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MINUTES OF THE ORDINARY COUNCIL MEETING

Held on Monday 20 July 2020

Released to the public on Tuesday 28 July 2020

IN ACCORDANCE WITH THE COVID-19 OMNIBUS (EMERGENCY MEASURES) ACT 2020, THIS MEETING WAS HELD VIRTUALLY.

LIVE STREAMING OF THE COUNCIL MEETING WAS MADE AVAILABLE ON COUNCIL'S INTERNET SITE.



ACKNOWLEDGEMENT OF TRADITIONAL OWNERS AND ABORIGINAL AND TORRES STRAIT ISLANDER COMMUNITIES IN DAREBIN

Darebin City Council acknowledges the Wurundjeri Woi-Wurrung people as the Traditional Owners and custodians of the land we now call Darebin and pays respect to their Elders, past, present and emerging.

Council pays respect to all other Aboriginal and Torres Strait Islander communities in Darebin.

Council recognises, and pays tribute to, the diverse culture, resilience and heritage of Aboriginal and Torres Strait Islander people.

We acknowledge the leadership of Aboriginal and Torres Strait Islander communities and the right to self-determination in the spirit of mutual understanding and respect.



English

These are the Minutes for the Council Meeting. For assistance with any of the items in the minutes, please telephone 8470 8888.

Arabic

هذه هي محاضر اجتماع المجلس. للحصول على المساعدة في أي من البنود في المحاضر، يرجى الاتصال بالهاتف 8470 8888.

Chinese

这些是市议会会议纪要。如需协助了解任何纪要项目，请致电8470 8888。

Greek

Αυτά είναι τα Πρακτικά της συνεδρίασης του Δημοτικού Συμβουλίου. Για βοήθεια με οποιαδήποτε θέματα στα πρακτικά, παρακαλείστε να καλέσετε το 8470 8888.

Hindi

ये काउंसिल की बैठक का सारांश है। सारांश के किसी भी आइटम में सहायता के लिए, कृपया 8470 8888 पर टेलीफोन करें।

Italian

Questo è il verbale della riunione del Comune. Per assistenza con qualsiasi punto del verbale, si prega di chiamare il numero 8470 8888.

Macedonian

Ова е Записникот од состанокот на Општинскиот одбор. За помош во врска со која и да било точка од записникот, ве молиме телефонирајте на 8470 8888.

Nepali

यी परिषद्को बैठकका माइन्युटहरू हुन्। माइन्युटका कुनै पनि वस्तुसम्बन्धी सहायताका लागि कृपया 8470 8888 मा कल गर्नुहोस्।

Punjabi

ਇਹ ਵੈੱਸਲ ਦੀ ਮੀਟਿੰਗ ਵਾਸਤੇ ਸੰਖੇਪ ਸਾਰਾਂਸ਼ ਹੈ। ਸੰਖੇਪ ਸਾਰਾਂਸ਼ ਵਿਚਲੀਆਂ ਕਿਸੇ ਵੀ ਆਈਟਮਾਂ ਸੰਬੰਧੀ ਸਹਾਇਤਾ ਵਾਸਤੇ, ਕਿਰਪਾ ਕਰਕੇ 8470 8888 ਨੂੰ ਟੈਲੀਫੋਨ ਕਰੋ।

Somali

Kuwaani waa qodobadii lagaga wada hadlay Fadhiga Golaha. Caawimada mid kasta oo ka mid ah qodobada laga wada hadlay, fadlan la xiriiir 8470 8888.

Spanish

Estas son las Actas de la Reunión del Concejo. Para recibir ayuda acerca de algún tema de las actas, llame al teléfono 8470 8888.

Urdu

یہ کاؤنسل کی میٹنگ کی روداد کے نقاط ہیں۔ روداد کے کسی بھی حصے کے بارے میں مدد کے لیے براہ مہربانی 8470 8888 پر فون کریں۔

Vietnamese

Đây là những Biên bản Họp Hội đồng Thành phố. Muốn có người trợ giúp mình về bất kỳ mục nào trong biên bản họp, xin quý vị gọi điện thoại số 8470 8888.

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MINUTES OF THE ORDINARY MEETING OF THE DAREBIN CITY COUNCIL HELD VIRTUALLY ON MONDAY 20 JULY 2020

THE MEETING OPENED AT 6.01PM

The Mayor advised that the meeting was being streamed live and that audio and video would be made available on Council's website on Tuesday 21 July 2020.

WELCOME

The Chairperson, Mayor Rennie, opened the meeting with the following statement:

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

1. PRESENT

Councillors

Cr. Susan Rennie (Mayor) (Chairperson)

Cr. Susanne Newton (Deputy Mayor)

Cr. Gaetano Greco

Cr. Tim Laurence

Cr. Kim Le Cerf

Cr. Trent McCarthy

Cr. Lina Messina

Cr. Julie Williams

Council Officers

Sue Wilkinson - Chief Executive Officer

Ingrid Bishop - General Manager Governance and Engagement

Sam Hewett - General Manager Operations and Capital

Kerry McGrath - General Manager Communities

Rachel Ollivier - General Manager City Sustainability and Strategy

Felicity Leahy – Manager Recreation and Libraries

Andrew George – Coordinator Recreation and Leisure

Shadi Hanna – Manager Aged and Disability

Paul Miziewicz – Coordinator Major Transport and Place Project

Sophie Jordan – Principal Strategic Planner

Sunny Haynes – Manager City Futures

Anthea Kypreos – Coordinator Buildings and Leisure

Catherine Dear – Manager Assets and Capital Delivery

Brett Grambau – Manager City Works

Rob Watson – Coordinator Waste Operations

Stephen Mahon - Coordinator Governance, Council Business and Civic Services

Lisa Thomas-Bates - Governance Project Officer

2. APOLOGIES

Cr. Steph Amir

3. DISCLOSURES OF CONFLICTS OF INTEREST

Nil

4. CONFIRMATION OF THE MINUTES OF COUNCIL MEETINGS

Council Resolution

MINUTE NO. 20-127

MOVED: Cr. J Williams
SECONDED: Cr. L Messina

That the Minutes of the Ordinary Meeting of Council held on 29 June 2020 and the Hearing of Submissions Committee Meeting on the 25 June 2020 be confirmed as a correct record of business transacted.

CARRIED UNANIMOUSLY

5. QUESTION AND SUBMISSION TIME

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

- **Frank Vandenboom, Preston**

On behalf of many disgruntled residents, I would like to know what has become of the proposed greenspace at the end of my street (Adeline St) It appears that my narrow quiet street and Gertrude St are to become thoroughfares to a railway carpark. There surely are more appropriate and less disruptive and alternative entries on the westside. I have asked LXR for traffic reports with no reply. This whole venture is extremely poorly managed with total disregard towards local residents.

Response from Chairperson, Mayor Rennie

Thank you for your question and interest in this topic.

Council is considering a report on this matter tonight and I need to be careful not to pre-empt Council's decision in my response. I will therefore take your question as a submission. You can watch online to hear Council's debate tonight.

Many members of the local community have raised the issue of local streets around Bell Station, specifically Gertrude, Adeline, Garnet and Esther Streets, and the issue of green space around Bell Station. Both of these issues will be considered by Council tonight.

I do think it's important to let you know that removing the level crossings is a State Government project. Council advocates for the best outcomes for our community, but Council isn't the decision maker in this case.

Therefore, I would encourage you to continue to make your views known directly to the State Government and the LXR.

Serena O'Meley, Reservoir

Clements Reserve - 1-11 McMahon Road

1. Why was a 2018 Council Resolution to seek the transfer of land in Clements Reserve at 1-11 McMahon Road, to a value of \$140,000, not actioned (see Minute No. 18-289 on 15 October 2018)?
2. Why did Council not receive a report about the future of land at 1-11 McMahon Road as expected in the first quarter of 2020 (see the response to my question to Council, Item 5 on 9 November 2019)?

Three parcels of land in Clements Reserve

3. Why has the combined valuation of the three parcels of VicRoads land in Clements Reserve (1-11 McMahon Road, and the rear of 32-34 Clements Grove) massively increased from \$95,000 in 2015 (see Item 903 Appendices A to C Council Meeting 5 October 2015) to \$1-2million in 2020 (see Item 401 - Appendix C - 2020-21 Budget Community Submissions 15 July 2020), and did this latest estimate take into consideration the position of the land on a flood plain, its environmental sensitivity, and any open space discount which is available via the State Government?

Response from Chairperson, Mayor Rennie

Thank you Ms O'Meley for your questions.

On tonight's agenda there is a Notice of Motion from Cr McCarthy regarding the Clements Reserve. In line with Council Meeting Governance Rules Local Law a question may be disallowed if it relates to Notion of Motion, Petition or item of Urgent Business (Refer Clause 73(1) (d)).

This Notice of Motion if supported will see a report being presented to Council on the matter.

- **Maddy Maitri, Preston**

Re: Item 702 Design, movement and delivery objectives for the Bell-Preston elevated rail corridor

Item 7.2 states council's position that "local streets are not negatively impacted by new traffic movements, including Adeline, Esther and Garnet Streets near Bell station".

- Question 1. Why was Gertrude St, which is located between Adeline and Garnet Streets, not included in this list?
- Question 2. Will council ensure that Gertrude St is not negatively impacted by new traffic movements by ensuring that the Bell Station car park is NOT accessible via Gertrude St?

Response from Chairperson, Mayor Rennie

Thank you for your question and interest in this topic.

Council is considering a report on this matter tonight, including the specific matters you are raising, and I need to be careful not to pre-empt Council's decision in my response. I will therefore take your question as a submission.

You can watch online to hear Council's debate tonight.

- **Jill Polson, Reservoir**

My name is Jill Polson, I live in Reservoir which has been highlighted as an area of concern regarding Covid-19.

Darebin council has a financial response with the assistance to business and transport in relation to Covid-19 but there also needs to be a comprehensive response to the health issues caused by Covid-19 and local action to stop the spread of Covid-19 in the Darebin area.

I suggest a key to suppressing this virus is a comprehensive response from local government. Councils hold an important role in protecting their constituents and devising further solutions to stop the spread of the virus.

Firstly, there is only one testing station in the Darebin area and to attend this station you need to have a car and drive. Darebin covers a wide area so, what pressure has the council undertaken to increase the number of testing stations in Darebin?

What can we do as a community to ensure everyone has a face mask and everyone has received the message that they must wear a face mask and keep a safe distance?

I propose the following need to be discussed and moved as a matter of urgency at the Darebin council meeting on 20/07/2020:

1. That this council has "council's response to Covid-19" as a standing order to be discussed at the beginning of each council meeting until there is either a cure or vaccine for Covid-19 and it is no longer a threat to the constituents.
2. Darebin council set-up a committee of councillors, council employees and citizens to discuss different ways to stop the spread of Covid-19 within the local area and encourage community involvement." (This is to help stop the spread and give constituents a voice.)
3. Darebin council organises for people to be outside the supermarkets and major shopping areas - distributing masks, with information regarding the safe use of masks, how to make a mask and information about covid-19 in general and for this information to be in languages other than English. That Darebin council contacts businesses ensuring they understand that they and their staff must wear masks.
4. That Darebin council liaise with state Government to obtain mass testing for the Darebin area and for increase of Covid-19 testing stations in the Darebin area. To introduce mobile testing units which travel and test in workplaces where there is a high amount of public contact or businesses where food is involved within the Darebin area.
5. That Darebin council should adopt a policy of elimination of Covid-19 and advocate for mass testing.

Why a policy of elimination? If we do not have a policy of elimination, we will end up seeing between opening then closing as the virus takes hold. Imagine in summer, over Christmas and New Year if we need to lock down. Imagine how disruptive this is to business. This virus is not going away it is getting worse. Therefore, all levels of government need to act.

I suggest every councillor should read Michael Mosley's book about Covid-19, it is only 80 pages long and illustrates how the community's response is so important in stemming the outbreak of Covid-19.

I realise this sounds very demanding, but these are extraordinary times and the community health response to Covid-19 important. It is time for councils to show leadership and lead the community health response.

Response from Chairperson, Mayor Rennie

Thank you, Ms Polson for your questions.

Council has worked closely with the Department Health & Human Services (DHHS) in providing facilities, resources and staff during the 'blitz testing' of Reservoir when it was a target testing suburb. This included the 4 separate testing sites across Reservoir that allowed Residents to walk to the site to be tested.

The decision on the location of sites across Victoria is that of the DHHS and Council has expressed interest in hosting further sites as requested.

Council takes its role in educating the community on COVID-19 very seriously and has established an Incident Control Team including a full time Incident Controller. We support both residents and businesses in relaying State directions and ensure Council as a workplace also follows these directives.

The directions from the state are that 'if you can work from home, you must work from home'. Council complies with these directions and to have staff outside supermarkets would be a breach of these directives.

Council is active through online communications and providing visual posters in commercial windows to ensure the public are aware of updated information. Council also communicates directly with businesses on restrictions as often certain industry types are affected.

Council will continue to work with authorities in ensuring government advice is adhered to. The DHHS continue to target test high risk areas Council is currently supporting them in their response to the public housing towers in the municipality.

