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MINUTES OF THE COUNCIL MEETING

Held on Monday 19 September 2016

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**MINUTES OF THE ORDINARY MEETING OF THE
DAREBIN CITY COUNCIL HELD AT DAREBIN CIVIC CENTRE,
350 HIGH ST, PRESTON ON MONDAY 19 SEPTEMBER 2016**

THE MEETING OPENED AT 7.01 PM

1. PRESENT

Councillors

Cr. Vince Fontana (Mayor) (Chairperson) (8.00 pm)
Cr. Gaetano Greco
Cr. Tim Laurence
Cr. Bo Li
Cr. Trent McCarthy
Cr. Steven Tsitas
Cr. Oliver Walsh
Cr. Julie Williams

Council Officers

Rasiah Dev – Chief Executive
Steve Hamilton – Director Future City and Assets
Jacinta Stevens – Director Civic Governance and Performance
Katrina Knox – Director Community Development
Libby Hynes – Acting Director Operations and Environment
Katia Croce – Coordinator Council Business
Jody Brodribb – Council Business and Governance Officer
Blaga Naumoski – Executive Governance Support Officer
Verica Jokic – Senior Media Advisor

ELECTION OF TEMPORARY CHAIRPERSON

The Chief Executive, Rasiah Dev, called for nominations for the position of Temporary Chairperson.

Cr. Tsitas was nominated by Cr. Laurence, seconded by Cr. Williams, and there being no further nominations, was declared Temporary Chairperson of the meeting.

Cr. Tsitas assumed the Chair.

2. APOLOGIES

An apology was lodged for the initial absence of Cr. Fontana.

An apology was lodged for the absence of Cr. Villella.

3. DISCLOSURES OF CONFLICTS OF INTEREST

Cr. Greco disclosed a conflict in Item 6.1 – Solar \$aver Special Charge Scheme.

Cr. Walsh temporarily left the meeting during discussion of the above item at 7.04 pm.

4. CONFIRMATION OF THE MINUTES OF COUNCIL MEETINGS

Council Resolution

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

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

CARRIED

5. PUBLIC QUESTION TIME

MINUTE NO. 347

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

- **Matthew Skinner of Preston asked the following question:**

With regard to the Oakover Village Project. Following the recent changes in signage on surrounding streets, there has been a huge increase in traffic on Erin Street (measured in orders of magnitude) accompanied with many more speeding vehicles. I am concerned that these changes have simply shifted a problem rather than addressing the core issues. I would like to ask, how does this alteration of infrastructure supposed to address the objectives of the project? Specifically, a) Improved safety by reducing traffic speeds in local streets, b) discourage through traffic, and c) maximise safety.

Response from the Chairperson:

Council acknowledges your concerns in relation to the changes in traffic flow since the installation of the new traffic management signage. The rebalancing of traffic flow can often take time to occur as motorists become familiar with the new restrictions and traffic treatments, and Council will be monitoring the area following the introduction of all Stage 1 measures. This monitoring will take place approximately 6 months after the last treatment is completed to allow time for motorists to adjust to the changed conditions.

Once the results have been analysed, we will then be able to assess what impact the measures have had and their effectiveness. This may also lead to supplementary measures being implemented where necessary.

- **Chris Nicolaou of Preston asked the following question:**

Why are fees payable only accepted by credit card and not transfer by BPay, EFT, etc.?

I do not carry cash for safety and I do not have a credit card as the interest is too high.

Currently everyone uses electronic cash to make transactions easier. I find it very archaic that the Council uses credit card only and is not up to date with the times. It is very frustrating that this Council is behind the times badly.

(Note from Customer Service: The payment Chris was referring to was in relation to an Asset Protection Bond and Permit fee.)

Response from the Chairperson:

Payment options for Asset Protection Bonds and permit fees are as follows;

- Online (Visa / MasterCard debit or credit card)
- Pay by phone (Visa / MasterCard debit or credit card)
- Pay in person at Council (cash, cheque, EftPos (Visa / MasterCard debit or credit card))

Council is in the process of reviewing its payment options, with the idea of providing standard payment options for all fees, fines and permits.

Currently, BPay is an available payment option for most Council services (rates, animal registration, local law permits), however BPay cannot be made available for all payments as some permits and fines (e.g parking infringements) have statutory limitations impacting issue and payment.

- **Peter Thomson of Reservoir asked the following question:**

Re: CUB Dispute – Boycott of Products encouraged by the trade union movement now.

At the last Council meeting I requested that you the Council boycott all CUB consumption of their products at Council functions for the life of the dispute. I therefor re ask you to boycott CUB products as per August 15 meeting last. At this meeting you the Mayor quoted rules/ordinance against the boycott I therefore ask for a formal written explanation of this.

Response from the Chairperson:

The question will be taken on notice and officers will provide a written response to Mr Thomson.

- **Nicole Longmuir of Fairfield asked the following question:**

Dear Councillors,

I attach a photograph of Edwin St, Fairfield featuring the results from this week's rains. I would like to propose two questions for Councillors to answer during this Monday's question time:

1. What is Council doing to address the long-standing safety issue of Edwin Street?
2. Why does Council maintain the classification of Edwin Street as "unmade" despite the advent street-facing subdivisions and substantial change to road use since being classified?

Thank you kindly for the opportunity to discuss this.

Response from the Chairperson:

Edwin Street has never been formally constructed by Council, hence the classification as "unmade". It is understood that when Edwin Street was under the City of Northcote, surplus asphalt was dumped on the surface from time to time creating the current appearance. Under Section 163 of the *Local Government Act* residents can be required to contribute to the construction of unmade roads through a Special Charge Scheme. However, such a scheme can only be applied with the agreement of the majority of affected residents.

The introduction of a Special Charge Scheme for Edwin Street has been formally rejected by residents on several occasions.

Following issues with regard to allowing developments to face unmade roads (such as Edwin Street) Council now requires developers to construct access roads.

- **The Reservoir Community Advocacy Group Inc. asked the following questions:**

1. Is it not the responsibility of Darebin Council's Local Safety Committee to closely coordinate the community needs and the provision of police services through the Darebin Police Services Area Manager that if monitored should have triggered responses from the Darebin Emergency Management Committee?

2. Darebin can call on the Operational Response Unit to assist with locally identified issues. Just how does Darebin go about providing that “Operational Response” service to the community?

Response from the Chairperson:

1. The role of the Darebin Local Safety Reference Group is to coordinate a whole of community partnership response to priority community safety issues. Members of Darebin’s Community Safety Reference Group also provide community safety and crime prevention advice to Council, raise awareness and advocacy about crime and safety issues in the Darebin community.

At these and other meetings, Council regularly raises issue of concern for Victoria Police response, and Council seeks to complement their enforcement approach through social and environmental crime prevention and community education. While local issues identified at these and others meetings can be allocated existing resources by the Darebin Police Services Area Manager, there are issues, such as the ‘volume crimes’ responsible for the recent increase in crime in Darebin, that are an issue across the entire region and require resources beyond what can be allocated by the Darebin Police Services Area Manager.

In some instances, where there is a significant need, additional resources can be provided for specialised responses, which Darebin has benefited from in recent years. This includes being one of the first areas to establish a Victoria Police Family Violence response unit and the development of specific resources for the Northland Precinct as part of the Northland Precinct Action Group.

2. The Darebin Police Service Area (PSA), like others in the Region can still engage the Operations Response Unit (ORU) in the capacity to provide rapid and ready response to major incidents and disasters at short notice. However for the ongoing volume crime issues, this is managed through other, more targeted regional operations, such as the recent and ongoing Operation Influx which targets vehicle crime and residential burglaries in Darebin and Whittlesea.

Council recognises that responding to and preventing crime is not solely the responsibility of Victoria Police, and that an increase in Police numbers and enforcement alone will not prevent crime or reduce the overall crime rate. Preventing crime, particularly volume crimes, such as theft of and from motor vehicles, requires a holistic and long term commitment to address the social and environmental factors which perpetuate these crimes.

Council will continue to support and work closely with Victoria Police through a variety of approaches, such as:

- Facilitating our multi-agency place based programs in key hotspots, such as the Northland Precinct Action Group.
- Delivering primary prevention initiatives that address the underlying causes of crime and engage young people at risk of or involved in crime and antisocial behaviour.
- Working with Police to ensure that we design and maintain safe public spaces, undertake works based on crime prevention principles and where required, seek resources to install CCTV to assist with apprehension.
- Complement enforcement initiatives through programs that raise community awareness and education.

- **John Nugent of Epping asked the following question:**

Mr Mayor,

I have received correspondence twice from the council that the public toilets will not be opened at Donath reserve but each time Council did not give any reasons why?

Mr Mayor, could you please arrange a written response to this question so I can show the ratepayers who asked me this question.

Response from the Chairperson:

Council has replied with written responses in the past and will provide a further written response.

- **John Nugent of Epping asked the following question:**

Mr Mayor,

Could you please advise why the Keon Park Tennis Club was visited by Council Officers to discuss the Netball courts and their positioning and while the Keon Park Stars JFC was not given same courtesy by Council Officers, so the KPSJFC committee could have input Re Netball Courts.

Response from the Chairperson:

The question will be taken on notice and officers will provide a written response to Mr Nugent.

- **Bruce Nager of Preston asked the following question:**

Which councillors want to change Batman Park name?

Response from the Chairperson:

The question will be taken on notice and officers will provide a written response to Mr Nager.

- **Vic Doig of Fairfield as the following question:**

Why should the residents have to pay for a public liability issue for Edwin Street, Fairfield?

Response from the Chairperson:

Council has had a bit of a historical legacy with a few streets that were unmade for a number of years, now for some reason they have still been retained from an historical legacy as part of the original subdivision that had occurred. Essentially the designation of those were still deemed to be private property, in fact in Preston or at least Kingsbury, I recall Dunn Street was pretty much the same, a gravelled road and of course the construction that we are seeing now there took place with partnerships between residents and the old Preston City Council. So there are still streets off Station Street that still remain in their unmade state. The way the State Government treats it and far as the Act is concerned, there is a contributing scheme to reinstate if the road is in an unmade state.

The same applies with right of ways. So contributing schemes are one way in which they can be done and the opportunity is there to stagger the payments over time rather than seeking a lump sum contribution from each resident in terms of negotiable distribution of the cost of the road. So if you have a small street you might have 10 residents to negotiate. From the advice that I have been given which was in relation to the earlier question it does require some expression of majority support, which is a bit unfortunate because sometimes the minority wishes for it to go ahead because they can't stand living on their unmade road when everyone else has got a beautiful street.

Unfortunately some rest on their principles and say no just like you mentioned before Victor, it should be the Council or whichever authority to do it as it is not ours we pay our rates, unfortunately the limit of that is in relation to the guidance provided by the Act itself.

Cr. Walsh returned the meeting during discussion of public question time at 7.05 pm.

Cr. Williams temporarily left the meeting during discussion of public question time at 7.21 pm.

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

At the Council meeting held on 5 September 2016, the following questions were taken on notice by the Chairperson. In accordance section 54(12) of the Darebin Governance Local Law, written responses have now been provided as indicated.

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

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

Jacinta Stevens, Director Civic Governance and Performance provided the following written response to Ms O'Meley, dated 19 September 2016.

"At the Council meeting on 5 September 2016 and as recorded in the minutes, Council resolved, amongst other points within the resolution, to purchase the former Ruthven Primary School and part of the former Lakeside Secondary College and authorised the Chief Executive to sign and seal any documents relating to the transaction. On the basis of the 5 September 2016 Council resolution and on the basis that it was made prior to the 'caretaker' period, a request to Minister Hutchins is not required as the Chief Executive has delegation to exercise the authorisation conferred upon him through the Council resolution."

