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MINUTES OF THE ORDINARY COUNCIL MEETING

Held on Monday 22 November 2021

Released to the public on 29 November 2021

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



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

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

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

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

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



English

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

Arabic

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

Chinese

这些是市议会会议纪要。如需协助了解任何纪要项目，请致电8470 8888。

Greek

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

Hindi

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

Italian

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

Macedonian

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

Nepali

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

Punjabi

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

Somali

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

Spanish

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

Urdu

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

Vietnamese

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

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MINUTES OF THE ORDINARY COUNCIL MEETING OF THE DAREBIN CITY COUNCIL HELD VIRTUALLY ON MONDAY 22 NOVEMBER 2021

THE MEETING OPENED AT 6.03 PM

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. Lina Messina (Mayor) (Chairperson)

Cr. Gaetano Greco (Deputy Mayor)

Cr. Emily Dimitriadis

Cr. Tom Hannan

Cr. Tim Laurence

Cr. Trent McCarthy

Cr. Susanne Newton

Cr. Susan Rennie

Cr. Julie Williams

Council Officers

Sue Wilkinson - Chief Executive Officer

Sam Hewett - General Manager Operations and Capital

Kerry McGrath - General Manager Communities

Rachel Ollivier - General Manager City Sustainability and Strategy

Jodie Watson - General Manager Governance and Engagement

Brett Grambau – Manager City Works

Vicky Guglielmo - Manager Creative Culture and Events

Anthea Kypreos – Acting Manager Assets & Capital Delivery

Felicity Leahy – Manager Recreation and Libraries

Vanessa Petrie – Manager Climate Emergency and Sustainable Transport

Jo Smale – Manager Families, Youth and Children

Srini Vasan – Manager Finance

Tim Anderson – Coordinator Integrated Water Management

Michelle Van Gerrevink - Coordinator Climate Emergency and Environment Strategy

Arthur Pitsas – Coordinator Major Projects

Stephen Mahon - Coordinator Council Business

Rachna Gupta Singh - Senior Council Business Officer

Georgina Steele – Council Business Officer

Michelle Martin - Council Business Officer

2. ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

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

Darebin City Council acknowledges the Wurundjeri Woi-Wurrung people as the Traditional Owners and custodians of the land and waters 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.

3. APOLOGIES

Nil

4. DISCLOSURES OF CONFLICTS OF INTEREST

The Chief Executive Officer declared a general conflict of interest in item 8.5, Governance Report – November 2021, specifically the matter dealing with the extension of the appointment of the independent Chairperson of the CEO Employment Matters Committee.

5. CONFIRMATION OF THE MINUTES OF COUNCIL MEETINGS

Officer Recommendation

That the Minutes of the Ordinary Meeting of Council held on 25 October 2021 be confirmed as a correct record of business transacted.

Council Resolution

MINUTE NO. 21-140

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

That the Minutes of the Ordinary Meeting of Council held on 25 October 2021 be confirmed as a correct record of business transacted.

CARRIED UNANIMOUSLY

6. QUESTION AND SUBMISSION TIME

The Mayor adjourned the meeting for a brief break at 6.17 pm.

The Meeting recommenced at 6.27 pm

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

- **Annette Kalkbrenner of Thornbury**

1. How can Council vote on a consultation with a budget proposal?
2. Does Darebin Council have a report list that prioritises all of the outstanding works to Green Spaces, Stormwater and Pathways?
3. What Sporting and Community facilities are being prioritised for the aged in our Community?

Response

Officers have attempted without success to contact you prior to this meeting to clarify your question. In the absence of this clarification it is considered more appropriate that this question be taken on notice and we will endeavour to make contact with you and provided an answer to this question

Council has in place systems that capture and prioritise community requests for service across all areas of the Council. These systems ensure that complete details of such requests are communicated to the staff responsible for actioning the issue, customers are informed of the actions if required and we can report on the time taken to resolved issues. With respect to your specific query about outstanding works to green spaces, stormwater assets and pathways I have asked the General Manager Operations & Capital to contact you to discuss the specifics of your query.

Council is extremely aware of the current and growing needs of our aging community and endeavours to respond to these through a number of key strategies including the Outdoor Sporting Infrastructure Framework, Age Friendly Darebin and our 10 Year Capital. Additionally, Council delivers age friendly and tailored sporting, educational and cultural programs via its sporting facilities, Libraries, Arts and Cultural facilities and Senior Citizen Centres and through programs such as the free Get Active in Darebin program.

- **Ruth Jelley of Northcote .**

What are the transport priorities you will be advocating about to the State Government?

What measures are being taken by Council in support of Strategic Cycling Corridors in the North-west corner of Darebin, as part of the Local Area Place Making initiative that is currently underway?

Following Samuel Bolton's question in October, where he stated that the pinch point speed control measures on Cramer St, Preston were supported by 83% of residents engaged in community consultation, can Council please explain the reason(s) WHY it voted to overrule the pinch points following vocal opposition expressed by a small group of residents? It is

clear from public questions submitted since that decision was taken that residents are seeking to understand Council's decision on this matter.

Response

Council has a strong transport advocacy agenda. Our priorities include calling for Tram 11 to be extended to Reservoir Station, for the Suburban Rail Loop, and for better safety for pedestrians and cyclists. We are asking for lower speeds, better bus services, and more investment by the state government in cycling and safety measures.