- **Maria Poletti, DADA**

DADA has highlighted to Council the lack of Councillor and community oversight of amendments and variations to approved planning proposals. In the life of this council 'greenwashing' appears to have increased. Developers include sustainable features in development proposals in order to get council approval and then subsequently apply for and receive approval for variations that remove green credentials such as solar power, roof &/or communal gardens and the like. Insulation has also been found to be inadequately installed in some developments. Variations are approved by council officers alone and do not come back to Councillors, the community or objectors for oversight.

1. Will Darebin Council release data on the number and detail of variations, approved by the Planning Department in the last four years that remove or reduce green and sustainable features in any planning proposal?
2. When will council review the planning process to increase Councillor and community oversight of the amendment and variation process so that there is transparency and improved outcomes of development in Darebin?

Response from Chairperson, Mayor Rennie

Thank you for raising the importance of this.

We've been advocating for a long time for stronger ESD requirements in both the state planning framework and the building code.

Some of the issues you've raised, such as solar power, we think should be mandatory in developments, but they currently aren't.

What we do as well as requiring the highest standards possible, is invest significant effort in encouraging developers to go above and beyond and install high standards of ESD. We have an ESD Policy in place, a specialist ESD officer and City Designer – this level of investment and focus is significant for a local government.

If you are also happy to raise these issues with the state government, we would certainly appreciate your support.

In regard to your specific question, Council does not have the data you have requested, but our senior planning staff advise that it's not common that sustainability features are subject of amendments. In 2019-20 the total number of planning applications and amendments we received was 1085. Around 70% of these typically require advertising under state legislation. A further 175 secondary consents were issued and these were not advertised.

Council doesn't set the advertising requirements for the amendment and variation process – this is set by the State Government and cannot be changed by Council.

Currently the process set by the state requires advertising for any amendment that could be perceived as having or causing material detriment to any person. This advertising process is the same as planning applications.

There is a process known as secondary consent which allows Council to consider requests to change approved or endorsed plans. State legislation directs that these applications cannot be advertised. Requests typically include changes to floor layouts or changes to materials.

• Chris Erlandsen, Preston

1. Can council reassure the community that all approved planning proposals will be completed as per agreed at public approval stage and not varied in favour of the developer to the detriment of the community, particularly where there is a loss of green and sustainable features?
2. Can council guarantee the community that any approved plans for the redevelopment of the Preston Market site will not be greenwashed?

Response from Chairperson, Mayor Rennie

Chris, thank you for the questions. All planning proposals must be delivered in line with the approved plans, unless an amendment or secondary consent is sought.

State Government legislation sets out the process that we run. The state government's secondary consent process doesn't allow for public advertising, however this is only allowed in cases where there is no detriment likely to be caused.

All other changes must go through an amendment process, and about 70% of these include public advertising. There are a number of exceptions where the state government doesn't set out advertising as part of the process – for example VicSmart applications.

As I mentioned earlier, we invest really significant effort in making sure that high standards of sustainability and open space are achieved within the limits of state government framework, which we want strengthened.

Council is advocating for the Victorian Planning Authority (VPA) to include the highest Environmentally Sustainable Design (ESD) requirements in new planning controls for the Preston Market precinct, to go above and beyond the Scheme's current ESD policies.

This will allow any future development applications (including any amendments) to be assessed against them.

Council routinely seeks high compliance against ESD policies in the current Scheme and would do the same with any future Preston Market application.

Council cannot guarantee that developers will not challenge Council decisions or ESD conditions through VCAT. These procedures are set by State Government legislation and cannot be changed by Council. However, VCAT will also need to consider compliance with any ESD requirements in the Scheme.

- **John Nugent, Epping**

Mayor Rennie, could you please advise why you and Councillor Trent McCarthy did not declare a direct or indirect conflict of interest when Council donated \$350,000 to the Darebin Falcons – as they both have children at the club at that time?

Mayor Rennie, could you please advise why Councillor Susan Newton did not declare a direct or indirect conflict with the Strathallan Golf Club as she works for La Trobe University and the Golf Club is owned by the university.

Response from Chairperson, Mayor Rennie

Thank you for your question. The declaration of Conflicts of Interest on matters coming to Council is the responsibility of individual Councillors to determine.

- **John Nugent, Epping**

Mayor Rennie, my question is about the domestic wood fires in Darebin. If a neighbour complains to Council about some smoke is coming from his/her neighbours open fireplace - Council will send a bylaw officer to investigate.

From my reading of the bylaw, if the person doesn't fix or change the open fireplace, they could be fined. Mayor Rennie can you give your personal undertaking as Mayor of the City no resident will be fined?

Response from Chairperson, Mayor Rennie

Wood heaters are a legal form of heating in Darebin but they also create local air pollution that is a problem in urban areas.

If they are not operated or maintained correctly, they can cause a public health nuisance to surrounding neighbours. Residents have an obligation under state government legislation to avoid causing nuisance.

We expect people to operate and maintain their wood heaters properly. Many people quickly address problems when they realise its affecting their neighbours, however if people aren't prepared to do the right thing, we will take enforcement action

Pursuant to the Councils *Governance Local Law 2017* the response to a question from the public taken on notice must be recorded in the minutes of the next Ordinary Council meeting.

At the Council meeting held on 29 June 2020, the following questions were taken on notice by the Chairperson, Mayor Rennie.

- **John Nugent, Epping**

Re COVID-19 - Could you advise when the decision was made to hold this meeting virtually?

A WRITTEN RESPONSE DATED 1 JULY 2020 WAS PROVIDED TO JOHN NUGENT BY INGRID BISHOP, GENERAL MANAGER GOVERNANCE AND PERFORMANCE.

The health, safety and wellbeing of the community has and will always be the paramount consideration of the Council.

The COVID-19 Omnibus (Emergency Measures) Act 2020, passed by Victorian Parliament on 23 April 2020, included changes to the Local Government Act 2020 which allows Council to hold virtual meetings, and Councilor's can participate in meetings remotely by electronic means of communication.

Council continued to meet 'in person' until late June, but following an announcement by the Premier on Saturday 20 June about the worsening situation with community transmission of Covid19, and related commentary about Darebin City Council being one of six municipalities (hot spots) about which particular concern was held, the decision to hold this meeting online was made in the week following Saturday 20 June as Council continued to monitor the situation and the latest advice from authorities.

- **John Nugent, Epping**

Re PRESTON FOOTBALL CLUB. - Thank you for your reply dated 26/5/2020. In your reply you mentioned that Council was continuing discussions with representatives of the Club. Can you please advise what has been discussed to date? Has the club been offered any financial assistance? And will Council be offering the Club similar assistance to that provided to the Darebin Falcons?

A WRITTEN RESPONSE DATED 1 JULY 2020 WAS PROVIDED TO JOHN NUGENT BY RACHEL OLLIVIER, GENERAL MANAGER CITY SUSTAINABILITY AND STRATEGY

Discussions are ongoing, and as such providing further detail as this stage would not be appropriate. Any response from Council will need to be tailored to the needs of the club, its circumstances and its aspirations. If Council were to provide financial support to the Northern Blues, this would need to be a decision made by Council, and would therefore be made in the public domain.

- **John Nugent, Epping**

As a young boy I attended Edwardes Lake to view the boating activities and I have gone yabbying at the Lake with my son and his friends. Now I am a grandfather I would like to enjoy these pursuits with my grandchildren. When is Council going to pursue the report called for by Cr Greco into the water quality and associated improvements to address this matter and ensure I and other residents in the north of the City can enjoy this asset?

A WRITTEN RESPONSE DATED 1 JULY 2020 WAS PROVIDED TO JOHN NUGENT BY RACHEL OLLIVIER, GENERAL MANAGER CITY SUSTAINABILITY AND STRATEGY

On 6 April 2020, Council considered a detailed report regarding water quality in Edwardes Lake, specifically addressing whether water quality could be improved to the extent that would allow water-based recreation activities like swimming and boating.

The April 2020 report found that the use of Edwardes Lake for water-based recreation such as boating and swimming is not feasible given upstream industrial land uses and the highly-urbanised nature of the waterway catchment. These urban land uses are not likely to change. Edwardes Lake receives water from Edgars Creek. Only 20% of the Edgars Creek catchment is within the Darebin City Council municipality.

The lake plays a valuable role as part of the Park currently as part of the open space which is used by many residents every year. However, based on the advice in the report to Council, fishing or yabbying is not safe and may never be, even if major works were done in the future. Given the water sources for this lake and the surrounding industrial areas, any significant change to this lake would be a multi-year process and would require significant investment by a number of agencies including Whittlesea City Council, the Victorian state government, Melbourne Water, the EPA and Yarra Valley Water.

In 2019, Council wrote to the Victorian Minister for Water, seeking funding of \$280K to undertake a specialist feasibility analysis and options assessment to improve water quality in Edwardes Lake. The Minister advised that Council should continue participation in the Yarra Integrated Water Management Forum and pursue collaboration and funding opportunities through this Forum, which Darebin is doing.

In April 2020, Darebin City Council successfully secured funding through Melbourne Water's Living Rivers grant program which will be used to carry out a Wetland Asset and Maintenance Audit in late 2020 and early 2021. This project will identify whether Darebin's wetland and lake assets are functioning correctly, identify problems that require fixing and refine ongoing maintenance requirements. Edwardes Lake, and the stormwater treatment wetlands upstream of the lake, will be assessed as part of this audit project.

Council currently maintains water quality in Edwardes Lake and the upstream Leamington Street wetland by:

- Monitoring sediment levels and removing sediment when these levels exceed design specifications.
- Ensuring that high flow and low flow weirs are maintained to the design specifications.
- Ensuring all associated drainage lines and bypass valves are clear and operational.
- Replacing vegetation where necessary and planting additional vegetation.

Extension of Time

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

That question time be extended for 30 minutes.

CARRIED UNANIMOUSLY

The Chief Executive Officer read submissions regarding Item 7.2 – Objectives for the Level Crossing Removals at Bell Preston that had been received from the following members of the public:-

1. Bo Li
2. Kate De Costa and Ewen Baker
3. Tara Prowse

A member of the public, Mitch Wall, was admitted to the virtual meeting and read his submission regarding this item.

6. PETITIONS

Note – Later in the meeting Cr Laurence advised that he had omitted to table a number of petitions. The Chairperson, Mayor Rennie, advised that Petitions would be dealt with after Urgent Business. Refer page 55.

7. CONSIDERATION OF REPORTS

7.1 NARC - CONCEPT DESIGN STAGE - COMMUNITY CONSULTATION FINDINGS

Author: Coordinator Leisure Contracts

Reviewed By: General Manager Community

EXECUTIVE SUMMARY

To report on outcomes of the community consultation and engagement process on the proposed concept designs for the Northcote Aquatic and Recreation Centre (NARC).

Feedback was overwhelmingly positive, with 81% of the 401 survey respondents rating the proposed new designs as good – excellent. While 95% respondents stated they strongly support Council's aim to achieve 6 Star Green Star rating through ESD initiatives proposed.

The design process is continuing, utilising the community feedback that has been received to further define and shape the project. Changes made as a result of the community consultation will be done so ensuring that the project is delivered within budget and will be communicated to the community to ensure the consultation loop is closed.

Recommendation

That Council:

- (1) Notes the findings of the community consultation of the proposed concept design for the new Northcote Aquatic and Recreation Centre.
- (2) Notes that the design process is continuing, utilising the community feedback that has been received to further define and shape the project. Changes made as a result of the community consultation will be done so ensuring that the project is delivered within budget.

Motion

MOVED: Cr. T McCarthy
SECONDED: Cr. K Le Cerf

That Council:

- (1) Notes the findings of the community consultation of the proposed concept design for the new Northcote Aquatic and Recreation Centre.
- (2) Notes that the design process is continuing, utilising the community feedback that has been received to further define and shape the project. Changes made as a result of the community consultation will be done so ensuring that the project is delivered within budget.

Amendment

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

That Council note the community feedback requesting an audit of the NARC project from:-

- 577 residents online
- 244 residents online
- 167 residents on paper
- 190 residents on paper

The amendment was put and lost.

LOST

For: Cr's Laurence, Greco and Williams (3)

Against: Cr's Rennie, Newton, Le Cerf, McCarthy and Messina (5)

The original motion was put and carried.

CARRIED

Council Resolution

MINUTE NO. 20-128

MOVED: Cr. T McCarthy

SECONDED: Cr. K Le Cerf

That Council:

- (1) Notes the findings of the community consultation of the proposed concept design for the new Northcote Aquatic and Recreation Centre.
- (2) Notes that the design process is continuing, utilising the community feedback that has been received to further define and shape the project. Changes made as a result of the community consultation will be done so ensuring that the project is delivered within budget

CARRIED

For: Cr's Rennie, Newton, Greco, Le Cerf, McCarthy and Messina (6)

Against: Cr Williams (1)

Abstained: Cr's Laurence (1)

7.2 OBJECTIVES FOR THE LEVEL CROSSING REMOVALS AT BELL PRESTON

Author: Coordinator Major Transport and Place Project

Reviewed By: Manager City Futures

EXECUTIVE SUMMARY

After many years of advocacy by Darebin City Council, the State Government announced in 2019 that four level crossings in Preston - at Bell Street, Cramer Street, Oakover Road and Murray Road - will all be removed by 2022.