- **Peter Thomson of Reservoir asked the following question:**

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

Chris Meulblok, Manager Strategic Asset Management provided the following written response to Mr Thomson, dated 20 September 2016.

“I refer to Council's meeting of 5 September 2016, during which you raised a question during public question time, re-asking a question that was previously asked at the 1 August 2016 meeting. I also refer to previous correspondence dated 8 August 2016, provided in response to your initial question.

Firstly, I would like to offer my apologies that this matter was not listed on the Council agenda for the meeting of 5 September 2016 as advised in my letter of 8 August 2016. The report on this matter was not added to the agenda through an administrative oversight. It is proposed to put this matter to Council in the future, however as Council is now in caretaker mode, it is likely that the next available meeting dates at which a report could be presented would be in December 2016 or February 2017 .

Should the Wurrundjeri Tribe Land Compensation and Cultural Heritage Council be looking to relocate to Darebin, I would recommend that they consider approaching Council's Aboriginal Contact Officer - Mr Stuart McFarlane - in the first instance.

As advised previously, should you require any specific assistance with this matter, please let either Stuart or myself know.”

Due to an administrative oversight, the following responses to Public Questions taken on notice at earlier Council meetings were not recorded in subsequent meeting minutes.

15 February 2016

- **Marion Gray of Alphington asked the following question:**

“Mr Mayor,

I understand that Darebin Council was not consulted over the Banyule Council truck bans. Has Vic Roads met with Darebin Council officers to discuss the proposal for the 24 hr clearways on Grange Road? What is Darebin Council's current position with regard to this proposal?”

Steve Hamilton, Director Assets and Business Services provided the following written response to Ms Gawen, dated 3 March 2016.

I refer to your questions raised at the Council meeting of 15 February 2016 and now provide the following information.

Council officers met with VicRoads officers after the community consultation for Chandler Highway was complete. At this meeting, VicRoads confirmed that clearway parking restrictions had been identified through the consultation phase and they would be investigating this. To date, Council has not been provided with any further detail of this investigation and we are awaiting further information from VicRoads in relation to benefit offered, extent of restrictions, community feedback etc. prior to forming a position. Council will continue to work with VicRoads to achieve the best outcome possible for all stakeholders, including residents and traders.

- **Donna Gawen of Northcote asked the following question:**

“Could the Council please inform the residents of Bent Street in writing when public works will commence to increase the capacity of the storm water and sewage infrastructure? At the moment in Bent Street there are about 25 – 27 homes from High Street to Herbert Street plus the Bent Street Senior Citizen Centre. The development at 421 High Street has 97 units and shops on the ground level one of which is a proposed restaurant seating 120 people”

Steve Hamilton, Director Assets and Business Services provided the following written response to Ms Gawen, dated 3 March 2016.

“Council records indicate that the drainage system in Bent Street west of High Street was fully reconstructed in 1996/97, and given the relative newness it remains in good condition with an adequate capacity for the current allotment configuration.

The site currently under development on the south west corner of High Street and Bent Street is serviced by a separate drainage system in High Street, and has no impact on the Bent Street properties or drainage system. Accordingly, there is no need for any increase in capacity and no further works are programmed. Sewage services are provided by Yarra Valley Water and Council has no involvement in the maintenance of existing services, or the planning of growth in this regard.

If you require any further information in relation to matter please contact David Serpell, Manager Major Projects & Infrastructure on 8470 8684.”

4 April 2016

- **Kathleen Marsh of Macleod asked the following questions:**

1. *“Will parking restrictions be imposed in the estate to include Hideaway Turn to prohibit La Trobe students parking in the estate restricting access to properties, endangering persons (elderly and children)?*

Emails given to Katrina Knox 4.4.2016. Still waiting for Council response.”

2. *What is the status of the Mayor writing to La Trobe University as this was proposed in December 2015 and again in February 2016?”*

Copies of emails given to Katrina Knox 4.4.2016 and given to Gaetano Greco 4.4.2016. Still waiting for Council response.”

The Mayor, Cr. Fontana provided the following written response to Ms Marshall, dated 20 April 2016.

“Thank you for your recent emails and questions raised at the Council Meeting on 4th April during public question time. I have now been provided with advice from the relevant officers to each of your queries as follows.

Parking in Hideaway Turn, Macleod

I believe that you have been conversing with the Transport Department who are in the process of developing a survey for residents to determine support for parking changes in Hideaway Turn. Subject to the outcomes of this survey, measures will be implemented to address the identified issues which may include restrictions, signage and enforcement of any measures that are implemented.

Colorbond fence at the end of Hideaway Turn

I have recently written to Latrobe University outlining resident's concerns as per the petition tabled at Council on 7 December 2015. Following residents' questions and petition a Council report was presented to Council on 1st February 2016. In line with the associated Council resolution, we have requested that Latrobe University consider and respond to this issue, and to give further consideration to convene a meeting with residents, Ward Councillors, and Council staff to resolve this matter.

I trust that the above addresses the queries that you have raised however should you require further information in relation to either of the two items above, please feel free to contact our Director, Assets and Business Services, Steve Hamilton, on telephone no 8470 8465.

2 May 2016

- **John Nugent of Epping asked the following questions:**

1. *This question was asked over 12 months ago. When will the public toilets at Donath West be opened to the general public?*

The toilet strategy has been released and shows no public toilets to be open at Donath West. FYI more people (general public) train at Donath West than any other ground around. Is it possible to have a public toilet open on Donath West?

Katrina Knox, Director Community Development provided the following written response to Mr Nugent, dated 9 May 2016.

"Thank you for your questions raised at public question time at the Ordinary Council meeting held on 2 May 2016.

There are toilets available within the Donath West pavilion that are open when organised practices or games are in progress. At this time there are no plans to open the toilets at Donath West outside of these times. There are public toilets nearby at Dole Reserve that are open daily."

2. *Re: Traffic low along High St, Northcote from Ruckers Hill to Westgarth St Northcote and also from Westbourne St, Northcote to Merri Pde, Northcote on St Georges Road. Is there anything Council can do to improve the traffic on St George's Road and High St Northcote?*

Steve Hamilton, Director Assets and Business Services provided the following written response to Mr Nugent, dated 5 May 2016.

"Thank you for your interest in some of the transport challenges facing our Municipality. As you have highlighted, High Street in Northcote does experience traffic congestion, particularly during peak periods. This is not unusual for an inner city major transport corridor; particularly given the space needs to be shared with a tram route. As you may be aware, clearways are already present during peak periods preventing parking on one side of the road during the busier periods to maximise traffic capacity. Unfortunately, there is little further that can be done to improve traffic flow, as much of the congestion is actually spilling back from intersections south of Westgarth Street.

With regard to St Georges Road, this is a VicRoads managed road and is suggested that you send your query directly to them. You can write to them at the following address or alternatively you can log an online enquiry at the following site: <https://www.vicroads.vic.gov.au/contact-us/feedback-and-enquiries>.

*VicRoads Head Office Administration
60 Denmark Street
Kew VIC 3101*

Thank you again for your question and I hope the above is of assistance."

3. *Can you advise why the Keon Park Stars Junior Football Club sporting ground fees rose from \$1470 to \$1502 – arise of \$32.00. If clubs are charged Pavilion access fees and ground access fee, less subsidy given. Why has the cost of the fees gone up?*

Katrina Knox, Director Community Development provided the following written response to Mr Nugent, dated 31 May 2016.

“Thank you for your enquiry to Council regarding sports fees and charges. As outlined in correspondence of 28 August 2015, 10 December 2015 and 15 December 2015, all fees charged to sports clubs are in line with the Darebin Sporting Fees, Charges and Occupancy Agreement (SFCOA) Policy adopted 6 October 2014.

Any specific information in regards to a particular club is required to come from the Club Liaison Office, it is noted on our records that you are not currently in this position at any clubs within Darebin. If you and the club would like this specific information it would require the Club Liaison Officer to make a request in writing to Council officers.”

6. CONSIDERATION OF REPORTS

Cr. Greco disclosed a conflict of interest in the following item describing the conflict as an indirect interest by close association as one of his siblings is participating in the Solar \$aver Special Charge Scheme.

Cr. Greco left the meeting prior to discussion of the item at 7.26 pm.

6.1 SOLAR \$AVER SPECIAL CHARGE SCHEME DECLARATION

MINUTE NO. 348

Author: Coordinator Environmental Strategy

Reviewed By: Acting Director Operations and Environment

Report Background

This report follows Council's resolution on 18 July 2016 to give notice of its intention to declare a special charge in relation to the Solar \$aver scheme.

Previous Council Resolution

At its meeting held on 18 July 2016 Council resolved that:

- (1) *Council give notice of its intention to declare a special charge in accordance with section 163 of the Local Government Act 1989 (Act) as follows:*
 - a. *A special charge is declared for the period commencing on the day on which Council issues a notice levying payment of the special rate and concluding on the tenth anniversary of that day.*
 - b. *The special charge be declared for the purpose of defraying any expense incurred by Council in relation to the provision of solar energy systems on residential properties participating in the Solar \$aver scheme, which project:*
 - i. *Council considers there is or will be a special benefit to those persons required to pay the special charge (and who are described in succeeding parts of this resolution); and*
 - ii. *arises out of Council's functions of advocating and promoting proposals which are in the best interests of the community and ensuring the peace, order and good government of Council's municipal district.*
 - c. *The total:*
 - i. *cost of performing the function described in paragraph 1(b) of this resolution be recorded as \$351,797.00; and*
 - ii. *amount for the special charge to be levied be recorded as \$351,797.00, or such other amount as is lawfully levied as a consequence of this resolution.*
 - d. *The special charge be declared in relation to all rateable land described in the table included as Appendix B to this report, in the amount specified in the table as applying to each piece of rateable land.*
 - e. *The following be specified as the criteria which form the basis of the special charge so declared:*

Ownership of any land described in paragraph 1(d) of this resolution.

- f. *The following be specified as the manner in which the special charge so declared will be assessed and levied:*
- i. *a special charge calculated by reference to the size of the solar energy system being installed and the particular costs of installation at each property participating in the Solar Saver scheme, in respect of which a Householder Agreement has been executed, totalling \$351,797.00, being the total cost of the scheme to Council;*
 - ii. *to be levied each year for a period of 10 years.*
- g. *Having regard to the preceding paragraphs of this resolution and subject to section 166(1) of the Act, it be recorded that the owners of the land described in paragraph 1(d) of this resolution will, subject to a further resolution of Council, pay the special charge in the amount set out in paragraph 1(f) of this resolution in the following manner:*
- i. *payment annually by a lump sum on or before one month following the issue by Council of a notice levying payment under section 163(4) of the Act; or*
 - ii. *payment annually by four instalments to be paid by the dates which are fixed by Council in a notice levying payment under section 163(4) of the Act.*
- (2) *Council considers that there will be a special benefit to the persons required to pay the special charge because there will be a benefit to those persons that is over and above, or greater than, the benefit that is available to persons who are not subject to the proposed special charge, as a result of the expenditure proposed by the special charge, in that the properties will have the benefit of a solar energy system being installed.*
- (3) *Council, for the purposes of having determined the total amount of the special charge to be levied:*
- a. *considers and formally records that only those rateable properties included in the Solar Saver scheme as proposed will derive a special benefit from the imposition of the special charge, and there are no community benefits to be paid by Council; and*
 - b. *formally determines for the purposes of section 163(2)(a), (2A) and (2B) of the Act that the estimated proportion of the total benefits of the special charge to which the performance of the function or the exercise of the power relates (including all special benefits and community benefits) that will accrue as special benefits to the persons who are liable to pay the special charge is 100%.*
- (4) *Public notice be given in "The Northcote Leader" and "The Preston Leader" newspapers of Council's intention to declare, at its ordinary meeting to be held on 19 September 2016, the special charge in the form set out above.*
- (5) *Separate letters, enclosing a copy of this resolution, Appendix B to this report and the public notice referred to in paragraph 4 of this resolution, are to be sent to the owners of the properties included in the scheme, advising of Council's intention to levy the special charge, the amount for which the property owner will be liable, the basis of calculation of the special charge, and notification that submissions and/or objections in relation to the proposal will be considered by Council in accordance with sections 163A, 163B and 223 of the Act.*
- (6) *The Council's Hearing of Submissions Committee be convened, at a date and time to be fixed, to hear persons who, in their written submissions made under section 223 of the Act, advise that they wish to appear in person, or to be represented by a person specified in the submission, at a meeting in support of their submission.*

- (7) Council's Manager Environment and Natural Resources be authorised to carry out any and all other administrative procedures necessary to enable Council to carry out its functions under sections 163A, 163(1A), (1B) and (1C), 163B and 223 of the Act.
- (8) Consider a further report in the first quarter of 2017 regarding the Solar \$aver program options.