Thanks for asking about this. Consultation is currently open and we've heard from many people in the community about their needs and ideas.

Looking at strategic cycling and transport connections is a key part of the Local Area Place Making initiative. We don't have the outcomes of these investigations yet - we expect to share a draft Plan with community in early 2022. Our analysis will look at the strategic cycling corridors, walking routes for people of all ages and at accessibility needs.

Council decided to explore other alternatives to the pinch points after hearing mixed views from community members.

Generally Council is aiming to find a way to resolve the challenges and also meet needs of more community members in the area.

We're looking at alternatives at the moment as part of the Local Area Place Making initiative. The draft plan will be shared with community in early 2022.

The consultation is currently open and we'd love to hear from residents in this area.

- **David Schulze of Reservoir**

Wasn't tonight's meeting originally listed as open to the public. With limited restrictions now, shouldn't it be open

Response

This meeting was advertised as an online meeting.

- **Tim Holdsworth of Northcote**

Renters form around 1/3 of the residents in Darebin and their rental payments (rent) cover the majority of the operating cost of a property including rates. What is the justification for specifically excluding all rental properties (and by extension renters) from the 'Love Local' card program?

Response

The love local program was established to offset the rates in the pandemic year to stimulate the local economy .

- **Cameron Wade of Thornbury**

The land for sale at 10-15 Chifley Drive in Preston is one of the largest pieces of land made available in Preston in the last 20 years and satisfies nearly every requirement under 'Section 6.4 - Increasing the quantity of open space' in the Darebin Open Strategy 2019. What enquiry has Darebin Council made for the purchase of this land for conversion into public open space?

Response

Thank you for your question. This question will be taken on notice and responded to.

- **Louise Kenny-Shen of Reservoir**

Cheddar Road is 4 lanes of north and south bound traffic on a long, straight stretch of road with no traffic breaks between Hickford Street and Reservoir station and is often fraught with motorists screaming along over the speed limit and changing lanes suddenly to avoid turning vehicles without slowing.

My disabled Mother in Law uses a mobility aide, and will often leave home 20 minutes before the bus is scheduled just so she has time to cross the road to the adjacent stop. On November 13, an individual was struck by a southbound car right outside our front gate.

I know many neighbours who drive to the train station, not through physical necessity, but purely to avoid crossing Cheddar Rd.

Earlier this year, council installed traffic lights at the corner of Dole Avenue and Cheddar Road, to connect the bike path over the 2 lane section there.

Given the number of young families and the fact that Reservoir primary is also on that West side, with many houses along Cheddar Rd and the streets off of it falling into the zone for the school, it makes sense to implement a safe crossing on Cheddar Road, within the stretch between the Reservoir station Junction and the Hickford Street roundabout. Given also, councils stance on encouraging people to use public transport and minimise private vehicle use, Would council consider putting in a traffic light crossing, or pedestrian crossing with other speed reducing measures at the corner of Cheddar and Crookston roads to enable residents on the East side of Cheddar Rd to cross safely to northbound bus stops and Ruthven station on the West side?

Response

Thank you for the question Louise. I have asked a senior Council officer to call you.

Council is planning to install a crossing at the location you've asked about - at Crookston and Cheddar Roads. I note for others watching that this location is between the Reservoir Station Junction and the Hickford St Roundabout.

Our specialists haven't yet finalised the specific design, but it is likely the crossing would be traffic lights.

We expect construction to be in around 3 years. There is technical work that must happen before construction. Council will next consider timing when it considers its 2022-23 budget in June next year.

Other safety measures we're taking include applying for a 50km/h speed limit along Cheddar Road and working with Victoria Police on enforcement.

- **Jessica Sullivan of Reservoir**

A question has been received from Jessica Sullivan of Reservoir that is inconsistent with Council Governance Rules and has been disallowed.

- **Serena O'Meley of Reservoir**

On just one side of Boldewood Parade (between Whitelaw and Dunne Streets) I counted six untended nature strips which are infested with African daisies. This is just near the Arch Gibson Reserve and across the road from where some important rewilding is happening in Strathmerton Street Reserve.

This is what one website says about them: "African daisy is a strong competitor in natural environments and forms dense thickets that exclude native plant species, resulting in a reduction in habitat."

Darebin City Council I suspect this weed is out of control in the area - I've even had to pull one out of my own garden. What can you do about it?

Response

Thank you Serena for bringing this matter to Council's attention. Officers will investigate this matter and one of our staff will contact you later in the week to discuss our plans to manage this.

- **Chris Erlandsen of Preston**

Why has Darebin Council not made the criteria of socio economic need a basis for the location of some key infrastructure projects?

Based on the numbers of pet projects proposed for the southern end of Darebin, when will Council start proposing and implementing big ticket items for the northern end or even central parts of Darebin where anticipated population growth will be highest?

Response

Council prioritises and makes decisions about infrastructure investment using evidence-based criteria, including the condition of the current facility / building, current and future need, and how the infrastructure contributes to community wellbeing and participation.

Council's Outdoor Sports Infrastructure Framework uses criteria to determine priority projects. The criteria used includes facility condition, participation outcomes particularly for groups who experience disadvantage and barriers to participation, need and community benefit.

Equity Impact Assessments are also undertaken during the design phase of infrastructure projects to identify ways to maximise equity and wellbeing outcomes.

