Handling of Confidential Information by Councillors' attached as **Appendix B** to this report.
- (3) Council note that training in relation to Confidentiality was provided to Councillors on 11 April 2016.
- (4) The Mayor write a response letter to the Local Government Investigations and Compliance Inspectorate by 29 April 2016 advising that Confidentiality training has been undertaken and provide copies of the adopted Policy and Procedures

**CARRIED**

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

**MINUTE NO. 190**

**AUTHOR:** Acting Coordinator Council Business

**REVIEWED BY:** Executive Manager Corporate Governance and Performance

**SUMMARY:**

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

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

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

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

**CONSULTATION:**

Coordinator Statutory Planning

**Council Resolution**

**MOVED:** Cr. B. Li

**SECONDED:** Cr. A. Villella

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

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

**CARRIED**

**6.12 DECL BOARD NOMINATION****MINUTE NO. 191****AUTHOR:** Manager Economic Development and Civic Compliance**REVIEWED BY:** Director Corporate Services**Report Background**

This report is in response to Cr. Angela Villella resigning from the Board of Darebin Enterprise Centre Limited (DECL) (trading as Melbourne Innovation Centre). This report seeks to appoint another Councillor to the vacant Board position.

**Previous Council Resolution**

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

**Previous Briefing(s)**

This matter has not previously been to a Councillor briefing.

**Council Plan Goal/Endorsed Strategy**Thriving City and Innovative Economy

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

Open and Accountable Democracy

- Governance in accordance with Darebin City Council Charter of Good Governance.

**Summary**

A vacancy exists on the Board of DECL following the resignation of Cr Angela Villella. There are two Councillor member positions on the Board and one of them held by Cr Julie Williams. A Council officer member also sits on the board and this is held by the Manager Economic Development and Civic Compliance.

The current representation of one Council officer and a Council member satisfies the requirements as stipulated in the Articles of Association of Darebin Enterprise Centre Limited.

In order to fill the vacant Council member position, Council is requested to nominate a Councillor to this position.

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

**That** Council appoint Cr. McCarthy to the Darebin Enterprise Centre Limited (trading as Melbourne Innovation Centre) board.

**CARRIED**

*Cr. Tsitas returned to the meeting during discussion of the above item at 8.19 pm.*

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

Nil

## 8. NOTICES OF MOTION

### 8.1 SEEKING MORE FUNDS FOR SUCCESSFUL EXPORT JOBS PROGRAM

MINUTE NO. 192

NOTICE OF MOTION NO. 276

CR. TIM LAURENCE

Take notice that at the Ordinary meeting to be held on 18 April 2016, it is my intention to move:

***That:***

- (1) Council resolve expand the current export program that has created 19 local jobs to further support our local export industries.
- (2) An amount of \$60,000 be referred for consideration to the 2016/2017 budget for the purpose of this expansion.
- (3) Council also write to the State Treasury and Finance Minister seeking state government funds for the local promotion of export jobs to match this local council contribution.

Notice Received: 5 April 2016

Notice Given to Councillors: 11 April 2016

Date of Meeting: 18 April 2016

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

**MOVED:** Cr. T. Laurence

**SECONDED:** Cr. B. Li

***That:***

- (1) Council resolve expand the current export program that has created 19 local jobs to further support our local export industries.
- (2) An amount of \$60,000 be referred for consideration to the 2016- 2017 budget for the purpose of this expansion.
- (3) Council also write to the State Treasury and Finance Minister seeking state government funds for the local promotion of export jobs to match this local council contribution.

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

- (1) Council resolve expand the current export program that has created 19 local jobs to further support our local export industries **with a particular focus on women in business and indigenous businesses.**

THE AMENDED MOTION THEN READ AS FOLLOWS:

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

**MOVED: Cr. T. Laurence**

**SECONDED: Cr. B. Li**

**That:**

- (1) Council resolve expand the current export program that has created 19 local jobs to further support our local export industries with a particular focus on women in business and indigenous business.
- (2) An amount of \$60,000 be referred for consideration to the 2016- 2017 budget for the purpose of this expansion.
- (3) Council also write to the State Treasury and Finance Minister seeking state government funds for the local promotion of export jobs to match this local council contribution.

