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MINUTES OF THE ORDINARY COUNCIL MEETING

Held on Monday 18 December 2023

Released to the public on 22 December 2023

**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 ਕੌਂਸਲ 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 DAREBIN CITY COUNCIL ON MONDAY 18 DECEMBER 2023

THE MEETING OPENED AT 6.03PM

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

1. OPENING OF MEETING AND MEMBERSHIP

Councillors

Cr. Susanne Newton (Mayor) (Chairperson)

Cr. Tim Laurence (Deputy Mayor)

Cr. Emily Dimitriadis (arrived at 6.39pm)

Cr. Gaetano Greco

Cr. Tom Hannan

Cr. Tim Laurence

Cr. Trent McCarthy

Cr. Lina Messina

Cr. Susan Rennie (arrived at 6.11pm)

Cr. Julie Williams

Council Officers

Kylie Bennetts - General Manager Community

Rachel Ollivier - General Manager Operations and Capital

Caroline Buisson - General Manager Customer and Corporate

Vanessa Petrie - General Manager City Sustainability and Strategy

Enna Giampiccolo – Manager Governance and Communications

Jody Brodribb - Coordinator Governance Services

Yvonne Callanan - Manager Governance and Strategy, Merri-Bek City Council

2. ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

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

I would like to start by acknowledging the Wurundjeri Woi-wurrung people, the Traditional Owners of this land and pay my respects to Elders past and present, and recognise their continuing connection to land, water and culture.

3. APOLOGIES

Nil

4. DISCLOSURES OF CONFLICTS OF INTEREST

Cr. Greco disclosed a conflict of interest to 9.3 Property Matters - Leasing of Kindergartens & Childcare Centres due to his partner being employed as a casual staff member at the Clifton Street Children's Centre.

Vanessa Petrie, General Manager City Sustainability & Strategy declared an 'interest' in Item 9.3 Property Matters - Leasing of Kindergartens & Childcare Centres as a family member is in a senior position at the Department of Education.

5. CONFIRMATION OF THE MINUTES OF COUNCIL MEETINGS

Council Resolution

MINUTE NO. 23-123

MOVED: Cr. T Hannan
SECONDED: Cr. T McCarthy

That the Minutes of the Ordinary Meeting of Council held on 30 November 2023 be confirmed as a correct record of business transacted.

CARRIED

6. COUNCIL'S OCCUPATIONAL HEALTH AND SAFETY RESPONSIBILITIES

The Chairperson, Mayor Newton, made the following statement:

Council has an occupational health and safety responsibility to ensure anyone attending tonight's meeting, feels safe both physical and emotionally.

It's great to see so many people here this evening. I would like to remind everyone in attendance to be respectful of each other, and as outlined in our Governance Rules, please note the following:

- A Councillor or any other person who addresses a Meeting must do so in a courteous and respectful manner and must take direction from the Chairperson whenever called on to do so.
- Any member of the public physically attending a Meeting must not utter any offensive, indecent, insulting, or objectionable item or words, including words that are racist, sexist or homophobic, or interject or gesticulate offensively in the Council Chamber.
- Silence must be preserved by the gallery (other than by a person in the gallery who is invited to address the Meeting) at all times during a Meeting.
- If any member of the public engages in conduct that is improper or disorderly, the Chairperson may direct that person to cease their conduct and the person must comply with that direction.

Recognition of International Day of Commemoration and Dignity of the Victims of the Crime of Genocide and the Prevention of this Crime

In recognition of International Day of Commemoration and Dignity of the Victims of the Crime of Genocide and the Prevention of this Crime , the Mayor called for one minute silence:

Councillors and audience members, I would like to call for one minute silence in the chamber to commemorate the International Day of Commemoration and Dignity of the Victims of the Crime of Genocide and the Prevention of this Crime.

This day has been commemorated every 9th of December since 1948. Each 9th of December, the Office of the Special Adviser on the Prevention of Genocide marks the adoption of the Convention of the Prevention and Punishment of the Crime of Genocide.

Genocide is still a threat in the world today. Around the world, populations remain at risk of this crime. The Genocide Convention includes the obligation not only to punish the crime of genocide, but, crucially, to prevent it.

I acknowledge all genocidal acts, including genocides we are currently witnessing, and those that have occurred in this country, and that Darebin is proud to be the home to Australia's only memorial for all victims of genocide and genocidal acts in Ray Bramham Gardens in Preston.

Please join me now in one minute silence to reflect and show respect to the victims of genocide and genocidal acts.

7. QUESTION AND SUBMISSION TIME

The General Managers responded to the following questions submitted for Public Question Time.

- **Brian Sanaghan**

Mr Sanaghan submitted a question online but did not ask it at the meeting.

- **Allison Styger of Reservoir**

1. Up until the removal of over 300 trees on La Trobe Universities land, I as a local resident had no idea that this was going to happen. Why was there no community consultation in regard to giving permits to La Trobe University to cut down these trees that provide not only habitat to local wildlife but a treescape to those driving down Plenty Rd and Kingsbury Avenue.

2. What other location options were explored for the solar farm before La Trobe University were given permits to fell all these trees by Darebin City Council?

3. From the conversations I have had in the community, including in person, social media and the media, it is evident Darebin City Council has damaged its reputation in the eyes of not only the community but the residents of Melbourne. How will the council address this brand damage?

Response from General Manager City Sustainability and Strategy

Thank you for your questions, Allison.

1. The removal of the trees and development of the Solar Farm did not require a planning permit from Council as they were exempt through State Government Planning provisions and so there was no ability for community consultation to be undertaken.
2. Council did not issue a planning permit for the removal of the trees and Council was not involved in the scoping of options for the solar farm.
3. The removal of the trees and development of the solar farm were both outside the regulatory power of Council. The responsibility for those projects sits with La Trobe University.

- **Hunter Cullen of Preston**

Why does Darebin City Council not hold a Carols by Candlelight event?

Response from General Manager Community

Thank you for your question, Hunter.

Carols was reimagined by Council in 2021 following the disruption of COVID. Council now holds *Our Songs: A celebration of Peace, Love and Joy* to reflect the diversity of the Darebin community and coming together in the spirit of reconciliation and harmony.

The most recent *Our Songs* was held at the Northcote Uniting Church on Saturday 16 December, featuring performances from six Darebin-based community choirs, acapella, and musical groups.

- **Marion Attwater of Pascoe Vale**

1. Is there an error in the Governance Report recommendation no. 6 to "Appoint Councillor representatives to the State-wide, Metropolitan, Regional and Darebin-based Organisations and entities as listed in the report at Table A", whereby neither the M9 Alliance nor the Local Government Mayoral Taskforce to support people seeking asylum are mentioned in the table? It is clear that Councillors (or the Mayor) do attend meetings of these groups, from various social media posts, and in the monthly reports of Councillors activities.
2. On page 171 of the agenda it says the indicative costing for the installation of a modal filter on South Crescent is \$200,000. Whereas on page 203 and 215 the project is described as investigating installation of modal filters between Yeomans Street and Jamieson Street. What exactly is the \$200,000 for, and is the council intending to proceed with installing a modal filter regardless of the community consultation outcomes?

3. Regarding proposed speed limit reductions mentioned on page 169-170 of the agenda. The report mentions that the Department of Transport and Planning (DTP) requires community support to reduce speed limits. What level of community support is required, for example does there need to be a certain percentage of the community responding to the survey or some other criteria to be met?

Response from General Manager Communications and Corporate

Thank you for your questions, Marion.

1. In relation to question one, I can advise that the officer's recommendation in the Governance Report being considered tonight has been amended to include the addition of these 2 organisations.

Response from General Manager City Sustainability and Strategy

Thank you for your Questions Marion

2. The total estimated cost of investigating, designing, and constructing a modal filter is \$200,000. Council will consider the final list of recommended treatments after the second round of community consultation occurs, which is an important part of Council's decision making.
3. There is no minimum level of support required to make an application for a speed limit change.

The Department of Transport and Planning will consider the community consultation feedback with all other information provided when considering a speed limit change application.

A speed limit change application that has community support is more likely to be successful.

- **Ruth Jelley of Northcote**

1. Is Darebin Council committed to its Transport Policy, including increasing the role of sustainable transport modes, if yes – how is council demonstrating this?
2. Is Darebin Council still committed to delivering its Streets for People program?
3. When did Council last measure parking occupancy rates in permit zones?

Response from General Manager City Sustainability and Strategy

Thank you for your questions, Ruth.

1. Council is committed to its Transport Strategy, which was updated last year. Council is implementing the strategy in a number of ways, including through Your Street, Your Say.
2. The Active transport and road safety treatments identified through Streets for People are now being delivered through Council's Your Street Your Say program, along with other priorities identified through community consultation.

3. Parking occupancy data is collected on a regular basis, and helps Council assess parking change requests from our community and review the impact of new parking permit zones.

- **Tim Holdsworth of Northcote**

1. Regarding the proposed changes to South Crescent, Northcote, Has Vic Track been contacted by council with regard to putting a cycle/walking trail on the reserve to the South of the terrace? If so, what was the outcome?

2. Changes to South Crescent and Mitchell Street, Northcote have the potential to profoundly alter traffic flow in the neighborhood, so what overarching traffic flow modeling has been done to inform the public and council to the impact these changes may have?

3. Has council written to the residents of South Crescent to inform them of proposed changes to their street?

Response from General Manager City Sustainability and Strategy

Thank you for questions Tim.

I am aware of some mis-information that has been circulated about the YSYS agenda item. I'd like to share that the Council report presented this evening seeks Council's endorsement to consult the community on these proposed treatments.

Regarding question 1, Council hasn't contacted VicTrack yet. If Council endorses the proposed priority treatments for consultation, we will engage with VicTrack during consultation.

Regrading 2 – A Traffic Impact Assessment report has been completed as part of the Victoria Road and Mithcell Street treatment which found no adverse impact on travel times.

If South Crescent proceeds to delivery – after consultation and final Council endorsement - a Traffic Impact Assessment report would be undertaken as part of the design process.

Regarding question 3, if Council endorses these proposed priority treatments for consultation, Council will promote the consultation widely – we had over 1,800 individual contributions in round 1, and we'd like to reach as many people for round 2.

- **Isaac Wright of Reservoir**

1. The impact of the logging for the new solar farm at La Trobe University was deemed to be of low value through expert consultation conducted by La Trobe University. Can you make the information on these measurements available to the public?

2. According to DEECA Ecological Vegetation Class (EVC) Benchmarks using the NatureKit tool, the EVC Benchmark for this space, as at pre 1750's, is Grassy Woodland. How will the council ensure that this specific ecology is replaced in the City of Darebin?

3. In consideration of the current limited greenery along Plenty Rd, how does Darebin City Council prioritize the importance of enhancing streetscapes with greenery in its decision-making process regarding the clearing of trees for future projects? Additionally, can the council commit to making information regarding its approach to preserving and enhancing greenery in streetscapes publicly accessible?

Response from General Manager City Sustainability and Strategy

Thanks for your question, Isaac.

1. As Council was not involved in the tree logging assessment, you may wish to contact La Trobe University on this matter.

2. Where a planning permit is required and approved under Clause 52.17 of the Planning Scheme for the removal, destruction or lopping of native vegetation, the biodiversity impacts must be offset, in accordance with State Government guidelines. The conditions on the planning permit only specify the offset requirement and the timing to secure the offset. The offset pathway is regulated by the Department of Energy, Environment and Climate Action (DEECA).

Response from General Manager Operations and Capital

3. Council has set a key direction to improve biodiversity in its Open Space Strategy, Breathing Space, which is publicly available on the website - this includes a key direction to 'create a green streets network'.

At a more practical level, Council has for many years been increasing the number of street trees in the City every year, and has invested in rewilding in parks to increase biodiversity, canopy cover and understorey. The proposed priority locations for new street trees and rewilding for the year ahead will be shared with community as part of the budget consultation process next April for the 2024-25 year.

• **Serena O'Meley of Reservoir**

On 27 November 2023, I asked a question regarding nominated Councillor attendance at Darebin Creek Management Committee meetings over 2023. The governance report is cut off in the 19 December 2023 agenda and should be corrected. What is visible merely notes that I spoke with two officers following the meeting but does not include the answer to my question. I was told by one of the officers that Cr Dimitriadis missed the first meeting of the year before leaving the committee. She was then replaced by Cr Laurence who missed four out of a possible five meetings over the rest of the year. Can you please confirm for the minutes that this is an accurate answer to my question?

Response from General Manager Communications and Corporate

Thanks for your question, Serena.

The minutes of tonight's meeting will reflect the updated response to your question regarding Councillor attendance at DCMC meetings.