Council's successful advocacy also secured an elevated rail solution, which will open up a significant amount of new open space for residents and presents the chance to develop new precincts and community infrastructure such as pedestrian connections and green open space. A new station for Preston presents an opportunity for better integration with the Preston Market site, as well as the wider Preston precinct. A new Bell Station will elevate the profile of the emerging cultural precinct in South Preston, improving connections to Darebin Arts Centre and Ray Bramham Gardens.

The Preston-Bell elevated rail is a once in a generation project and has the potential to significantly transform the city for the better, where people can get around more easily on foot or on bike, and they have green spaces to enjoy. Getting the corridor layout and design detail right is fundamental in securing this positive lasting legacy for current and future communities.

The State Government are the delivery agency through the Level Crossing Removal Project (LXRP). Council's role is to be the voice for our community in the process and advocate strongly for the best outcomes.

Officers are seeking Council endorsement of a set of design, movement and delivery objectives captured in a document called Preston Reconnected, which will form the basis of our next advocacy phase. These objectives are underpinned by the community's vision for this project and existing Council strategies, such as Breathing Space, Junction Urban Master Plan and Streets for People as well as Council's vision for a greener, bolder, more connected city. The Preston Reconnected objectives focus on three key areas:

- Design – ensuring that the new architecture, open spaces, street furniture, integrated artworks and pathways enhance the character and function of Preston and celebrate its local culture and history
- Movement – to make journeys between points safe, accessible, efficient and enjoyable
- Delivery – to ensure that the inevitable disruption is as minimal as possible and local businesses are as resilient as possible throughout the construction.

The LXRP are currently in the planning stage for designs of the new stations and public space underneath the corridor. This is a good time for Council to advocate and influence the State's planning to achieve excellent outcomes for the community. Endorsing these objectives will ensure that Council can be clear about what Council and the community are seeking as part of the project, through ongoing conversations with State Government.

Should Council endorse the Preston Reconnected objectives, they will be designed into an advocacy document, similar to Council's Heart of Preston document which defined objectives for the planning of the Preston Market Precinct and communicated to the community and stakeholders using a range of channels, throughout the next stages of the project.

Council's endorsed objectives would be formally sent to LXRP, Minister for Transport and Local MPs seeking their support and requesting that they are integrated into the planning, design, management and construction processes for this project. The objectives would also provide a basis for Council to respond to LXRP designs, plans and proposals when they are released.

The General Manager City Sustainability and Strategy introduced the report and advised Council that Officers had amended their Recommendation to provided further clarity on the proposed direction. The Recommendation below reflects these amendments.

Recommendation

That Council:

- (1) Endorse the design, movement and delivery objectives for the Bell/Preston Rail Corridor, as found in the document Preston Reconnected attached as Appendix A, incorporating the following amendments:

- a. Update the second objective under the heading Enhanced local neighbourhoods to add the word “Gertrude” so that it reads in full: “Local streets are not negatively impacted by new traffic movements, including Adeline, Esther, Gertrude and Garnet Streets near Bell station.
 - b. Insert an additional objective under the heading Targeted employment and training opportunities to local people who need it the most that reads: “Target employment and supply chain opportunities towards economically disadvantaged groups, specifically the CALD community, women, young people and Darebin residents impacted by COVID19.
- (2) Calls on the State Government to commit to realising these design, movement and delivery objectives through the final design and construction of the elevated rail corridor for Bell – Preston.
 - (3) Shares the design, movement and delivery objectives with the Minister for Transport and local MP’s Kat Theophanous and Robin Scott.
 - (4) Thanks all community members, including Bell Resident Group who have shared their concerns and aspirations for to the project so far.

Motion

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

That Council:

- (1) Endorse the design, movement and delivery objectives for the Bell/Preston Rail Corridor, as found in the document Preston Reconnected attached as Appendix A, incorporating the following amendments:
 - a. Update the second objective under the heading Enhanced local neighbourhoods to add the word “Gertrude” so that it reads in full: “Local streets are not negatively impacted by new traffic movements, including Adeline, Esther, Gertrude and Garnet Streets near Bell station.”
 - b. Insert an additional objective under the heading Targeted employment and training opportunities to local people who need it the most that reads: “Target employment and supply chain opportunities towards economically disadvantaged groups, specifically the CALD community, women, young people and Darebin residents impacted by COVID19.”
 - c. Update the first bullet point under the first objective under the heading ‘New useable, beautiful, green open spaces’ to include the words “adjacent to the residential areas south of Bell Station” so that the first bullet point reads: A village green adjacent to the residential areas south of Bell Station, of at least 3000m2, containing open lawn areas for informal recreation or community picnics, multi-age play spaces and areas of native planting.
 - d. Update the first objective under the heading ‘Safe and accessible commuter car parking’ to include the words “such as Bell Street and Murray Road, avoiding the use of the local road network” so that it reads in full: “Commuter car parking is located on the western side of the railway line at Preston and Bell Stations, and is easily accessible from main roads such as Bell Street and Murray Road, avoiding the use of the local road network”

- e. Include a new objective under the heading 'Enhanced local neighbourhoods' to read "Rear access to properties is retained and enhanced through the level crossing removal works and boundary fences that interface the new area are upgraded."
 - f. Update the fifth objective under the heading 'Celebrate local heritage, art and identity' to include the word "fences" and the word "multicultural" so that it reads in full: "A Creative Arts Curator is employed to integrate art into built form elements throughout the corridor - architecture, landscape, lighting, signage, fences, rail pylons at rail bridges over Bell, Cramer, Murray and Oakover, reflecting local stories and working with indigenous, multicultural and local artists."
 - g. Update the first objective under the heading 'Improved public transport connections' to include the sentence "Ensure bus stops on Murray Road are easily accessible from the new entry to Preston Station." so that it reads in full: "Bus stop waiting, transfer and shelter facilities in line with Preston's importance as an Interchange under the Department of Transport's Movement & Place Framework. Access to bus stops on Murray Road are integrated with the new entry to Preston Station."
 - h. Update the first objective under the heading 'Safe and welcoming for all' to include the word "children" so that it reads in full "Stations and the corridor are safe both day and night, designed with women, children and the gender diverse in mind."
- (2) Calls on the State Government to commit to realising these design, movement and delivery objectives through the final design and construction of the elevated rail corridor for Bell – Preston so that the project is delivered in an integrated way that goes beyond delivering a rail infrastructure project and realises benefits for our whole community.
 - (3) Shares the design, movement and delivery objectives with the Minister for Transport and local MP's Kat Theophanous, Robin Scott, the Federal Member for Cooper, the Victorian Minister for Transport Infrastructure, the Victoria Minister for Public Transport, Federal MP Ged Kearney and the five Upper Northern Metropolitan Ministers for Parliament.
 - (4) Thanks all community members, including Bell Resident Group who have shared their concerns and aspirations for to the project so far.
 - (5) Notes community concern relating to traffic impacts on local streets, children's safety and the need for green open spaces and confirms Council's commitment to advocating for the best possible community outcomes along the corridor and surrounding Bell and Preston stations.
 - (6) Receives a report on the possibility of closure of Railway Place East between Gertrude St and Warr Ave

Amendment**MOVED: Cr. G Greco****SECONDED: -**

That a new point 2 be added and the following points be renumbered and after 1(b) the following words be added

2. In collaboration with LXP will establish a reference group comprising of traders from Preston Market and High Street and surrounds to provide advice on minimising disruption during the construction phase
- 1(b) Insert an additional objective under the heading Targeted employment and training opportunities to local people who need it the most that reads: "Target employment and supply chain opportunities towards economically disadvantaged groups, specifically the CALD community, women, young people and Darebin residents impacted by COVID19." *This should be reflected in the LXP contractual arrangements.*

The mover and seconder consented to the amendments

The motion before Council incorporating the adopted amendments was put and carried

CARRIED**Council Resolution****MINUTE NO. 20-129****MOVED: Cr. L Messina****SECONDED: Cr. T McCarthy****That Council:**

- (1) Endorse the design, movement and delivery objectives for the Bell/Preston Rail Corridor, as found in the document Preston Reconnected attached as Appendix A, incorporating the following amendments:
 - a. Update the second objective under the heading Enhanced local neighbourhoods to add the word "Gertrude" so that it reads in full: "Local streets are not negatively impacted by new traffic movements, including Adeline, Esther, Gertrude and Garnet Streets near Bell station."
 - b. Insert an additional objective under the heading Targeted employment and training opportunities to local people who need it the most that reads: "Target employment and supply chain opportunities towards economically disadvantaged groups, specifically the CALD community, women, young people and Darebin residents impacted by COVID19." This should be reflected in LXP contractual arrangements.
 - c. Update the first bullet point under the first objective under the heading 'New useable, beautiful, green open spaces' to include the words "adjacent to the residential areas south of Bell Station" so that the first bullet point reads: A village green adjacent to the residential areas south of Bell Station, of at least 3000m2, containing open lawn areas for informal recreation or community picnics, multi-age play spaces and areas of native planting.

- d. Update the first objective under the heading 'Safe and accessible commuter car parking' to include the words "such as Bell Street and Murray Road, avoiding the use of the local road network" so that it reads in full: "Commuter car parking is located on the western side of the railway line at Preston and Bell Stations, and is easily accessible from main roads such as Bell Street and Murray Road, avoiding the use of the local road network"
 - e. Include a new objective under the heading 'Enhanced local neighbourhoods' to read "Rear access to properties is retained and enhanced through the level crossing removal works and boundary fences that interface the new area are upgraded."
 - f. Update the fifth objective under the heading 'Celebrate local heritage, art and identity' to include the word "fences" and the word "multicultural" so that it reads in full: "A Creative Arts Curator is employed to integrate art into built form elements throughout the corridor - architecture, landscape, lighting, signage, fences, rail pylons at rail bridges over Bell, Cramer, Murray and Oakover, reflecting local stories and working with indigenous, multicultural and local artists."
 - g. Update the first objective under the heading 'Improved public transport connections' to include the sentence "Ensure bus stops on Murray Road are easily accessible from the new entry to Preston Station." so that it reads in full: "Bus stop waiting, transfer and shelter facilities in line with Preston's importance as an Interchange under the Department of Transport's Movement & Place Framework. Access to bus stops on Murray Road are integrated with the new entry to Preston Station."
 - h. Update the first objective under the heading 'Safe and welcoming for all' to include the word "children" so that it reads in full "Stations and the corridor are safe both day and night, designed with women, children and the gender diverse in mind."
- (2) In collaboration with LXP will establish a reference group consisting of traders from Preston Market and High Street and surrounds to provide advice on minimising disruption during the construction phase.
 - (3) Calls on the State Government to commit to realising these design, movement and delivery objectives through the final design and construction of the elevated rail corridor for Bell – Preston so that the project is delivered in an integrated way that goes beyond delivering a rail infrastructure project and realises benefits for our whole community.
 - (4) Shares the design, movement and delivery objectives with the Minister for Transport and local MP's Kat Theophanous, Robin Scott, the Federal Member for Cooper, the Victorian Minister for Transport Infrastructure, the Victoria Minister for Public Transport, Federal MP Ged Kearney and the five Upper Northern Metropolitan Ministers for Parliament.
 - (5) Thanks all community members, including Bell Resident Group who have shared their concerns and aspirations for to the project so far.
 - (6) Notes community concern relating to traffic impacts on local streets, children's safety and the need for green open spaces and confirms Council's commitment to advocating for the best possible community outcomes along the corridor and surrounding Bell and Preston stations.

- (7) Receives a report on the possibility of closure of Railway Place East between Gertrude St and Warr Ave.

CARRIED UNANIMOUSLY

8.05pm The Council meeting was adjourned for a 5 minute break.

8.12pm The Council meeting resumed.

7.3 DAREBIN'S RESPONSE TO SUPPORT TRANSPORT AND BUSINESSES DURING COVID-19: AMENDMENT TO STRATEGY

Author: Manager Climate Emergency & Sustainable Transport

Reviewed By: General Manager City Sustainability and Strategy

EXECUTIVE SUMMARY

On 29 June 2019 Council authorised a range a business assistance and transport measures to support Darebin's community during the COVID-19 pandemic and recovery.

These measures can be rapidly implemented to help avoid an increase in congestion, enable a vibrant local economy, and support the well-being of our community. Officers have been working fast to identify these opportunities and respond in an urgent way given the pace of change associated with COVID-19.

Planning is underway so that the local measures identified can be rapidly implemented once Stage 3 restrictions lift.

It has become apparent that the report contained an inconsistency in relation to advocacy for safety and accessibility improvements for St Georges Road which requires clarification.