Previous Briefing(s)

Councillor Briefing – 13 July 2015

Council Plan Goal/Endorsed Strategy

- Council Plan Goal 3 – Sustainable and resilient neighbourhoods
- Community Climate Change Action Plan

Summary

This report recommends Council declare a Special Charge Scheme under section 163 of the *Local Government Act 1989* for the purposes of defraying expenses relating to the provision of solar energy systems on residential properties participating in the Solar \$aver scheme.

Formal submissions on the proposal were sought and no submissions or objections were received. Since public advertising of the scheme, five households been withdrawn from the scheme due to changed circumstances. These households have been removed from the scheme and minor cost reductions have also been made to seven properties. As all changes are reductions in cost, these changes do not require further public notice and do not affect Council's declaration of the Special Charge Scheme.

Additionally the 3 neighbourhood houses (Preston, Reservoir and Thornbury Neighbourhood Houses) have been withdrawn from this scheme to be considered in the separate "Solar \$aver on Council owned Community Buildings" report being considered at this meeting.

Council Resolution

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

That:

- (1) Darebin City Council ("Council") having considered all submissions received and taken account of all objections lodged and complied with the requirements of sections 163A, 163B and 223 of the *Local Government Act 1989* ("Act"), and otherwise according to law, hereby declares a Special Charge ("Special Charge") under section 163 of the Act as follows:
 - a. A special charge is declared for the period commencing on the day on which Council issues a notice levying payment of the special rate and concluding on the tenth anniversary of that day.
 - b. The special charge be declared for the purpose of defraying any expense incurred by Council in relation to the provision of solar energy systems on residential properties participating in the Solar \$aver scheme, which project:
 - i. Council considers is or will be a special benefit to those persons required to pay the special charge (and who are described in succeeding parts of this resolution); and

- ii. arises out of Council's functions of advocating and promoting proposals which are in the best interests of the community and ensuring the peace, order and good government of Council's municipal district.
 - c. The total:
 - i. cost of performing the function described in paragraph 1(b) of this resolution be recorded as \$296,587.00; and
 - ii. amount for the special charge to be levied be recorded as \$296,587.00, or such other amount as is lawfully levied as a consequence of this resolution.
 - d. The special charge be declared in relation to all rateable land described in the table included as **Appendix A** to this report, in the amount specified in the table as applying to each piece of rateable land.
 - e. The following be specified as the criteria which form the basis of the special charge so declared:

Ownership of any land described in paragraph 1(d) of this resolution.
 - f. The following be specified as the manner in which the special charge so declared will be assessed and levied:
 - i. a special charge calculated by reference to the size of the solar energy system being installed and the particular costs of installation at each property participating in the Solar \$aver scheme, in respect of which a Householder Agreement has been executed, totalling \$296,587.00, being the total cost of the scheme to Council;
 - ii. to be levied each year for a period of 10 years.
 - g. Having regard to the preceding paragraphs of this resolution and subject to section 166(1) of the Act, it be recorded that the owners of the land described in paragraph 1(d) of this resolution will pay the special charge in the amount set out in paragraph 1(f) of this resolution in the following manner:
 - i. payment annually by a lump sum on or before one month following the issue by Council of a notice levying payment under section 163(4) of the Act; or
 - ii. payment annually by four instalments to be paid by the dates which are fixed by Council in a notice levying payment under section 163(4) of the Act.
- (2) Council considers that there will be a special benefit to the persons required to pay the special charge because there will be a benefit to those persons that is over and above, or greater than, the benefit that is available to persons who are not subject to the proposed special charge, as a result of the expenditure proposed by the special charge, in that the properties will have the benefit of a solar energy system being installed.
- (3) Council, for the purposes of having determined the total amount of the special charge to be levied:
- a. considers and formally records that only those rateable properties included in the Solar \$aver scheme as proposed will derive a special benefit from the imposition of the special charge, and there are no community benefits to be paid by Council; and
 - b. formally determines for the purposes of section 163(2)(a), (2A) and (2B) of the Act that the estimated proportion of the total benefits of the special charge to which the performance of the function or the exercise of the power relates (including all special benefits and community benefits) that will accrue as special benefits to the persons who are liable to pay the special charge is 100%.

- (4) Council directs that notice be given to all owners and occupiers of properties included in the Scheme and all persons who have lodged a submission and/or an objection in writing of the decision of Council to declare and levy the Special Charge, and the reasons for the decision. For the purposes of this paragraph, the reasons for the decision of Council to declare the Special Rate are that –
- a. there is no objection to the Scheme and it is otherwise considered that there is a broad level of support for the Special Charge from all property owners and occupiers;
 - b. Council considers that it is acting in accordance with the functions and powers conferred on it under the Local Government Act 1989, having regard to its role, purposes and objectives under the Act, particularly in relation to its functions of advocating and promoting proposals which are in the best interests of the community and ensuring the peace, order and good government of Council's municipal district.
 - c. all persons who are liable or required to pay the Special Charge and the properties respectively owned or occupied by them will receive a special benefit of a solar energy system being installed at the property.
- (5) Where a Householder wishes to withdraw from the Scheme, Council agrees to such withdrawal where the Householder has given written notice of their desire to withdraw from the Scheme before Council has incurred any expenditure in relation to the Householder's solar PV system.

CARRIED UNANIMOUSLY

Cr. Williams returned to the meeting during discussion of the above item at 7.26 pm.

6.2 NORTHERN ALLIANCE FOR GREENHOUSE ACTION ANNUAL REPORT**MINUTE NO. 349****Reviewed By:** Acting Director Operations and Environment**Reviewed By:** Acting Chief Executive Officer**Report Background**

At the Council meeting held 3 August 2015, Council resolved to receive an annual report regarding the work and outcomes of the Northern Alliance for Greenhouse action (NAGA) of which Council is a member.

Previous Council Resolution

At its meeting held on 3 August 2015, Council resolved that Council:

- (1) *Authorise the Chief Executive to sign the Northern Alliance for Greenhouse Action (NAGA) Memorandum of Understanding 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.*

Previous Briefing(s)

None

Council Plan Goal/Endorsed Strategy

- Council Plan Goal 3 – Sustainable and resilient neighbourhoods
- Community Climate Change Action Plan

Summary

This report provides a summary of the work and outcomes achieved by the Northern Alliance for Greenhouse action (NAGA) through the 2015/2016 financial year. NAGA's current members are the cities of Banyule, Hume, Manningham, Melbourne, Moreland, Whittlesea and Yarra, Shire of Nillumbik and Moreland Energy Foundation. The work has included attracting \$796,000 grants and substantial advocacy work including: solar feed in tariffs and energy legislation and state government reviews of the climate change act and strategy. The current Memorandum of Understanding (MoU) with Council concludes June 2017 and Council will consider a further report regarding the NAGA MoU renewal in April.

Council Resolution

MOVED: Cr. T. McCarthy

SECONDED: Cr. O. Walsh

That Council:

- (1) Note this report.
- (2) Receive a further report in April 2017 regarding renewal of the Northern Alliance for Greenhouse Action (NAGA) Memorandum of Understanding.

CARRIED UNANIMOUSLY

Cr. Greco returned to the meeting at the commencement of the above item at 7.31 pm.

Rasiah Dev, Chief Executive Officer, temporarily left the meeting during discussion of the above item at 7.32 pm and returned at 7.33 pm.

6.3 AMENDMENT TO THE 2016/2017 FEES AND CHARGES SCHEDULE**MINUTE NO. 350****Author:** Management Accountant**Reviewed By:** Acting Director Corporate Services**Report Background**

This report seeks to amend the 2016/2017 fees and charges schedule to update fees that were recorded incorrectly and to include fees that were omitted from the original fees and charges schedule to the Budget 2016/2017 in error.

Previous Council Resolution

On 27 June 2016 Council adopted the 2016/2017 fees and charges schedule as part of the Budget 2016/2017.

Previous Briefing(s)

This matter has not previously been to a Councillor briefing.

Council Plan Goal/Endorsed Strategy

Open and Accountable Democracy

Summary

The 2016/2017 fees and charges schedule was prepared as part of the Budget 2016/2017, included in **Appendix A** - Fees and charges schedule. Subsequent to the adoption of the Budget 2016/2017 it was identified that some fees in Health Protection and Transport Management and Planning were omitted or incorrectly recorded.

Health Protection

Fees relating to the Public Health and Wellbeing Act (prescribed accommodation) were omitted in error and a new fee that has been introduced in the Budget 2016/2017 was recorded incorrectly. Other fees reported in the fees and charges schedule require amendments for rounding.

Transport Management and Planning

In line with the recent amendment to the Road Management Act, Council are now seeking to incorporate fees relating to road closures. These fees will replace the existing road closure permit fee listed in the 2016/2017 fees and charges schedule.

Recommendation

MOVED: Cr. B. Li
SECONDED: Cr. T. Laurence

That Council:

- (1) Amend the 2016/2017 fees and charges schedule to include the following fees:

- a. Public Health and Wellbeing Act (prescribed accommodation)
 - 4-10 beds \$232.20
- b. Public Health and Wellbeing Act (prescribed accommodation)
 - 11-15 beds \$270.20
- c. Public Health and Wellbeing Act (prescribed accommodation)
 - 16-20 beds \$313.40
- d. Public Health and Wellbeing Act (prescribed accommodation)
 - over 20 beds \$379.10
- (2) Amend the 2016/2017 fees and charges schedule to update the fees which were recorded incorrectly:
 - a. Public Health and Wellbeing Act (Re-inspection fee):
 - repeated follow up of major non-compliance of food businesses \$204.45
- (3) Amend the 2016/2017 fees and charges schedule to update the fees for rounding adjustments:
 - a. Premises inspection fee \$204.45
 - b. Food Act – Class 2 or 3 Temporary/mobile stall, Vehicle Premises (for 6 months operation) \$323.65
 - c. Public Health and Wellbeing Act Notification (once off registration) - Hairdressers only \$207.45
- (4) Amend the 2016/2017 fees and charges schedule to replace and include the following fees:
 - a. Road closure permit (traffic impact works)
 - i. Arterial road footpath \$319.60
 - ii. Non arterial road footpath \$81.60
 - iii. Non-state arterial road \$586.15
 - iv. Other road <50km/h \$319.60
 - b. Road closure permit (minor works)
 - i. Arterial road footpath \$81.60
 - ii. Non arterial road footpath \$81.60
 - iii. Non-state arterial road \$126.50
 - iv. Other road <50km/h \$126.50

Council Resolution

MOVED: Cr. B. Li
SECONDED: Cr. T. Laurence

That Council:

- (1) Amend the 2016/2017 fees and charges schedule to include the following fees:
 - a. Public Health and Wellbeing Act (prescribed accommodation)
 - 4-10 beds \$232.20