- **Louise Goode**

1. Why does Council think something has been done in regard to the decisions and actions by my housing provider, Common Equity Housing Limited, and the Department of Family Fairness and Homes that compounded my condition of PTS Injury & sleeping rough since the 1st of March?

2. As a Darebin constituent on the voter's roll, why has Council not maintained support for my efforts for a return of my healthy, safe and secure cooperative home in Thornbury?

3. Would Council make known the person working at Common Equity Housing Limited who places a member of council in a conflict of interest regards me?

Response from General Manager Community

Thank you for sharing your experiences and your questions, Louise. These will be taken on notice and a response provided at a later date.

- **John Nugent of Epping**

1. Mayor, Council advises they are in the process of developing a flag policy. I realised that Council fly the pride and the rainbow flags but I have never seen the intersex flag flown before this year.

Mayor, can you please advise why Council has decided now to develop a flag policy when it has been asked for years about flying the Victorian flag and how come Intersex was flown this year?

2. Mayor, Can you please advise when I ask a question at Council Meetings a number of times in the replies I am advised that Council are developing a new policy or creating a new policy or even when it knows that Council policy is out of date or wrong. Mayor, can you advise why aren't your Managers pro-active on Council Policies?

3. Mayor, Could you please advise why there is such a witch hunt by your infringement officers in and around in Johnson St Keon Park?

Can't your administration / officers see or know there is a new railway station is being built. Also, there are 2 large apartment blocks and other units in and around Johnson St. Construction staff arriving early in the morning and take any free parking in the area. The only thing your officers are booking are the owners of the shop and their staff.

Response from General Manager Community

Thank you for the question, John.

1. At its meeting held on 6 November 2019, Council resolved to fly the Intersex Flag annually between 26 October and 8 November to recognise Intersex Awareness Day (26 October) and Intersex Solidarity Day (8 November).

Council is progressing the development of a Flag Policy to provide guidance on the flying of flags and further consideration will occur in 2024.

Response from General Manager Communications and Corporate

Thank you for your question, John

As part of its responsibilities, Council is required to both:

1. Proactively undertake regular reviews of all policies and make amendments where appropriate;
2. And balance proactive activities with other urgent and or important matters that arise and appropriately re-prioritise workload when need be.

Response from General Manager City Sustainability and Strategy

When people park cars illegally, they make the roads less safe for other people – including vulnerable road users like children. They also reduce parking access for other people.

Officers will issue infringement notices to any car that they observe is parked illegally during their rounds.

8. PETITIONS

8.1 TABLING OF PETITION

With leave of the Chairperson, Cr Greco tabled a petition titled "Darebin Palestine Position Paper".

Recommendation

That the petition:

Dear Mayor Susanne Newton, Darebin Council, and Darebin Councillors,

Darebin Council is a progressive council, with an admirable record of advocating for human rights. This includes recent actions on the rights of First Nations people, LGBTQIA+ and disabled residents, refugees and asylum seekers, as well as on the war in Ukraine and the occupation of Palestine. This reflects the concerns and progressive values of the residents of Darebin.

Darebin Council speaks of their "sustained and unwavering commitment to human rights and peace, be it locally or globally". The motion entitled 'Ceasefire in Palestine', slated to be discussed by Council this coming Monday, is a lukewarm motion which flies in the face of this commitment. In light of the recent UN General Assembly vote, as well as motions passed in Merri-bek, Maribyrnong, Dandenong and elsewhere, it could and should be strengthened significantly. Over 18,000 people have been killed, with thousands more under rubble. The 2.2 million people of Gaza have been placed under siege by Israeli forces, with limited to no access to water, food, electricity, medicine or fuel. Refugee camps, schools, hospitals and mosques are being targeted, as are teachers, Journalists, healthcare workers, doctors and aid workers. International bodies such as the UN are pointing to evidence of war crimes and genocide. Darebin Council needs to do more.

Any motion passed by Darebin Council must contain these essential elements.

A call for an immediate, unconditional and permanent ceasefire,

A call for withdrawal of Israel from occupied Palestinian land;

An acknowledgement and mourning of the horrific loss of Palestinian and Israeli lives, and a condemnation of all attacks targeting civilians

An acknowledgement that the conflict did not begin on October 7th but with the Israeli occupation of Palestine,

An acknowledgement that many global organisations and institutions have documented evidence of war crimes committed by Israel against Palestinians;

A commitment to fly the Palestinian flag above Preston Town Hall;

Call upon the Australian Government to condemn Israeli war crimes, call for an immediate, unconditional and permanent ceasefire, and end all military, economic, political and diplomatic ties to Israel until it complies with its obligations under international law."

be tabled.

6.39pm – Cr Dimitriadis entered the meeting

6.41pm – Cr Dimitriadis left the meeting

PROCEDURAL MOTION**Council Resolution**

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

That the order of business be amended to consider Item 11.11 Ceasefire in Palestine before the commencement of Section 9 Consideration of Reports.

LOST

For: Crs Williams, Messina and Greco
Against: Crs McCarthy, Newton, Hannan, Rennie and Laurence

The Chairperson, Cr Newton adjourned the meeting at 6.46pm and resumed at 7.12pm.

PROCEDURAL MOTION**Council Resolution**

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

That the order of business be amended to be considered in the following order:

- Item 9.3 Property Matters - Leasing Of Kindergartens & Childcare Centres
- Item 9.4 Draft Leasing & Licensing Policy
- Item 9.9 Your Street Your Say Group B Round 1 Consultation Findings And Draft Concept Plans For Community Consultation Round 2
- Item 9.8 Migration Public Artwork
- Item 11.2 Addressing The Housing Crisis
- Item 11.11 Ceasefire In Palestine
- Item 11.13 JCMP Female Friendly Facilities
- Item 11.5 Reservoir Boathouse
- Item 11.6 Economic Forum
- Item 11.7 Darebin Council Service Delivery
- Item 11.8 Placemaking
- Item 11.9 Waiving Licencing Fees For Sporting Clubs Item 11.12
- Item 11.3 86 Festival

LOST

For: Crs Williams, Messina and Greco
Against: Crs McCarthy, Newton, Hannan, Rennie and Laurence

PROCEDURAL MOTION

Council Resolution

MOVED: Cr. T McCarthy

SECONDED: Cr. T Hannan

That the order of business be amended to consider Item 11.11 Ceasefire in Palestine immediately following Section 9 Consideration of Reports.

CARRIED

For: Crs McCarthy, Newton, Hannan, Laurence and Messina

Against: Crs Williams and Rennie

Abstained: Cr Greco

As the originator of the petition, Jaan Schild made a two minute submission to the petition.

9. CONSIDERATION OF REPORTS

9.1 GOVERNANCE REPORT - DECEMBER 2023

EXECUTIVE SUMMARY

- Summary of Advisory Committees, Councillor Briefing and other informal meetings of Councillors (**Appendix A**)
- Reports by Mayor and Councillors
- Proposed renaming of the Darebin Sexuality, Sex & Gender Diversity Advisory Committee to the Darebin LGBTIQ+ Advisory Committee
- Darebin Nature Trust - Appointment of new community members
- Appointment of Councillor Delegates to:
 - State-wide, Metropolitan, Regional and Darebin-based Organisations (**Table A**)
 - Council Advisory Committees and Community Reference Groups (**Table B**)
 - Audit and Risk Committee and CEO Employment Matters Committee (**Table C**)
- General Planning Information (Applications determined by VCAT (**Appendix C**)).
- Responses to public questions taken on notice at the Council Meeting held on 27 November 2023.

7.23pm – Cr Dimitriadis entered the meeting

7.24pm – Cr Dimitriadis left the meeting

Officer Recommendation

That Council:

- (1) Notes the Governance Report – December 2023.
- (2) Notes the Summary of attendance at Councillor Briefings at **Appendix A** to this report, for incorporation in the minutes of this meeting.
- (3) Notes that reports by Mayors and Councillors submitted prior to the meeting and circulated to Councillors, will be incorporated in the minutes of this meeting.
- (4) Endorses renaming the Darebin Sexuality, Sex & Gender Diversity Advisory Committee to the Darebin LGBTIQ+ Advisory Committee and the amendment of the Terms of Reference (**Appendix B**) to reflect the change of name.
- (5) Endorses the appointment of nine (9) community members to the Darebin Nature Trust (DNT) as recommended in confidential **Appendix C** in accordance with the DNT Terms of Reference.
- (6) Appoints Councillor representatives to the State-wide, Metropolitan, Regional and Darebin-based Organisations and entities as listed in the report at **Table A** for a period of 12 months, or until such time as Council makes a further resolution on the matter.
- (7) Appoints Councillor representatives to the Council Advisory Committees and Community Reference Groups as listed in the report at **Table B** for a period of 12 months, or until such time as Council makes a further resolution on the matter.

- (8) Appoints Councillor representatives to the Audit and Risk Committee and CEO Employment Matters Committee as listed in the report at **Table C** below in the Report for a period of 12 months, or until such time as Council makes a further resolution on the matter.
- (9) Notes the General Planning Information attached as **Appendix E**.
- (10) Notes the responses to the public questions taken on notice at the Council Meeting on 27 November 2023 (**Attachment F**).

Motion

MOVED: Cr. T Hannan
SECONDED: Cr. T McCarthy

That Council:

- (1) Notes the Governance Report – December 2023.
- (2) Notes the Summary of attendance at Councillor Briefings at **Appendix A** to this report, for incorporation in the minutes of this meeting.
- (3) Notes that reports by Mayors and Councillors submitted prior to the meeting and circulated to Councillors, will be incorporated in the minutes of this meeting.
- (4) Endorses renaming the Darebin Sexuality, Sex & Gender Diversity Advisory Committee to the Darebin LGBTIQA+ Advisory Committee and the amendment of the Terms of Reference (**Appendix B**) to reflect the change of name.
- (5) Endorses the appointment of **ten (10)** ~~nine (9)~~ community members to the Darebin Nature Trust (DNT) **and requests that the CEO (or delegate) update the DNT Terms of Reference to allow for up to 10 (10) community members.** ~~as recommended in confidential Appendix C in accordance with the DNT Terms of Reference.~~ Members to be appointed are:
 1. Angela Pastell
 2. Meg Bauer
 3. Daniel Tatton
 4. Kate Jost
 5. Rohan Khot
 6. Cindy Huynh
 7. Owen Butler
 8. Hannah Proctor-Parkin
 9. Rosie Moffat
 10. Nadine Richings
- (6) Appoints Councillor representatives to the State-wide, Metropolitan, Regional and Darebin-based Organisations and entities as listed in the report at **Table A** for a period of 12 months, or until such time as Council makes a further resolution on the matter.
- (7) ~~Appoints~~ **Nominates Cr Emily Dimitriadis to the Darebin Creek Management Committee for 2023/24** and Councillor representatives to the Council Advisory Committees and Community Reference Groups as listed in the report at **Table B** for a period of 12 months, or until such time as Council makes a further resolution on the matter.

- (8) Appoints Councillor representatives to the Audit and Risk Committee and CEO Employment Matters Committee as listed in the report at **Table C** below in the Report for a period of 12 months, or until such time as Council makes a further resolution on the matter
- (9) Notes the General Planning Information attached as **Appendix E**.
- (10) Notes the responses to the public questions taken on notice at the Council Meeting on 27 November 2023 (**Attachment F**).

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

7.38pm – The Chairperson, Cr Newton adjourned the meeting for 5 minutes

7.44pm – The meeting resumed

Council Resolution

MINUTE NO. 23-124

MOVED: Cr. T Hannan
SECONDED: Cr. T McCarthy

That Council:

- (1) Notes the Governance Report – December 2023.
- (2) Notes the Summary of attendance at Councillor Briefings at **Appendix A** to this report, for incorporation in the minutes of this meeting.
- (3) Notes that reports by Mayors and Councillors submitted prior to the meeting and circulated to Councillors, will be incorporated in the minutes of this meeting.
- (4) Endorses renaming the Darebin Sexuality, Sex & Gender Diversity Advisory Committee to the Darebin LGBTIQA+ Advisory Committee and the amendment of the Terms of Reference (**Appendix B**) to reflect the change of name.
- (5) Endorses the appointment of ten (10) community members to the Darebin Nature Trust (DNT) and requests that the CEO (or delegate) update the DNT Terms of Reference to allow for up to ten(10) community members. Members to be appointed are:
 1. Angela Pastell
 2. Meg Bauer
 3. Daniel Tatton
 4. Kate Jost
 5. Rohan Khot
 6. Cindy Huynh
 7. Owen Butler
 8. Hannah Proctor-Parkin
 9. Rosie Moffat
 10. Nadine Richings
- (6) Appoints Councillor representatives to the State-wide, Metropolitan, Regional and Darebin-based Organisations and entities as listed in the report at **Table A** for a period of 12 months, or until such time as Council makes a further resolution on the matter.
- (7) Nominates Cr Emily Dimitriadis to the Darebin Creek Management Committee for 2023/24 and Councillor representatives to the Council Advisory Committees and Community Reference Groups as listed in the report at **Table B** for a period of 12 months, or until such time as Council makes a further resolution on the matter.