The 2021-25 Council Plan includes significant infrastructure projects to be delivered in the northern and central parts of the city over the next four years, including in leisure, early years and economic recovery.

These are detailed in Strategic Objectives 2.1 and 2.2 and respond to current and future needs, wellbeing and socioeconomic disadvantage.

NORTHCOTE PUBLIC GOLF COURSE

We've received a number of questions raised in relation to the community consultation which is currently underway for the future of the Northcote Public Gold Course. I wish to thank Cameron Wade, Tim Holdsworth, Clive Enos, Bernadette Warton, Michael Foster, Bill Jennings, Robert Warton and Ruth Liston for their questions.

Cameron Wade and Tom Holdsworth have both asked a question about how Council is connecting with those members of the community who are aged over 60 years and play golf.

Response - The consultation that is underway has been designed with access and inclusion as a central pillar. Officers have written to a number of senior's groups and we're thrilled with the response from older people so far.

Clive Enos and Robert Warton have both asked a question about why the Parks team is leading the consultation process.

Response - Various teams across the organisation undertake consultation on a variety of projects according to capacity and skill set. It is quite normal for a wide range of Council's staff to undertake community consultation.

Clive also asked a question about responses to the community survey being made public

Response - A summary of the feedback, data and themes will be presented to Council when it considers what the community has said in response to the idea of future shared space at the golf course. The verbatim data includes some personal information and will therefore remain confidential.

Bernadette Warton asked a question about open space usage and demand and the consequence for the golf course consultation

Response - There has been a slight reduction in the pressure on open space since lockdown lifted. However, Council's Open Space Strategy notes that with population growth and increasing development in our community, the pressure on open space will increase significantly in coming years. When Council decides on the future of the golf course, it will consider a broad range of information including open space demand and usage.

Michael Foster and Ruth Liston both asked a question about why the survey questions indicate that golf will remain as part of shared use of the site.

Response – Council's resolution from December 2020 indicate that golf should continue while shared use is explored with the community. But to repeat, Council hasn't yet made any decision about the future of the golf course.

Bill Jennings has asked questions about an appearance of Cr McCarthy on an ABC radio program and in what capacity he was responding to questions.

Response – Any decision on the future of the Northcote Public Golf Course will not be made before March 2022. And the decision will be a decision of the Council and not individual councillors. Council is undertaking genuine community consultation to understand the full range of views the community has and which will help inform the decision of Council next year. Until then, Council encourages all those with a view to have their say on Council’s Your Say page.

SEPERATION OF WASTE FEES

There are a number of questions relating to Item 8.2 on tonight’s agenda. In the interest of time, those that are similar in nature have been grouped together for response.

Thank you for your questions:

- **Wanda Sullivan**
- **Elif Ceitner**
- **Douglas Leitch**
- **Laura Fazio**
- **Claire Hayes**
- **Anthony Sullivan**
- **Jessica Sullivan**

Question – Council Meeting on Monday, 22 November 2021 - Why is Council (1) making a decision to remove domestic waste and associated fees from general rates, and (2) to then implement a separate charge without prior community consultation.

Question - Under which regulation / by-law is Council able to dismiss public / community consultation processes?

Question - Council meeting on Wednesday, 24 November 2021 to discuss / elect a Mayor - Which Councillors, have been involved with negotiating / agreeing on the tabling and outcomes of the issues raised in Q.1, Q.2 and Q.3, and why did they choose to by-pass the community consultation process.

Response - It is necessary to separate waste fees from general rates so we can implement and respond to mandated state government reforms and increases in the landfill levy without taking money away from other Council services.

These State Government reforms mean that Darebin will need to spend an extra \$26 million over the next ten years.

If we don’t change the way we charge for waste and recycling, Council will need to reduce funding for other services that are valued and relied upon by the Darebin community.

Council has previously consulted with the community on this topic as part of the development of the 2021-25 Council Plan, 10-year Financial Plan and in developing our Waste and Recycling Strategy.

Question - Why has there been no community consultation

Response - The Council Plan includes an action to undertake waste charge reform. Part of the consultation for both the Council Plan and the 10-year Financial Plan in

April and May 2021 included a workshop with a deliberative panel who were provided with detailed information about the need for waste charge reform. The panel supported the introduction of the Fee if there were measures put in place to ensure that it only covers waste costs, is transparent, protects those experiencing hardship and that we work with community to achieve the long-term goal of zero waste. This feedback has informed the proposal.

If Council endorses the officer's recommendation, Council will be undertaking a consultation process about the changes to introduce the service fee and service rate using an inform approach.

In March 2022 Council will undertake community engagement on the draft 2022/23 Budget, which will include the value of the service charge and service fee to be set from 1 July 2022. This will include the opportunity for community submissions on the draft budget to inform Council's decision.

There will be further consultation through next year we will consult broadly with the community about waste and recycling services and how we implement the reforms.

All Councillors have been part of extensive discussions on this topic over the last 12 months.

Question - Concerns around the financial impact of change

Response - Councils can charge separately for waste and recycling services under the Local Government Act. Waste charges are not subject to the rate cap.

Council will reduce general rates to offset the introduction of the new service fee and service rate. These will only cover costs that costs related to providing waste and recycling services to the community.

Waste costs are rising by more than the rate cap.

The majority of Councils in Victoria charge separately for waste. We are one of only 8 Councils out of 79 councils that don't do this already.