Further, Officers ongoing work to achieve improved outcomes in this corridor continues to be in line with the Council resolution on 27 February 2017 which called on the State Government to undertake a comprehensive and inclusive community engagement process to inform the redesign of St Georges Road which ensures the safety and accessibility for all. This consultation should be afforded adequate planning, time and effort to ensure that it is comprehensive and inclusive and achieves the best possible outcomes.

It follows this this consultation would require a significantly longer timeframe than the other advocacy requests referred to in the report on 29 June 2020 which aimed to deliver measures that can be readily installed and removed, enabling Council to respond to changing community need as the pandemic and recovery progresses.

To remedy these inconsistencies, this report recommends removing St Georges Road upgrades (between Merri Parade and Miller Street) from the list of advocacy items in response to COVID-19 for the Minister for Roads and Minister for Transport Infrastructure.

In the longer term, Officers would continue to pursue improved safety and accessibility outcomes for St Georges Road in line with Council's 27 February 2017 resolution.

Recommendation

That Council:

- (1) Writes to the Minister for Roads and Minister for Transport Infrastructure to advocate for the Victorian Government to urgently implement the items listed in **Appendix A**, for the purpose of promoting safe transport outcomes for Darebin during COVID-19.
- (2) Continues to pursue enhanced safety and accessibility along St Georges Road for cyclists, pedestrians, public transport users, motorists, local residents and traders in accordance with Council's 27 February 2017 Resolution 17-088, that calls on the State Government to undertake comprehensive and inclusive community engagement.
- (3) Adopts a new list of '*COVID-19 Pandemic Response Advocacy Items for Minister for Transport Infrastructure*' as shown at **Appendix A** to this report.
- (4) Adopts a new list of '*Bike and tram projects for during and after the Covid-19 pandemic*' which is shown at **Appendix B** to this report.

Council Resolution

MINUTE NO. 20-130

MOVED: Cr. T McCarthy

SECONDED: Cr. T Laurence

That Council:

- (1) Writes to the Minister for Roads and Minister for Transport Infrastructure to advocate for the Victorian Government to urgently implement the items listed in **Appendix A**, for the purpose of promoting safe transport outcomes for Darebin during COVID-19.
- (2) Continues to pursue enhanced safety and accessibility along St Georges Road for cyclists, pedestrians, public transport users, motorists, local residents and traders in accordance with Council's 27 February 2017 Resolution 17-088, that calls on the State Government to undertake comprehensive and inclusive community engagement.
- (3) Adopts a new list of '*COVID-19 Pandemic Response Advocacy Items for Minister for Transport Infrastructure*' as shown at **Appendix A** to this report.
- (4) Adopts a new list of '*Bike and tram projects for during and after the Covid-19 pandemic*' which is shown at **Appendix B** to this report

CARRIED UNANIMOUSLY

7.4 SELECTION OF TENANT - AFFORDABLE HOUSING AT 52-60 TOWNHALL AVENUE, PRESTON**Author:** Principal Strategic Planner**Reviewed By:** General Manager City Sustainability and Strategy

EXECUTIVE SUMMARY

This report documents the outcomes of the process for selecting an organisation to build and manage affordable housing at 52-60 Townhall Avenue, Preston (the Site). Council resolved to lease the Site in November 2018, following an extensive community consultation process.

A competitive tender process has been underway since that time. The purpose of the tender process was to select a well-credentialed organisation that could deliver and manage a high-quality affordable housing development on the Site. The process involved multiple stages, including an Expression of Interest (EOI) process, which tested market capacity and interest, and a Request for Proposal (RFP) process, which required a detailed proposal in response to Council requirements.

The proposal received through the RFP process comprises 41 dwellings, 30 public car spaces and one accessible resident car space. It is five storeys in height: one level of car parking at ground level, four levels of dwellings and a communal rooftop area. The proposal retains significant trees in the south west corner of the site and does not rely on construction over the carriageway easement along the eastern boundary of the Site, which were critical requirements.

An evaluation panel was established to review the proposal. This panel concluded that the proposal meets Council's expectations for the Site, and recommended Council enter into a lease with the proponent.

This marks an important milestone in the project. This is a pilot project and is the first of its kind, in that it is testing a new approach for affordable housing delivery in the form of a long-term lease model. The EOI and RFP process have demonstrated that there is market interest in a leasehold model for affordable housing. While there are more steps until the project is fully realised, and some risks remain, the response of the market is positive for the leasehold model and could have positive impacts for the delivery of affordable housing within the broader sector. It also means that public land would be retained in public ownership in the long term, at the same time as being used to facilitate social housing.

A critical factor influencing this project has been the management of car parking in the wider precinct. Concerns about parking were raised by nearby residents through the consultation process.

To address this, this report outlines plans for consultation with nearby traders and residents on proposed options to address the car parking challenge, including:

- Removal of the no standing area on the south side of Roseberry Avenue, providing significant capacity for new public car parking spaces in the precinct.
- Introduction of restrictions on the south side of Townhall Avenue to limit all day parking, giving priority to residents and short-term visitors to the area.

This consultation process would take place in late July 2020, although the proposed changes would be implemented only if and when car parking pressure is increased, which may not be for some time - either as a result of the level crossing removal project or the commencement of construction on the Site.

This report recommends that Council enter into a lease with the proponent recommended by the evaluation panel and note that consultation regarding car parking in the precinct will commence in late July.

This is an important step towards Council realising its aspirations to use its own land for the purpose of affordable housing. If realised, the proposal would provide housing for vulnerable members of the community. The COVID-19 pandemic—and the resulting economic uncertainty and rising unemployment—have further highlighted the importance of safe and secure housing. This project provides an opportunity for Council to contribute to delivering such housing at a time of great need in Darebin and the broader community.

Recommendation

That Council:

- (1) Finalise a lease with _____ for land at 52-60 Townhall Avenue, Preston, to the satisfaction of the Chief Executive Officer.
- (2) Authorise the Chief Executive Officer to execute the lease on behalf of Council.
- (3) Note that additional public car spaces can be made available nearby in the precinct, to offset the reduction of 12 car parking spaces on the Site.
- (4) Note that community engagement regarding car parking changes in the Preston Central precinct will take place immediately following this decision.

Council Resolution

MINUTE NO. 20-131

MOVED: Cr. S Newton
SECONDED: Cr. T Laurence

That Council:

- (1) Finalise a lease with Housing Choices Australia for land at 52-60 Townhall Avenue, Preston, to the satisfaction of the Chief Executive Officer.
- (2) Authorise the Chief Executive Officer to execute the lease on behalf of Council.
- (3) Note that additional public car spaces can be made available nearby in the precinct, to offset the reduction of 12 car parking spaces on the Site.
- (4) Note that community engagement regarding car parking changes in the Preston Central precinct will take place immediately following this decision.

CARRIED

For: Cr's Rennie, Newton, Greco, Laurence, Le Cerf, McCarthy and Messina (7)

Against: (0)

Abstained: Cr Williams (1)

7.5 DECLARATION OF SPECIAL CHARGES: SOLAR SAVER RESIDENTIAL (BATCH 3)

Author: Residential Program Officer

Reviewed By: General Manager City Sustainability and Strategy

The Solar Saver program is a key action of the Council Plan and Council's *Climate Emergency Plan*. The report considers the declaration of a residential Special Charge Scheme. This is for Residential Special Charge batch 3, including 41 installations, adding 189.09kW of solar capacity to Darebin.

The value of the proposed Special Charge scheme is \$242,124.33 (\$354,545.76 gross including GST and pre STC claim and pre rebates).

Council will pay upfront for installation and supply of the solar power systems as listed in **Appendix B**. Council will be repaid these costs, also as detailed in Appendix B. Around 30-40% of this cost is returned to Council at the point that works are invoiced for the STCs generated by the solar systems. The balance is repaid by beneficiaries of the Special Charge Scheme over 10 years.

All participants are expected to be eligible for state government rebates and this would reduce the amount of the Special Charge that would be required to be raised, as well as the upfront cost to Council. Officers estimate that the total amount raised could reduce by approximately \$70,185.45 after rebates are confirmed.

No interest is charged on Special Charge repayments. Annual repayments are more than offset by participants' savings on their energy bills, and therefore the program provides financial and environmental benefits to participants.

This report recommends that 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 non-residential properties participating in the Solar Saver scheme. No objections were received in response to the public notification process.

This report also provides an update on the Solar Saver Bulk Buy.

Recommendation

That Council:

- (1) Having complied with the requirements of sections 163A, 163B and 223 of the *Local Government Act 1989* ("Act"), and otherwise according to law, 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 is declared for the purpose of defraying any expense incurred by Council in relation to the provision of solar energy systems on properties participating in the Solar Saver scheme, which:

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- 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 \$242,124.33 for the residential batch;
 - ii. Amount for the Special Charge to be levied be recorded as \$242,124.33 for the residential batch, or such other amount as is lawfully levied as a consequence of this resolution.
- d) The Special Charge is 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 list is specified as the criteria that form the basis of the Special Charge so declared:
- Ownership of any land described in paragraph 1(d) of this resolution.
- f) The following is 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 an Agreement has been executed, totalling \$242,124.33 for the residential batch, 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, let 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) Considers that there will be a special benefit to those required to pay the Special Charge *because* there will be a benefit to them that is over and above, or greater than, the benefit that is available to those 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) 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
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- 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 those who are liable to pay the Special Charge is 100%.
- (4) Directs that notice be given to all owners and occupiers of properties included in the Scheme 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 Charge 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 those 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.

Where a participant wishes to withdraw from the Scheme, agrees to such withdrawal where the participant has given written notice of their desire to withdraw from the Scheme before Council has incurred any expenditure in relation to the participant's solar system.

Council Resolution

MINUTE NO. 20-132**MOVED: Cr. T McCarthy****SECONDED: Cr. K Le Cerf****That Council:**

- (1) Having complied with the requirements of sections 163A, 163B and 223 of the *Local Government Act 1989* ("Act"), and otherwise according to law, 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 is declared for the purpose of defraying any expense incurred by Council in relation to the provision of solar energy systems on properties participating in the Solar Saver scheme, which:
- 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.

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- c) The total:
- i. Cost of performing the function described in paragraph 1(b) of this resolution be recorded as \$242,124.33 for the residential batch;
 - ii. Amount for the Special Charge to be levied be recorded as \$242,124.33 for the residential batch, or such other amount as is lawfully levied as a consequence of this resolution.
- d) The Special Charge is 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 list is specified as the criteria that form the basis of the Special Charge so declared:
- Ownership of any land described in paragraph 1(d) of this resolution.
- f) The following is 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 an Agreement has been executed, totalling \$242,124.33 for the residential batch, 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, let 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) Considers that there will be a special benefit to those required to pay the Special Charge *because* there will be a benefit to them that is over and above, or greater than, the benefit that is available to those 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) 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 those who are liable to pay the Special Charge is 100%.
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- (4) Directs that notice be given to all owners and occupiers of properties included in the Scheme 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 Charge 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 those 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.

Where a participant wishes to withdraw from the Scheme, agrees to such withdrawal where the participant has given written notice of their desire to withdraw from the Scheme before Council has incurred any expenditure in relation to the participant's solar system.

CARRIED UNANIMOUSLY

8.44pm The Council meeting was adjourned for a 5 minute break.

8.49pm The Council meeting resumed.

7.6 CONTRACT EXTENSION - MY AGED CARE REGIONAL ASSESSMENT SERVICE

Author: Manager Aged & Disability

Reviewed By: General Manager Community

EXECUTIVE SUMMARY

Council has been delivering the Regional Assessment Service (RAS) on behalf of the Commonwealth's My Aged Care (MAC) since 1 July 2016. The current arrangement has been that the Commonwealth Department of Health (DoH) funds the Victorian Department of Health and Human Services (DHHS), DHHS subcontracts Council to deliver RAS. Over the past two years, the Commonwealth has been reviewing the funding structure and model. Current arrangements were due to conclude on 30 June 2020, however Council has now received advice that the current arrangements will be extended by two years to 30 June 2022.

Recommendation

That Council authorises the funding extension of Regional Assessment Service (RAS) to 30 June 2022.

Council Resolution**MINUTE NO. 20-133****MOVED: Cr. L Messina****SECONDED: Cr. G Greco**

That Council authorises the funding extension of Regional Assessment Service (RAS) to 30 June 2022.

CARRIED UNANIMOUSLY**7.7 LOCAL GOVERNMENT ACT 2020 - IMPLEMENTATION AND COMPLIANCE****Author:** Coordinator Governance, Council Business & Civic Services**Reviewed By:** General Manager Governance and Engagement

EXECUTIVE SUMMARY

This report presents six compliance matters introduced by the new *Local Government Act 2020*, which are required to be implemented by 1 September 2020; namely:

- a) Councillor Support and Expenses Policy
- b) Public Transparency Policy
- c) Audit & Risk Committee Charter
- d) Instrument of Delegation - Council to CEO
- e) Delegated Committees (Planning Committee)
- f) Governance Rules

These six matters were presented to Council as drafts at its 29 June 2020 Ordinary Meeting and were subsequently placed on exhibition for public comment for two weeks until 13 July 2020. No community submissions were received.