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

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

**MOVED: Cr. T. Laurence**

**SECONDED: Cr. B. Li**

**That:**

- (1) Council resolve expand the current export program that has created 19 local jobs to further support our local export industries with a particular focus on women in business and indigenous business.
- (2) An amount of \$60,000 be referred for consideration to the 2016- 2017 budget for the purpose of this expansion.
- (3) Council also write to the State Treasury and Finance Minister seeking state government funds for the local promotion of export jobs to match this local council contribution.

**CARRIED UNANIMOUSLY**



**9. URGENT BUSINESS****Council Resolution**

**MOVED:** Cr. J. Williams  
**SECONDED:** Cr. B. Li

**That** an Urgent Business item relating to Ruthven Primary School be admitted to the agenda and heard as Item 9.1.

**CARRIED**

**Council Resolution**

**MOVED:** Cr. B. Li  
**SECONDED:** Cr. J. Williams

**That** a Confidential Urgent Business item be admitted to the agenda and heard as Item 15.3 'in camera'.

**CARRIED**

**Council Resolution**

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

**That** a Confidential Urgent Business item be admitted to the agenda and heard as Item 15.4 'in camera'.

**CARRIED**

9.1

## RUTHVEN PRIMARY SCHOOL

MINUTE NO. 193

**Council Resolution****MOVED: Cr. T. Laurence****SECONDED: Cr. J. Williams****That:**

- (1) Council resolve that the future of the former Ruthven primary school site should be resolved via a MOU with the State Government to preserve 66% as open space in council ownership and that 33% of the site should be secured for use in the State Government's women's housing blitz.
- (2) The Mayor write to the Ministers of planning, housing, finance and status of women seeking agreement in relation to securing a rezoning and transfer of the 33 blocks that make up the former Ruthven primary school site to create a council owned and managed park over 66% of the site and that the remainder of 33% of the site rezoned be transfer from the Education Department for the creation of new medium density housing to contribute to the women's housing blitz identified in the state domestic violence royal commission report.

**CARRIED UNANIMOUSLY**

*Bridget Monro-Hobbs, Manager Aged and Disability temporarily left the meeting during discussion of the above item at 8.37 pm and returned at 8.38 pm.*

*Gavin Cator, Director Corporate Services temporarily left the meeting during discussion of the above item at 8.40 pm and returned at 8.42 pm.*

**10. GENERAL BUSINESS**

Nil

**11. PETITIONS**

Nil

## 12. REPORTS OF STANDING COMMITTEES

### 12.1 AUDIT COMMITTEE

**MINUTE NO. 194**

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 7 March 2016. 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. B. Li  
**SECONDED:** Cr. T. McCarthy

**That:**

- (1) The Report of the Audit Committee meeting held on 7 March 2016 be received and the Committee Recommendations be adopted.
- (2) Council receives a briefing from the Chairperson of the Audit Committee on the risks identified by the Audit Committee.

**CARRIED UNANIMOUSLY**

### 13. RECORDS OF ASSEMBLIES OF COUNCILLORS

#### 13.1 ASSEMBLIES OF COUNCILLORS HELD

MINUTE NO. 195

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

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

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

An Assembly of Councillors record was kept for:

- Councillor Briefing Session – 29 March 2016
- Councillor Budget Briefing – 31 March 2016

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

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

**That** the record of the Assembly of Councillors held on 29 and 31 March 2016 be noted and incorporated in the minutes of this meeting.

**CARRIED**

## 14. REPORTS BY MAYOR AND COUNCILLORS

MINUTE NO. 196

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

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

That Council note the Reports by Mayor and Councillors.

**CARRIED**

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

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

- Councillor Briefing session
- Opened the William Ruthven VC Pavilion
- Confidential Council Briefing
- Citizenship ceremony
- Attended NSCC Presentation night
- Attended Nepalese Association biannual community awards
- Meeting with Officers and Preston Bullants Junior Football Club Officials
- Hosted student visit from Holy Spirit school
- Councillor Briefing session
- Planning Committee meeting
- Attended Mayor's photo shoot Moonee Valley
- Participated in the Commons' Tour in Moreland
- Sapphire Care's Staff awards night
- Metropolitan Mayors and CEO's workshop
- Attended launch of funding for " Supported Playgroup state funding" at Reservoir Primary
- Attended Women in Business lunch event
- Attended Oxfam Straight Talk Celebratory event
- Attended the Darebin RSL ANZAC Day March
- Attended season opener Bullants Junior Football Club football event
- Attended compassion gathering in West Heidelberg
- Attended opening of Preston Tramway Depot opening
- Hosted numerous resident meetings
- Met with Stafford Street residents regarding traffic matters