The new charge will have concessions aligned to equity principles.

For properties valued at \$500,000 or less, there will be concessions that equate to no net increase as a result of this charge.

For properties valued above \$500,000, the impact would be capped at a maximum of \$100 increase for residential properties that currently receive a green waste service, and \$168 for properties that do not currently receive a green waste service.

This new Fee will have concessions aligned to equity principles.

Businesses and multi-unit dwellings who do not receive Council run kerbside collection service will still contribute to public waste costs via the Public Waste Services fee.

Council is limited by the provisions of the *Local Government Act 1989* in terms of the concessions and rebates that can be implemented to mitigate the impact of this change.

- **Darick How**

Being an Asian migrant, there is a large proportion of poorer immigrant and newly arrived migrants in North of Bell street , why are people like myself and other migrants being burdened with a higher levy than the affluent South of Bell street without community consultation? To be honest, I am beyond disgusted and disappointed here.

Response - Achieving equity is a priority for Council.

This is why Darebin will have concessions aligned to equity principles, to protect residents experiencing disadvantage.

For properties valued at \$500,000 or less, there will be concessions that equate to no net increase as a result of this charge

For properties valued above \$500,000, the impact would be capped at a maximum of \$100 increase for residential properties that currently receive a green waste service, and \$168 for properties that do not currently receive a green waste service

There will also be a safety net for ratepayers experiencing disadvantage

As part of the 2022/23 budget process, the Rates Financial Hardship Policy will be adjusted.

- **Peter Gonis**

1. In the interest of transparency, what is the justification for "Harvey Norman" receiving a 10% rate discount?

2. In the interest of transparency, why are 2.5 million homes getting \$120.00 off their rates but everyone between \$600,000 and \$1.75 million get slugged \$100.00 to \$168.00 more?

Response

1. **Large businesses are not receiving a discount. Businesses will no longer pay for services they don't currently receive so they will have a reduction in their general rates. Currently businesses that do not use council services effectively pay for waste services twice as they pay for a private collection.**

2. **General rates are calculated based on property value. When we separate waste charges and reduce general rates it means the reduction in general rates will differ based on property value. The reduction is greater for those in higher valued properties who currently pay more for these services via rates.**

We are proposing measures to make this fairer than if we just charged a flat fee for all. Most other councils just charge a flat fee. We don't know of any who have introduced equity measures to smooth out the impact when they have introduced a separate charge.

3. **Mr Gonis 3rd question has been disallowed, pursuant to the Governance Rules.**

- **David Schulze**

I think I understand the Councils proposal on waste charges and splitting out the costs.

However I question the proposed rate changes in relation to a reduction for high value properties

I for one actually won't have to pay anything , even though employed full time, due to my unit value

Maybe a bin charge, based on size would be fairer

If household residents are going to where the burden of the state waste levy , what will council do to stop businesses dumping waste in public bins, and will they remove bins from all businesses

Response

General rates are calculated based on property value. When we separate waste charges and reduce general rates it means the reduction in general rates will differ based on property value. The reduction is greater for those in higher valued properties who currently pay more for these services via rates.

We are proposing measures to make this fairer than if we just charged a flat fee for all. Most other councils just charge a flat fee for waste services, some do have different fees based on bin sizes. We don't know of any who have introduced equity measures to smooth out the impact when they have introduced a separate charge.

We currently have a large bin fee in place for kerbside rubbish. This fee will continue.

- **Businesses will pay for public waste services including litter bins.**
- **Most businesses in Darebin pay for a private contractor to collect their waste and recycling.**
- **A small amount of businesses do use Council's kerbside services, and these businesses will pay the separate waste and recycling collection fee like households**

Businesses are prohibited under the Environment Protection Act from disposing their commercial waste in public litter bins, this would be an enforcement matter.

- **Bethwyn Mell**

I understand that on Monday the council will be voting to add some more charges for ratepayers - particularly for those whose property values are between \$600 000 and \$1 million. Why have ratepayers not been consulted regarding this additional charge?

It is incredibly inequitable that the more your property is worth the less you pay. How is that at all reasonable. Some of the largest burdens on rubbish collection in this community are (via this scheme it appears) receiving up to \$900 discount on their rates.

How is it that I, with a house value of under \$800 000 will be paying more than Northland for this additional refuse collection fee?

How is it that I, who is not working and on very limited means is required to pay more than a multi person household with at least 2 employed persons?

How is it that those of us living north of bell street, who enjoy far less amenity, generally earn less, whose properties are generally worth less than those south of bell street are paying for this, whilst you are actually in many cases providing a negative (a tax cut) charge to those south of bell street? This is grossly unfair.

For a council that has a majority of councillors who supposedly espouse the social justice platform of the green party this appears to go against that principle. Is it that the greens in

this case want better recycling programs but want it for free for themselves and their mates and are happy to have the poor pay it for them, that doesn't sound progressive, that sounds conservative.

Response

General rates are calculated based on property value.

The service rate for public waste collection services is also based on property value and will be applied to all properties, including businesses.

The kerbside collection fee is a fixed fee, and so it will have a different impact on different valued properties.

When a fixed fee is introduced, there will be a reduction for those in higher valued properties who currently pay more for these services via rates.

We are proposing measures to make this fairer than if we just charged a flat fee for all.

There will be no net increase for properties valued at \$500,000 or less as a result of this change.