- | | | |
|----|--|----------|
| b. | Public Health and Wellbeing Act (prescribed accommodation)
11-15 beds | \$270.20 |
| c. | Public Health and Wellbeing Act (prescribed accommodation)
16-20 beds | \$313.40 |
| d. | Public Health and Wellbeing Act (prescribed accommodation)
over 20 beds | \$379.10 |
- (2) Amend the 2016/2017 fees and charges schedule to update the fees which were recorded incorrectly:
- | | | |
|----|---|----------|
| a. | Public Health and Wellbeing Act (Re-inspection fee):
repeated follow up of major non- compliance of
food businesses | \$204.45 |
|----|---|----------|
- (3) Amend the 2016/2017 fees and charges schedule to update the fees for rounding adjustments:
- | | | |
|----|--|----------|
| a. | Premises inspection fee | \$204.45 |
| b. | Food Act – Class 2 or 3 Temporary/mobile stall,
Vehicle Premises (for 6 months operation) | \$323.65 |
| c. | Public Health and Wellbeing Act Notification (once
off registration) - Hairdressers only | \$207.45 |
- (4) Amend the 2016/2017 fees and charges schedule to replace and include the following fees:
- | | | |
|------|--|----------|
| a. | Road closure permit (traffic impact works) | |
| i. | Arterial road footpath | \$319.60 |
| ii. | Non arterial road footpath | \$81.60 |
| iii. | Non-state arterial road | \$586.15 |
| iv. | Other road <50km/h | \$319.60 |
| b. | Road closure permit (minor works) | |
| i. | Arterial road footpath | \$81.60 |
| ii. | Non arterial road footpath | \$81.60 |
| iii. | Non-state arterial road | \$126.50 |
| iv. | Other road <50km/h | \$126.50 |
- (5) Notes the additional income as a result of the amended 2016/2017 fees and charges schedule and refers any additional income to the mid-year budget review, including officer recommendations for any capital works projects.

CARRIED

Cr. Walsh temporarily left the meeting during discussion of the above item at 7.38 pm and returned at 7.41 pm.

6.4 FOOD SECURITY AND NUTRITION ACTION PLAN 2016-2020**MINUTE NO. 351****Author:** Manager Children, Families and Community**Reviewed By:** Director Community Development**Report Background**

The purpose of this report is to present the draft Darebin 2016-2020 Food Security and Nutrition Action Plan (**Appendix A**) for consideration and feedback. Building on the previous Policy, the Action plan outlines the key actions Council will take to reduce food insecurity and improve nutritional outcomes for our community.

Previous Council Resolution

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

Previous Briefing(s)

Council Briefing – 22 August 2016

Council Plan Goal/Endorsed Strategy

- Goal 2 - Healthy and Connected Community
- 2013-2017 Health and Wellbeing Plan
- 2014-2018 Urban Food Production Strategy

Summary

As outlined in the 2013 – 2017 Darebin Health and Wellbeing Plan, Goal Five, *Objective 5.2: To promote food security, healthy eating and safe food provision for all Darebin people*, food security has been identified as a significant issue impacting the health and wellbeing of Darebin residents. Under the strategic framework of the Health and Wellbeing plan, the 2016-2020 Food Security and Nutrition Action Plan outlines actions to address food insecurity with a focus on food access and affordability, increasing nutritional knowledge, enhancing advocacy and integrated planning.

Building on the 2010- 2015 Food Security Policy, the Action Plan reflects the current policy context and the advances Council has made over the past five years to respond to the current needs and issues in our community. Further to this the scope of the Action Plan has been extended to also consider nutritional needs in the Darebin community in addition to food security.

The Action Plan recognises that the most effective role for Local Government is to coordinate an integrated action plan that works in partnership with community organisations. The Plan uses five guiding principles to deliver a range of initiatives under three objectives reduce food insecurity and improve nutritional outcomes. Further to this, the Action Plan prioritises initiatives that emphasise equity, with a focus on groups at greater risk of food insecurity and experiencing poorer nutrition outcomes.

Council Resolution

MOVED: Cr. T. McCarthy

SECONDED: Cr. B. Li

That Council endorse the 2016-2020 Food Security and Nutrition Action Plan attached as **Appendix A** to this report.

CARRIED UNANIMOUSLY

Cr. Walsh declared an 'interest' during discussion of the following item as his mother was former chair of the Australia Council for the Arts.

6.5 2016 – 2017 ARTS PARTNERSHIP INITIATIVE**MINUTE NO. 352**

Author: Manager Creative Culture

Reviewed By: Director Community Development

Report Background

The purpose of this report paper is to advise Council of the successful recipients of the 2016-2017 Arts Partnership Initiative.

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

Darebin Arts Strategy 2014 – 2020: 4.1 Inclusive – Increase access and meaningful participation in the arts for priority communities

Darebin Council Plan 2013 – 2017: Goal 4 – A Thriving Creative Culture

Summary

The Arts Partnership Initiative is designed to enable new artistic partnerships within Darebin through two streams:

1. Project Partnerships: Enabling collaborations between artists and priority communities as identified in the Darebin Arts Strategy 2014-2020.

Under stream one eight partnerships will support 33 artists, with 507 participants benefitting from the projects: Flag Youth Theatre, Walker Abercrombie, Joseph O'Farrell, Kids Own Publishing, Westside Circus, Ilbijerri Theatre Company, Jamie Lewis, Compassionate Voice Choir.

2. Key Cultural Organisation: Supporting partnerships with artistic organisations that are based within Darebin and have been incorporated for at least five years.

Under stream two four organisations will benefit: Arts Project Australia, Speak Percussion, Darebin City Brass and Preston Symphony Orchestra.

Following a review of the operation of the Arts Partnership Initiative changes will be made for the 2017/2018 program that will align the program more closely with the organisations wider grants programs.

Council Resolution

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

That Council note the outcome of the 2016-2017 Arts Partnership Initiative.

CARRIED UNANIMOUSLY

Cr. Walsh declared an 'interest' during discussion of the following item as his mother was former chair of the Australia Council for the Arts.

6.6 ECONOMIC IMPACT STUDY ON THE VALUE OF THE ARTS IN DAREBIN

MINUTE NO. 353

Author: Manager Creative Culture

Reviewed By: Director Community Development

Report Background

This report is in response to the *Council Plan 2013 -2017* Four Year Priority Action: *'Evaluate the impact of local arts and culture industries on the local economy'*.

Previous Council Resolution

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

Previous Briefing(s)

Councillor Briefing – 16 May 2016

Council Plan Goal/Endorsed Strategy

- Darebin Arts Strategy 2014 – 2020
- Darebin Council Plan 2013-2017, Goal 4 – A Thriving and Creative Culture
- Four Year Priority Action: *'Evaluate the impact of local arts and culture industries on the local economy'*

Summary

Council commissioned Geografia to conduct a study on the economic value and social benefit of the arts and creative sector in Darebin, including Darebin's owned and managed venues and programming. The study (**Appendix A**) provides a current-state picture of the arts, artists and creative industries in the City of Darebin and demonstrates that Darebin is a significant and valued home of choice for artists and creative industries.

Highlights of the report include

- The Arts and Creative sector is Darebin's eighth largest by Gross Regional Product (GRP), contributing \$436.2 million or 7.5% of the City's GRP.
- There are 2,577 jobs in Darebin's Arts and Creative sector that makes up 4.8% of all the jobs in Darebin. The sector indirectly supports a further 1,429 jobs through associated and complementary industries.

The study will be a valuable source of context and information for future strategies to ensure investment and approaches support a vibrant creative economy in Darebin and assist Council with decision making, asset management and future planning.

Recommendation

That Council notes the report and findings of the Economic Impact Study on the Value of Arts in Darebin attached as **Appendix A** to this report.

Motion

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

That Council notes the report and findings of the Economic Impact Study on the Value of Arts in Darebin attached as **Appendix A** to this report.

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

That Council:

- (1) Notes the report and findings of the Economic Impact Study on the Value of Arts in Darebin attached as **Appendix A** to this report.
- (2) Forwards a copy of the report to State and Federal Arts Ministers, Creative Victoria, the Australia Council and Arts industry media.

THE AMENDED MOTION THEN READ AS FOLLOWS:

Amended Motion

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

That Council:

- (1) Notes the report and findings of the Economic Impact Study on the Value of Arts in Darebin attached as **Appendix A** to this report.
- (2) Forwards a copy of the report to State and Federal Arts Ministers, Creative Victoria, the Australia Council and Arts industry media.

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

Council Resolution

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

That Council:

- (1) Notes the report and findings of the Economic Impact Study on the Value of Arts in Darebin attached as **Appendix A** to this report.

- (2) Forwards a copy of the report to State and Federal Arts Ministers, Creative Victoria, the Australia Council and Arts industry media.

CARRIED UNANIMOUSLY

Cr. Williams temporarily left the meeting during discussion of the above item at 7.59 pm and returned at 8.02 pm.

The Mayor, Cr. Fontana entered the meeting during discussion of the above item at 8.00 pm.

The Mayor, Cr. Fontana assumed the Chair at the commencement of the following item.

6.7 SENIORS HOME GARDENING PROGRAM UPDATE

MINUTE NO. 354

Author: Manager Parks and Vegetation

Reviewed By: Director Community Development

Report Background

The report provides details of activity to date and the current state in relation to options for establishing a home gardening scheme for seniors that is cost neutral for Council.

Previous Council Resolution

At its meeting held on 2 December 2013, Council resolved:

'That Council receive a report in February 2014 on the viability of establishing a Seniors Home Gardening Help Program. The report will consider ways of delivering a cost neutral program through the establishment of traineeships working with youth and migrants, local agencies (e.g. migrant resource centres, employment agencies, etc.), existing Council plant and equipment and Home and Community Care program.'

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

- (1) *Notes the report on the Seniors Home Gardening Help Program.*
- (2) *Maintains the current service as per arrangements with HACCC Service.*
- (3) *Officers provide a further report on exploring the 'seed funding' option noted in the report on pp 6-7. The report is to outline how council can partner with a community organisation in Darebin that supports youth at risk being skilled to establish a 'horticultural maintenance business'. The funding for this program would contribute to 'start up fees' and a 12 month trial period can be considered for 2016.*

Previous Briefing(s)

- Councillor Briefing – 28 April 2014
- Councillor Briefing – 23 February 2015

Council Plan Goal/Endorsed Strategy

Goal 2 - Healthy and Connected Community
2.1 Community Services
2.3 Ageing in Place

Summary

The current limited home gardening service operates within CHSP guidelines under the home maintenance program. To extend the program to establish a home gardening scheme for seniors would require a change in model.

In responding to Council's resolution of 20 April 2015 the option for a community partner/facilitation model was investigated.

With the support of the Inner Northern Local Learning and Employment Network (INLLEN) the Croxton Special School was identified as a suitable local provider for an extended service as the school was already operating a horticultural program for their students and had an existing relationship with Council.

This arrangement however would require 'third party' support to be sustainable which after several approaches to agencies and initial interest from a social enterprise unfortunately could not be achieved.

Other options to extend the program such as a traineeship or Council contractor/provider could not be delivered cost neutral to Council without setting fees and charges at a full cost recovery rate.

Recommendation

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

That Council:

- (1) Note the seniors home gardening program update.
- (2) Maintain the current home gardening service operating under Commonwealth Home Support Program (CHSP) guidelines.

Council Resolution

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

That Council:

- (1) Note the seniors home gardening program update.
- (2) Maintain the current home gardening service operating under Commonwealth Home Support Program (CHSP) guidelines.
- (3) Receive a further report for consideration in the mid-term budget review process on how it could introduce a limited lawn mowing service with a means tested fee structure similar to what Whittlesea and Yarra Councils provide.