- (8) Appoints Councillor representatives to the Audit and Risk Committee and CEO Employment Matters Committee as listed in the report at **Table C** below in the Report for a period of 12 months, or until such time as Council makes a further resolution on the matter.
- (9) Notes the General Planning Information attached as **Appendix E**.
- (10) Notes the responses to the public questions taken on notice at the Council Meeting on 27 November 2023 (**Attachment F**).

CARRIED

For: Crs McCarthy, Newton, Hannan, Rennie Laurence and Messina
 Abstained: Crs Williams and Greco

TABLE A - STATE-WIDE, METROPOLITAN, REGIONAL AND DAREBIN-BASED ORGANISATIONS

State-wide, metropolitan or regional organisation	Nominees required	Appointments 2023/24
Municipal Association of Victoria	One Councillor and one proxy	Cr Rennie Cr McCarthy (proxy)
M9 Alliance	Mayor of Day and proxy CEO	Cr Newton Cr Laurence (proxy)
Local Government Mayor Taskforce on People Seeking Asylum	Mayor of Day and proxy	Cr Newton Cr Laurence (proxy)
Friends of Baucau Inc.	One Councillor	Cr Newton
Climate Emergency Australia	One Councillor	Cr McCarthy
Metropolitan Transport Forum	One Councillor	Cr Newton
Northern Alliance for Greenhouse Action	One Councillor	Cr McCarthy Cr Hannan (proxy)
Global Covenant of Mayors for Climate and Energy	Mayor of the Day	Cr Newton
Recycling Victoria Local Government Advisory Committee	One Councillor	Cr Messina
Northern Council Alliance	Mayor of the Day, one proxy and Chief Executive Officer	Cr Newton Cr Williams
Merri Merri Wayi	One Councillor	Cr McCarthy Cr Newton (proxy)
Darebin Ethnic Communities Council	Two Councillors	Cr Laurence
Darebin Creek Management Committee Inc.	One Councillor	Cr Dimitriadis
Merri Creek Management Committee Inc.	One Councillor	Cr McCarthy Cr Newton (proxy)

TABLE B - COUNCIL ADVISORY COMMITTEES AND COMMUNITY REFERENCE GROUPS

Community Committee	Advisory	Nominees required (Based on adopted Terms of Reference)	Appointments 2023/24
Active and Healthy Ageing Advisory Committee		One Councillor nominated as Chair of the Committee, and one as a proxy	Cr Greco Cr Dimitriadis (proxy) Cr Williams (proxy)
Art and Heritage Panel	Advisory	One Councillor nominated as Chair, and a community member as co-chair of the Committee, and one Councillor as a proxy	Cr Newton (chair) Cr Laurence (proxy)
Climate Emergency Advisory Committee	Darebin	One Councillor nominated as Chair, and a community member as co-chair of the Committee, and one Councillor as a proxy	Cr McCarthy (Chair) Cr Rennie (Deputy) Cr Dimitriadis (Proxy) Cr Hannan (Proxy)
Darebin Aboriginal Committee	Advisory	One Councillor nominated as Chair of the Committee and one as a proxy	Cr Newton (co-chair) Cr Greco Cr Rennie Cr Williams Cr McCarthy
Darebin Community Awards Advisory Committee		The current Mayor nominated as the Chair of the Committee and one as a proxy	Cr Newton (Chair) Cr Rennie (proxy)
Darebin Disability Committee	Advisory	One Councillor nominated as Chair of the Committee and one as a proxy	Cr Williams (chair) Cr Laurence (Proxy)
Darebin Domestic Animal Management Group	Animal Reference	One Councillor nominated as Chair of the Committee and one as a proxy	Cr Williams (chair) Cr Messina
Darebin Education Network		One Councillor nominated as Chair of the Committee and one as a proxy	Cr McCarthy (Chair) Cr Dimitriadis (proxy) Cr Greco (proxy)
Darebin Interfaith Council		One Councillor nominated as Chair, and a community member as co-chair of the Committee, and one Councillor as a proxy	Cr Greco (co-chair) Cr Williams (proxy)
Darebin Nature Trust		Three Councillors, one nominated as Chair and a community member as co-chair of the Committee, two Councillors as members with one being proxy.	Cr McCarthy (Chair) Cr Newton (proxy) Cr Dimitriadis
Gender Equity Committee (formerly Darebin Women's Advisory Committee)	Advisory Advisory	One Councillor nominated as Chair of the Committee and one as a proxy	Cr Dimitriadis (chair) Cr Rennie (proxy)
Darebin LGBTIQ+ Advisory Committee (formerly the Sexuality, Sex and Gender Diversity Advisory Committee)	Advisory	One Councillor nominated as Chair of the Committee and one as a proxy. Note: One Councillor must be a female	Cr Newton (chair) Cr Rennie (proxy)
Welcoming Cities Reference Group	Community	One Councillor nominated as Chair of the Committee and one as a proxy	Cr Hannan (chair) Cr Greco (proxy)
Edwardes Lake Water Quality Task Force		One Councillor nominated as Chair of the Committee and one as a proxy.	Cr Greco (chair) Cr Messina (proxy) Cr Newton (proxy)
Young Citizens Jury		Young citizen Councillor(s) appointed by Council annually and a Council Officer nominated by the Chief Executive Officer (both non-voting)	

TABLE C - STANDING COMMITTEES

Standing Advisory Committees	Nominees required (Based on adopted Charter and/or the Local Government Act)	Appointments 2023/24
Audit and Risk Committee	Two Councillors	Cr Messina Cr Hannan
CEO Employment Matters Committee	Mayor, Deputy Mayor and 3 Councillors	Cr Newton (Mayor) Cr Laurence (Deputy Mayor) Cr Greco Cr Hannan Cr Messina

REPORTS BY MAYOR AND COUNCILLORS – 18 DECEMBER 2023**REPORT OF CR. SUSANNE NEWTON, MAYOR**

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

- 'The market is here to stay party' with We are Preston Market
- Volunteer thank you and afternoon tea with Friends of Edwardes Lake
- Weekly Councillor meetings
- Regular meeting with Deputy Mayor Laurence
- 'M9' Mayors and CEOs meeting, hosted by Lord Mayor Sally Capp
- Radio interview on ABC Sammy J program about 'Little Anglers' kits leading to inappropriate fishing in Edwardes Lake
- Victorian Local Governance Association (VLGA) board meeting
- Victorian Local Governance Association (VLGA) end of year dinner
- Northern Councils Alliance (NCA) Mayors and CEOs meeting
- Conducting citizenship ceremony
- Filmed 26 January video message
- Filmed festive video message
- Handover with previous Mayor, Councillor Williams
- Regular meeting with Nathan Lambert, Preston MP and CEO
- Hearing of submissions meeting on leasing and licencing policy
- Meeting with Councillor Messina
- Darebin Aboriginal Advisory Committee (DAAC) meeting
- Weekly Councillor Briefings
- Audit and Risk Committee meeting
- Meeting with Chair of Audit and Risk Committee, Lisa Tripodi
- Darebin Art & Heritage Advisory Panel meeting
- Meeting with YIMBY Melbourne (Yes in my backyard) representative
- Merri Merri Wayi Reference Group meeting

REPORT OF CR. LINA MESSINA

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

- Councillor briefings
- Councillor only meetings
- Monthly Council meeting
- One to one meeting with Mayor
- Meeting with Darebin General Manager City Sustainability and Strategy
- Taranta festival- Edwardes lake
- Meeting with Darebin Businesses
- Discussions with Northcote Football Club
- Discussions with Preston Lions Club
- Audit & Risk committee meeting
- Discussions with residents re young st
- Discussions with resident at Flett st
- Discussion with traders re 86 festival
- Discussion with Plenty Rd traders re Graffiti

REPORT OF CR. GAETANO GRECO

Cr. Greco did not submit a report.

REPORT OF CR. TIM LAURENCE

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

- Councillor report
- Council meeting
- Special Council meeting
- Planning committee meeting
- Meeting with Greek Community of Navrone in Northcote
- Attended to flooding in Boldrewood Parade East Reservoir
- Consultation with Reservoir residents and traders St about laneways and maintenance and parking issues

REPORT OF CR. JULIE WILLIAMS

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

- 3 x Councillor Briefing Sessions
- 2 x Pre-Council Meeting Briefing
- 1 x Mayor and CEO meeting
- 1 x handover meeting
- Monthly Council Meeting
- 2 x Meeting with local resident
- MTF – Metropolitan Transport Forum
- Chancellor's Industry Advisory
- Interview with Renew Magazine on NARC
- Northcote Aquatic Recreation Centre video package filming
- Community Open Day for Northcote Aquatic and Recreation Centre
- Briefing Leasing and Licensing Policy
- Citizenship Ceremony x 2
- Orthodox Church
- Reservoir Suburban Revitalisation Board Meeting
- Audit and Risk Committee Meeting
- Planning Committee Meeting
- Official Opening Event for the Northcote Aquatic and Recreation Centre
- Citizenship Ceremony
- Northern Councils Alliance - Mayor and CEO Meeting
- Meeting with John Pesutto MP Leader of the Opposition
- Keon Park Tennis Club is Turning 70 years Celebrations
- Opening of new Circular Economy precinct in Reservoir
- BILLABONG CUP golf challenge
- Interfaith Advisory Committee
- The Northern Business Achievement Award
- Hearing of Submissions
- Opening of Preston High School Library Tony Birch
- Aboriginal Advancement League Elders luncheon
- Multicultural Youth Group Relaunch Event

REPORT OF CR. SUSAN RENNIE

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

- Council meeting
- Council briefings
- Councillor informal catch ups
- DAAC
- Gender Equity Advisory Meeting
- Alex Makes Meals Christmas gathering
- Hearing of Submissions
- Special Council Meeting
- Official Opening of NARC
- Education Network Advisory Committee

REPORT OF CR. TRENT MCCARTHY

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

- Special Council meeting
- Weekly Councillor meetings
- Hearing of submissions meeting on leasing and licencing policy
- Darebin Aboriginal Advisory Committee (DAAC) meeting
- Weekly Councillor Briefings
- Merri Merri Wayi Reference Group meeting

REPORT OF CR. EMILY DIMITRIADIS

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

- Attended Council briefings.
- Attended Councillor-only meetings.
- Attended Official Council meeting.
- Attended Council Planning meeting.
- Attended Hearing of Submissions – Leasing of Kindergartens and Childcare Centres
- Attended Darebin Childcare and Kindergarten
- Attended Clifton Street Kindergarten
- Attended Thornbury Kindergarten
- Attended 86 Festival
- Attended Fairfield Traders Halloween Funday
- Attended Northcote Aquatic and Recreation Centre Welcome Day
- Attended one-on-one parking permit briefing with Officers

REPORT OF CR. TOM HANNAN

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

- Contact (phone / online) with residents and businesses about their concerns, e.g., South Crescent and traffic safety, Israel-Gaza conflict, childcare leasing policy, Merri Park, litter, building and planning, Darebin Enterprise Bargaining
- Economic summit
- Councillor briefings
- Councillor only meetings
- Planning Committee meeting
- Council Ordinary meeting
- Special Council meeting to elect the Mayor

9.2 2024/25 BUDGET PARAMETERS

EXECUTIVE SUMMARY

The purpose of the adoption of the budget parameters is to allow the organisation to commence preparation and development of the 2024/25 Draft Budget between mid-December 2023 and mid-April 2024. The 2024/25 Draft Budget will be consistent with the decisions and financial outcomes in the Revised (2023-33) 10-Year Financial Plan, the risk thresholds (ratios) in the Risk Management Policy, the Local Government Act 2020 (the Act) (principles) and in line with the good governance recommendations of the Monitors Report.

Officer Recommendation

That Council:

- (1) Adopts the recommended 2024/25 Budget Parameters as contained in Table 1 to allow officers to commence the development of the 2024/25 Annual Budget for future adoption in accordance with section 94 of the Local Government Act 2020.
- (2) Notes that Officers will provide ongoing advice to these parameters to maintain the outcomes of Council's 10-Year Financial Plan and the final 2024/25 Annual Budget will be adopted in June 2024.
- (3) Notes that by adopting Table 1, accommodates the funding of an Enterprise Resource Program in accordance with the value as set out in Table 1, and will be subject to a separate Council Report in 2024.