Properties values above \$500,000 will not pay more than \$100 if they have green waste service, or \$168 if they do not have a green waste service.

There will be a safety net for all ratepayers that are experiencing disadvantage.

Most other councils just charge a flat fee for waste services.

- **Carmen Holdsworth**

1. The Annual report has spending on waste collection and sweeping as 10.24% of rates. Motion 8.2 states that "In 2021/22 Council's waste and recycling services will cost approximately \$17.3 million, which is 12.6% of Council's rate revenue." Which figure is correct?

2. Given council will explore applying the principle of user pays, will ratepayers have the option of opting out of waste collection services and choosing a different waste collection provider?

3. Motion 8.2 justifies a separate waste charge and user pays system because not every ratepayer uses or has access to the residential waste collection. Isn't the whole point of living in a community that we support a range of services like parks, roads, libraries, aged services etc. whether we use them or not?

Response

1. The Annual report referred to is for 2020-21. The estimated cost for 2021-22 includes the significant increases in the landfill levy. This demonstrates how waste costs are rising above the rate cap due to reasons beyond Council's control.

2. Council is proposing to separate all waste and recycling collection fees from general rates, and to introduce a new service charge for kerbside collection services, and a new service rate for public waste collection services

All ratepayers that use Council's kerbside services will be charged the kerbside fee. All ratepayers will pay the public services rate, as these services benefit all.

Many Multi-Unit Developments and Businesses use private waste collection services.

Private waste collection services are significantly more expensive than Council operated services.

3. The difference between waste and recycling services and other services that Council delivers is that everybody needs these services but not all have access to them. Businesses and those who live in large apartment buildings cannot use Council's kerbside waste service because of the volume of waste that they produce. They must pay for private collections instead. Effectively they pay for the service twice.

Extension of Time

Council Resolution

MINUTE NO. 21-141

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

That the Public Question Time be extended for a further 30 minutes.

CARRIED UNANIMOUSLY

The Coordinator Council Business read the submission made by Darebin Progress Association in regard to Item 8.2 on the Agenda.

TO DAREBIN COUNCILLORS RE WASTE REMOVAL FEES

Currently, all levels of government have lost the respect and endorsement of the people.

Local Government, unfortunately is no exception. This is because governments overall, treat their respective electorates with disrespect and disdain.. Make decisions that directly impact on its people often causing hardship and distress.

Local Government is purported to be the closest form of government to the people and should therefore set an example of how democratic government should operate, should 'serve the people'.

However, once again, Darebin has failed in its democratic responsibilities.

The waste removal changes are a case in point. Decisions taken that will affect a large number of ratepayers with no previous information, no consultation, no education programme, no opportunity for us to discuss with our council representatives prior to voting. This is not democracy, it is ruling by bureaucratic decree.

Any proposal that impacts on people's ability to pay, that affects those least able to afford it, must always be preceded by explanation, discussion and debate. Must never be rushed through without this opportunity. Where has this happened? Has it

happened? No explanation as to why such a proposal, no break down as to how it will impact and who? No written material to ratepayers explaining why. This is government by decree not by democracy.

Our Association calls on every councillor who supports democracy and justice to vote to defer this proposal until the community has an explanation, and opportunity to understand its impact on them. Failure to genuinely represent your electorate in this way will undermine any respect that remains for Darebin Council and councillors.

7. PETITIONS

Nil

8. CONSIDERATION OF REPORTS

8.1 ANNUAL REPORT 2020-21

EXECUTIVE SUMMARY

The *Local Government Act 1989* requires each Council in Victoria to prepare an Annual Report for the previous financial year that contains a report of operations and the audited financial and performance statements. It is noted that, notwithstanding the proclamation of the *Local Government Act 2020*, the provisions of the 1989 Act apply to preparation of this year's Annual Report.

The Annual Report 2020-21 contains Darebin City Council's audited Financial and Performance Statements and provides information on Council operations and services delivered to and for the Darebin community for the 2020-21 financial year.

The Annual Report 2020-21 (**Appendix A**), contains the key highlights and achievements of Darebin Council for the year.

The Annual Report has been submitted to the Minister in accordance with the requirements of the *Local Government Act 1989* (the Act), the Local Government (Planning and Reporting) Regulations and the Ministerial extension to 30 November 2021.

Public notice was given on 1 November in advance of the Annual Report 2020-21 being considered for adoption by Council at its meeting on 22 November 2021, as required by the *Local Government Act 1989*. The Annual Report was made available on Council's website in accordance with this public notice.

Officer Recommendation

That Council:

- (1) Notes that the Annual Report 2020-21 (**Appendix A**) was submitted to the Minister for Local Government on 4th November.
- (2) Adopts the Darebin City Council Annual Report 2020–21, attached at **Appendix A**.
- (3) Notes that a summary of the Annual Report 2020-21 will be available digitally on Council's website, enabling use of accessibility features including translation into 109 languages and audio translation, to increase transparency and accessibility, along with a full copy of the Annual Report 2020-21 for download.
- (4) Notes that, in accordance with section 134(2)(b) of the *Local Government Act 1989*, a public notice was placed in *The Age* on 1st November 2021 noting the report's availability for public inspection and advising that it would be considered at the 22 November 2021 Council Meeting.