Items A – F are now presented to Council for adoption.

This report also addresses the requirement for Council to ensure the ongoing governance and regulation of the use of the Common Seal of Council, and the enforceability of penalties for offences committed at Council and Committee Meetings via the continued operation of relevant aspects of the existing Council Meeting Governance Local Law No. 1 of 2020.

Recommendation

That Council:

Part A - Councillor Support and Expenses Policy 2020

- (1) Adopts the *Councillor Support and Expenses Policy 2020* as provided at **Appendix A**, with an effective date of 20 July 2020.

Part B - Public Transparency Policy 2020

- (2) Adopts the *Public Transparency Policy 2020* as provided at **Appendix B**, with an effective date of 20 July 2020.

Part C - Audit & Risk Committee Charter

- (3) Adopts the *Audit & Risk Committee Charter* as provided at **Appendix C**, with an effective date of 20 July 2020.

Part D – Instrument of Delegation – Council to the Chief Executive Officer

- (4) In the exercise of the power conferred by Section 11(1)(b) of the *Local Government Act 2020*, resolves that:-
- a. There be delegated to the person holding the position, or acting in or performing the duties, of Chief Executive Officer the powers, duties and functions set out in the attached *Instrument of Delegation to the Chief Executive Officer*, as provided as **Appendix D**, subject to the conditions and limitations specified in that Instrument.
 - b. The instrument comes into force immediately the Common Seal of Council is affixed to the Instrument.
 - c. On the coming into force of the Instrument all previous delegations to the Chief Executive Officer are revoked.
 - d. The duties and functions set out in the Instrument must be performed, and the powers set out in the Instruments must be executed, in accordance with the schedule set out in the instrument and any guidelines or policies of Council that it may from time to time adopt.

Part E – Delegated Committees (Planning Committee)

- (5) Pursuant to Section 63 of the *Local Government Act 2020*, resolves to establish the Planning Committee as a 'Delegated Committee' until such time as Council makes a further resolution on the matter.
- (6) Approves the *Planning Committee Instrument of Delegation* as provided at **Appendix E** to ensure the Planning Committee has the power to make decisions on relevant matters and notes that:
- a. The Instrument of delegation comes into force immediately the Common Seal of Council is affixed to the Instrument and remains in force until Council determines to vary or revoke it; and
 - b. The powers, discretions and authorities conferred on the Planning Committee by the Instrument must be exercised in accordance with the schedule set out in the Instrument and with any guidelines or policies Council may from time to time adopt.

Part F – Draft Governance Rules

- (7) In accordance with Section 60(1) of the *Local Government Act 2020*, adopts the Governance Rules 2020 as provided at **Appendix F**, with an effective date of 20 July 2020.
- (8) Notes that consistent with Section 60(8) of the *Local Government Act 2020*, that upon adoption of the Governance Rules:
- a. The sections of Council’s existing Council Meeting Governance Local Law No. 1 of 2020 that relate specifically to the conduct of Council and Committee meetings (Chapter 4) cease to apply; and
 - b. The sections of Council’s existing Council Meeting Governance Local Law No. 1 of 2020 that relate specifically to the use of Council’s Common Seal (Chapter 2) and Infringements Notices imposable for certain matters and behaviour by meeting attendees (Chapter 3) remain operative.

Motion

MOVED: Cr. K Le Cerf
SECONDED: Cr. T McCarthy

That Council:

Part A - Councillor Support and Expenses Policy 2020

- (1) Adopts the *Councillor Support and Expenses Policy 2020* as provided at **Appendix A**, with an effective date of 20 July 2020.

Part B - Public Transparency Policy 2020

- (2) Adopts the *Public Transparency Policy 2020* as provided at **Appendix B**, with an effective date of 20 July 2020.

Part C - Audit & Risk Committee Charter

- (3) Adopts the *Audit & Risk Committee Charter* as provided at **Appendix C**, with an effective date of 20 July 2020.

Part D – Instrument of Delegation – Council to the Chief Executive Officer

- (4) In the exercise of the power conferred by Section 11(1)(b) of the *Local Government Act 2020*, resolves that:-
- a. There be delegated to the person holding the position, or acting in or performing the duties, of Chief Executive Officer the powers, duties and functions set out in the attached *Instrument of Delegation to the Chief Executive Officer*, as provided as **Appendix D**, subject to the conditions and limitations specified in that Instrument.
 - b. The instrument comes into force immediately the Common Seal of Council is affixed to the Instrument.
 - c. On the coming into force of the Instrument all previous delegations to the Chief Executive Officer are revoked.
 - d. The duties and functions set out in the Instrument must be performed, and the powers set out in the Instruments must be executed, in accordance with the schedule set out in the instrument and any guidelines or policies of Council that it may from time to time adopt.

Part E – Delegated Committees (Planning Committee)

- (5) Pursuant to Section 63 of the *Local Government Act 2020*, resolves to establish the Planning Committee as a 'Delegated Committee' until such time as Council makes a further resolution on the matter.
- (6) Approves the *Planning Committee Instrument of Delegation* as provided at **Appendix E** to ensure the Planning Committee has the power to make decisions on relevant matters and notes that:
 - a. The Instrument of delegation comes into force immediately the Common Seal of Council is affixed to the Instrument and remains in force until Council determines to vary or revoke it; and
 - b. The powers, discretions and authorities conferred on the Planning Committee by the Instrument must be exercised in accordance with the schedule set out in the Instrument and with any guidelines or policies Council may from time to time adopt.

Part F – Draft Governance Rules

- (7) In accordance with Section 60(1) of the *Local Government Act 2020*, adopts the Governance Rules 2020 as provided at **Appendix F**, with an effective date of 20 July 2020.
- (8) Notes that consistent with Section 60(8) of the *Local Government Act 2020*, that upon adoption of the Governance Rules:
 - a. The sections of Council's existing Council Meeting Governance Local Law No. 1 of 2020 that relate specifically to the conduct of Council and Committee meetings (Chapter 4) cease to apply; and
 - b. The sections of Council's existing Council Meeting Governance Local Law No. 1 of 2020 that relate specifically to the use of Council's Common Seal (Chapter 2) and Infringements Notices imposable for certain matters and behaviour by meeting attendees (Chapter 3) remain operative.

Amendment

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

That Council:

Part A - Councillor Support and Expenses Policy 2020

- (1) Adopts the *Councillor Support and Expenses Policy 2020* as provided at **Appendix A**, with an effective date of 20 July 2020, *subject to*:
 - a. *the removal of any reference in Section 6.3 "Mayoral Vehicle / Transportation" to any reference to the provision of a Mayoral vehicle.*
 - b. *the addition of a paragraph at the end of paragraph 10.2 to include words to affect that councillors' expenses and reimbursements will be made publicly available immediately after Councillor Reimbursement of Claim form is submitted by Councillors to achieve timely disclosure.*

Part B - Public Transparency Policy 2020

- (2) Adopts the *Public Transparency Policy 2020* as provided at **Appendix B**, with an effective date of 20 July 2020, *subject to:*
- a. *Under point 8 Review, the policy to be reviewed in 12 months instead of 2022 which is consistent with other policies being considered.*
 - b. *Council receiving a report on 17th of August 2020 on a fair and equitable process that provides for an independent review of decision making by Council Officers.*

Part E – Delegated Committees (Planning Committee)

- (5) Pursuant to Section 63 of the *Local Government Act 2020*, resolves to establish the Planning Committee as a 'Delegated Committee' until such time as Council makes a further resolution on the matter.
- (6) Approves the *Planning Committee Instrument of Delegation* as provided at **Appendix E** to ensure the Planning Committee has the power to make decisions on relevant matters, *subject to the following changes:*
- a) *Applicant and any submitters may address the Planning Committee for three minutes each rather than two minutes;*
 - b) *Amend Para 8a to allow one Planning Committee member to call up a report to the Planning Committee in light of the new single ward electoral structure;*
 - c) *Amend Para 5 to require that Council receives weekly summary reports about how many planning applications have been determined under delegation and how many have been called in for consideration by the Planning Committee.*

and notes that:

- d. The Instrument of delegation comes into force immediately the Common Seal of Council is affixed to the Instrument and remains in force until Council determines to vary or revoke it; and
- e. The powers, discretions and authorities conferred on the Planning Committee by the Instrument must be exercised in accordance with the schedule set out in the Instrument and with any guidelines or policies Council may from time to time adopt.

Part F – Draft Governance Rules

- (7) In accordance with Section 60(1) of the *Local Government Act 2020*, adopts the Governance Rules 2020 as provided at **Appendix F**, with an effective date of 20 July 2020, *subject to the following changes:*
- a. *Change para 1.1.4 (2) to at least (7) days before a meeting is scheduled for the agenda to be distributed to Councillors and the public.*
 - b. *Change para 1.14 (3) include that CEO must publicly provide reasons for any delay in distributing the agenda on time.*
 - c. *Change para 2.5 to allow for online meetings when a state of emergency has been declared.*
 - d. *Change para 6.2 (c) to remove "and align with the Council Plan" as it is inconsistent with point 6.2 (d) ii.*
 - e. *Change appropriate paragraphs in section 14 (Submissions) and elsewhere in the Governance Rules to allow submissions to also be made at Special Meetings and for Urgent Business items.*

- f. *Change para 14.5 (2) to allow submissions to be read out if the person making the submission or their representative is not present in the gallery.*
- g. *Change para 14.5 (8) to allow written submissions to be recorded in the minutes.*
- h. *Change appropriate paragraphs in section 15 (Questions) and elsewhere in the Governance Rules to allow questions to also be made at Special Meetings and for Urgent Business items.*
- i. *Change appropriate paragraphs in section 16 (Petitions) and elsewhere in the Governance Rules to allow public submissions to also be made in respect of petitions.*

The Mayor advised that the amendment before the meeting would be debated collectively however each component voted on separately.

Part A - Councillor Support and Expenses Policy 2020

- (1) Adopts the *Councillor Support and Expenses Policy 2020* as provided at **Appendix A**, with an effective date of 20 July 2020, subject to:
 - a. the removal of any reference in Section 6.3 “Mayoral Vehicle / Transportation” to any reference to the provision of a Mayoral vehicle.
 - b. the addition of a paragraph at the end of paragraph 10.2 to include words to affect that councillors' expenses and reimbursements will be made publicly available immediately after Councillor Reimbursement of Claim form is submitted by Councillors to achieve timely disclosure.

The amendment was put and lost.

LOST

For: Cr's Greco, Laurence and Williams (3)

Against: Cr's Rennie, Newton, Le Cerf, McCarthy and Messina (5)

Part B - Public Transparency Policy 2020

- (2) Adopts the *Public Transparency Policy 2020* as provided at **Appendix B**, with an effective date of 20 July 2020, subject to:
 - (a) Under point 8 Review, the policy to be reviewed in 12 months instead of 2022 which is consistent with other policies being considered.
 - (b) Council receiving a report on 17th of August 2020 on a fair and equitable process that provides for an independent review of decision making by Council Officers.

The amendment was put and lost.

LOST

For: Cr's Greco, Laurence and Williams (3)

Against: Cr's Rennie, Newton, Le Cerf, McCarthy and Messina (5)

Part E – Delegated Committees (Planning Committee)

- (5) Pursuant to Section 63 of the *Local Government Act 2020*, resolves to establish the Planning Committee as a 'Delegated Committee' until such time as Council makes a further resolution on the matter.
- (6) Approves the *Planning Committee Instrument of Delegation* as provided at **Appendix E** to ensure the Planning Committee has the power to make decisions on relevant matters, subject to the following changes:
- (a) Applicant and any submitters may address the Planning Committee for three minutes each rather than two minutes;
 - (b) Amend Para 8a to allow one Planning Committee member to call up a report to the Planning Committee in light of the new single ward electoral structure;
 - (c) Amend Para 5 to require that Council receives weekly summary reports about how many planning applications have been determined under delegation and how many have been called in for consideration by the Planning Committee.

and notes that:

- (d) The Instrument of delegation comes into force immediately the Common Seal of Council is affixed to the Instrument and remains in force until Council determines to vary or revoke it; and
- (e) The powers, discretions and authorities conferred on the Planning Committee by the Instrument must be exercised in accordance with the schedule set out in the Instrument and with any guidelines or policies Council may from time to time adopt.

The amendment was put and was tied.

For: Cr's Greco, Laurence, Messina and Williams (4)

Against: Cr's Rennie, Newton, Le Cerf and McCarthy (4)

The Mayor used her casting vote and voted against the amendment.

The amendment was declared lost.

LOST

Part F – Draft Governance Rules

- (7) In accordance with Section 60(1) of the *Local Government Act 2020*, adopts the Governance Rules 2020 as provided at **Appendix F**, with an effective date of 20 July 2020, subject to the following changes:
- a. Change para 1.1.4 (2) to at least (7) days before a meeting is scheduled for the agenda to be distributed to Councillors and the public.
 - b. Change para 1.14 (3) include that CEO must publicly provide reasons for any delay in distributing the agenda on time.
 - c. Change para 2.5 to allow for online meetings when a state of emergency has been declared.