Motion

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

That Council:

- (1) Adopts the recommended 2024/25 Budget Parameters as contained in Table 1 to allow officers to commence the development of the 2024/25 Annual Budget for future adoption in accordance with section 94 of the Local Government Act 2020.
- (2) Notes that Officers will provide ongoing advice to these parameters to maintain the outcomes of Council's 10-Year Financial Plan and the final 2024/25 Annual Budget will be adopted in June 2024.
- (3) Notes that by adopting Table 1, accommodates the funding of an Enterprise Resource Program in accordance with the value as set out in Table 1, and will be subject to a separate Council Report in 2024

Cr Greco proposed an amendment to the motion as follows, which was not accepted by the mover and seconder:

That Council:

- (1) Adopts the recommended 2024/25 Budget Parameters as contained in Table 1 to allow officers to commence the development of the 2024/25 Annual Budget for future adoption in accordance with section 94 of the *Local Government Act 2020* **subject to the following inclusion in the Table 1 as:**

- **RLC funding - Commits to the inclusion in the 24/25 budget of necessary funds to:**
 - a. **commence exploring funding options and**
 - b. **commence initial design development and concept plans.**
- ~~(1) Notes that Officers will provide ongoing advice to these parameters to maintain the outcomes of Council's 10 Year Financial Plan and the final 2024/25 Annual Budget will be adopted in June 2024.~~
- ~~(2) Notes that by adopting Table 1, accommodates the funding of an Enterprise Resource Program in accordance with the value as set out in Table 1, and will be subject to a separate Council Report in 2024.~~

Amendment

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

That Council:

- (1) Adopts the recommended 2024/25 Budget Parameters as contained in Table 1 to allow officers to commence the development of the 2024/25 Annual Budget for future adoption in accordance with section 94 of the *Local Government Act 2020* subject to the following inclusion in the Table 1 as:
 - **RLC funding - Commits to the inclusion in the 24/25 budget of necessary funds to:**
 - a. **commence exploring funding options and**
 - b. **commence initial design development and concept plans.**

LOST

For: Crs Williams, Messina, Greco and Laurence
Against: Crs McCarthy, Newton, Hannan, Rennie

On the casting vote of the Chairperson, Cr Newton, the Amendment was Lost.

Amendment

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

That Council:

- (1) Adopts the recommended 2024/25 Budget Parameters as contained in Table 1 to allow officers to commence the development of the 2024/25 Annual Budget for future adoption in accordance with section 94 of the *Local Government Act 2020* subject to the following inclusion in the Table 1 as:
- (2) In the table on page 52 include the following changes.
 - a. Commits to (insert word) "REVIEW" the continued inclusion of an estimated ERP funding of \$35m.

- b. Remove word "Commit" and replace with word "CONSIDER:" an initial \$0.5m to support the procurement phase.

LOST

For: Crs Williams, Messina and Greco
Against: Crs McCarthy, Newton, Hannan and Rennie
Abstained: Cr Laurence

On the casting vote of the Chairperson, Cr Newton, the Amendment was Lost.

Procedural Motion

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

That the Substantive Motion be put to the vote.

CARRIED

For: Crs McCarthy, Newton, Messina, Hannan, Rennie and Laurence
Abstained: Crs Williams and Greco

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

Council Resolution

MINUTE NO. 23-125

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

That Council:

- (1) Adopts the recommended 2024/25 Budget Parameters as contained in Table 1 to allow officers to commence the development of the 2024/25 Annual Budget for future adoption in accordance with section 94 of the Local Government Act 2020.
- (2) Notes that Officers will provide ongoing advice to these parameters to maintain the outcomes of Council's 10-Year Financial Plan and the final 2024/25 Annual Budget will be adopted in June 2024.
- (3) Notes that by adopting Table 1, accommodates the funding of an Enterprise Resource Program in accordance with the value as set out in Table 1, and will be subject to a separate Council Report in 2024.

CARRIED

For: Crs McCarthy, Newton, Messina, Hannan, Rennie and Laurence
Abstained: Crs Williams and Greco

8.06pm – Cr Dimitriadis entered the meeting
8.07pm – Cr Dimitriadis left the meeting
8.09pm – Cr Dimitriadis entered the meeting

9.3 PROPERTY MATTERS - LEASING OF KINDERGARTENS & CHILDCARE CENTRES

Cr. Greco disclosed a conflict of interest to 9.3 Property Matters - Leasing of Kindergartens & Childcare Centres due to his partner being employed as a casual staff member at the Clifton Street Children's Centre.

8.10pm – Cr. Greco left the meeting.

Vanessa Petrie, General Manager City Sustainability & Strategy declared an 'interest' in Item 9.3 Property Matters - Leasing of Kindergartens & Childcare Centres as a family member is in a senior position at the Department of Education.

8.10pm – Vanessa Petrie left the meeting.

EXECUTIVE SUMMARY

This report recommends that Council establish 18 Leases with 18 not-for-profit Early Years Services Associations for the provision of Kindergarten and Childcare services at the respective Council-owned premises (listed in **Appendix D**).

On 23 October 2023, Council decided to undertake community engagement in accordance with Section 115 of the Local Government Act 2020 ("the Act") in regard to its intention to enter into a 2 year lease with the option for 3 further years (at the tenants option) from 1 January 2024 with each of 18 (not-for-profit) Early Years Services Associations for the provision of Kindergarten and Childcare services at the respective Council-owned premises.

On 11 December 2023, Council conducted a Hearing of Submissions where 193 valid submissions were received, and 51 submitters nominated to present their submissions to Council. All valid submissions were shared with councillors confidentially (**included in Appendix A & B**), noting that incomplete or duplicate submissions were removed as invalid.

Common themes raised by community in feedback to Council were:

- Many submitters requested a longer Lease term than the proposed initial 2-year term to enable forward planning for both infrastructure investment and staffing.
- Concerns were raised about the uncertainty associated with the three year option period being subject to a draft Leasing and Licensing Policy and concerns that conditions could change in a way that increased costs and meant centres had to pass on costs to families.

Having considered the community feedback and various policy issues associated with this feedback, this report recommends two options for councillors' consideration. Both have longer lease terms with clear lease conditions to provide stability and the ability for Service providers to forward plan. Both options have been assessed as generally appropriate with different benefits and risks. For both options, it is recommended proceeding with the proposed approach to responsibilities for costs: all conditions relating to responsibilities for outgoings, utilities, maintenance and other costs, are recommended to remain the same as the current leases that are due to expire at 31 December 2023. For completeness, full details of 3 options are included in this report.

Officer Recommendation

Option 1

That Council:

Having given notice of its intention under section 115 of the *Local Government Act 2020* to lease 18 separate Council owned premises to 18 Early Years Services Associations.

- (1) Notes that public submissions were invited on the proposed leases in accordance with section 115 of the Local Government Act 2020 and 193 valid submissions being presented at the Hearing of Submissions committee meeting was held on 11 December 2023.
- (2) Notes that all current lease agreements are due to expire on 31 December 2023.
- (3) Enters into a five-year lease commencing 1 January 2024 with each of the 18 (not-for-profit) Early Years Services Associations on the following terms and conditions for the provision of Kindergarten and Childcare services at the various 18 Council-owned premises:
 - a. An annual rent of \$104 per annum plus GST that is fixed for the term of the Lease.
 - b. The tenant's lease conditions relating to liability towards outgoings costs will remain the same at its current agreement.
 - c. The tenant's lease conditions relating to obligations and liability for maintenance costs will remain the same as its current agreement.
 - d. Tenants to provide annual reporting to Council that aligns with any Leasing and Licensing Policy that Council establishes in future and being effective from the end of the first full reporting year after any future Policy is established.
- (4) Reaffirms its commitment to supporting kindergarten and childcare services within the municipality.
- (5) Thanks everyone who has provided feedback and made submissions on this topic, both verbally and in writing.
- (6) Writes to nominated representatives of all the Lessees and all the submitters to notify them of the outcome of this decision.

OR

Option 2

That Council:

Having given notice of its intention under section 115 of the *Local Government Act 2020* to lease 18 separate Council owned premises to 18 Early Years Services Associations.

- (1) Notes that public submissions were invited on the proposed leases in accordance with section 115 of the Local Government Act 2020 and 193 valid submissions being presented at the Hearing of Submissions committee meeting was held on 11 December 2023.
- (2) Notes that all current lease agreements are due to expire on 31 December 2023.
- (3) Enters into a five-year lease commencing 1 January 2024, **with a 5 year option for a further lease term (at the tenants option)** with each of the 18 (not-for-profit) Early Years Services Associations on the following terms and conditions for the provision of Kindergarten and Childcare services at the various 18 Council-owned premises:

- a. An annual rent of \$104 per annum plus GST that is fixed for the term of the Lease.
 - b. The tenant's lease conditions relating to liability towards outgoing costs will remain the same at its current agreement.
 - c. The tenant's lease conditions relating to obligations and liability for maintenance costs will remain the same as its current agreement.
 - d. Tenants to provide annual reporting to Council that aligns with any Leasing and Licensing Policy that Council establishes in future and being effective from the end of the first full reporting year after any future Policy is established.
- (4) Reaffirms its commitment to supporting kindergarten and childcare services within the municipality.
 - (5) Thanks everyone who has provided feedback and made submissions on this topic, both verbally and in writing.
 - (6) Writes to nominated representatives of all the Lessees and all the submitters to notify them of the outcome of this decision.

Motion

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

That Council:

Having given notice of its intention under section 115 of the *Local Government Act 2020* to lease 18 separate Council owned premises to 18 Early Years Services Associations.

- (1) Notes that public submissions were invited on the proposed leases in accordance with section 115 of the Local Government Act 2020 and 193 valid submissions being presented at the Hearing of Submissions committee meeting was held on 11 December 2023.
- (2) Notes that all current lease agreements are due to expire on 31 December 2023.
- (3) Enters into a five-year lease commencing 1 January 2024, **with a 5 year option for a further lease term (at the tenants option)** with each of the 18 (not-for-profit) Early Years Services Associations on the following terms and conditions for the provision of Kindergarten and Childcare services at the various 18 Council-owned premises:
 - a. An annual rent of \$104 per annum plus GST that is fixed for the term of the Lease.
 - b. The tenant's lease conditions relating to liability towards outgoing costs will remain the same at its current agreement.
 - c. The tenant's lease conditions relating to obligations and liability for maintenance costs will remain the same as its current agreement.
 - d. Tenants to provide annual reporting to Council that aligns with any Leasing and Licensing Policy that Council establishes in future and being effective from the end of the first full reporting year after any future Policy is established.
- (4) Reaffirms its commitment to supporting kindergarten and childcare services within the municipality.
- (5) Thanks everyone who has provided feedback and made submissions on this topic, both verbally and in writing.

- (6) Writes to nominated representatives of all the Lessees and all the submitters to notify them of the outcome of this decision.

Cr Messina proposed an amendment to point (3) and the addition of point (7) to the motion as follows, which was not accepted by mover and seconder:

- (3) Enters into a five-year lease commencing 1 January 2024, with a **10 year lease term with a 5 year option for a further lease term** (at the tenants option) with each of the 18 (not-for-profit) Early Years Services Associations on the following terms and conditions for the provision of Kindergarten and Childcare services at the various 18 Council-owned premises
- (7) **Apologises to the family, staff and community for the uncertainty and distress it has caused through the process.**

Amendment

MOVED: Cr. L Messina
SECONDED: Cr. E Dimitriadis

That Council:

Having given notice of its intention under section 115 of the Local Government Act 2020 to lease 18 separate Council owned premises to 18 Early Years Services Associations.

- (1) Notes that public submissions were invited on the proposed leases in accordance with section 115 of the Local Government Act 2020 and 193 valid submissions being presented at the Hearing of Submissions committee meeting was held on 11 December 2023.
- (2) Notes that all current lease agreements are due to expire on 31 December 2023.
- (3) Enters into a five-year lease commencing 1 January 2024, with a 10 year lease term with a 5 year option for a further lease term (at the tenants option) with each of the 18 (not-for-profit) Early Years Services Associations on the following terms and conditions for the provision of Kindergarten and Childcare services at the various 18 Council-owned premises:
- An annual rent of \$104 per annum plus GST that is fixed for the term of the Lease.
 - The tenant's lease conditions relating to liability towards outgoing costs will remain the same at its current agreement.
 - The tenant's lease conditions relating to obligations and liability for maintenance costs will remain the same as its current agreement.
 - Tenants to provide annual reporting to Council that aligns with any Leasing and Licensing Policy that Council establishes in future and being effective from the end of the first full reporting year after any future Policy is established.
- (4) Reaffirms its commitment to supporting kindergarten and childcare services within the municipality.
- (5) Thanks everyone who has provided feedback and made submissions on this topic, both verbally and in writing.
- (6) Writes to nominated representatives of all the Lessees and all the submitters to notify them of the outcome of this decision.
- (7) Apologises to the family, staff and community for the uncertainty and distress it has caused through the process.