Council Resolution

MINUTE NO. 21-142

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

- (1) Notes that the Annual Report 2020-21 (**Appendix A**) was submitted to the Minister for Local Government on 4th November.
- (2) Adopts the Darebin City Council Annual Report 2020–21, attached at **Appendix A**.
- (3) Notes that a summary of the Annual Report 2020-21 will be available digitally on Council's website, enabling use of accessibility features including translation into 109 languages and audio translation, to increase transparency and accessibility, along with a full copy of the Annual Report 2020-21 for download.
- (4) Notes that, in accordance with section 134(2)(b) of the *Local Government Act 1989*, a public notice was placed in *The Age* on 1st November 2021 noting the report's availability for public inspection and advising that it would be considered at the 22 November 2021 Council Meeting.

CARRIED UNANIMOUSLY

8.2 SEPARATION OF WASTE COLLECTION SERVICE FEES FROM GENERAL RATES AND INTRODUCTION OF UNIVERSAL FOOD ORGANIC AND GARDEN ORGANIC WASTE COLLECTION

EXECUTIVE SUMMARY

The State Government is overhauling household recycling to reduce waste, increase recycling and create a circular economy to make the most of our resources. This will mean big changes for local communities as all Councils roll out four bins: a rubbish bin, a recycling bin, a green and food and green waste bin and a glass bin.

With the Recycling Victoria Reforms, Council is facing a \$26 million gap over the next 10 years between the cost of waste services and what can be recovered through general rates within the imposed rate cap.

Of the 79 Councils in Victoria, Darebin is one of only 8 that has not separated waste service costs from its general rates. This has afforded protection to ratepayers from the cost impacts of external shocks and increasing waste costs experienced over the past decade, because they have been subsidised by Council. However, it is no longer viable or prudent to maintain the existing situation, with this \$26 million gap.

To ensure financial sustainability it is recommended that Council:

- separates all waste and recycling collection fees from general rates and creates a new service charge for kerbside waste collection services with concessions aligned to equity principles and a new service rate for public waste collection services, and
- incorporates the existing separate waste fee in place for food organic and garden organic service fees into the new waste service charge.

The cost for these services would be removed from general rates, reducing total general rates collected.

The estimated increase in revenue through this change is projected to be around \$1M in 2022/23 on top of projected revenue from rates at \$141.6M. This will be confirmed when the draft Budget is prepared.

To further support this change, it is also recommended that Council introduce a green organic and food organic (FOGO) waste recycling service to every household that gets a council kerbside waste service earlier than the reforms require. This will increase the amount of waste diverted from landfill, in turn saving costs on the landfill levy and optimising environmental outcomes.

Officer Recommendation**That Council:**

- (1) Note its support for the principles of the Statewide Recycling Victoria Reforms and alignment with Council's adopted Waste and Recycling Strategy.
- (2) Note that in order to support the implementation of Recycling Victoria Reforms and to address financial impacts beyond its control, the way in which Council collects waste service cost recovery needs to change.
- (3) Endorse the introduction of a municipal wide (universal) Food Organic and Garden Organic (FOGO) collection service effective from 1 July 2022.
- (4) Establish a service charge for kerbside waste collection services, moving kerbside waste collection costs from the general rates payable by ratepayers, incorporating the existing waste collection fee for Green Waste.
- (5) Establish a service rate for public waste collection services, moving public waste collection costs from the general rates payable by ratepayers.
- (6) Note that the kerbside waste collection service charge, the service rate for public waste collection and the applicable concessions aligned to equity principles will be declared through the 2022/23 Budget, following receipt of valuations from the Valuer General in 2022 and consultation on the 2022/23 draft Budget.
- (7) Note the Revenue and Rating Plan 2021-25 will be revised to incorporate the decision of Council to introduce the service rate for kerbside waste collection services, the service rate for public waste collection services and concessions aligned to equity principles and reported to Council alongside the draft Budget in March 2022.
- (8) Note the Rates Financial Hardship Policy will be revised to incorporate the concessions aligned to equity principles (with benefit to approx. 40,000 households) and the safety net for kerbside waste collection services for those experiencing disadvantage and reported to Council alongside the draft Budget in March 2022.
- (9) Authorise the CEO to enter into a contract in excess of their current delegation of \$750,000 up to a maximum contract value of \$1,300,000 inclusive of GST, with the recommended supplier of waste service bins for the introduction of Universal Food Organic and Garden Organic collection service and to report the outcome of the awarded contract to Council for noting.
- (10) Authorise the CEO to sign and execute all contractual documentation on behalf of Council in relation to the introduction of a municipal wide (universal) FOGO collection service from 1 July 2022.

PROCEDURAL MOTION**Council Resolution****MINUTE NO. 21-143****MOVED: Cr. T Hannan****SECONDED: Cr. S Newton****That** the debate on this item commence.

The motion was put and carried.

CARRIED**For:** Cr's. Hannan, McCarthy, Messina, Newton and Rennie (5)**Against:** Cr's. Dimitriadis, Greco, Laurence, and Williams (4)**Motion****MOVED: Cr. E Dimitriadis****SECONDED: Cr. J Williams**

That Council:

- 1) Defer consideration of items 2, 4, 5, 6, 7, and 8 of the Officer Recommendation.
- 2) Note its support for the principles of the Statewide Recycling Victoria Reforms and alignment with Council's adopted Waste and Recycling Strategy.
- 3) Endorse the introduction of a municipal wide (universal) Food Organic and Garden Organic (FOGO) collection service effective from 1 July 2022.
- 4) Authorise the CEO to enter into a contract in excess of their current delegation of \$750,000 up to a maximum contract value of \$1,300,000 inclusive of GST, with the recommended supplier of waste service bins for the introduction of Universal Food Organic and Garden Organic collection service and to report the outcome of the awarded contract to Council for noting.
- 5) Authorise the CEO to sign and execute all contractual documentation on behalf of Council in relation to the introduction of a municipal wide (universal) FOGO collection service from 1 July 2022.