CARRIED

Cr. Tsitas temporarily left the meeting during discussion of the above item at 8.06 pm.

**6.8 APPLICATION FOR APPROVAL OF DEVELOPMENT PLAN
POD/3/2015****MINUTE NO. 355****Author:** Manager Planning and Building**Reviewed By:** Acting Director Future City and Assets**Report Background**

On 7 May 2015, the Minister for Planning approved Amendment C122 to the Darebin Planning Scheme. The Amendment rezoned land at 198 Beavers Road from Industrial 3 Zone to the Residential Growth Zone, and included the site within an Environmental Audit Overlay and Development Plan Overlay (DPO). This process included a 2 month exhibition period and consideration of submissions by an independent planning panel. The Residential Growth Zone in this instance provides for a discretionary height of 4 storeys.

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

Council Plan Goal 1: Vibrant City and Innovative Economy

1.3 Well-designed housing development

Encourage well-designed, well-located, higher-density housing development that is accessible, inclusive, safe, affordable and consistent with Council's Housing and Affordable Housing Strategies.

Summary

This report seeks the adoption by Council of a development plan as required by schedule 12 to Clause 43.04 to the Darebin Planning Scheme. The development plan provides the guiding design principles and requirements for the future consideration of planning applications and ensures development outcomes are coordinated where there are multiple property ownerships. Development plans are relatively high level documents and are not required to include the level of detail typically expected in a planning application.

This development plan application proposes the following:

- Up to 120 dwellings with three (3) or more bedrooms.
- One vehicle access point to beavers road to the east of the site,
- Three storey development to the north of the site and four storey development in the middle, and to the east, west and south of the site.
- A maximum building height of 13.5m
- Car parking provided in accordance with clause 52.06.

Recommendation

THAT Council adopt development plan POD/1/2015 subject to the following alterations/requirements:

The approved documentation is to comprise plans: LSK01, SK1.4, SK1.5, SK1.6, SK1.7, SK1.8, SK1.9, SK1.10, SK1.11, SK1.12, SK1.13 All Rev A modified as follows:

- (1) Provision of a minimum 3 m wide paved Disability Discrimination Act 1992 compliant public pedestrian and bike access (public access) through the site from Beaconsfield Parade / Leinster Grove to Beavers Road. This is to be achieved by a Section 173 Agreement that will be required prior to the completion of the development. The public access is to be appropriately illuminated. Development adjacent to the public access is to be designed and orientated to maximise passive surveillance of the public pedestrian access. The public access is to incorporate clear sight lines / minimise hiding places where possible. Surface treatments, vehicle access / circulation and signage to ensure appropriate safety for any areas of shared pedestrian and bike / vehicle access along internal roads. The access is to be to the satisfaction of Council.
- (2) Building envelopes set back a minimum 3m from the east boundary of 200 Beavers Road except where the development plan for 200 Beavers Road approved 17 December 2016 under POD/1/2015 allows buildings on the common boundary at the same level. Where balconies or living areas are orientated towards the apartment envelope for 200 Beavers Road approved under POD/1/2015 these shall be setback 4.5m from the east boundary of 200 Beaver Road.
- (3) The building envelope setback 2m from the east boundary increased to 3m at level 1, 2 and 3 and setback 5m at level 4 with no other reductions in setbacks.
- (4) The building envelope setback a minimum 5m from Beavers Road at level 4.
- (5) The building envelope setback a minimum 5m from the golf course to the west at level 4.
- (6) Passive surveillance provided to the west over the Northcote Golf Course (SK1.10).
- (7) Building envelopes at level 2 to 4 to match section B on SK1.8.
- (8) The development plan to show any proposed super lots (maximum of 5) and staging.
- (9) Include the following notations:
 - a) Buildings fronting Beavers Road to be designed to minimise noise and other impacts associated with surrounding non – residential uses and that an acoustic, odour and emissions assessment accompany any permit application as appropriate.
 - b) Minimal balconies or living areas provided facing Croxton Special Education School.
 - c) Canopy trees are to be provided along the perimeter of the site adjacent to:
 - The Northcote Golf Course,
 - The rear yards of dwellings fronting Beaconsfield Parade; and,
 - Croxton Special Education School.
 - Beavers Road
 - d) Subdivision to create super lots only will be allowed once development is approved and common areas constructed. Subdivision of individual residential allotments to occur only once the development of the land / individual super lot is substantially completed.

- e) Pedestrian access to dwelling entries from the internal communal access way to maximise landscaping opportunities in the shared internal access way.
 - f) Crossovers to the street 5.5m wide with visibility splays.
 - g) Car parking provided on site in accordance with Clause 52.06 for dwelling residents.
 - h) A maximum of 120 dwellings provided.
 - i) Collection of waste by a private contractor.
 - j) No direct vehicle access to Beaconsfield Parade / Leinster Grove.
 - k) Earthy muted tones and non-reflective or low reflectivity materials to be used.
 - l) Garages and driveways will not dominate the internal communal access way.
 - m) Except for the buildings in the centre of the site where garages will be screened by electric gates, two car space garages will generally be in a tandem / car stacker layout unless architecturally treated in a manner where passive surveillance and activation of the ground floor of dwellings can be clearly demonstrated.
 - n) No fencing provided in the Beavers Road front setback or between dwellings and the communal shared access way.
 - o) Boundary fencing adjacent to the Northcote Golf Course a minimum 25% visually permeable.
 - p) Architectural treatments to accentuate dwelling entries and to integrate garage doors into the design of the development potentially incorporating windows / glazed panels and materials not typically associated with garage doors.
 - q) Setbacks, articulation and built form to the west boundary are to be provided having regard to the future use and development of 200 Beavers Road.
 - r) Building envelopes do not imply a right to build over the entire envelope
 - s) Setbacks from boundaries and / or internally between buildings may need to be increased to ensure equitable development opportunities and / or appropriate amenity of future neighbours and protect the amenity of the public realm.
 - t) Buildings are to be setback sufficiently to allow adequate solar access to other buildings on the land.
 - u) Environmental Audit process and building design to address gas migration issues.
 - v) Internal road paving to reinforce pedestrian / shared access requirements (not asphalted).
 - w) Fencing on the north boundary as existing or a maximum 2m in height.
 - x) SIDRA analysis must be undertaken as part of the Town Planning Application.
 - y) All outdoor lighting to be designed, baffled and/or located to ensure that no loss of amenity is caused to adjoining and nearby land to the satisfaction of the Responsible Authority.
 - z) The design of the built form towards any access ways is to reflect the fine grain pattern of nearby streets, floors to be distinguishable from each other through punctured facades (e.g. balconies, windows, façade articulation) and located to provide a comfortable pedestrian scale.
- (10) Deletion of the Standard B17 building envelope and associated notation on Plan SK1.12 and SK1.13 which contradicts with the building envelopes.
- (11) Deletion of “no setback is provided to Beavers Road...” notation on plan SK1.4, SK1.5, SK1.6, SK1.7 which contradicts with the building envelopes.

- (12) Deletion of proposed rooftop terrace mass from section A and B on plan SK1.8 Rev A and inclusion of a notation that any roof top terrace to be designed to have minimal visual mass and bulk.

Motion

MOVED: Cr. T. McCarthy

SECONDED: Cr. G. Greco

That Council defer the matter to receive a further report providing a comparison with the development plan for the adjoining site of 200 Beavers Road, Northcote.

THE MOTION WAS PUT TO THE VOTE AND TIED. THE CHAIRPERSON CR. FONTANA USED HIS CASTING VOTE AGAINST THE MOTION.

THE MOTION WAS LOST.

THE MOTION BEFORE THE CHAIR IS AS PER THE OFFICERS RECOMMENDATION ABOVE.

Motion

MOVED: Cr. S. Tsitas

SECONDED: Cr. J. Williams

THAT Council adopt development plan POD/1/2015 subject to the following alterations/requirements:

The approved documentation is to comprise plans: LSK01, SK1.4, SK1.5, SK1.6, SK1.7, SK1.8, SK1.9, SK1.10, SK1.11, SK1.12, SK1.13 All Rev A modified as follows:

- (1) Provision of a minimum 3 m wide paved Disability Discrimination Act 1992 compliant public pedestrian and bike access (public access) through the site from Beaconsfield Parade / Leinster Grove to Beavers Road. This is to be achieved by a Section 173 Agreement that will be required prior to the completion of the development. The public access is to be appropriately illuminated. Development adjacent to the public access is to be designed and orientated to maximise passive surveillance of the public pedestrian access. The public access is to incorporate clear sight lines / minimise hiding places where possible. Surface treatments, vehicle access / circulation and signage to ensure appropriate safety for any areas of shared pedestrian and bike / vehicle access along internal roads. The access is to be to the satisfaction of Council.
- (2) Building envelopes set back a minimum 3m from the east boundary of 200 Beavers Road except where the development plan for 200 Beavers Road approved 17 December 2016 under POD/1/2015 allows buildings on the common boundary at the same level. Where balconies or living areas are orientated towards the apartment envelope for 200 Beavers Road approved under POD/1/2015 these shall be setback 4.5m from the east boundary of 200 Beaver Road.
- (3) The building envelope setback 2m from the east boundary increased to 3m at level 1, 2 and 3 and setback 5m at level 4 with no other reductions in setbacks.
- (4) The building envelope setback a minimum 5m from Beavers Road at level 4.
- (5) The building envelope setback a minimum 5m from the golf course to the west at level 4.
- (6) Passive surveillance provided to the west over the Northcote Golf Course (SK1.10).

- (7) Building envelopes at level 2 to 4 to match section B on SK1.8.
- (8) The development plan to show any proposed super lots (maximum of 5) and staging.
- (9) Include the following notations:
 - a) Buildings fronting Beavers Road to be designed to minimise noise and other impacts associated with surrounding non – residential uses and that an acoustic, odour and emissions assessment accompany any permit application as appropriate.
 - b) Minimal balconies or living areas provided facing Croxton Special Education School.
 - c) Canopy trees are to be provided along the perimeter of the site adjacent to:
 - The Northcote Golf Course,
 - The rear yards of dwellings fronting Beaconsfield Parade; and,
 - Croxton Special Education School.
 - Beavers Road
 - d) Subdivision to create super lots only will be allowed once development is approved and common areas constructed. Subdivision of individual residential allotments to occur only once the development of the land / individual super lot is substantially completed.
 - e) Pedestrian access to dwelling entries from the internal communal access way to maximise landscaping opportunities in the shared internal access way.
 - f) Crossovers to the street 5.5m wide with visibility splays.
 - g) Car parking provided on site in accordance with Clause 52.06 for dwelling residents.
 - h) A maximum of 120 dwellings provided.
 - i) Collection of waste by a private contractor.
 - j) No direct vehicle access to Beaconsfield Parade / Leinster Grove.
 - k) Earthy muted tones and non-reflective or low reflectivity materials to be used.
 - l) Garages and driveways will not dominate the internal communal access way.
 - m) Except for the buildings in the centre of the site where garages will be screened by electric gates, two car space garages will generally be in a tandem / car stacker layout unless architecturally treated in a manner where passive surveillance and activation of the ground floor of dwellings can be clearly demonstrated.
 - n) No fencing provided in the Beavers Road front setback or between dwellings and the communal shared access way.
 - o) Boundary fencing adjacent to the Northcote Golf Course a minimum 25% visually permeable.
 - p) Architectural treatments to accentuate dwelling entries and to integrate garage doors into the design of the development potentially incorporating windows / glazed panels and materials not typically associated with garage doors.
 - q) Setbacks, articulation and built form to the west boundary are to be provided having regard to the future use and development of 200 Beavers Road.
 - r) Building envelopes do not imply a right to build over the entire envelope
 - s) Setbacks from boundaries and / or internally between buildings may need to be increased to ensure equitable development opportunities and / or appropriate amenity of future neighbours and protect the amenity of the public realm.