LOST

For: Crs Williams, Laurence, Messina and Dimitriadis
Against: Crs Hannan, Rennie and Newton
Abstained: Cr McCarthy

On the casting vote of the Chairperson, Cr Newton, the Amendment was Lost.

Procedural Motion

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

That the Substantive Motion be put to the vote.

CARRIED

For: Crs McCarthy, Newton, Hannan, Rennie, Laurence and Messina
Against: Cr Williams
Abstained: Cr Dimitriadis

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

Council Resolution

MINUTE NO. 23-126

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

That Council:

Having given notice of its intention under section 115 of the *Local Government Act 2020* to lease 18 separate Council owned premises to 18 Early Years Services Associations.

- (1) Notes that public submissions were invited on the proposed leases in accordance with section 115 of the Local Government Act 2020 and 193 valid submissions being presented at the Hearing of Submissions committee meeting was held on 11 December 2023.
- (2) Notes that all current lease agreements are due to expire on 31 December 2023.
- (3) Enters into a five-year lease commencing 1 January 2024, with a 5 year option for a further lease term (at the tenants option) with each of the 18 (not-for-profit) Early Years Services Associations on the following terms and conditions for the provision of Kindergarten and Childcare services at the various 18 Council-owned premises:
 - a. An annual rent of \$104 per annum plus GST that is fixed for the term of the Lease.
 - b. The tenant's lease conditions relating to liability towards outgoings costs will remain the same at its current agreement.
 - c. The tenant's lease conditions relating to obligations and liability for maintenance costs will remain the same as its current agreement.
 - d. Tenants to provide annual reporting to Council that aligns with any Leasing and Licensing Policy that Council establishes in future and being effective from the end of the first full reporting year after any future Policy is established.

- (4) Reaffirms its commitment to supporting kindergarten and childcare services within the municipality.
- (5) Thanks everyone who has provided feedback and made submissions on this topic, both verbally and in writing.
- (6) Writes to nominated representatives of all the Lessees and all the submitters to notify them of the outcome of this decision.

CARRIED UNANIMOUSLY

8.13pm – Cr Dimitriadis left the meeting

8.14pm – Cr Dimitriadis returned to the meeting

8.14pm – Cr Dimitriadis left the meeting

8.15pm – Cr Dimitriadis returned to the meeting

8.36pm – Cr Greco returned to the meeting

9.4 DRAFT LEASING & LICENSING POLICY

Cr. Rennie declared a conflict of interest in Item 9.4 Draft Leasing and Licensing Policy due to being a manager of a venue which is leased from Council and will be subject to the Leasing and Licensing Policy.

8.37pm - Cr. Rennie left the meeting.

The following person made a 2-minute verbal submission:

- *Camilla Reehorst*

EXECUTIVE SUMMARY

This report recommends that Council endorse a draft Leasing and Licensing Policy (**Appendix A**) to proceed to community consultation. Proceeding to consultation will allow Council to understand community views on the proposed approach to support its community through rental subsidies where tenants deliver high community benefit through the community services they provide.

The establishment of a Leasing and Licensing Policy is important for effective corporate governance across the suite of leases and licenses that Council manages on behalf of community and to the benefit of particular organisations. A policy will support decision-making in relation to occupancy agreements on Council owned or managed land in accordance with its obligations under the *Local Government Act 2020* and where applicable, the *Crown Land (Reserves) Act 1978*. This will ensure that:

- There is consideration to provide return on investment for community (via Council as steward), whether this be in the form of community benefits and outcomes or financial return to be invested in other community services.
- Our community have visibility as to the expected terms and conditions that will be provided when entering into a lease or licence agreement with council.
- There is consistency and transparency in the approach to establishing, managing and reviewing leases and licenses.
- There is adequate oversight on compliance to lease and licence conditions.

The draft Policy does not cover:

- Agreements on sporting pavilions and sporting facilities.
- Seasonal ground allocations.
- Ad-hoc or casual hire of halls or rooms.
- Where Council is a Tenant or Licensee.
- Some other minor exclusions included in the draft Policy.

The draft Policy proposes:

- That Council continue to provide substantial support for not-for-profit organisations in Darebin by supporting our community via access to facilities and properties and where rental would be set on a peppercorn basis, at \$104 per annum (plus GST), incorporating a near full rental subsidy contribution from Council.

- That the Policy would be applied to a lease or license when a new agreement is established or when an agreement is renewed. It would not affect current agreements during the current term.
- For not-for-profit organisations, that there would be no change or increase to outgoings, utilities and maintenance obligations on any existing Tenant or Licensee even if a new Lease/Licence agreements or renewal of Lease/Licence agreements takes place.
- That the outgoings, utilities and maintenance obligations in a Lease/Licence for any new not-for-profit Tenant or Licensee will be in line with existing Lease/Licence agreement for similar type uses; and
- That for commercial and government tenants/licensees, rent would be set on a commercial basis to ensure that commercial arrangements can benefit community by returning financial income to Council for use for community purposes.
- Not-for-profit tenants with income generating capacity and who earn an income from sub-letting, advertising, room hire and bar and restaurant operations will be required to share a portion of that revenue Council (10% or 20% depending on the circumstances as detailed in the draft Policy).

The draft Policy outlines other terms and conditions that are proposed to be managed across Council's leases and licenses.

Officer Recommendation

That Council:

- (1) Notes that establishing a Leasing and Licencing Policy is an action identified in an internal audit Review of Lease Management in November 2021.
- (2) Notes that establishment of a Leasing & Licensing Policy is proposed to provide consistent and transparent management of Council's Lease and Licence portfolio so that tenants, prospective tenants and community have clarity about:
 - (a) How Council allocates access to community buildings; and
 - (b) The community benefits that arise from Council's contributions to community groups through the provision of rental subsidies and payment of other costs in relation to land, buildings and facilities.
- (3) Reconfirms Council's long-standing commitment to supporting its community by providing facilities and properties for community uses through leasing and licensing arrangements. This includes making properties available on a peppercorn rental to support Darebin not-for-profit organisations.
- (4) Notes that a key purpose of the Policy is to provide greater transparency in regard to the community benefits derived by community organisations from Council's investment, which is made on behalf of ratepayers.
- (5) Notes that the draft Leasing & Licensing Policy does not apply to recreation and leisure tenants/licensees (including seasonal ground allocations, agreements on sporting pavilions, sporting facilities), ad-hoc or casual hire of halls, where Council is a Tenant or Licensee, agreements on EV stations and Neighbourhood battery installations.
- (6) Notes that if adopted as proposed, the Leasing and Licensing Policy would mean:
 - (a) The rental for not-for-profit Tenants or Licensees would be set on a peppercorn basis, at \$104 per annum (plus GST) with:

- i. no change or increase to outgoings, utilities and maintenance obligations on any existing Tenant or Licensee even if a new Lease/Licence agreement or renewal of Lease/Licence agreement occurs.
 - ii. the outgoings, utilities and maintenance obligations in a Lease/Licence for any new Tenant or Licensee will be in line with existing Lease/Licence agreement for similar type uses.
 - (b) The rent for a commercial and government tenant/licensee is to be set on a commercial market rent basis as determined by Council's valuer.
 - (c) A not-for-profit tenant/licensee who earns an income from sub-letting/sub-licensing, advertising, room hire, the operation of a bar or restaurant or from a commercial licensing arrangement, would have its rental increased by a factor of 10% or 20% (as detailed in the draft Policy) of the gross revenue derived.
- (7) Endorses the draft Leasing & Licensing Policy (**Appendix A**) to proceed to community consultation.
- (8) Endorses the community engagement approach, which includes:
- (a) A consultation period open from 22 January 2024 to 18 March 2024.
 - (b) Communications with all tenant/licensee organisations in the fortnight starting 22 January 2024 to bring to their attention the consultation period and their opportunity to participate in this process.
 - (c) Opportunities for all tenant/licensee organisations to meet directly with Council staff and/or to join a workshop to provide feedback.
- (9) Requests a further report be provided to the Council at its Ordinary Council meeting in April 2024 to consider community consultation feedback and any recommended changes to be incorporated into the Leasing and Licensing Policy.

Motion

MOVED: Cr. T Hannan
SECONDED: Cr. T McCarthy

- (1) Notes that establishing a Leasing and Licencing Policy is an action identified in an internal audit Review of Lease Management in November 2021.
- (2) Notes that establishment of a Leasing & Licensing Policy is proposed to provide consistent and transparent management of Council's Lease and Licence portfolio so that tenants, prospective tenants and community have clarity about:
 - (a) How Council allocates access to community buildings; and
 - (b) The community benefits that arise from Council's contributions to community groups through the provision of rental subsidies and payment of other costs in relation to land, buildings and facilities.
- (3) Reconfirms Council's long-standing commitment to supporting its community by providing facilities and properties for community uses through leasing and licensing arrangements. This includes making properties available on a peppercorn rental to support Darebin not-for-profit organisations.
- (4) Notes that a key purpose of the Policy is to provide greater transparency in regard to the community benefits derived by community organisations from Council's investment, which is made on behalf of ratepayers.

- (5) Notes that the draft Leasing & Licensing Policy does not apply to recreation and leisure tenants/licensees (including seasonal ground allocations, agreements on sporting pavilions, sporting facilities), ad-hoc or casual hire of halls, where Council is a Tenant or Licensee, agreements on EV stations and Neighbourhood battery installations.
- (6) Notes that if adopted as proposed, the Leasing and Licensing Policy would mean:
- (a) The rental for not-for-profit Tenants or Licensees would be set on a peppercorn basis, at \$104 per annum (plus GST) with:
 - i. no change or increase to outgoings, utilities and maintenance obligations on any existing Tenant or Licensee even if a new Lease/Licence agreement or renewal of Lease/Licence agreement occurs.
 - ii. the outgoings, utilities and maintenance obligations in a Lease/Licence for any new Tenant or Licensee will be in line with existing Lease/Licence agreement for similar type uses.
 - (b) The rent for a commercial and government tenant/licensee is to be set on a commercial market rent basis as determined by Council's valuer.
 - (c) A not-for-profit tenant/licensee who earns an income from sub-letting/sub-licensing, advertising, room hire, the operation of a bar or restaurant or from a commercial licensing arrangement, would have its rental increased by a factor of 10% or 20% (as detailed in the draft Policy) of the gross revenue derived.
- (7) Endorses the draft Leasing & Licensing Policy (**Appendix A**) to proceed to community consultation.
- (8) Endorses the community engagement approach, which includes:
- (a) A consultation period open from 22 January 2024 to 18 March 2024.
 - (b) Communications with all tenant/licensee organisations in the fortnight starting 22 January 2024 to bring to their attention the consultation period and their opportunity to participate in this process.
 - (c) Opportunities for all tenant/licensee organisations to meet directly with Council staff and/or to join a workshop to provide feedback.
- (9) Requests a further report be provided to the Council at its Ordinary Council meeting in April 2024 to consider community consultation feedback and any recommended changes to be incorporated into the Leasing and Licensing Policy.

Cr Dimitriadis proposed the addition of point (10) to the motion as follows, which was accepted by the mover and seconder:

- 10) Ensures that consideration is given to the primary use and suitability of the premises in regards to maximising utilisation of the council property, by adding the following under the sub-heading 'Maximising Utilisation of Council Property':

"When assessing and Expression of Interest application for exclusive use, Council will also take into account the primary use and suitability of the property, and will not disadvantage an application if it is not appropriate for the organisation to operate every day of the week."