The motion was put and lost.

LOST**For:** Cr's. Dimitriadis, Greco, Laurence, and Williams (4)**Against:** Cr's. Hannan, McCarthy, Messina, Newton and Rennie (5)*Due to technical issues the meeting was adjourned at 8.31 pm and recommenced at 8.42 pm*

Motion

MOVED: Cr. J Williams
SECONDED: Cr. E Dimitriadis

That Council:

- 1) Note its support for the principles of the State-wide Recycling Victoria Reforms and alignment with Council's adopted Waste and Recycling Strategy.
- 2) Authorise the CEO to enter into a contract in excess of their current delegation of \$750,000 up to a maximum contract value of \$1,300,000 inclusive of GST, with the recommended supplier of waste service bins for the introduction of Universal Food Organic and Garden Organic collection service and to report the outcome of the awarded contract to Council for noting.
- 3) Authorise the CEO to sign and execute all contractual documentation on behalf of Council in relation to the introduction of a municipal wide (universal) FOGO collection service from 1 July 2022.
- 4) Approves and applies a no net disadvantage test for owners with a disability who are also concession card holders to ensure that they are not financially worse off as a result of kerbside and public waste collection services.

The motion was put and lost.

LOST

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

Against: Cr's. Hannan, McCarthy, Messina, Newton and Rennie (5)

Motion

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

That the Officer Recommendation be adopted.

Amendment

MOVED: Cr. G Greco
SECONDED: Cr. E Dimitriadis

That Council:

- (1) Note its support for the principles of the Statewide Recycling Victoria Reforms and alignment with Council's adopted Waste and Recycling Strategy.
- (2) Note that in order to support the implementation of Recycling Victoria Reforms and to address financial impacts beyond its control, the way in which Council funds waste services cost recovery. Council commits to undertake broad and meaningful community consultation before any decision is made on moving kerbside and public waste collections costs from general rates payable by ratepayers.
- (3) Endorse the introduction of a municipal wide (universal) Food Organic and Garden

Organic (FOGO) collection service effective from 1 July 2022.

- (4) Undertakes broad community consultation on establishing a responsible and comprehensive financial model that is fair and equitable regarding kerbside waste collection services for residents and ratepayers. The community consultation process should also consider either moving or not moving kerbside waste collection costs from the general rates payable by ratepayers, incorporating the existing waste collection fee for Green Waste.
- (5) Undertakes broad community consultation on establishing a responsible and comprehensive financial model that is fair and equitable regarding service rate for public waste collection services, for residents and ratepayers. The community consultation process should also consider either moving or not moving public waste collection costs from the general rates payable by ratepayers.
- (6) Notes that the outcome of the broad community consultation on a responsible financial model that is fair and equitable regarding kerbside waste collection service for and public waste collection and any applicable concessions aligned to equity principles will be considered through the 2022/23 Budget, following receipt of valuations from the Valuer General in 2022 and consultation on the 2022/23 draft Budget.
- (7) Note the Revenue and Rating Plan 2021-25 may be revised to incorporate the decision of Council to introduce a responsible and comprehensive financial model that is fair and equitable regarding kerbside waste collection services and public waste collection services and concessions aligned to equity principles and considered by Council alongside the draft Budget in March 2022.
- (8) Note the Rates Financial Hardship Policy may be revised to incorporate the concessions aligned to equity principles (with benefit to approx. 40,000 households) and the safety net for kerbside waste collection services for those experiencing disadvantage and reported to Council alongside the draft Budget in March 2022.
- (9) Introduces a no net disadvantage test for pensioners to ensure they are not financially worse off as a result of any potential changes regarding funding of kerbside and public waste collection services.
- (10) Authorise the CEO to enter into a contract in excess of their current delegation of \$750,000 up to a maximum contract value of \$1,300,000 inclusive of GST, with the recommended supplier of waste service bins for the introduction of Universal Food Organic and Garden Organic collection service and to report the outcome of the awarded contract to Council for noting.
- (11) Authorise the CEO to sign and execute all contractual documentation on behalf of Council in relation to the introduction of a municipal wide (universal) FOGO collection service from 1 July 2022.

The amendment was put and lost.

LOST

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

Against: Cr's. Hannan, McCarthy, Messina, Newton and Rennie (5)

The motion before Council ie the Officer Recommendation was put and carried.