- d. Change para 6.2 (c) to remove “and align with the Council Plan’ as it is inconsistent with point 6.2 (d) ii.
- e. Change appropriate paragraphs in section 14 (Submissions) and elsewhere in the Governance Rules to allow submissions to also be made at Special Meetings and for Urgent Business items.
- f. Change para 14.5 (2) to allow submissions to be read out if the person making the submission or their representative is not present in the gallery.
- g. Change para 14.5 (8) to allow written submissions to be recorded in the minutes.
- h. Change appropriate paragraphs in section 15 (Questions) and elsewhere in the Governance Rules to allow questions to also be made at Special Meetings and for Urgent Business items.
- i. Change appropriate paragraphs in section 16 (Petitions) and elsewhere in the Governance Rules to allow public submissions to also be made in respect of petitions.

The amendment was put and lost.

LOST

For: Cr’s Greco, Laurence and Williams (3)

Against: Cr’s Rennie, Newton, Le Cerf, McCarthy and Messina (5)

Amendment

MOVED: Cr. T Laurence

SECONDED: Cr. J Williams

That Council:

Part A - Councillor Support and Expenses Policy 2020

- (1) Adopts the *Councillor Support and Expenses Policy 2020* as provided at **Appendix A**, with an effective date of 20 July 2020 *subject to the provisions relating to the post-election treatment of Council equipment being amended in line with other Councils so Councillors be allowed to purchase equipment at market values.*

Part D – Instrument of Delegation – Council to the Chief Executive Officer

4. In the exercise of the power conferred by Section 11(1)(b) of the *Local Government Act 2020*, resolves that:-
 - a. There be delegated to the person holding the position, or acting in or performing the duties, of Chief Executive Officer the powers, duties and functions set out in the attached *Instrument of Delegation to the Chief Executive Officer*, as provided as **Appendix D**, subject to the conditions and limitations specified in that Instrument, *but with the CEO delegation of financial powers limited to \$750,000 to be more in line with both Yarra and Moreland Councils.*
 - b. The instrument comes into force immediately the Common Seal of Council is affixed to the Instrument.
 - c. On the coming into force of the Instrument all previous delegations to the Chief Executive Officer are revoked.

- d. The duties and functions set out in the Instrument must be performed, and the powers set out in the Instruments must be executed, in accordance with the schedule set out in the instrument and any guidelines or policies of Council that it may from time to time adopt.

Part F – Draft Governance Rules

7. In accordance with Section 60(1) of the *Local Government Act 2020*, adopts the Governance Rules 2020 as provided at **Appendix F**, with an effective date of 20 July 2020, *subject to the following changes:*
 - a. *Special Council meetings being not permitted for budget meetings*
 - b. *Special Council Meetings include a 30 minutes public question time*
 - c. *Any one Councillor can make up to 6 amendments in succession and can only make more with the leave of Councillors in attendance at the meeting*

The Mayor advised that the amendment before the meeting would be debated collectively however each component voted on separately.

Part A - Councillor Support and Expenses Policy 2020

- (1) Adopts the *Councillor Support and Expenses Policy 2020* as provided at **Appendix A**, with an effective date of 20 July 2020 subject to the provisions relating to the post-election treatment of Council equipment being amended in line with other Councils so Councillors be allowed to purchase equipment at market values.

The amendment was put and was tied.

For: Cr's Greco, Laurence, Messina and Williams (4)

Against: Cr's Rennie, Newton, Le Cerf and McCarthy (4)

The Mayor used her casting vote and voted against the amendment.

The amendment was declared lost.

LOST

Part D – Instrument of Delegation – Council to the Chief Executive Officer

- (4) In the exercise of the power conferred by Section 11(1)(b) of the *Local Government Act 2020*, resolves that:-
 - a. There be delegated to the person holding the position, or acting in or performing the duties, of Chief Executive Officer the powers, duties and functions set out in the attached *Instrument of Delegation to the Chief Executive Officer*, as provided as **Appendix D**, subject to the conditions and limitations specified in that Instrument, but with the CEO delegation of financial powers limited to \$750,000 to be more in line with both Yarra and Moreland Councils.
 - b. The instrument comes into force immediately the Common Seal of Council is affixed to the Instrument.

- c. On the coming into force of the Instrument all previous delegations to the Chief Executive Officer are revoked.
- d. The duties and functions set out in the Instrument must be performed, and the powers set out in the Instruments must be executed, in accordance with the schedule set out in the instrument and any guidelines or policies of Council that it may from time to time adopt.

The amendment was put and carried.

CARRIED

For: Cr's Greco, Laurence, Newton, Le Cerf, McCarthy and Messina and Williams (7)

Against: Cr's Rennie, (1)

Part F – Draft Governance Rules

(7) In accordance with Section 60(1) of the *Local Government Act 2020*, adopts the Governance Rules 2020 as provided at **Appendix F**, with an effective date of 20 July 2020, subject to the following changes:

- (a) Special Council meetings being not permitted for budget meetings
- (b) Special Council Meetings include a 30 minutes public question time
- (c) Any one Councillor can make up to 6 amendments in succession and can only make more with the leave of Councillors in attendance at the meeting

The amendment was put and lost.

LOST

For: Cr's Greco, Laurence and Williams (3)

Against: Cr's Rennie, Newton, Le Cerf, McCarthy and Messina (5)

Amendment

MOVED: Cr. J Williams

SECONDED: Cr. T Laurence

Part E – Delegated Committees (Planning Committee)

(5) Pursuant to Section 63 of the *Local Government Act 2020*, resolves to establish the Planning Committee as a 'Delegated Committee' until such time as Council makes a further resolution on the matter.

(6) Approves the *Planning Committee Instrument of Delegation* as provided at **Appendix E** to ensure the Planning Committee has the power to make decisions on relevant matters *subject to a planning application being able to be called up to a Planning Committee meeting by two (2) councillors*, and notes that:

- a. The Instrument of delegation comes into force immediately the Common Seal of Council is affixed to the Instrument and remains in force until Council determines to vary or revoke it; and

- b. The powers, discretions and authorities conferred on the Planning Committee by the Instrument must be exercised in accordance with the schedule set out in the Instrument and with any guidelines or policies Council may from time to time adopt.

The mover and seconder accepted the amendment.

The motion before Council incorporating the adopted amendments was put and carried

CARRIED

Council Resolution

MINUTE NO. 20-134

MOVED: Cr. K Le Cerf
SECONDED: Cr. T McCarthy

That Council:

Part A - Councillor Support and Expenses Policy 2020

- (1) Adopts the *Councillor Support and Expenses Policy 2020* as provided at **Appendix A**, with an effective date of 20 July 2020.

Part B - Public Transparency Policy 2020

- (2) Adopts the *Public Transparency Policy 2020* as provided at **Appendix B**, with an effective date of 20 July 2020.

Part C - Audit & Risk Committee Charter

- (3) Adopts the *Audit & Risk Committee Charter* as provided at **Appendix C**, with an effective date of 20 July 2020.

Part D – Instrument of Delegation – Council to the Chief Executive Officer

- (4) In the exercise of the power conferred by Section 11(1)(b) of the *Local Government Act 2020*, resolves that:-
 - a. There be delegated to the person holding the position, or acting in or performing the duties, of Chief Executive Officer the powers, duties and functions set out in the attached *Instrument of Delegation to the Chief Executive Officer*, as provided as **Appendix D**, subject to the conditions and limitations specified in that Instrument, but with the CEO delegation of financial powers limited to \$750,000 to be more in line with both Yarra and Moreland Councils.
 - b. The instrument comes into force immediately the Common Seal of Council is affixed to the Instrument.
 - c. On the coming into force of the Instrument all previous delegations to the Chief Executive Officer are revoked.
 - d. The duties and functions set out in the Instrument must be performed, and the powers set out in the Instruments must be executed, in accordance with the schedule set out in the instrument and any guidelines or policies of Council that it may from time to time adopt.

Part E – Delegated Committees (Planning Committee)

- (5) Pursuant to Section 63 of the *Local Government Act 2020*, resolves to establish the Planning Committee as a 'Delegated Committee' until such time as Council makes a further resolution on the matter.
- (6) Approves the *Planning Committee Instrument of Delegation* as provided at **Appendix E** to ensure the Planning Committee has the power to make decisions on relevant matters and notes that, subject to a planning application being able to be called up to a Planning Committee meeting by two (2) councillors,
 - a. The Instrument of delegation comes into force immediately the Common Seal of Council is affixed to the Instrument and remains in force until Council determines to vary or revoke it; and
 - b. The powers, discretions and authorities conferred on the Planning Committee by the Instrument must be exercised in accordance with the schedule set out in the Instrument and with any guidelines or policies Council may from time to time adopt.

Part F – Draft Governance Rules

- (7) In accordance with Section 60(1) of the *Local Government Act 2020*, adopts the Governance Rules 2020 as provided at **Appendix F**, with an effective date of 20 July 2020.
- (8) Notes that consistent with Section 60(8) of the *Local Government Act 2020*, that upon adoption of the Governance Rules:
 - a. The sections of Council's existing Council Meeting Governance Local Law No. 1 of 2020 that relate specifically to the conduct of Council and Committee meetings (Chapter 4) cease to apply; and
 - b. The sections of Council's existing Council Meeting Governance Local Law No. 1 of 2020 that relate specifically to the use of Council's Common Seal (Chapter 2) and Infringements Notices imposable for certain matters and behaviour by meeting attendees (Chapter 3) remain operative.

CARRIED UNANIMOUSLY

Extension of Time

MOVED: Cr. K Le Cerf
SECONDED: Cr. J Williams

9.51pm **That** the Council meeting continue for a further 30 minutes.

CARRIED UNANIMOUSLY

7.8 CT202051 - CONTRACT AWARD FOR KP HARDIMAN HOCKEY PITCH AND LIGHTING REDEVELOPMENT

Author: Project Manager

Reviewed By: Manager, Assets & Capital Delivery

EXECUTIVE SUMMARY

The purpose of this report is to seek Council's approval to award Contract No. CT202051 – KP Hardiman Hockey Pitch and Lighting Redevelopment to an appropriately qualified contractor.

The redevelopment of the existing pitch at KP Hardiman Reserve was identified as a high priority due to the deteriorated condition of the existing pitch which is at the end of its functional life. The pitch and accompanying infrastructure are extensively used by user groups and the local community. It is recommended to undertake the redevelopment now rather than wait until critical failure or safety issues arise, or the tenanted club leaves the facility due to the risks of injuries to participants.

In 2017 a Sports and Leisure consultant was engaged to prepare a feasibility report which included engineering and site assessments. In 2018/2019, a lighting consultant was engaged to develop preliminary investigations and detailed design to upgrade the floodlighting system. As part of the 2019/2020 Capital Works Program, Council allocated funds to engage an Engineering consultant for the investigation and preliminary and detailed designs for the upgrade of the hockey pitch

The appointment of an experienced contractor for the redevelopment and associated works was sought via a competitive open tender process. The tender evaluation panel has evaluated the tenders and recommends awarding the contract to the preferred tenderer.

The proposed contract arrangement is a lump sum contract. Works are programmed to commence in September 2020 and be completed by the end of March 2021.

This report is a summary of the tender process inclusive of submissions, evaluation and recommendations.

Recommendation**That Council:**

- (1) Awards Contract CT202051 for the KP Hardiman Hockey Pitch and Lighting Redevelopment to _____ for the total contract value of \$_____ (GST inclusive).
- (2) Approves a contingency amount of \$_____ for contract CT202051, being approximately ___% of the contract sum awarded, to be used if required for unforeseen items or latent conditions.
- (3) Authorises the Chief Executive Officer to finalise and execute the contract documentation on behalf of the Council.

Council Resolution**MINUTE NO. 20-135**

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

That Council:

- (1) Awards Contract CT202051 for the KP Hardiman Hockey Pitch and Lighting Redevelopment to **Polytan Asia Pacific** for the total contract value of **\$2,272,741.68** (GST inclusive).
- (2) Approves a contingency amount of **\$300,000** (GST inclusive) for contract CT202051, being approximately **15%** of the contract sum awarded, to be used if required for unforeseen items or latent conditions.
- (3) Authorises the Chief Executive Officer to finalise and execute the contract documentation on behalf of the Council.

CARRIED UNANIMOUSLY**7.9 CONTRACT AWARD - CT2019143 CONSTRUCTION OF DAREBIN MULTI-SPORTS STADIUM**

Author: Project Manager

Reviewed By: General Manager Operations and Capital

EXECUTIVE SUMMARY

The appointment of an experienced contractor for the construction of the Darebin Multi-Sports Stadium (MSS) and associated Darebin Road intersection upgrades works was sought via a two-stage expression of interest and tender process.

Council has allocated funds in 2020/21 budget and future 10-year capital works program to complete this project.