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

Council Resolution

MINUTE NO. 23-127

MOVED: Cr. T Hannan
SECONDED: Cr. T McCarthy

That Council:

- (1) Notes that establishing a Leasing and Licencing Policy is an action identified in an internal audit Review of Lease Management in November 2021.
- (2) Notes that establishment of a Leasing & Licensing Policy is proposed to provide consistent and transparent management of Council's Lease and Licence portfolio so that tenants, prospective tenants and community have clarity about:
 - (a) How Council allocates access to community buildings; and
 - (b) The community benefits that arise from Council's contributions to community groups through the provision of rental subsidies and payment of other costs in relation to land, buildings and facilities.
- (3) Reconfirms Council's long-standing commitment to supporting its community by providing facilities and properties for community uses through leasing and licensing arrangements. This includes making properties available on a peppercorn rental to support Darebin not-for-profit organisations.
- (4) Notes that a key purpose of the Policy is to provide greater transparency in regard to the community benefits derived by community organisations from Council's investment, which is made on behalf of ratepayers.
- (5) Notes that the draft Leasing & Licensing Policy does not apply to recreation and leisure tenants/licensees (including seasonal ground allocations, agreements on sporting pavilions, sporting facilities), ad-hoc or casual hire of halls, where Council is a Tenant or Licensee, agreements on EV stations and Neighbourhood battery installations.
- (6) Notes that if adopted as proposed, the Leasing and Licensing Policy would mean:
 - (a) The rental for not-for-profit Tenants or Licensees would be set on a peppercorn basis, at \$104 per annum (plus GST) with:
 - i. no change or increase to outgoings, utilities and maintenance obligations on any existing Tenant or Licensee even if a new Lease/Licence agreement or renewal of Lease/Licence agreement occurs.
 - ii. the outgoings, utilities and maintenance obligations in a Lease/Licence for any new Tenant or Licensee will be in line with existing Lease/Licence agreement for similar type uses.
 - (b) The rent for a commercial and government tenant/licensee is to be set on a commercial market rent basis as determined by Council's valuer.
 - (c) A not-for-profit tenant/licensee who earns an income from sub-letting/sub-licensing, advertising, room hire, the operation of a bar or restaurant or from a commercial licensing arrangement, would have its rental increased by a factor of 10% or 20% (as detailed in the draft Policy) of the gross revenue derived.
- (7) Endorses the draft Leasing & Licensing Policy (**Appendix A**) to proceed to community consultation.
- (8) Endorses the community engagement approach, which includes:
 - (a) A consultation period open from 22 January 2024 to 18 March 2024.

- (b) Communications with all tenant/licensee organisations in the fortnight starting 22 January 2024 to bring to their attention the consultation period and their opportunity to participate in this process.
 - (c) Opportunities for all tenant/licensee organisations to meet directly with Council staff and/or to join a workshop to provide feedback.
- (9) Requests a further report be provided to the Council at its Ordinary Council meeting in April 2024 to consider community consultation feedback and any recommended changes to be incorporated into the Leasing and Licensing Policy.
- 10) Ensures that consideration is given to the primary use and suitability of the premises in regards to maximising utilisation of the council property, by adding the following under the sub-heading 'Maximising Utilisation of Council Property':

"When assessing and Expression of Interest application for exclusive use, Council will also take into account the primary use and suitability of the property, and will not disadvantage an application if it is not appropriate for the organisation to operate every day of the week."

CARRIED

For: Crs Williams, McCarthy, Newton, Laurence, Rennie, Hannan and Messina

Abstained: Crs Dimitriadis and Greco

8.44pm – Cr Dimitriadis left the meeting

8.45pm – Cr Dimitriadis returned to the meeting

8.46pm – Cr Dimitriadis left the meeting

8.47pm – Cr Dimitriadis returned to the meeting

8.51pm – Cr. Rennie returned to the meeting.

9.5 PROPERTY MATTERS – LEASING OF NEIGHBOURHOOD BATTERIES (ALPHINGTON)

Graeme Martin made a 2 minute verbal submission to this item.

EXECUTIVE SUMMARY

This report recommends that Council establish a lease with Village Power, for the installation of a neighbourhood battery at Village Power's preferred location (Option C) within Council's land located at 2 Wingrove Street, Alphington (**Attachment A - Site Plans - Neighbourhood Battery and Licensed Areas**).

Village Power is seeking a full commercial lease for a period of 9 years and have agreed to a break clause being inserted into the agreement should the land at 2 Wingrove Street, Alphington be required for an alternate purpose following Council's proposed masterplanning work at the site. The break clause will specify that in the event that Council exercises this break clause, Council will not be liable for any claim for compensation, nor would Council be required to find an alternative location to house the battery.

Prior to commencing lease negotiations on this matter, Council supported the application by Village Power to install and operate a Neighbourhood Battery in Alphington and exchanged letters with Village Power to acknowledge the key terms required in the establishment of the neighbourhood battery.

Officer Recommendation

That Council:

- (1) Note that in August 2023 Village Power received a grant of \$750,000 from the Department of Energy, Environment and Climate Action (DEECA) to implement the first subscription model community battery in Victoria.
 - (2) Grant a new lease to Village Power to occupy part of Council's land located at 2 Wingrove Street, Alphington, for the establishment of the community battery. The lease will be drafted to include the following key terms and conditions:
 - a) Initial Lease term of 9 years with no option for a further term
 - b) Full Market Rental Value as determined by Council's valuer
 - c) Rent increases: 3% per annum
 - d) Lease Area – Approximately 15 square metres.
 - e) Break Date – Council will have the right to terminate the lease at anytime after six years from the commencement date of the lease at no penalty to Council.
 - f) Community benefit reporting – Village Power to provide Council with annual reports on the benefit this battery installation is providing to the community and the environment.
 - (3) Note there is no requirement for community consultation to establish a lease for Council property in accordance with *Section 115 of the Local Government Act 2020*.
 - (4) Authorise the Manager Property and Asset Strategy to negotiate and finalise all other terms and conditions of the lease.
-

- (5) Note that Village Power intends to deliver the battery and have it operational by a date no later than 31 December 2024.

Council Resolution

MINUTE NO. 23-128

MOVED: Cr. E Dimitriadis
SECONDED: Cr. T McCarthy

That Council:

- (1) Note that in August 2023 Village Power received a grant of \$750,000 from the Department of Energy, Environment and Climate Action (DEECA) to implement the first subscription model community battery in Victoria.
- (2) Grant a new lease to Village Power to occupy part of Council's land located at 2 Wingrove Street, Alphington, for the establishment of the community battery. The lease will be drafted to include the following key terms and conditions:
 - a. Initial Lease term of 9 years with no option for a further term
 - b. Reasonable Market Rental Value as determined by Council's valuer, noting that Village Power is a community based organisation
 - c. Rent increases: 3% per annum
 - d. Lease Area – Approximately 15 square metres.
 - e. Village Power will be responsible for all maintenance and structural repair of the installation
 - f. Village Power and Council to be responsible for their own Legal Fees
 - g. Break Date – Council may have the right to terminate the lease at anytime after six years from the commencement date of the lease at no penalty to Council.
 - h. Community benefit reporting – Village Power to provide Council with annual reports on the benefit this battery installation is providing to the community and the environment.
- (3) Note there is no requirement for community consultation to establish a lease for Council property in accordance with Section 115 of the Local Government Act 2020.
- (4) Authorise the CEO Manager Property and Asset Strategy to negotiate and finalise all other terms and conditions of the lease without passing on additional costs.
- (5) Note that Village Power intends to deliver the battery and have it operational by a date no later than 31 December 2024.

CARRIED UNANIMOUSLY

9.6 PRESTON CENTRAL STRUCTURE PLAN - AMENDMENT 218DARE

EXECUTIVE SUMMARY

This report seeks Council's endorsement to advance planning for the greater Preston activity centre by:

- Requesting that the Minister for Planning authorises Amendment C218dare to implement parts of the draft Preston Central Structure Plan.
- Delegating to the Chief Executive Officer the establishment of an Memorandum of Understanding with the Department of Transport and Planning (DTP) to progress planning for the greater Preston activity centre.

A refreshed planning approach for Preston Central is needed, as the existing Structure Plan and associated planning scheme controls are outdated. Preston Central is undergoing significant change, with forecast growth of around 15,000 additional people and the need for approximately 6,500 dwellings from 2021 to 2041. The area is subject to significant development pressure, and Council is receiving proposals with poor design outcomes which could be better regulated through updated built form controls.

The draft Preston Central Structure Plan (Structure Plan - **Appendix A**) has been prepared for the Preston Central Major Activity Centre (the Centre). It provides the vision and strategic framework to guide the planning and development of the Centre to 2041 and includes a range of statutory and non-statutory implementation actions.

To implement the statutory actions within the structure plan, a planning scheme amendment is required. Amendment C218dare (**Appendices A-F**) proposes to make the Structure Plan a Background document within the Darebin Planning Scheme and introduce new planning controls in the form of the Activity Centre Zone, to the central High Street spine.

Coinciding with the completion of the draft Structure Plan, the Victorian Government released its Housing Statement, including a commitment to implement new planning controls for 10 activity centres across Melbourne, including Preston (High Street). The stated aim of the program is to deliver additional housing in activity centres.

Amendment C218dare will improve land use and development outcomes while accommodating housing growth in Preston Central, and is strongly aligned to the intent of the Housing Strategy.

Preston is of strategic importance to Darebin, and to the State. There is an opportunity to complement the Preston Central Structure Plan initiative with place-making and other strategic work that unleashes the activity centre's full potential, while also serving as a 'light-house' project that can show what is possible for other activity centres across the State.

Officers recommend that Council seeks to enter into a partnership with the Victorian Government to explore and deliver initiatives that bring to life the vision for Preston Central – a vision that Council has developed in partnership with the community.

To govern the relationship, it is proposed that Council negotiate and enter into a Memorandum of Understanding (MoU) between the two organisations, to pursue the following outcomes/deliverables:

- Establishing an agreed project scope and governance model.

- An agreed set of partnership principles and outcomes to be achieved through the project.
- Integration between the planning for Preston Central and the Preston Market re-development.
- Developing place-making, civic realm and transport plans for the activity centre.
- Initiating and funding a community-led, place making program, which may include a grant making element.
- Achieving value uplift through development to ensure Council can provide the infrastructure and open space needed by a growing community, including:
 - Research to identify required community infrastructure needs and preparation of a draft development contributions framework
 - Supporting *Amendment C210DARE – Open Space Contributions*, and, introducing a higher future rate that is commensurate with the high quality, accessible open space needed now and into the future.
- Introduction of mandatory social and affordable housing contribution rates.
- Research to inform the preparation of a draft structure plan for Preston South.
- Development of new planning provisions and incentives to encourage high quality design and consolidation in ‘residential transition areas’.
- Introducing the Elevating ESD standards to new development.
- Working collaboratively with all stakeholders to facilitate an integrated approach to the consideration and planning of the redevelopment of Preston Market to ensure that it aligns with plans for Preston Central.

Council Resolution

MINUTE NO. 23-129

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

That Council:

- (1) Adopts the draft Preston Central Structure Plan (2023) (**Appendix A**) and Preston Central Built Form Framework (2023) (**Appendix B**)
- (2) Requests the Minister for Planning authorise the preparation and exhibition of Amendment C218dare to the Darebin Planning Scheme (**Appendices A-F**) and supporting document (**Appendix G**), pursuant to section 8A of the *Planning and Environment Act 1987*
- (3) When authorised by the Minister for Planning, exhibit Amendment C218dare to Darebin Planning Scheme in accordance with notice requirements under section 19 of the *Planning and Environment Act 1987*
- (4) Seeks community stakeholder feedback as part of the exhibition period, on the draft Preston Central Structure Plan and proposed changes to the Darebin Planning Scheme.
- (5) Authorises the Manager City Futures to make changes to Amendment C218dare documentation prior to lodgement of the authorisation request with the Minister for Planning and/or exhibition period, where the changes do not affect the purpose or intent of the amendment.
- (6) Authorise the Chief Executive Officer to negotiate and execute a Memorandum of

Understanding with the Department of Transport and Planning (DTP) to progress planning for Preston Central and Preston South, generally in accordance with **Appendix H.**

CARRIED

Extension of Time

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

That the Council meeting continue after 9.01pm for 30 minutes.

CARRIED UNANIMOUSLY

8.53pm – Cr Dimitriadis left the meeting

8.59pm – Cr Dimitriadis returned to the meeting

9.7 DAREBIN'S LGBTIQA+ ACTION PLAN - COMMUNITY ENGAGEMENT

EXECUTIVE SUMMARY

The Council Plan 2021-25 includes a strategic action (1-19) that foreshadowed the 'development of an Action Plan to support the inclusion, rights, and wellbeing of LGBTIQA+ communities' and work to combat homophobia, biphobia, and transphobia.

To inform the development of an Action Plan two stages of community engagement is proposed, with the first stage aiming to gather broad community feedback on what the community sees as being important for members of LGBTIQA+ communities who have a connection with Darebin. The LGBTIQA+ Action Plan will replace Council's previous Sexuality, Sex and Gender Diversity Action Plan.