**14.2 REPORT OF CR. GAETANO GRECO**

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

- Councillor Briefing Session
- Planning Committee meeting
- Signing of MOU Co-operation Agreements with East Timor
- Budget briefing with Director of Corporate Services
- Active and Healthy Ageing Board Meeting
- Strategic Workshop

**14.3 REPORT OF CR. TIM LAURENCE**

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

- Confidential Council Briefing
- Councillor Briefing session
- Planning Committee meeting
- MAV Metropolitan representatives forum
- Attended Sikh service for Sikh Community leader Darshan Singh
- Indo Sri Lankan new year celebration for Tamil, Sinhala and Telugu Communities
- Islamic Museum visit by Federal MPs Ed Music and David Feeney
- Oxfam Afternoon Tea and State wide master class for Aboriginal Women
- Various community consultations on Planning and Open Space issues

**14.4 REPORT OF CR. BO LI**

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

- Ceremony to celebrate Reservoir East Primary School becoming part of the Safe Schools Coalition
- Confidential Council briefing
- Meeting with Chinese Peer Connection pokies support group
- Darebin Libraries App launch
- Councillor Briefing Session
- Planning Committee meeting
- Visit to DIVRS
- Celebratory Afternoon Tea for Oxfam Straight Talk
- Darebin Education Committee meeting
- Residential issues including planning, dumped rubbish and public amenities

**14.5 REPORT OF CR. TRENT MCCARTHY**

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

- Darebin Community and Kite Festival
- Child Friendly City Advisory Committee
- Sustainable Living Expo
- Northcote Alliance for Greenhouse Action Conference
- Planning Committee Meetings
- Strategic Briefings
- Budget Briefings
- Darebin Environmental Reference Group
- Meeting with residents and Wales Street parents re Clyde Street traffic and safe crossing points
- Know Better, Do Better VLGA Rainbow Forum
- Women in Business event
- Aboriginal Women for Local Government event
- Preston Tram Depot Redevelopment Community Day
- Various meetings and representations on behalf of residents and traders

**14.6 REPORT OF CR. JULIE WILLIAMS**

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

- Council Meeting
- Councillor Briefing Session
- Preston Business Advisory Committee
- William Ruthven Pavilion Opening
- Confidential Council Briefing
- Meeting with Preston Junior Bullants Football Club and officers
- DECL Board Meeting
- Planning Committee Meeting
- Darebin Libraries App Launch
- Women in Business event
- Oxfam Straight Talk - State Wide Master Class for Aboriginal Women
- Opening of Preston Tramway Depot
- Strategic Workshop
- Councillor Meeting
- Attended Residents issues on Traffic issues, M40, Planning concerns, Parking issues, Parkland and Footy grounds

**14.7 REPORT OF CR. ANGELA VILLELLA**

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

- Planning Committee meeting
- Strategic Workshop
- Confidential Council Briefing

**14.8 REPORT OF CR. OLIVER WALSH**

**14.9 REPORT OF CR. STEVEN TSITAS**



## 15. CONSIDERATION OF REPORTS CONSIDERED CONFIDENTIAL

### CLOSE OF MEETING

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

**THAT** in accordance with section 89(2) of the *Local Government Act 1989*, Council resolves to close the meeting to members of the public to consider the following items which relate to contractual and governance matters:

- 15.1 CT 201542 Northernhay and Alexandra Streets, Reservoir Reconstruction
- 15.2 The National Disability Insurance Scheme – Council’s Role Post Implementation.
- 15.3 Deputy Mayor, Cr. Walsh Behaviour
- 15.4 Response to Local Government Investigations and Compliance Directorate

**CARRIED**

The meeting was closed to members of the public at 8.53 pm.