The selected contract arrangement is a design and construct contract. The works are proposed to be completed by November 2021. The scope of works includes, but is not limited to the following items:

- 4 indoor court stadium including player and spectator amenities such as toilet facilities, change rooms, fixed spectator seating, changing place facility, gender neutral toilet facilities, first aid room and competition office.
- Equipment storerooms
- Referee's change room
- Administration area such as office space, kitchenette, reception.
- Café, kitchen and seating area
- Multi-purpose meeting rooms
- Car park and landscape elements
- Upgrade to the main road entrance and intersection located on Darebin Road to improve safety and access to JCMP.

Tenders were sought through a two-stage process, where an expression of interest was sought through the Department of Treasury and Finance Construction Supply Register (CSR). The Tender Evaluation Panel (TEP) evaluated submissions and selected a short list of experienced contractors who were then formally invited to submit tenders.

The TEP has completed a detailed evaluation process and recommends awarding the contract to the preferred tenderer.

Recommendation

That Council:

- (1) Award contract no. CT2019143 – Construction of Darebin Multi Sports Stadium separable portion 1, being the MSS facility works to _____ for the contract sum of \$_____ (Incl. GST);
- (2) Award contract no. CT2019143 – Construction of Darebin Multi Sports Stadium separable portion 2, being the Darebin Road intersection works to _____ for the contract sum of \$_____ (Incl. GST) subject to the necessary planning requirements;
- (3) Approves a contingency amount of \$_____ (Incl. GST), being approximately ____% of the contract amount for Separable portion 1 and 2, to be used if required for variations and other unforeseen items as part of Contract No. CT2019143 and authorise the Chief Executive Officer to vary the contract;
- (4) Authorises the Chief Executive Officer to finalise and execute the contract documentation inclusive of separable portion 1 and 2 works on behalf of Council; and

- (5) Note that as a consequence of the intersection works, an amendment to the Darebin Planning Scheme will be required to ensure the zoning reflects the use of the land for an arterial road, and that officers will commence discussions with DELWP and DoT regarding the process for the amendment.

Council Resolution

MINUTE NO. 20-136

MOVED: Cr. T McCarthy
SECONDED: Cr. K Le Cerf

That Council:

- (1) Award contract no. CT2019143 – Construction of Darebin Multi Sports Stadium separable portion 1, being the MSS facility works to **ADCO Constructions** for the contract sum of **\$23,521,534.30** (Incl. GST);
- (2) Award contract no. CT2019143 – Construction of Darebin Multi Sports Stadium separable portion 2, being the Darebin Road intersection works to **ADCO Constructions** for the contract sum of **\$1,290,016.20** (Incl. GST) subject to the necessary planning requirements;
- (3) Approves a contingency amount of **\$5,610,204.40** (Incl. GST), being approximately **22%** of the contract amount for Separable portion 1 and 2, to be used if required for variations and other unforeseen items as part of Contract No. CT2019143 and authorise the Chief Executive Officer to vary the contract;
- (4) Authorises the Chief Executive Officer to finalise and execute the contract documentation inclusive of separable portion 1 and 2 works on behalf of Council; and
- (5) Note that as a consequence of the intersection works, an amendment to the Darebin Planning Scheme will be required to ensure the zoning reflects the use of the land for an arterial road, and that officers will commence discussions with DELWP and DoT regarding the process for the amendment.

CARRIED UNANIMOUSLY

7.10 RECYCLING CONTRACT TENDER

Author: Coordinator Waste Operations

Reviewed By: General Manager Operations and Capital

EXECUTIVE SUMMARY

The contract for the existing kerbside recycling collection service was awarded to Thiess Service Pty Ltd and commenced in September 2011 for a period of seven (7) years with optional extensions of two (2) years. In July 2012 Remondis Australia Pty Ltd purchased Thiess Services resulting in Remondis delivering the recycling collection service for Council.

In May 2018 Council exercised the option to extend the contract until September 2020 given the contractor's satisfactory performance during the initial term of the contract. At the conclusion of this extension the current contract will have expired.

A new kerbside recycling collection service was tendered for seven (7) years with an optional extension of one (1) year at the sole discretion of Council and subject to the contractor's satisfactory performance during the initial term of the contract.

Recommendation

That Council:

- (1) Awards contract CT2019145 Provision for the Recyclable Collection Service to _____ at an estimated cost of _____ over the seven (7) year contract.
- (2) Authorises the Chief Executive Officer to exercise Council's option to extend the contract for the final (eighth) year subject to the contractor's satisfactory performance of the contract.
- (3) Authorises the Chief Executive Officer to finalise and execute the contract documentation on behalf of the Council.

Council Resolution

MINUTE NO. 20-137

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

That Council:

- (1) Awards contract CT2019145 Provision for the Recyclable Collection Service to **Solo Resource Recovery** at an estimated cost of **\$21,950.429 (GST Incl.)** over the seven (7) year contract.
- (2) Authorises the Chief Executive Officer to exercise Council's option to extend the contract for the final (eighth) year subject to the contractor's satisfactory performance of the contract.
- (3) Authorises the Chief Executive Officer to finalise and execute the contract documentation on behalf of the Council.

CARRIED UNANIMOUSLY

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

Nil

Extension of Time

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

10.29pm **That** the Council meeting continue for a further 30 minutes.

CARRIED UNANIMOUSLY

9. NOTICES OF MOTION**9.1 BUSINESS BOYCOTT OF BELL CITY**

Councillor: Trent MCCARTHY

NoM No.: 483

Notice of Motion

That Council:

- (1) Writes to Mantra to advise that it will boycott all activities held at Bell City and other Mantra facilities while refugees and asylum seekers are held in prison-like conditions in any of its facilities.
- (2) Calls on Mantra to use its corporate influence to publicly advocate to the Federal Government for the humane treatment of refugees and asylum seekers detained at Bell City and ensure the provision of vital health and medical services and other supports addressing the significant physical and mental health concerns of detainees. This would include enabling these vulnerable people to have freedom of movement, access to education, training and employment opportunities, and use of health, community and recreation facilities and services such as those that have already been offered by Darebin Council and other local organisations.
- (3) Writes to local MPs, neighbouring councils, NORTH Link and other local business networks and associations asking them to join Council in a 'Business Boycott of Bell City' until a humane outcome is provided for refugees and asylum seekers currently detained at Bell City.
- (4) Writes to Brisbane City Council, Adelaide City Council and any other councils with a Mantra facility in or near their council area asking them to take a similar approach to Council in the interests of human rights and basic decency.

Council Resolution**MINUTE NO. 20-138****MOVED: Cr. T McCarthy****SECONDED: Cr. G Greco****That Council:**

- (1) Writes to Mantra to advise that it will boycott all activities held at Bell City and other Mantra facilities while refugees and asylum seekers are held in prison-like conditions in any of its facilities.
- (2) Calls on Mantra to use its corporate influence to publicly advocate to the Federal Government for the humane treatment of refugees and asylum seekers detained at Bell City and ensure the provision of vital health and medical services and other supports addressing the significant physical and mental health concerns of detainees. This would include enabling these vulnerable people to have freedom of movement, access to education, training and employment opportunities, and use of health, community and recreation facilities and services such as those that have already been offered by Darebin Council and other local organisations.
- (3) Writes to local MPs, neighbouring councils, NORTH Link and other local business networks and associations asking them to join Council in a 'Business Boycott of Bell City' until a humane outcome is provided for refugees and asylum seekers currently detained at Bell City.
- (4) Writes to Brisbane City Council, Adelaide City Council and any other councils with a hotel participating in similar arrangements within or near their council area, asking them to take a similar approach to Darebin City Council in the interests of human rights and basic decency.
- (5) Notes that the first-floor rooms of Mantra Bell City are currently being used as isolation cells for possible virus cases, however there is no confirmation that this area has been subject to DHHS protocols.
- (6) Writes to the Chief Health Officer of Victoria requesting an investigation into whether Mantra Bell City is compliant with DHHS protocols regarding the establishment of isolation cells.
- (7) Receives a report at the next Council meeting regarding any possible breaches of Mantra Bell City's planning permit and business registration, along with any conflicts that may exist with the Municipal Health and Wellbeing Act, given that the facility has now effectively turned into a detention centre / prison.

CARRIED UNANIMOUSLY**9.2 SECURING THE FUTURE OF CLEMENTS RESERVE****Councillor: Trent MCCARTHY****NoM No.: 484**

Notice of Motion

That Council calls for a report detailing the options and process required to purchase the Victorian Government-owned land at 1-11 McMahan Road, Reservoir and adjoining land at the rear of 22 Clements Grove and 32-34 Clements Grove, Reservoir and the budgetary impacts (noting that some parts of the report may be required to be confidential).

Council Resolution**MINUTE NO. 20-139****MOVED: Cr. T McCarthy****SECONDED: Cr. G Greco**

That Council calls for a report at a Council meeting in September, detailing the options and process required to purchase the Victorian Government-owned land at 1-11 McMahan Road, Reservoir and adjoining land at the rear of 22 Clements Grove and 32-34 Clements Grove, Reservoir and the budgetary impacts (noting that some parts of the report may be required to be confidential).

CARRIED UNANIMOUSLY**9.3 REPORT ON INTOWORK ACTIVITIES****Councillor: Gaetano GRECO****NoM No.: 485**

Notice of Motion

That Council receives an urgent report on IntoWork's activities.

Council Resolution**MINUTE NO. 20-140****MOVED: Cr. G Greco****SECONDED: Cr. T Laurence**

That Council receives an urgent report on IntoWork's activities.

CARRIED UNANIMOUSLY

10. URGENT BUSINESS

ADMISSION OF URGENT BUSINESS

Council Resolution

MINUTE NO. 20-141

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

That an Urgent Business item relating to the impact of Covid-19 on community members in public housing be admitted and considered.

CARRIED UNANIMOUSLY

Motion

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

That Council

1. Notes:-
 - (a) The lockdown of nine public housing towers in Flemington and North Melbourne.
 - (b) The statement of the Premier that priority will be given to tests from high rise public housing residents.
 - (c) The concerns regarding residents in Darebin's Holmes Street, Northcote units.
 - (d) The concerns raised by the wider Darebin community about the wellbeing of residents in public housing towers.
2. Proposes that the Mayor and Chief Executive Officer urgently advocate to the State Government seeking that it implement the following proposals for the Holmes Street properties and for other public housing estates within Darebin:-
 - (a) That Department of Health and Human Services (DHHS) ensures immediate testing for all public housing tenants and if any occupants do test positive, they are managed on a case by case basis by DHHS rather than the whole development having to be closed down;
 - (b) That DHHS ensures sanitiser be immediately made available in every laundry, foyer and lift;
 - (c) That DHHS ensures current onsite security providers are instructed to assist with proper social distancing measures in laundries, foyers and lifts;
 - (d) That DHHS continues to provide face masks to the Holmes Street property residents and for other public housing estates within Darebin where and when required, and that Darebin Council acts as a back-up supplier of face masks should DHHS stockpiles be depleted for these Darebin sites;

- (e) That DHHS develop and implement a culturally appropriate community communications plan including relevant languages on an ongoing basis to support residents in the Holmes Street properties and any other public housing estates in Darebin needing this support;
 - (f) In the event of a total lockdown of any public housing in Darebin that there be an immediate rent freeze; and
 - (g) In the event of a total lockdown that tenants be provided with medication, nutritious and culturally appropriate food and urgent provisions promptly and without the delays reported today in other estates.
3. Advocates to DHHS to implement an emergency free Wi-Fi service for the Holmes Street units and for other public housing estates as a vital resource to tenants in any lockdown.
 4. Requests that the CEO ensures Council officers are prepared to offer support to residents at Holmes Street and other public housing properties in the event of a lockdown.
 5. Requests that if the State Government requests resources or assistance from Darebin Council, the CEO immediately draws the matter to the attention of Councillors.
 6. Notes that under the current State of Emergency, the Chief Health Officer will issue directions relating to any lockdown at Darebin's public housing estates, which may override any of the above.
 7. Provides free masks to be included as PPE Equipment and a Communication Strategy in languages that reflects the demographic of the multicultural groups that reside in the Holmes Street, Northcote units and that of wider Darebin Community.

Amendment

MOVED: Cr. G Greco
SECONDED: -

That a further item be included to read:-

8. Requests that the State Government increase the number of Covid-19 testing stations in the Darebin area or introduce mobile testing units that can move across the city to enable testing in areas where there is a high amount of public contact or businesses where food is involved within the Darebin area.

The mover and seconder accepted the amendment.

The amendment formed part of the substantive motion, was put and carried.