- t) Buildings are to be setback sufficiently to allow adequate solar access to other buildings on the land.
 - u) Environmental Audit process and building design to address gas migration issues.
 - v) Internal road paving to reinforce pedestrian / shared access requirements (not asphalted).
 - w) Fencing on the north boundary as existing or a maximum 2m in height.
 - x) SIDRA analysis must be undertaken as part of the Town Planning Application.
 - y) All outdoor lighting to be designed, baffled and/or located to ensure that no loss of amenity is caused to adjoining and nearby land to the satisfaction of the Responsible Authority.
 - z) The design of the built form towards any access ways is to reflect the fine grain pattern of nearby streets, floors to be distinguishable from each other through punctured facades (e.g. balconies, windows, façade articulation) and located to provide a comfortable pedestrian scale.
- (10) Deletion of the Standard B17 building envelope and associated notation on Plan SK1.12 and SK1.13 which contradicts with the building envelopes.
- (11) Deletion of “no setback is provided to Beavers Road...” notation on plan SK1.4, SK1.5, SK1.6, SK1.7 which contradicts with the building envelopes.
- (12) Deletion of proposed rooftop terrace mass from section A and B on plan SK1.8 Rev A and inclusion of a notation that any roof top terrace to be designed to have minimal visual mass and bulk.

THE MOTION WAS PUT TO THE VOTE AND LOST.

Cr. McCarthy called for a Division:

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

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

THIS ITEM LAPSED FOR WANT OF A FURTHER MOTION

Cr. Tsitas returned during discussion of the above item at 8.12 pm.

ADOPTION OF SEVERAL REPORT RECOMMENDATIONS 'EN BLOC'

MINUTE NO. 356

Council Resolution

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

THAT Council agree to consider the adoption of the 'Recommendations' contained in Report Item Nos. 6.9 and 6.10 'en bloc'.

CARRIED**Council Resolution**

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

THAT the 'Recommendations' contained in Report Item Nos. 6.9 and 6.10 be adopted 'en bloc'.

CARRIED

6.9 PROPOSED ROAD DISCONTINUANCE ADJOINING 2 GREENOCK STREET AND 8 TO 10 BANFF STREET, RESERVOIR

MINUTE NO. 357

Author: Manager Strategic Asset Management

Reviewed By: Acting Director Future City and Assets

Report Background

This report advises Council on the outcome of the statutory procedures relating to the proposed discontinuance and sale of the right-of-way/road adjoining 2 Greenock Street and 8 to 10 Banff Street, Reservoir (Road), and recommends that the Road be discontinued and sold by private treaty in accordance with Council policy and transfer any land not sold to itself.

Previous Council Resolution

At its meeting held on 18 April 2016, Council resolved:

'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 at the 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 road to the adjoining property owners by private treaty and transfer to itself any land from the road not sold to the adjoining property owners.'*

Previous Briefing(s)

22 August 2016

Council Plan Goal/Endorsed Strategy

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

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

Summary

This report provides the history and background relating to the right-of-way/road adjoining 2 Greenock Street and 8 to 10 Banff Street, Reservoir as shown cross-hatched in **Appendix A** as well as the outcome of the statutory procedures into its proposed discontinuance.

In 2003, Council resolved to discontinue and sell part of the right-of-way/road which is bound by Darebin Boulevard, Argyle Street, Greenock Street and Banff Street in Reservoir (ROW). However, the section of the right-of-way/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 potential discontinuance and sale of the Road. Initial investigations identified that the Road is occupied by the adjoining property owner at 2 Greenock Street, Reservoir and although it is not listed in Council's Register of Public Roads, it is a road on title.

All adjoining property owners were notified of the proposal with a majority indicating their support for the discontinuance. At that time (2014) the owner of 8 Banff Street advised that they would object to the proposal indicating a preference for the Road to be reopened. This property is a corner allotment with two street frontages providing access and egress and has no current use of the Road.

Internal and external referrals to Council departments and statutory authorities have also raised no objection but have indicated the need to have easements saved over the Road, if discontinued.

At its meeting of 18 April 2016, Council resolved to commence the statutory procedures and give public notice of the proposed discontinuance of the Road.

Public notice of the proposal was given in the Preston and Northcote Leader newspapers on 17 and 18 May 2016 respectively. Adjoining property owners were notified in writing and notification was provided on Council's website. The public notice period ended on Friday 17 June 2016 with no submissions received.

This report recommends that following the completion of the statutory procedures relating to the proposed discontinuance and sale of the right-of-way/road adjoining 2 Greenock Street and 8 to 10 Banff Street, Reservoir (Road) and having received no submissions, that the Road be discontinued and sold by private treaty in accordance with Council policy and transfer any land not sold to itself.

Council Resolution

MOVED: Cr. S. Tsitas

SECONDED: Cr. J. Williams

That Council having given public notice of a proposal to discontinue the road adjoining 2 Greenock Street and 8 to 10 Banff Street, Reservoir, shown hatched on **Appendix A** to this report, and having received no submissions in respect of this proposal under section 223 of the *Local Government Act 1989*:

- (1) Discontinues the road in accordance with section 206 and schedule 10, Clause 3 to the *Local Government Act 1989*;
- (2) Directs that a notice be published in the Victoria Government Gazette;
- (3) Directs that the land from the road be sold by private treaty to the owners of the adjoining properties in accordance with Council policy and signed "in-principle" agreements;
- (4) Directs that the discontinuance and sale will not affect any right, power or interest held by Yarra Valley Water and Darebin City Council, in the road in connection with any sewers, drains or pipes, under the control of those Authorities in or near the road;
- (5) Signs and seals all documents relating to the sale of any land from the discontinued road to the owners of the adjoining properties; and
- (6) Delegates power to the Chief Executive Officer perform all other actions to enable any land from the Road not sold to the adjoining property owners to be transferred to Council.

CARRIED
REFER MINUTE NO. 356

6.10 PROPOSED DISCONTINUANCE OF ROAD AT REAR OF 15-25A BRUCE STREET AND 10-20 HERBERT STREET, PRESTON**MINUTE NO. 358****Author:** Manager Strategic Asset Management**Reviewed By:** Acting Director Future City and Assets**Report Background**

This report is to advise Council of the outcome of statutory procedures relating to the proposed discontinuance of the Road rear at the rear of 15-25A Bruce Street, 10-20 Herbert Street, and side of 20 Herbert Street Preston.

Previous Council Resolution

At its meeting held on 21 March 2016, Council resolved:

'That Council:

- (1) Record its objection to the occupation of the section of road adjacent to 20 Herbert Street, Preston.*
- (2) Declare the section of road adjacent to 20 Herbert Street, Preston to reasonably required for public use and that the road be reopened to public traffic.*
- (3) Officers take action within their existing delegated authorities to effect Council's resolution that the section of road adjacent to 20 Herbert Street, Preston be reopened to public traffic.'*

At its meeting held on 16 May 2016, Council resolved:

'That Council:

- (1) Having received further information following the decision made at its ordinary meeting of Council held on 21 March 2016 regarding the use of the road beside 20 Herbert Street, Preston, withdraws its objection and directs that the recently cancelled Notice to Comply sent to the occupier of 20 Herbert Street is not to be reissued unless directed by Council.*
- (2) Commence the statutory process to discontinue and sell to the adjoining owners in accordance with Council's Sale of Minor Council Property Assets Policy, the whole of the road at the rear of 15 - 25 Bruce Street and 10 - 20 Herbert Street and beside 20 Herbert Street, Preston (Road).*
- (3) Will decide whether to discontinue part or the entire Road after considering any written submissions received in relation to the proposal and after hearing from any submitters who have elected to speak to their submissions.'*

Previous Briefing(s)

Councillor Briefing – 22 February 2016

Council Plan Goal/Endorsed Strategy

Goal: Excellent Service

Strategy: 5.4 Long term responsible financial planning
Property Asset Management Strategy – May 2015

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

Summary

Public notice of the proposal was given in the Preston and Northcote Leader newspapers on 14 and 15 June 2016 respectively. Notification was also provided on Council's website. The notice period ended on 14 July 2016.

Two submissions were received regarding the proposal and the submitters requested to be heard in support of their submission. On 1 August 2016, the Hearing of Submissions Committee heard from the owners of 25A Bruce Street, Preston. The owner of 20 Herbert Street did not receive the registered letter advising him of the upcoming hearing and thus was not present at the hearing.

After completing the statutory procedures and having considered the submissions received in accordance with section 223 of the *Local Government Act 1989*, this report recommends that Council discontinue and sell to adjoining property owners the section of the Road located at the rear of 15-25 Bruce Street and the rear of 10-20 Herbert Street, Preston, declare the section of road adjacent to 20 Herbert Street, Preston to be a public highway and reopening it to public traffic, and take title to any unsold land.

Council Resolution

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

That:

Council, having given public notice of a proposal to discontinue the road at the rear of 15 – 25A Bruce Street and 10-20 Herbert Street, Preston (Road), shown hatched on **Appendix A** to this report, and having considered submissions received in respect of the proposal under section 223 of the *Local Government Act 1989*:

- (1) Discontinues the road at the rear 15-25 Bruce Street and the rear 10-20 Herbert Street, Preston shown hatched on the plan in Appendix A in accordance with section 206 and schedule 10 clause 3 of the *Local Government Act 1989*;
- (2) Declare the section of road adjacent to 20 Herbert Street, Preston shown hatched on the plan in Appendix A, being reasonably required for public use, a public highway in accordance with section 204(1) of the *Local Government Act 1989* and that the road be reopened to public traffic;
- (3) Directs that a notice be published in the Victoria Government Gazette in regards to:
 - a. the discontinuance of the rear 15-25 Bruce Street and the rear 10-20 Herbert Street, Preston; and
 - b. the public highway declaration for the section of road adjacent to 20 Herbert Street, Preston.
- (4) Directs that the land from the road at the rear 15-25 Bruce Street and the rear 10-20 Herbert Street, Preston be sold by private treaty to the owners of the adjoining properties in accordance with Council policy;
- (5) The Road is to be sold subject to the right, power or interest held by Yarra Valley Water Corporation in the road in connection with any sewers, drains or pipes under the control of that authority in or near the road;
- (6) Signs and seals all documents relating to the sale of any land from the discontinued road to the owners of the adjoining properties;

- (7) Delegates power to the Chief Executive to do all other acts to enable any land not sold to the adjoining property owners to be transferred to Council;
- (8) Officers take action within their existing delegated authorities to effect Council's resolution that the section of road adjacent to 20 Herbert Street, Preston be reopened to public traffic;
- (9) Officers notify, in writing, every person who lodged a submission of Council's decision and the reasons for the decision.

**CARRIED
REFER MINUTE NO. 356**

6.11 PROGRESS REPORT ON COUNCIL'S STRATEGIES**MINUTE NO. 359****Author:** Coordinator Council Plan and Performance**Reviewed By:** Director Civic Governance and Performance**Report Background**

This report outlines 37 of Council's most significant endorsed strategies whose outcomes and actions have not already been reported to Council for its attention within the last six months of the date of this report.

The attached reports provide Council with a concise picture of strategy achievements, challenges and forecasts that can be gleaned at a glance.

Previous Council Resolution

At the Council Meeting dated 6 November 2013, Council resolved:

'That Council notes the progress made on the listed strategies as attached as Appendix A to this report and have these strategies published on Council's website.

Previous Briefing(s)

This matter has not previously been to a Councillor briefing.

Council Plan Goal/Endorsed Strategy

Goal 6 - Open and Accountable Democracy

Summary

This report outlines 37 of Council's most significant endorsed strategies whose outcomes and actions have not already been reported to Council for its attention within the last six months of the date of this report.