*Dave Bell, Senior Media Advisor left the meeting – 8.53 pm.*  
*Karlee Gray, Council Business Officer left the meeting – 8.57 pm*

***The Council considered and resolved on Report Item 15.1 (CT 201542 Northernhay and Alexandra Streets, Reservoir Reconstruction) and Item 15.2 (The National Disability Insurance Scheme) which had been circulated to Councillors on 11 April 2016 with the Council Agenda Paper.***

***The Council also considered and resolved on Report Item 15.3 (Deputy Mayor, Cr. Walsh Behaviour) and Item 15.4 (Response to Local Government Investigations and Compliance Directorate) which were admitted to the agenda as Urgent Business items.***

### RE-OPENING OF MEETING

**MOVED:** Cr. B. Li  
**SECONDED:** Cr. J. Williams

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

**CARRIED**

The meeting was re-opened to members of the public at 9.45 pm

**CONFIDENTIAL**

MINUTE NO. 197

**15.1 CT 201542 – NORTHERNHAY STREET AND ALEXANDRA STREET RECONSTRUCTION****MINUTE NO.** **Author:** Manager Major Projects and Infrastructure**Reviewed By:** Director Assets and Business Services**Report Background**

This report seeks to award a contract for the reconstruction of Northernhay Street and Alexandra Street Reservoir having been funded within the current Councils Capital Works Program and Federal Government Roads to Recovery (R2R) Program.

**Previous Council Resolution**

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

**Previous Briefing(s)**

This matter has not previously been to a specific Councillor briefing, however was identified within the briefing during the establishment of the Capital Works Program for 2015/2016.

**Council Plan Goal/Endorsed Strategy**

- Council Plan, 2013-2017, pg. 32 “Existing and physical assets and Infrastructure-review and continue to manage the existing asset base...”
- Road Condition Audit, 2015

**Summary**

Tenders were invited for the reconstruction of Northernhay Street and Alexandra Street Reservoir which closed on the 21 January 2016. The contract works include:

- Kerb and channel replacement
- Concrete paving
- Drainage
- Rain Gardens (WSUD)
- Landscaping
- Traffic Management Treatment
- Naturestrip replacement
- Asphalt resurfacing
- Some pavement replacement

This report summarises the tender process, including the tender responses, tender evaluation and assessment process and recommends the award of a contract to a suitable contractor to undertake the reconstruction works.

<b>Recommendation</b>
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**That** the Council report and resolution remain confidential with the exception of the successful tenderer(s) name and contract period.

<b>Council Resolution</b>
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**MOVED: Cr. B. Li**  
**SECONDED: Cr. J. Williams**

**That** the Council report and resolution remain confidential with the exception of the successful tenderer(s) name and contract period.

Successful Tenderer: Petrolo Constructions Pty Ltd  
Contract Period: 3 May 2016 to 30 June 2016

**CARRIED**

**CONFIDENTIAL****15.2 THE NATIONAL DISABILITY INSURANCE SCHEME –  
COUNCIL’S ROLE POST IMPLEMENTATION****MINUTE NO. 198****Author:** Manager Aged and Disability**Reviewed By:** Director Community Development**Report Background**

On 1 July 2016 as a Local Government Authority (LGA) that is part of the North East Melbourne area (NEMA) Darebin will be one of the first Victorian local government areas to rollout the National Disability Insurance Scheme (NDIS). This report responds to:

- The changes in the model of funding and providing services to people under 65 years of age with a disability under the NDIS; and
- The associated decisions required in relation to Council’s ongoing role in supporting the community in a way that best meets their needs and expectations within this new model.

**Previous Council Resolution**

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

**Previous Briefing(s)**

Councillor Briefing 1:	30 November 2015
Councillor Briefing 2:	14 December 2015
Councillor Briefing 3:	3 February 2016
Councillor Planning Weekend	5 March 2016
Councillor E-Bulletins:	30 October 2015
	22 January 2016

**Council Plan Goal/Endorsed Strategy**

Goal 2:	Healthy and Connected Community:
Strategies:	2.1 - Community services
	2.3 – Quality of life
	2.6 – Community health and fitness and access to opportunities
	2.7 – Community needs and service gap
	2.8 – Human rights and access and inclusion
	2-9 – Equity, diversity and inclusion
	2.10 – Social and physical connectedness
	2.13 – Equitable access to all community facilities

Disability Access and Inclusion Plan 2015-2019

Active and Healthy Ageing Strategy 2011-2021

## Summary

On 1 July 2106 the National Disability Insurance Scheme will commence its rollout in Victoria in the North East Melbourne area (NEMA). This scheme is the most substantial change in social policy in 40 years and accordingly brings with it the need for a review of how Council provides support to community members with a disability.