Council Resolution

MINUTE NO. 23-130

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

That Council:

- (1) Approves the delivery of Stage 1 Community Engagement to inform the development of an LGBTIQA+ Action Plan as per the Community Engagement Plan in **Appendix A**.
- (2) Resolves to incorporate the Stage One Community Engagement into the development of the LGBTIQA+ Action Plan to be presented to Council in 2024.

CARRIED UNANIMOUSLY

8.59pm – Cr Dimitriadis left the meeting

9pm – Cr Dimitriadis returned to the meeting

9.8 MIGRATION PUBLIC ARTWORK

EXECUTIVE SUMMARY

This report provides options for the scoping of a new Public Artwork in Darebin which acknowledges Darebin's migration story. The scoping study was funded by Council (\$20K) in the 2023/24 Council Plan and Budget.

Based on feedback received during the September 2023 meeting of the Art and Heritage Advisory Panel as well as October and November 2023 Council Briefing sessions, officers have prepared this report providing Council with three delivery options. Officers recommend Delivery Option 3 and are seeking a decision from Councillors to enable officers to move the scoping study forward.

At the above briefings, Councillors noted that presently there is no funding allocated to commission the public artwork and noted that this funding decision is considered at different points in the delivery options. Based on feedback from Council at these briefings two funding options are also presented in this report for consideration and decision by Council.

Officer Recommendation

That Council:

- (1) Endorses Migration Public Artwork Delivery Option 3 as outlined in **Appendix A** to progress the scoping study for the Migration Public Artwork as funded in the 2023/24 Council Plan and Budget.
- (2) Endorses Migration Public Artwork Funding Strategy Option 2 – refers consideration of whether to fund \$180,000 to commission the public art work to the 2024/25 Council Plan and Budget process for consideration and prioritisation against other capital priorities and community needs.

Motion

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

That Council:

- (1) Endorses Migration Public Artwork Delivery Option 3 as outlined in **Appendix A** to progress the scoping study for the Migration Public Artwork as funded in the 2023/24 Council Plan and Budget.
- (2) Endorses Migration Public Artwork Funding Strategy Option 2 – refers consideration of whether to fund \$180,000 to commission the public art work to the 2024/25 Council Plan and Budget process for consideration and prioritisation against other capital priorities and community needs.

Extension of Time

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

That the Council meeting continue after 9.30pm for 30 minutes.

CARRIED UNANIMOUSLY

Procedural Motion

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

That this item be adjourned to the Council meeting to be held on 26 February 2024.

LOST

For: Crs Rennie, McCarthy and Newton
Against: Crs Messina and Dimitriadis
Abstained: Crs Williams, Hannan, Laurence and Greco

Amendment

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

- 1) **Endorses Migration Public Artwork Delivery as outlined in the table attached ~~Option 3 as outlined in Appendix A~~ to progress the scoping study for the Migration Public Artwork as funded in the 2023/24 Council Plan and Budget subject to the following changes as per the attached table with new timelines.**
- 2) Endorses Migration Public Artwork Funding Strategy Option 2 – refers consideration of whether to fund \$180,000 to commission the public art work to the 2024/25 Council Plan and Budget process for consideration and prioritisation against other capital priorities and community needs.

CARRIED

For: Crs Williams, Messina, Dimitriadis, Greco and Laurence
Against: Crs McCarthy, Newton, Rennie and Hannan

THE AMENDMENT WAS PUT AND CARRIED AND BECAME THE SUBSTANTIVE MOTION AS FOLLOWS:

Procedural Motion

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

That the Amendment be put to the vote.

CARRIED

For: Crs Williams, McCarthy, Messina, Dimitriadis, Greco, Hannan, Rennie and Laurence
Against: Cr Newton

Substantive Motion

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

That Council:

- 1) Endorses Migration Public Artwork Delivery as outlined in the table attached to progress the scoping study for the Migration Public Artwork as funded in the 2023/24 Council Plan and Budget subject to the following changes as per the attached table with new time lines.
- 2) Endorses Migration Public Artwork Funding Strategy Option 2 – refers consideration of whether to fund \$180,000 to commission the public art work to the 2024/25 Council Plan and Budget process for consideration and prioritisation against other capital priorities and community needs.

Procedural Motion

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

That the Substantive Motion be put to the vote.

CARRIED

For: Crs Williams, McCarthy, Messina, Dimitriadis, Greco and Laurence

Against: Cr Newton

Abstained: Crs Hannan and Rennie

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

Council Resolution

MINUTE NO. 23-131

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

That Council:

- 1) Endorses Migration Public Artwork Delivery as outlined in the table attached to progress the scoping study for the Migration Public Artwork as funded in the 2023/24 Council Plan and Budget subject to the following changes as per the attached table with new time lines.
- 2) Endorses Migration Public Artwork Funding Strategy Option 2 – refers consideration of whether to fund \$180,000 to commission the public art work to the 2024/25 Council Plan and Budget process for consideration and prioritisation against other capital priorities and community needs.

CARRIED

For: Crs Messina, Dimitriadis, Williams, Greco and Laurence

Against: Newton

Abstained: Crs McCarthy, Hannan and Rennie

Action:

Project research Targeted Consultation: Darebin Ethnic Communities Council Multicultural Arts Victoria Darebin Welcoming Cities CRG Darebin Art & Heritage Advisory Panel City of Melbourne public art team CALD Academics who specialise in public art Darebin Aboriginal Advisory Committee Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation Equity and Diversity and City Design units	Timeline Completed
Call for Community Members to join a community reference Group CRG 5 x Community with lived experience of migration Non-english speaking where English is not their first language as presented in the latest census 2 Darebin Ethnic Communities Council representative 1 CALD member of the Darebin Art & Heritage Advisory Committee 1 Darebin Art Curator	1 January – 15 February
CRG and Officers complete first draft and Project Brief	16-28 February
Draft Project Brief presented to council for review.	10 th March
Project commission referred to council chamber	Approved March
Revise and Finalise Project Brief as required	1 April-10 th April
Open EOI: Invite community members to nominate themselves for the migration sculpture commission.	11 April -28 April
CRG to develop a short list of 3 artists.	1 May – 15 May
Open Consultation: shortlisted artists hold several community roundtable discussions for feedback on the project	16 May- 10 June
Your say page set up for community feedback on the project	11 June – 30 June
3 shortlisted artists each develop a detailed artwork concept	1 July -30 July
Shortlisted artists present their artwork concepts to CRG	1 August-

Revise and finalise Project Brief as required.	15 August Briefing
CRG present their recommended artists to Council briefing	August 2024
Contract awarded and signed with successful artist	August 2024
Creation of Migration Sculpture	Oct 2024 Coordination of Artist and Council
Installation of Migration Sculpture	Approx May 2025 Coordination of Artist and Council
Public Launch and celebration of Migration Sculpture	Approx. June 2025 Coordination of Artist and Council

9.9 YOUR STREET YOUR SAY GROUP B ROUND 1 CONSULTATION FINDINGS AND DRAFT CONCEPT PLANS FOR COMMUNITY CONSULTATION ROUND 2

Cr. Rennie declared a conflict of interest in Item 9.9 Your Street Your Say Group B Round 1 Consultation Findings and Draft Concept Plans for Community Consultation Round 2 due to one of the proposed interventions being within the catchment in which she lives.

9.40pm - Cr. Rennie left the meeting

EXECUTIVE SUMMARY

Officer Recommendation

That Council:

- 1) Approves the release of the *Your Street, Your Say Group B* round 1 community consultation summary report to the public as included in **Appendix A**.
- 2) Endorses the recommended top 20 projects with draft concept plans (**Appendix B**), and 10 operational projects including blackspot project (**Appendix F**) to be included in the second round of community engagement for the Group B area of the *Your Street, Your Say* program.
- 3) Endorses including questions in the round 2 community consultation survey about reducing speed limits on local roads to 40km/h, and, trialling 30km/h zones near activity strips and schools.
- 4) Notes that the timelines for design and delivery of projects are subject to annual budget processes and budget availability.
- 5) Sends a letter to the Minister for Roads and Road Safety outlining 4 key advocacy items along the High Street Route 86 Tram Corridor as detailed in **Appendix C** and 10 other priority locations on Department of Transport and Planning managed roads at **Appendix J**.
- 6) Thanks the community for their valuable and considered input made during the first round of community engagement.
- 7) Receives a further report to Council with final recommended priority treatments and concept plans to be considered for delivery through future annual budget processes and grant opportunities.

Amended Officer Recommendation

That Council:

- (1) Approves the release of the *Your Street, Your Say Group B* round 1 community consultation summary report to the public as included in **Appendix A**.
- (2) Endorses the recommended top 20 projects with draft concept plans (**Appendix B**), and 10 operational projects including blackspot project (**Appendix F**) to be included in the second round of community engagement for the Group B area of the *Your Street, Your Say* program.

- (3) Endorses including questions in the round 2 community consultation survey about reducing speed limits on local roads to 40km/h, and, trialling 30km/h zones near activity strips and schools.
- (4) Notes that the timelines for design and delivery of projects are subject to annual budget processes and budget availability.
- (5) Sends a letter to the Minister for Roads and Road Safety outlining 4 key advocacy items along the High Street Route 86 Tram Corridor as detailed in **Appendix C** and 10 other priority locations on Department of Transport and Planning managed roads at **Appendix J**.
- (6) **Notes the Route 86 Tram Corridor north of Dundas Street will be included in the Group C investigation year, and that the reinstatement of the Tyler Street tram stop continues to be a high advocacy priority.**
- (7) **Notes that the Mayor will write to the Minister for Public and Active Transport requesting the reinstatement of the Tyler Street tram stop in 2024/25 and an urgent site meeting to progress the required designs**
- (8) **Seeks to accelerate the Your Street Your Say Group A projects adopted by Council on 26 September 2022 by also nominating those projects for grant funding as it becomes available.**
- (9) Thanks the community for their valuable and considered input made during the first round of community engagement.
- (10) Receives a further report to Council with final recommended priority treatments and concept plans to be considered for delivery through future annual budget processes and grant opportunities.

Motion

MOVED: Cr. T Hannan
SECONDED: Cr. T McCarthy

That Council:

- (1) Approves the release of the *Your Street, Your Say Group B* round 1 community consultation summary report to the public as included in **Appendix A**.
- (2) Endorses the recommended top 20 projects with draft concept plans (**Appendix B**), and 10 operational projects including blackspot project (**Appendix F**) to be included in the second round of community engagement for the Group B area of the *Your Street, Your Say* program **with the following changes to the South Crescent modal filter proposal:**
 - a. **Two trial options are to be tested through the consultation, including:**
 - b. **Modal filter near Mason Street with minimal changes to on-street parking**
 - c. **Removal of limited sections of on-street parking at higher risk areas of on the south side of South Crescent between Plant Street and Mason Street.**
- (3) Endorses including questions in the round 2 community consultation survey about reducing speed limits on local roads to 40km/h, and, trialling 30km/h zones near activity strips and schools.
- (4) Notes that the timelines for design and delivery of projects are subject to annual budget processes and budget availability.

- (5) Sends a letter to the Minister for Roads and Road Safety outlining 4 key advocacy items along the High Street Route 86 Tram Corridor as detailed in **Appendix C** and 10 other priority locations on Department of Transport and Planning managed roads at **Appendix J**.
- (6) Notes the Route 86 Tram Corridor north of Dundas Street will be included in the Group C investigation year, and that the reinstatement of the Tyler Street tram stop continues to be a high advocacy priority.
- (7) Notes that the Mayor will write to the Minister for Public and Active Transport requesting the reinstatement of the Tyler Street tram stop in 2024/25 and an urgent site meeting to progress the required designs
- (8) Seeks to accelerate the Your Street Your Say Group A projects adopted by Council on 26 September 2022 by also nominating those projects for grant funding as it becomes available.
- (9) Thanks the community for their valuable and considered input made during the first round of community engagement.
- (10) Receives a further report to Council with final recommended priority treatments and concept plans to be considered for delivery through future annual budget processes and grant opportunities.

Procedural Motion

MOVED: Cr. T McCarthy
SECONDED: Cr. T Hannan

That the Motion be put to the vote.

CARRIED

For: Crs Hannan, Laurence, Newton and McCarthy
Against: Crs Williams, Greco, Dimitriadis and Messina

On the casting vote of the Chairperson, Cr Newton, the motion was carried.