The attached reports provide Council with a concise picture of strategy achievements, challenges and forecasts that can be gleaned at a glance.

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

THAT Council notes the progress made on the strategies listed in **Appendix A** attached to this report.

CARRIED

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

Nil

8. NOTICES OF MOTION

Nil

9. URGENT BUSINESS

The following item was rejected as 'Urgent Business' during the day by the Chief Executive on the grounds that it didn't satisfy clause 21 of the Governance Local Law 2013 as it could safely be considered at a future meeting.

Motion

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

That an Urgent Business item relating to 'Proposed Mixed Use Development at 195-209 St Georges Road, Northcote' be admitted to the agenda to be heard at Item 9.1.

AFTER VARIOUS DISCUSSIONS AND DEBATE THE MOTION WAS PUT TO THE VOTE AND TIED. THE CHAIRPERSON CR. FONTANA USED HIS CASTING VOTE TO VOTE AGAINST THE MOTION.

THE MOTION WAS LOST.

Cr. McCarthy requested it be noted that he objects to Cr. Fontana's ruling denying him as an elected Councillor to speak to this procedural motion.

Cr. McCarthy called for a Division:

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

The Chairperson declared the motion to be lost.

Cr. Greco disclosed a conflict of interest prior to admitting the following item as an 'Urgent Business Item' describing the conflict as an indirect interest by close association as he is a member of CO.As.IT.

Cr. Greco left the meeting prior to discussion of the item at 8.51 pm.

Council Resolution

MOVED: Cr. T. Laurence

SECONDED: Cr. S. Tsitas

That an Urgent Business item relating to 'Relief for Victims of the Italian Earthquake' be admitted to the agenda to be heard at Item 9.1.

CARRIED

9.1 RELIEF FOR VICTIMS OF THE ITALIAN EARTHQUAKE

MINUTE NO. 360

Author: Manager Children, Families and Community

Reviewed By: Director Community Development

Report Background

In response to the Council resolution at the meeting on the 5th September 2016, this report provides options for Council consideration in relation to the donation of \$10,000 to an appropriate organisation to provide welfare support for victims of the recent earthquake in central Italy.

Previous Council Resolution

At its meeting held on the 5 September 2016, Council resolved:

'That Council:

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

Previous Briefing(s)

This matter has not previously been to a Councillor briefing.

Council Plan Goal/Endorsed Strategy

There is no specific strategy or plan relevant to this initiative. The matter is broadly connected to:

Healthy and Connected Community 2.3 *Quality of Life*

Open and Accountable Democracy 6.2 *Partnerships and Collaborations*

Summary

This report provides an overview of the local and international humanitarian response to the earthquake in central Italy and outlines three appropriate Australian organisations to which a donation can be made to provide welfare support for victims of the earthquake.

While Italy, by comparison other regions, is relatively well resourced and has greater capacity to respond to relief and recovery efforts, the donation would be considered a gesture of good will and a show of solidarity and respect to those Italian communities who have been affected.

In the provision of this donation, consideration must be given to Council's overarching position and process in relation to the provision donations in response to natural disasters and other events to ensure the equitable and consistent distribution of funds.

Council Resolution

MOVED: Cr. T. Laurence

SECONDED: Cr. S. Tsitas

That Council contribute \$10,000 as a one off donation to CO.As.IT to support appropriate welfare support for victims of the earthquake in central Italy, subject to further due diligence checks.

CARRIED

Cr. Laurence called for a Division:

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Cr. Oliver Walsh	-	Cr. Bo Li
Cr. Tim Laurence		Cr. Trent McCarthy
Cr. Vince Fontana		
Cr. Steven Tsitas		
Cr. Julie Williams		

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

Introduction

On 24 August 2016 a powerful 6.2 magnitude earthquake struck north-east of Rome, 11 km from Norcia at 03:36 local time. The earthquake was in the mountainous terrain of central Italy where many small towns were devastated by the shallow earthquake, causing severe damage to buildings and loss of life.

On 8 September, the Italian Red Cross reported 296 people were killed in the towns of Amatrice, Accumoli and Arquata del Tronto. Approximately 4,454 people were displaced in the regions of Lazio, Marche, Umbria and Abruzzo. The impact of the earthquake on communities affected will continue to be assessed in the aftermath of the quake

Council has a history of supporting humanitarian responses to communities negatively affected by incidents such as natural disasters, geo-political unrest such as war and civil unrest or to address disadvantage and poverty. This response has applied to both offshore and local population groups.

Examples include partnership in reconstruction and decentralisation efforts in Timor Leste through support for local friendship groups and participation in inter-governmental agreements; fundraising support towards the victims of the Nepal earthquake and ongoing humanitarian response to the settlement needs of refugee and asylum seekers within our community. This work is underpinned by Council commitment to social justice, equity and community wellbeing.

Issues and Discussion

Officers have contacted relevant organisations to determine the need and an appropriate body for receipt of donation. Where there is an established need and demand for international humanisation support, the Australian Red Cross is called upon by the International Red Cross to establish and coordinate a local fundraising appeal.

An example of this is in the case of the Fiji earthquakes. In the case of the Italian Earthquake the Australian Red Cross has not been called upon, indicating that there are adequate levels of resourcing for recovery and relief efforts which the Italian Red Cross are coordinating relief efforts locally.

Italy, by comparison to regions of Africa, Latin America and Asia Pacific is relatively well resourced and has greater capacity to respond to relief and recovery efforts. While the demonstrated need for international support of the relief and recovery effort is not as strong as other disadvantaged locations which have experienced natural disasters, the donation is considered a gesture of good will and a show of solidarity and respect to those Italian communities in Darebin and abroad who have been affected.

With no fund available via the Australian Red Cross, the alternative Australian donation points include:

- **Italian Consulate:** The Italian Consulate and Italian Assistance Organisation (CO.As.IT) has established a national Australian committee to help the victims has been set up during last week, with the participation of various community organizations from all over Australia. They have created the dedicated “Co.As.It. Amatrice Earthquake Appeal” account where all the collected funds will be deposited.
- **Caritas Australia:** Caritas Australia is the Catholic Agency for International Aid and Development. The organisation is part of Caritas Internationalis, an international confederation of 165 Catholic relief, development and social service organizations working in over 200 countries and territories. In response to the Italian earthquake, local Caritas networks launched an emergency response on the day of the quake, with volunteers and staff on the ground helping the affected population with essential aid including food and other basic necessities.
- **Centrecare:** Centrecare is a West Australian based Catholic not-for-profit agency community services organisation and a sponsor of fundraising efforts. Through a localised community led effort, they have raised approximately \$80,000 through direct donations and a Gala Dinner, including contributions from Perth City Council. They are aim to reach \$100,000 with money paid directly to services and programs in the region.

The Municipal Association of Victoria, Whittlesea, Moreland and Yarra Councils were also consulted during this process and indicated that they are not donating or coordinating any local response to the Italian earthquake.

Options for Consideration

Donation of \$10,000 to one of the Australian based donation points outlined in this report to support appropriate welfare support for victims of the earthquake in central Italy. This donation would be made following further due diligence checks.

Financial and Resource Implications

There is no specific budget for donations of this nature. The \$10,000 will be allocated from within the 2016/2017 operating budget.

Risk Management

Due diligence will be applied in screening the endorsed agency to ensure they are a registered agency and meet Australian standards as a charitable entity.

Policy Implications**Economic Development**

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

Environmental Sustainability

There are no factors in this report which impact upon environmental sustainability.

Human Rights, Equity and Inclusion

Contribution towards relief and welfare for victims to the Italian earthquake is in line with Council humanitarian commitment to the wellbeing for communities both locally and offshore experiencing trauma and suffering.

Other

There are no other factors which impact on this report.

Future Actions

Officers to process a donation to the endorsed agency subject to due diligence checks.

Consultation and Advocacy

- Italian Consulate Melbourne
- Italian Assistance Organisation (CO.As.IT)
- Caritas Australia
- Centrecare WA
- Red Cross Australia
- Municipal Association of Victoria
- Coordinator Equity and Diversity
- Multicultural Affairs Officer
- Whittlesea, Yarra and Moreland Councils

Related Documents

- Council Minutes – 5 September 2016

Disclosure of Interest

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

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

Cr. Walsh temporarily left the meeting at the conclusion of the above item at 8.56 pm.

Cr. Greco returned to the meeting at the conclusion of the above item at 8.56 pm.

Cr. Greco disclosed a conflict of interest in the following item describing the conflict as a direct interest due to legal proceedings between himself and the Chief Executive.

Cr. Greco left the meeting prior to discussion of the item at 8.58 pm.

Rasiah Dev, Chief Executive Officer disclosed a conflict of interest in the following item describing the conflict as a direct interest due to CEO contract issues.

Mr Dev left the meeting prior to discussion of the item at 8.58 pm.

Council Resolution

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

That an Urgent Business item relating to 'Personnel Matter' be admitted to the agenda to be heard 'in camera' at Item 15.4.

CARRIED

Cr. Greco and Mr Dev returned to the meeting after the above Council Resolution at 8.59 pm.

Cr. Tsitas left the meeting prior to discussion of the item at 8.59 pm.

10. GENERAL BUSINESS

Nil

11. PETITIONS**11.1 REQUEST FOR A PLACE TO BE NAMED IN HONOUR OF GLEN OCHRE****MINUTE NO. 361****Council Resolution**

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

That the petition:

“We, the undersigned, residents of Darebin request that the City of Darebin name a park, reserve or parcel of native bushland, or part thereof, in honour of Thornbury local Glen Ochre.”

be tabled and referred to the Chief Executive.

CARRIED**11.2 SCHOOL CROSSING SUPERVISOR NEED FOR YARRALEA STREET, ALPHINGTON****MINUTE NO. 362****Council Resolution**

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

That the petition:

“We, the undersigned community, wish to inform the Darebin City Council that a school crossing supervisor is urgently required to patrol Yarralea Street on the north side of the Heidelberg Road intersection. There have been two incidents where adults have been struck by cars while crossing this road in recent years and many near-miss incidents involving school children.

If Council does not act to provide a school crossing supervisor urgently, there is a high risk of a serious incident involving a school child.”

be tabled and referred to the Chief Executive.

CARRIED

11.3

MAKE EDWIN STREET SAFE

MINUTE NO. 363

Council Resolution

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

That the petition:

Make Edwin St safe!

- *Upgrade road to safe, working condition- no more pothole puddles!*
- *Beautify the street for use by pedestrians, cyclists and local residents*
- *Appropriately classify Edwin St as a "Made Road" by Council*
- *No "Special Charge Scheme" for necessary road improvements!*

be tabled and referred to the Chief Executive.

CARRIED

11.4

INTERSECTION OF NIBLICK AND FLAG STREETS,
KINGSBURY

MINUTE NO. 364

Council Resolution

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

That the petition:

"Dear Darebin Council

I am writing on behalf of concerned residents regarding the intersection of Niblick Street and Flag Street Kingsbury.

18 months ago, a car lost control while navigating the hill in Bradshaw Street. It hit the gutter, went through a fence and ended up in the front room of the house on the corner of Niblick Street.

12 months ago, there was a near miss. A car travelling on Flag Street, hit the gutter at the bottom of the hill while trying to avoid a speeding car which cut the corner.

Just recently, there was another near miss. A car had to jump the gutter again to avoid another vehicle who cut the corner. Luckily no one was hurt as it was after 9am, but if it had been 20 minutes earlier, the car would have probably hit school children and their parents travelling to Kingsbury Primary School as it travelled along the nature strip uprooting the tree. (See attached pictures)

When the first incident happened, a few of the residents met with a councillor on site. They were told that the situation was not in the budget and speed traps were not advisable. Two signs were erected but they have been useless in solving the problem. The comment "do we have to wait for someone to be injured or killed" was made that day to the councillor, but it was met with silence.