CARRIED

Council Resolution**MINUTE NO. 20-142**

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

That Council:

1. Notes:-
 - (a) The lockdown of nine public housing towers in Flemington and North Melbourne.
 - (b) The statement of the Premier that priority will be given to tests from high rise public housing residents.
 - (c) The concerns regarding residents in Darebin's Holmes Street, Northcote units.
 - (d) The concerns raised by the wider Darebin community about the wellbeing of residents in public housing towers.
2. Proposes that the Mayor and Chief Executive Officer urgently advocate to the State Government seeking that it implement the following proposals for the Holmes Street properties and for other public housing estates within Darebin:-
 - (a) That Department of Health and Human Services (DHHS) ensures immediate testing for all public housing tenants and if any occupants do test positive, they are managed on a case by case basis by DHHS rather than the whole development having to be closed down;
 - (b) That DHHS ensures sanitiser be immediately made available in every laundry, foyer and lift;
 - (c) That DHHS ensures current onsite security providers are instructed to assist with proper social distancing measures in laundries, foyers and lifts;
 - (d) That DHHS continues to provide face masks to the Holmes Street property residents and for other public housing estates within Darebin where and when required, and that Darebin Council acts as a back-up supplier of face masks should DHHS stockpiles be depleted for these Darebin sites;
 - (e) That DHHS develop and implement a culturally appropriate community communications plan including relevant languages on an ongoing basis to support residents in the Holmes Street properties and any other public housing estates in Darebin needing this support;
 - (f) In the event of a total lockdown of any public housing in Darebin that there be an immediate rent freeze; and
 - (g) In the event of a total lockdown that tenants be provided with medication, nutritious and culturally appropriate food and urgent provisions promptly and without the delays reported today in other estates.
3. Advocates to DHHS to implement an emergency free Wi-Fi service for the Holmes Street units and for other public housing estates as a vital resource to tenants in any lockdown.
4. Requests that the CEO ensures Council officers are prepared to offer support to residents at Holmes Street and other public housing properties in the event of a lockdown.

5. Requests that if the State Government requests resources or assistance from Darebin Council, the CEO immediately draws the matter to the attention of Councillors.
6. Notes that under the current State of Emergency, the Chief Health Officer will issue directions relating to any lockdown at Darebin's public housing estates, which may override any of the above.
7. Provides free masks to be included as PPE Equipment and a Communication Strategy in languages that reflects the demographic of the multicultural groups that reside in the Holmes Street, Northcote units and that of wider Darebin Community.
8. Requests that the State Government increase the number of Covid-19 testing stations in the Darebin area or introduce mobile testing units that can move across the city to enable testing in areas where there is a high amount of public contact or businesses where food is involved within the Darebin area.

CARRIED UNANIMOUSLY

PETITIONS

6.1 TABLING OF PETITION

Council Resolution

MINUTE NO. 20-143

MOVED: Cr. T Laurence
SECONDED: Cr. K Le Cerf

That the following petitions be tabled and referred to the Chief Executive Officer for actioning:-

1. **Strathallan Open Space (Cr Laurence)**

We the undersigned residents and users of Strathallan Open Space call on Darebin Council to set aside an initial \$1.5 million (the independent valuation of this public open space) from the open space reserves in the 2020/2021 budget to purchase the La Trobe university's owned section on the Strathallan Open Space so that this vital open space is never threatened with residential development again.

2. **Shared Bridges on Darebin Creek (Cr Laurence)**

We the undersigned residents call on Darebin Council to urgently work with police to make our Parklands safe and create a 'Northern Darebin Creek Parklands Fund' in the 2020 budget to fix broken fencing to keep motor bike hooners out, and fund park rangers, expand plantings, more seats, toilets, water fountains, shelters, BBQ's, exercise and kids play equipment, and safer and better linked walking trails for Darebin Creek in Bundoora, Reservoir and Kingsbury.

3. Save Reservoir Pool (Cr Laurence)

We the undersigned residents call on the Darebin Council to consider a full \$36 million upgrade of Reservoir Leisure Centre in the 2020 Council Budget. The Reservoir Leisure Centre needs to be urgently upgraded to catch up with the current Northcote Aquatic Centre that already has both a 25 metre indoor pool and a 50 metres outdoor pool. The \$63.5 million Northcote Pool mega project should be scaled back and the Auditor General should fully investigate the costing blowout.

CARRIED UNANIMOUSLY

6.2 TABLING OF PETITION**Council Resolution**

MINUTE NO. 20-144

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

That the following petition be tabled and a report on the options on this matter be presented to Council.

1. Stop the Rate Rise / Fees and Charges (Cr Greco)

We the undersigned residents call on Darebin Council to show compassion during the Corona virus crisis and stop the 2% rate rise and freeze all fees and charges for the 2020-2021 financial year.

CARRIED UNANIMOUSLY

6.3 TABLING OF PETITION**Council Resolution**

MINUTE NO. 20-145

MOVED: Cr. J Williams
SECONDED: Cr. L Messina

That the following petitions be tabled and a report on the options on these matters be presented to Council.

1. Save Reservoir Pool (Cr Williams)

We the undersigned residents call on the Darebin Council to consider a full \$36 million upgrade of Reservoir Leisure Centre in the 2020 Council Budget. The Reservoir Leisure Centre needs to be urgently upgraded to catch up with the current Northcote Aquatic Centre that already has both a 25 metre indoor pool and a 50 metres outdoor pool. The \$63.5 million Northcote Pool mega project should be scaled back and the Auditor General should fully investigate the costing blowout.

2. Stop the Rate Rise / Fees and Charges (Cr Williams)

We the undersigned residents call on Darebin Council to show compassion during the Corona virus crisis and stop the 2% rate rise and freeze all fees and charges for the 2020-2021 financial year.

CARRIED UNANIMOUSLY

11. REPORTS OF STANDING COMMITTEES

Nil

12. RECORDS OF ASSEMBLIES OF COUNCILLORS**12.1 ASSEMBLIES OF COUNCILLORS HELD**

Section 80A of the Local Government Act 1989 which outlined the requirements to be observed in respect to Assemblies i.e.

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.

was repealed on the 1 May 2020 by the *Local Government Act 2020*.

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

Officers anticipate that the issue of public transparency and accountability in relation to forums involving Councillors previously defined as Assemblies of Councillors will be addressed in the Councils Governance Rules which must be adopted by the 1 September 2020.

Until the Governance Rules are developed and adopted by Council the 'regime' previously followed will continue in the interests of good governance.

An Assembly of Councillors record was kept for:

- Darebin Nature Trust Meeting #17 – 23 June 2020
- Councillor Briefing – 1 July 2020
- Councillor Briefing – 6 July 2020
- Art & Heritage Advisory Panel Meeting – 7 July 2020
- Councillor Briefing – 13 July 2020

Council Resolution

MINUTE NO. 20-146

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

That the record of the Assembly of Councillors held on 23 June and 1, 6, 7 & 13 July 2020 and attached as **Appendix A** to this report, be noted and incorporated in the minutes of this meeting.

CARRIED UNANIMOUSLY**13. REPORTS BY MAYOR AND COUNCILLORS****Council Resolution**

MINUTE NO. 20-147

MOVED: Cr. K Le Cerf
SECONDED: Cr. L Messina

That Council note the Reports by Mayor and Councillors.

REPORT OF CR. SUSAN RENNIE, MAYOR

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

- MAYORAL/EXEC check ins (daily)
- Looking After Each Other - Wellbeing Webinar - Councillor Only Session
- One on One with Cr McCarthy
- Hearing of Submissions Budget - Special Briefing
- One on One with Cr Messina
- One on One with the Deputy Mayor
- Interview – Bundoora Homestead
- CEO/Mayor catch up
- Council Briefing
- Tree Planting - Henderson Street Reservoir
- Meeting with Council Officers regarding Refugee Mobilization/Protest at G.H Mott Reserve
- Interview with Work Logic
- One on One with Cr Amir
- CEO/Mayor catch up
- Planning meeting preparation meeting
- Planning Committee meeting
- Councillor Briefing
- In formal Councillor catch up meetings x 2

- MAV metro central catch up
- Volunteer – The Bridge Preston
- Meeting Minister Leane & Melbourne Mayors - coronavirus response
- Special Council Meeting process discussion meeting
- One on One with Cr McCarthy
- July Local Government Working Group on Gambling (LWGOG)
- Joy FM Phone Interview
- Interview with DPC
- Pre-Budget Process Meeting
- Special Council Meeting – Budget Adoption
- One on One with Cr Messina
- CEO/Mayor Catch up
- Tour of Yarra supervised injecting room with Inner Melbourne Mayors
- One on One with the Deputy Mayor
- Mayor’s Message filming
- Lord Mayors – Neighbouring Mayor’s Meeting
- CEO/Mayor Catch up
- Council Meeting

REPORT OF CR. STEPH AMIR

A report was not submitted.

REPORT OF CR. GAETANO GRECO

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

- Hearing of Submissions
- Special Briefing
- Council Briefing
- Darebin Heritage Advisory Panel Inaugural Meeting
- Meeting with Council Officers regarding refugee mobilisation/ protest at G H Mott Reserve
- Informal preparation meeting with Councillors
- Planning Meeting
- Councillor Briefing
- Attended to community issues
- Mantra Refugee
- COVID-19 Grants
- Parking issues

- Preston Market
- Trees
- Path Closure at Springthorpe Estate
- Rate rise and budget issues
- Planning
- Unsafe road conditions

REPORT OF CR. TRENT MCCARTHY

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

- Fortnightly Meetings with Councillors
- Special Council Meeting to Adopt Council Budget
- Darebin Nature Trust Education and Advocacy Working Group Meeting
- Planning Committee Meeting
- Councillor Briefings
- Hearing of Submissions Committee Meeting on the Council Budget
- Councillor Session with Dr Rob Gordon
- NAGA Post-COVID Recovery Advocacy Meeting
- MAV Metro Central Region Meeting
- Climate Emergency Australia Strategy Advisory Group Meeting

REPORT OF CR. KIM LE CERF

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

- Looking after each other – Wellbeing webinar
- Special briefing – Hearing of submissions for budget
- Council briefing x 2
- Darebin Creek Management Committee board meeting
- Regular councillor catch up
- Planning Committee meeting
- Special Council meeting – Adoption of 2020-21 Budget
- Regular fortnightly catch up with Mayor
- Council Meeting

REPORT OF CR. LINA MESSINA

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

- Fortnightly meetings with Councillors
- Victorian Local Waste delegates discussions

- Metropolitan Transport Executive Meeting
- Metropolitan Transport Forum meeting
- Business community various discussion
- Gertz St Reservoir Trader discussions
- Special Council Meeting – adoption of Council Budget 2020-2021
- Planning Committee meeting
- Councillor briefing x2
- Resident meeting about BT Connor Reserve
- Hearing of Submissions to the Council Budget meeting
- Councillor session with Dr Rob Gordon on Looking after each other – wellbeing webinar

REPORT OF CR. SUSANNE NEWTON

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

- Weekly meetings with Mayor Rennie
- Fortnightly meetings with Councillors
- Victorian Local Governance Association (VLGA) board meeting
- Special Council Meeting – adoption of Council Budget 2020-21
- Darebin Nature Trust working group meeting - Streetscapes, Corridors and Acquisitions
- Planning Committee meeting
- Councillor briefing x2
- Resident meeting about Crispe Park lighting
- Resident meeting about Spratling Street traffic matters
- Resident meeting about BT Connor Reserve
- Tree planting with Mayor Rennie and CEO
- Darebin Art & Heritage Advisory Panel - Inaugural meeting
- VLGA Governance and Risk Committee meeting
- Hearing of Submissions to the Council Budget meeting
- Councillor session with Dr Rob Gordon on Looking after each other – wellbeing webinar

REPORT OF CR. JULIE WILLIAMS

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

- Hearing of Budget Submissions
- CEO Catch up
- Council Briefing x 2
- Informal Prep meeting
- Planning Committee

- Special Council Meeting Budget
- Regular Catch up on teams
- Residents meeting regarding Barling Reserve
- Residents meeting regarding Zwar
- Residents meeting regarding Oakhill Village
- Residents meeting regarding lighting at Crispe Park
- Residents meeting school crossing at Bell and Gilbert road
- Meetings and calls from residents regarding council budget submissions
- Concerns and access to a site on Spring street and Murray Road

REPORT OF CR. TIM LAURENCE

A report was not submitted.

CARRIED UNANIMOUSLY

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

Council Resolution

MINUTE NO. 20-148

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

That in accordance with Clause 66 of the *Local Government Act 2020*, Council resolves to close the meeting to members of the public to consider the following item designated confidential by the Chief Executive Officer.

Report Item 14.1 - MSS - Business Management and Financial Model

CARRIED UNANIMOUSLY

11.08pm The meeting was closed to the members of the public.

The Council considered and resolved on Report Item 14.1 - MSS - Business Management and Financial Model which had been circulated to Councillors with the Council Agenda Paper.

This report was discussed in a closed meeting of Council due to the confidential nature of the Council business information being considered that would prejudice the Council's position in commercial negotiations if prematurely released.

RE-OPENING OF MEETING

Council Resolution

MINUTE NO. 20-149

MOVED: Cr. K Le Cerf
SECONDED: Cr. L Messina

That the meeting be re-opened to the members of the public.

CARRIED UNANIMOUSLY

11.10pm The meeting was re-opened to the members of the public.

15. CLOSE OF MEETING


11.11pm The meeting closed.

**CITY OF
DAREBIN**

274 Gower Street, Preston
PO Box 91, Preston, Vic 3072
T 8470 8888 F 8470 8877
E mailbox@darebin.vic.gov.au
darebin.vic.gov.au

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हिंदी	ਪੰਜਾਬੀ	Tiếng Việt