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

Council Resolution

MINUTE NO. 23-132

MOVED: Cr. T Hannan
SECONDED: Cr. T McCarthy

That Council:

- (1) Approves the release of the *Your Street, Your Say Group B* round 1 community consultation summary report to the public as included in **Appendix A**.
- (2) Endorses the recommended top 20 projects with draft concept plans (**Appendix B**), and 10 operational projects including blackspot project (**Appendix F**) to be included in the second round of community engagement for the Group B area of the *Your Street, Your Say* program with the following changes to the South Crescent modal filter proposal:
 - a. Two trial options are to be tested through the consultation, including:

- b. Modal filter near Mason Street with minimal changes to on-street parking
 - c. Removal of limited sections of on-street parking at higher risk areas of on the south side of South Crescent between Plant Street and Mason Street.
- (3) Endorses including questions in the round 2 community consultation survey about reducing speed limits on local roads to 40km/h, and, trialling 30km/h zones near activity strips and schools.
 - (4) Notes that the timelines for design and delivery of projects are subject to annual budget processes and budget availability.
 - (5) Sends a letter to the Minister for Roads and Road Safety outlining 4 key advocacy items along the High Street Route 86 Tram Corridor as detailed in **Appendix C** and 10 other priority locations on Department of Transport and Planning managed roads at **Appendix J**.
 - (6) Notes the Route 86 Tram Corridor north of Dundas Street will be included in the Group C investigation year, and that the reinstatement of the Tyler Street tram stop continues to be a high advocacy priority.
 - (7) Notes that the Mayor will write to the Minister for Public and Active Transport requesting the reinstatement of the Tyler Street tram stop in 2024/25 and an urgent site meeting to progress the required designs
 - (8) Seeks to accelerate the Your Street Your Say Group A projects adopted by Council on 26 September 2022 by also nominating those projects for grant funding as it becomes available.
 - (9) Thanks the community for their valuable and considered input made during the first round of community engagement.
 - (10) Receives a further report to Council with final recommended priority treatments and concept plans to be considered for delivery through future annual budget processes and grant opportunities.

CARRIED

For: Crs Hannan, Laurence, Newton and McCarthy
Against: Crs Greco, Williams, Dimitriadis and Messina

On the casting vote of the Chairperson, Cr Newton, the motion was carried and became the Council Resolution.

9.10

SUBMISSION TO STATE GOVERNMENT'S CAR AND BICYCLE PARKING REQUIREMENTS DISCUSSION PAPER**EXECUTIVE SUMMARY**

The Department of Transport and Planning (DTP) is undertaking a review of car parking and bicycle facility requirements within the Victorian planning system and have released a Discussion Paper. Council has an opportunity to make a submission on the proposed reforms.

The proposed changes outlined in the Discussion Paper include:

- Adopting a Public Transport Accessibility Level (PTAL) approach to car parking policy.
- Consolidating land use terms into seven categories for the purpose of car parking calculation.
- Implementing updated car parking rates to align with the PTAL parking policy and utilise minimum rates in conjunction with maximum rates.
- Adopting new minimum rates and design standards for bicycle parking.

Following a review of the Discussion Paper, a draft submission has been prepared that provides support for the general direction of the suggested reforms subject to the following conditions:

- The changes are undertaken in tandem with significant State Government investment in public and active transport infrastructure.
- Council is provided the opportunity to further review and comment on proposed changes once the PTAL mapping is released.
- DTP explore enhancements to the PTAL methodology as outlined in Council's submission.
- Proposed changes do not result in an undersupply of private car parking and further exacerbate on-street car parking issues in the municipality.
- DTP explore greater integration of development contributions with car parking rates.
- DTP enhance the proposed bicycle facility standards as recommended by the submission.

Officer Recommendation

That Council:

- (1) Adopts the submission to the Victorian Government's *Modernising car and bicycle parking requirements discussion paper* as outlined within **Attachment B**, and lodges the submission by 20 December 2023.
- (2) Authorises the Manager City Futures to make minor changes to the submission prior to lodgement.

Motion

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

That Council:

- (1) Adopts the submission to the Victorian Government's *Modernising car and bicycle parking requirements discussion paper* as outlined within **Attachment B**, and lodges the submission by 20 December 2023.
- (2) Authorises the Manager City Futures to make minor changes to the submission prior to lodgement.

Procedural Motion

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

That the Motion be put to the vote.

CARRIED UNANIMOUSLY

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

Council Resolution

MINUTE NO. 23-133

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

That Council:

- (1) Adopts the submission to the Victorian Government's *Modernising car and bicycle parking requirements discussion paper* as outlined within **Attachment B**, and lodges the submission by 20 December 2023.
- (2) Authorises the Manager City Futures to make minor changes to the submission prior to lodgement.

CARRIED UNANIMOUSLY

9.46pm – Cr Dimitriadis left the meeting

9.47pm – Cr Dimitriadis returned to the meeting

10. ITEMS TO BE TABLED

Nil

11. NOTICES OF MOTION

11.11 CEASEFIRE IN PALESTINE

Take notice that at the Council Meeting to be held on 18 December 2023, it is my intention to move:

That Council:

- (1) *Views with great concern the new phase of conflict between Israel and Palestine and the devastating loss of life and the destruction of infrastructure.*
- (2) *Notes the previous position of Council adopted in June 2021 in relation to Palestine and reaffirms the relevant parts of that position as follows:*
 - a. *Notes Darebin's Towards Equality Framework policy 'recognises the current climate change and social justice challenges that we encounter both locally and globally'.*
 - b. *Notes that Darebin is home to and welcomes people from diverse backgrounds and therefore reaches out to support Palestinian and Israeli members of the Darebin community whose relatives and friends have been affected by the recent violence.*
 - c. *Stands in solidarity with the Palestinian and Israeli communities in Darebin in condemning the recent violence and with the Palestinian community who are calling for their basic human rights in the Occupied Territories to be respected in accordance with international law.*
- (3) *Authorises the Mayor to write to the Prime Minister and the Minister for Foreign Affairs requesting advocacy at an international level for a ceasefire, just and lasting peace, the observance of human rights and stability within the region.*

Notice Received: 4 December 2023

Notice Given to Councillors 4 December 2023

Date of Meeting: 18 December 2023

Rationale:

This resolution responds to many deeply aggrieved members of the Darebin community including Palestinians, Muslims, Jewish and residents from diverse backgrounds, who are calling for peace and an immediate and permanent cease fire in Gaza.

The humanitarian cry for peace and a cease fire by Darebin residents speaks to Darebin's Equity, Inclusion and Human Rights Framework (2019-2029) policy that recognises social justice challenges we encounter both locally and globally, noted in the motion.

In this regard, as stated by the UN Secretary General the situation currently unfolding in Gaza is such a perilous humanitarian crisis that an immediate cease fire is required.

With leave of the Chairperson, Cr Newton, Cr Greco requested to make an amendment to his Notice of Motion. The Chairperson refused the request for the amendment.

The Chairperson called on Cr Greco to move the original Notice of Motion as published in the agenda. Cr Greco declined to move the motion. Per section 6.4.(3) of the Governance Rules, the motion lapsed.

Motion

That Council:

- (1) Views with great concern the new phase of conflict between Israel and Palestine and the devastating loss of life and the destruction of infrastructure.
- (2) Notes the previous position of Council adopted in June 2021 in relation to Palestine and reaffirms the relevant parts of that position as follows:
 - a. Notes Darebin's Towards Equality Framework policy 'recognises the current climate change and social justice challenges that we encounter both locally and globally'.
 - b. Notes that Darebin is home to and welcomes people from diverse backgrounds and therefore reaches out to support Palestinian and Israeli members of the Darebin community whose relatives and friends have been affected by the recent violence.
 - c. Stands in solidarity with the Palestinian and Israeli communities in Darebin in condemning the recent violence and with the Palestinian community who are calling for their basic human rights in the Occupied Territories to be respected in accordance with international law.
- (3) Authorises the Mayor to write to the Prime Minister and the Minister for Foreign Affairs requesting advocacy at an international level for a ceasefire, just and lasting peace, the observance of human rights and stability within the region.

LAPSED

9.51pm – Cr Messina left the meeting

9.52pm – Cr Messina returned to the meeting

9.57pm – The Chairperson, Cr Newton adjourned the meeting.

10.00pm – The meeting resumed.

Admission of Urgent Business

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

That an Urgent Business item relating to the Ceasefire in Palestine be admitted to the agenda and heard immediately.

CARRIED

For: Crs Williams, Dimitriadis, Messina, Greco and Laurence.
Against: Crs McCarthy, Newton, Rennie and Hannan.

Motion

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

That the Urgent Business item be put to the vote.

CARRIED UNANIMOUSLY

THE URGENT BUSINESS ITEM WAS PUT AND CARRIED AND BECAME THE COUNCIL RESOLUTION AS FOLLOWS:

10.04pm – Cr Rennie left the meeting

12.1 CEASEFIRE IN PALESTINE**Council Resolution**

MINUTE NO. 23-134

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

That Council:

- (1) Mourns the tragic and horrific loss of civilian lives in the current conflict and condemns all attacks that target Palestinian and Israeli civilians.
- (2) Notes the ongoing bombing total siege of Gaza is traumatising for many Darebin residents who have relatives in the region or have come from war-torn countries. We express our sympathy and solidarity with these communities
- (3) Notes that many global human rights organisations and institutions, including Amnesty International, United Nations Special Rapporteurs, and the UN's Independent International Commission of Inquiry on Occupied Palestinian Territory, have expressed deep concern about the:
 - a. sustained bombing of residential neighbourhoods in Gaza
 - b. the bombing of schools, health facilities, mosques and churches where civilians are sheltering
 - c. the denial of food, water, fuel, electricity, internet, and medical supplies to the people of Gaza.
- (4) Notes that as a diverse, multi-cultural, and multi-faith community, Darebin City Council deplores and actively stands against all forms of racism, including Islamophobia and Anti-Semitism
- (5) Notes that in line with the draft Darebin's Flag Policy 2023-26 principles of upholding human rights and advancing and social justice resolves to raise the Palestinian flag at Preston Town hall till such time Council resolves to remove the flag.
- (6) Notes that boycotts, divestment and sanctions are legitimate, non-violent tactics used by individuals, organisations and governments to pressure foreign governments over human rights abuses and war crimes, including the illegal occupation of Palestinian territories.
- (7) Receives a report at the next Council meeting to explore options for Council to consider ending contracts with companies and suppliers that support the illegal occupation of Palestine or profit from it, especially companies which supply equipment to the Israeli Defence Force.

- (8) Writes to the Prime Minister and Foreign Minister calling on the Australian Government to:
- a. Strongly condemn the sustained bombing of Palestinian civilians in Gaza.
 - b. Take stronger action that goes further than a call for an immediate and permanent ceasefire that will bring an end to the indiscriminate bombing.
 - c. Call for the immediate lifting of the siege on Gaza to allow Palestinians in Gaza to have unlimited access to food, water, fuel, electricity, medical supplies and construction materials to repair damaged homes and civilian infrastructure.
 - d. Advocate for all Palestinian and Israeli hostages to be released.
 - e. Advocate for a political resolution to the decades-long conflict which includes an end to the illegal Occupation of Palestinian territories in order for there to be a just and sustainable peace.
 - f. Consider ending all military, economic, political and diplomatic ties with the state of Israel until it complies with its obligations under international law.

CARRIED UNANIMOUSLY

10.08pm – Cr Rennie returned to the meeting

The Chairperson, Cr Newton advised that pursuant to the Governance Rules, the maximum time allowed for the meeting had been reached and the meeting would stand adjourned with the undisposed business listed below adjourned until the next Ordinary Council meeting:

Notices of Motion

- Item 11.2 Addressing The Housing Crisis
- Item 11.3 86 Festival
- Item 11.4 Engagement Of Post-War Migrants By Council
- Item 11.5 Reservoir Boathouse
- Item 11.6 Economic Forum
- Item 11.7 Darebin Council Service Delivery
- Item 11.8 Placemaking
- Item 11.9 Waiving Licencing Fees For Sporting Clubs
- Item 11.10 Northcote Aquatic And Recreation Centre
- Item 11.12 Local Newspaper Archive
- Item 11.13 JCMP Female Friendly Facilities

Consideration of Reports Considered Confidential

- Item 13.1 Commonwealth Single Assessment Tender Update

12. URGENT BUSINESS

Refer page 53 of these minutes.

13. CONSIDERATION OF REPORTS CONSIDERED CONFIDENTIAL

Refer page 55 of these minutes.

14. CLOSE OF MEETING


The meeting closed at 10.12.

**CITY OF
DAREBIN**

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हिंदी	ਪੰਜਾਬੀ	Tiếng Việt