Although we may be few in number, we the undersigned hope that the Council could discuss this situation with the hope of finding a resolution to avoid further damage or potential tragedy or injury."

be tabled and a report presented to Council as soon as possible.

CARRIED

12. REPORTS OF STANDING COMMITTEES

12.1 AUDIT COMMITTEE

MINUTE NO. 365

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 29 August 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.

Council Resolution

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

That the Summary Report of the Audit Committee meeting held on 29 August 2016, attached as **Appendix A**, to this report be received and the Committee Recommendations be adopted.

CARRIED

Cr. Tsitas returned to the meeting during discussion of the above item at 9.05 pm.

13. RECORDS OF ASSEMBLIES OF COUNCILLORS**13.1 ASSEMBLIES OF COUNCILLORS HELD****MINUTE NO. 366**

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:

- Strategic Workshop – 5 September 2016

Council Resolution

MOVED: Cr. T. McCarthy

SECONDED: Cr. J. Williams

That the record of the Assembly of Councillors held on 5 September 2016 be noted and incorporated in the minutes of this meeting.

CARRIED

14. REPORTS BY MAYOR AND COUNCILLORS

MINUTE NO. 367

Council Resolution

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

That Council note the Reports by Mayor and Councillors.

CARRIED

14.1 REPORT OF CR. VINCE FONTANA, MAYOR

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

- Councillor Strategic Workshop
- Breavington Memorial Award Ceremony
- MAV Conference
- MAV dinner and awards night
- Bully Zero Charity Ball
- Opened the Bundoora Blood Donor Centre
- Councillor Briefing session
- Meeting with Robin Scott MP
- Chaired Planning Committee meeting
- Hosted Darebin Advisory Committee's Thank you event
- National Citizenship Day ceremony
- Northern Falcons Junior SC awards Day

14.2 REPORT OF CR. BO LI

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

- Preston Market information session
- Preston Business Advisory Committee meeting
- Opening of China Studies Research Centre at La Trobe University
- MAV awards dinner
- Councillor Briefing session
- Planning Committee meeting
- Launch of Darebin Tourism Strategy
- Regional Kitchens board meeting
- Thank you event for council advisory committees
- Citizenship ceremony at Preston Townhall

- Strategic workshop
- Residential issues including planning, community safety and traffic management

14.3 REPORT OF CR. GAETANO GRECO

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

- Councillor Briefing session
- Councillor Strategic Workshop
- Planning Committee meeting
- Attended Bundoora Homestead Art Centre Board workshop meeting
- Bully Zero Charity function
- Preston Market Traders meeting
- Youth task force campaign presentation
- Attended to Residents issues
 - Parking
 - Planning
 - Traffic management petition
 - Aged care services

14.4 REPORT OF CR. JULIE WILLIAMS

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

- Council Briefing session
- Planning Committee meeting
- Strategic Workshop
- Council Meeting
- Preston Market Information Session
- Thankyou speech to the Emergency Advisory Committee
- Launch Darebin Tourism Strategy
- Darebin Advisory Committee's Thank you event
- National Citizenship Day ceremony
- Darebin Falcons AFL premiership
- Northern Falcons Soccer Club Awards Day
- Other various constituent matters

14.5 REPORT OF CR. TRENT MCCARTHY

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

- Council Briefing
- Planning Committee Meeting
- Dane Certificate's Magic Show & Fundraiser for Preston-Thornbury Neighbourhood House's Laneway Lunches Program
- Various meetings and representations on behalf of residents and traders

14.6 REPORT OF CR. TIM LAURENCE

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

-

14.7 REPORT OF CR. OLIVER WALSH

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

-

14.8 REPORT OF CR. STEVEN TSITAS

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

-

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

MOVED: Cr. S. Tsitas
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 personnel matters:

- 15.1 Solar Saver for Council Owned Community Buildings
- 15.2 CT201551 Provision of a Panel of Engineering Advisory Services
- 15.3 Outcome of Council Officer Process for Proposed Sale of Council Land Rear 16 Symons Street and 15 McNamara Street, Preston
- 15.4 Personnel Matter

CARRIED

The meeting was closed to members of the public at 9.06 pm.

Verica Jokic, Senior Media Advisor left the meeting at 9.06 pm.

The Council considered and resolved on Report Items 15.1, 15.2, 15.3 and 15.4 which had been circulated to Councillors on 12 September 2016 with the Council Agenda Paper.

RE-OPENING OF MEETING

MOVED: Cr. S. Tsitas
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 9.24 pm

CONFIDENTIAL**15.1 SOLAR \$AVER FOR COUNCIL OWNED COMMUNITY BUILDINGS****MINUTE NO. 368****Author:** Acting Director Operations and Environment**Reviewed By:** Acting Chief Executive Officer**Report Background**

Council allocated \$1 million in the 2015/2016 budget for a second round of the Solar \$aver program and included community operated child care, kindergarten and community centres in council buildings as eligible participants. This report details the proposed solar installations and arrangements for community buildings which are part of the Solar \$aver program but are separate from the special rates scheme considered in a separate report.

Previous Council Resolution

This report is not subject to a previous resolution.

Previous Briefing(s)

No previous briefing.

Council Plan Goal/Endorsed Strategy

- Council Plan Goal 3 – Sustainable and resilient neighbourhoods
- Community Climate Change Action Plan

Summary

This report details the proposed solar installations and arrangements for community buildings which are part of the Solar \$aver program but separate to the special rates scheme as Council owns the buildings and leases them to the community associations. It is proposed that 109kw of solar in total be installed on 9 buildings.

Installation of the solar PV through the proposed arrangement is expected to significantly benefit the participating kindergartens, community houses and childcare associations with estimated annual net savings for centres ranging between \$381 to \$1,944.

The report is confidential as it discloses quoted prices for solar installations.

Recommendation

That the Council report and resolution remains confidential.

Council Resolution

MOVED: Cr. B. Li

SECONDED: Cr. S. Tsitas

That the Council report and resolution remains confidential.

CARRIED

CONFIDENTIAL**15.2 CT201551 PROVISION OF A PANEL OF ENGINEERING ADVISORY SERVICES****MINUTE NO. 369****Author:** Acting Manager Transport and Public Places**Reviewed By:** Acting Director Future City and Assets**Report Background**

This report seeks Council endorsement to establish a panel of engineering consultants to assist various Council business units to deliver capital works projects efficiently and at competitive rates.

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

It is considered that this report supports the following Council Plan Goals;

- Vibrant City and Innovative Economy
- Healthy and Connected Community
- Sustainable and Resilient Neighbourhoods

Summary

Council called for tenders for the Provision of a Panel of Engineering Advisory Services (CT201551) on 9 June 2016. The tender called for suitably experienced and capable consultants to assist various Council business units in undertaking Transport Engineering and Transport Planning, Civil Engineering and Design, Electrical Engineering, Mechanical Engineering, Structural Engineering and Hydraulic Engineering services.

The Tender Evaluation Panel assessed all submissions and recommends the award of the contract to a panel of providers on a schedule of rates agreement.

The awarding of this tender will be to a panel of 22 providers, under a schedule of rates cost for the provision of engineering advisory services. The contract will be for an initial term of 3 years with options for two (2) x one (1) year extensions. Exercising of the optional extension periods shall be at the sole discretion of Council and subject to the contractors satisfactory performance during the term of the contract.

Recommendation

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

Council Resolution

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

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

Successful Tenderers:

- Balpara
- BRT Consulting Pty Ltd
- Cardno, Chi-Rho Consulting
- Civil Road Solutions
- Erbas
- FG Advisory
- FMG Engineering
- GTA Consultants
- HDS Australia
- JCA Land Consultants
- JDS Civil Designs and Surveys
- O'Brien and Associates
- One Mile Grid
- Opus International Consultants
- Pitt and Sherry
- Ratio Consultants
- Rudds Consulting
- Skilled Design Consultants
- Trafficworks
- Traffix Group
- Wallbridge and Gilbert

Contract Period: 31 October 2016 to 30 October 2019 with the option of two twelve month extensions commencing on 31 October 2019 and ending 30 October 2021.

CARRIED

CONFIDENTIAL**15.3 OUTCOME OF COUNCIL OFFER PROCESS FOR PROPOSED SALE OF COUNCIL LAND REAR 16 SYMONS STREET AND 15 MCNAMARA STREET, PRESTON****MINUTE NO. 370****Author:** Manager Strategic Asset Management**Reviewed By:** Acting Director Future City and Assets**Report Background**

Officer report: Report on the outcome of the financial submission process for the sale of land from a former right-of-way/road at the rear of 16 Symons Street and 15 McNamara Street Preston, known as Lot 16 on title plan TP017779W.

Previous Council Resolution

At its meeting held on 20 December 1999, Council resolved:

'That Council being of the opinion that the road shown hatched on the plan and situated at the rear of 1-43 McNamara Street, 2-44 Symons Street and 551-555 Gilbert Road, Preston, is not reasonably required for public use:

- (1) discontinues the road in accordance with Section 206, Item 3 of Schedule 10, of the Local Government Act, 1989;*
- (2) directs that a notice be published in the Government Gazette;*
- (3) directs that the land from the road be sold by private treaty to the abutting property owners of McNamara Street, Symons Street and Gilbert Road, Preston;*
- (4) directs that the discontinuance and sale will not affect any right, power or interest held by the Council or the Statutory Authorities, in the road in connection with any sewers, drains, pipes and cables under the control of the Authorities in or near the road; and*
- (5) signs and seals Transfers of Land involving payment of sums assessed pursuant to Council's policy for parts of the land shown hatched on the plan enclosed.'*

Previous Briefing(s)

Council Briefing 22 August 2016

Council Plan Goal/Endorsed Strategy

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

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

Summary

This report provides the history and background relating to the discontinued right-of-way/road adjoining 16 Symons Street and 15 McNamara Street, Preston shown hatched in the plan in **Appendix A** and on the aerial photo in **Appendix B** as well as the outcome of the financial submission process (Council Offer Process).

Recommendation

That the Council report and resolution remains confidential.

Council Resolution

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

That the Council report and resolution remains confidential.

CARRIED

CONFIDENTIAL

Katrina Knox, Director Community Development, Libby Hynes, Acting Director Operations and Environment, Katia Croce, Coordinator Council Business, Jody Brodribb, Council Business and Governance Officer, Blaga Naumoski, Executive Governance Support Officer left the meeting prior to discussion of the item at 9.12 pm.

Cr. Greco disclosed a conflict of interest in the following item describing the conflict as a direct interest due to legal proceedings between himself and the Chief Executive.

Cr. Greco left the meeting prior to discussion of the item at 9.12 pm.

Rasiah Dev, Chief Executive Officer disclosed a conflict of interest in the following item describing the conflict as a direct interest due to CEO contract issues.

Mr Dev left the meeting prior to discussion of the item at 9.12 pm.

15.4 PERSONNEL MATTER**MINUTE NO. 371**

Author: Director Civic Governance and Performance

Reviewed By: Acting Chief Executive Officer

Report Background

This report is in relation to a response from the Local Government Investigations and Compliance Inspectorate.

Previous Council Resolution

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

Previous Briefing(s)

Councillors were briefed on this matter prior to this Council meeting of 19 September 2016.

Council Plan Goal/Endorsed Strategy

Not applicable.

Summary

This report is to inform Council of a letter received from the Local Government Investigations and Compliance Inspectorate.

Recommendation

That the Council report and resolution remains confidential.

Council Resolution

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

That the Council report and resolution remains confidential.

CARRIED

Cr. Greco returned to the meeting at the conclusion of the above item at 9.24 pm.

16. CLOSE OF MEETING

The meeting closed at 9.25 pm.