By 1 July 2016 Council must make a decision as to whether to become a direct service provider or make changes to the current service model.

This report provides information on:

- The background, model, funding and operational changes that are associated with the implementation of the NDIS and its supporting agencies;
- Current and potential future costs;
- The Barwon trial site experience;
- Community consultation and engagement; and
- Options for Council to consider when making a decision on their future role in service delivery for people with a disability.

### Recommendation

**That:**

- (1) The Council resolution be made public.
- (2) The Council report remain confidential.

### Council Resolution

**MOVED: Cr. B. Li**  
**SECONDED: Cr. J. Williams**

**That Council:**

- (1) Note the establishment of the National Disability Insurance Scheme and the changes related to the service model and funding of people under 65 years of age with a disability.
- (2) Expand advocacy and planning and cease direct service delivery to National Disability Insurance Scheme (NDIS) eligible clients as per Option 1 within this report.
- (3) Expand advocacy and planning roles that build capacity, support the community to navigate the NDIS, provide information and ensure vulnerable community members do not fall between gaps in the service system.
- (4) Enter into a formal agreement with the appointed Local Area Coordinator (LAC), the Brotherhood of St Laurence.
- (5) Endorse the Chief Executive Officer to sign and execute the formal agreement on behalf of Council.
- (6) Make the Council resolution available to the public but the report to remain confidential.

**CARRIED**

**CONFIDENTIAL**

15.3

**URGENT BUSINESS ITEM – DEPUTY MAYOR, CR. WALSH  
BEHAVIOUR**

MINUTE NO. 199

**COUNCIL RESOLUTION****MOVED: Cr. T. Laurence****SECONDED: Cr. A. Villella****That Council:**

- (1) Resolve to abolish the position of the Deputy Mayor effective immediately.
- (2) Resolve to remove any reference to the Deputy Mayor including the removal of the Deputy Mayor photo from the foyer, level 1 350 High Street Preston and the Customer Service centre.
- (3) Resolve to reconsider the position of Deputy Mayor at the Special Statutory Council meeting scheduled for November 2016.
- (4) Note that the offensive comment made by Cr Walsh in his Facebook posting directed to the Minister for Local Government, Natalie Hutchins is not acceptable to Darebin City Council and is completely out of step with Council's progressive approach to social inclusion and our strong stance against bullying and discrimination.
- (5) Resolve that an application by the Mayor on behalf of Council be made through the Principal Conduct Officer to the Principal Councillor Conduct Registrar to establish a Councillor Conduct Panel to the extent that Cr Walsh's recent behaviour may constitute misconduct as he has allegedly breached the Primary principle of Councillor Conduct, s76B of the *Local Government Act 1989* and the General Councillor conduct principles, s76BA of the *Local Government Act 1989* and a range of clauses under the Councillor Code of Conduct.
- (6) Resolve to make the Resolution of Council open to the Public.

**CARRIED**

**CONFIDENTIAL****15.4 RESPONSE TO LOCAL GOVERNMENT INVESTIGATIONS  
AND COMPLIANCE INSPECTORATE****MINUTE NO. 200****Author:** Executive Manager Corporate Governance and Performance**Report Background**

This report is in response to a letter received from the Local Government Investigations and Compliance Inspectorate (Inspectorate) in relation to an investigation they are currently undertaking. Further it responds to a Confidential Council resolution of 22 February 2016.

**Previous Council Resolution**

This matter is the subject of a Confidential Council resolution dated 22 February 2016.

**Previous Briefing(s)**

Confidential Councillor briefing – 6 April 2016

**Council Plan Goal/Endorsed Strategy**

Nil

**Summary**

In response to the Inspectorate's letter, Council's assigned lawyer has prepared a response for Council's consideration.

**Recommendation**

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

**Council Resolution**

**MOVED:** Cr. B. Li  
**SECONDED:** Cr. J. Williams

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

**CARRIED**

**16. CLOSE OF MEETING**

The meeting closed at 9.46 pm.