Council Resolution**MINUTE NO. 21-144**

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

That Council:

- (1) Note its support for the principles of the Statewide Recycling Victoria Reforms and alignment with Council's adopted Waste and Recycling Strategy.
- (2) Note that in order to support the implementation of Recycling Victoria Reforms and to address financial impacts beyond its control, the way in which Council collects waste service cost recovery needs to change.
- (3) Endorse the introduction of a municipal wide (universal) Food Organic and Garden Organic (FOGO) collection service effective from 1 July 2022.
- (4) Establish a service charge for kerbside waste collection services, moving kerbside waste collection costs from the general rates payable by ratepayers, incorporating the existing waste collection fee for Green Waste.
- (5) Establish a service rate for public waste collection services, moving public waste collection costs from the general rates payable by ratepayers.
- (6) Note that the kerbside waste collection service charge, the service rate for public waste collection and the applicable concessions aligned to equity principles will be declared through the 2022/23 Budget, following receipt of valuations from the Valuer General in 2022 and consultation on the 2022/23 draft Budget.
- (7) Note the Revenue and Rating Plan 2021-25 will be revised to incorporate the decision of Council to introduce the service rate for kerbside waste collection services, the service rate for public waste collection services and concessions aligned to equity principles and reported to Council alongside the draft Budget in March 2022.
- (8) Note the Rates Financial Hardship Policy will be revised to incorporate the concessions aligned to equity principles (with benefit to approx. 40,000 households) and the safety net for kerbside waste collection services for those experiencing disadvantage and reported to Council alongside the draft Budget in March 2022.
- (9) Authorise the CEO to enter into a contract in excess of their current delegation of \$750,000 up to a maximum contract value of \$1,300,000 inclusive of GST, with the recommended supplier of waste service bins for the introduction of Universal Food Organic and Garden Organic collection service and to report the outcome of the awarded contract to Council for noting.
- (10) Authorise the CEO to sign and execute all contractual documentation on behalf of Council in relation to the introduction of a municipal wide (universal) FOGO collection service from 1 July 2022.

CARRIED

For: Cr's. Hannan, McCarthy, Messina, Newton and Rennie (5)

Against: Cr's. Dimitriadis, Greco, Laurence, and Williams (4)

8.3 RESERVOIR EAST PRIMARY SCHOOL EARLY YEARS FACILITY

EXECUTIVE SUMMARY

Council has been working with the Victorian School Building Authority (VSBA), a branch of the Department of Education (DET), on the planning for a new kindergarten facility on the site of Reservoir East Primary School. The VSBA will be fully funding the creation of a two-room kindergarten (66 licensed places). Council has indicated its intention to take a lease on the facility on completion, to support its use as a community-managed kindergarten facility.

Council has been invited to invest in the facility to create an additional two flexible consulting rooms for the delivery of Maternal and Child Health, Family Services and other health and social support services for children and families. Design work for the facility, including the consulting rooms, is currently underway.

Council needs to confirm by 17 December 2021, whether it will commit funds in the 2022-23 financial year for the construction of these additional components. By the same date, Council needs to enter into a development agreement with the Minister for Education relating to the design, construction, funding and occupation of the facility, including a long-term lease of the facility.

The proposed facility will provide a much-needed boost to kindergarten capacity in the Reservoir East locality. Council's involvement is in line with the principles and actions outlined in the draft Early Years Infrastructure Plan. By taking a lease on this facility, Council will be able to support a community-managed sessional kindergarten service to operate from the facility. Investment in the consulting rooms will enable creation of an integrated early years' service offering for the Reservoir East community.

Officer Recommendation

That Council:

- (1) Authorises the Chief Executive Officer (CEO) to formally commit to fund the construction of two flexible consulting rooms within the new Reservoir East Primary School Kindergarten facility from the 2022-23 Council budget provided the final cost estimate is no more than 10% above the current estimated cost (as provided in confidential Appendix A).
- (2) Authorises the CEO to enter into a development agreement with the Minister for Education relating to the design, construction, funding and occupation of the facility, including a long-term lease of the facility.

Council Resolution

MINUTE NO. 21-145

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

That Council:

- (1) Authorises the Chief Executive Officer (CEO) to formally commit to fund the construction of two flexible consulting rooms within the new Reservoir East Primary School Kindergarten facility from the 2022-23 Council budget provided the final cost estimate is no more than 10% above the current estimated cost (as provided in confidential Appendix A).
- (2) Authorises the CEO to enter into a development agreement with the Minister for Education relating to the design, construction, funding and occupation of the facility, including a long-term lease of the facility.

CARRIED UNANIMOUSLY

8.4 REVIEW OF THE ASSET MANAGEMENT POLICY AND ASSET MANAGEMENT STRATEGY

EXECUTIVE SUMMARY

The existing Asset Management Policy and Asset Management Strategy have come to the end of their duration. The Asset Management Policy and the Asset Management Strategy provide a strategic approach to Council in the delivery of best-practice asset management activities over the period of the Council term. These documents will underpin the 10-year Asset Plan that is required to be in place by June 2022 in accordance with the *Local Government Act 2020*.

Work has been undertaken to review and prepare a draft Asset Management Policy and a draft Asset Management Strategy for Council to review. Community consultation took place in October 2021 and this report is presented considering inputs from community consultation.

Officer Recommendation

That Council:

- (1) Adopt the Asset Management Policy (**Appendix A**) and revoke the Asset Management Policy adopted on 2 October 2017.
- (2) Adopt the Asset Management Strategy (**Appendix B**), replacing the existing Asset Management Strategy adopted on 18 May 2015.

Motion

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

That Council defer this item to the December Ordinary Council Meeting.

The motion was put and lost.

LOST

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

Against: Cr's. Hannan, McCarthy, Messina, Newton and Rennie (5)

EXTENSION OF TIME

Council Resolution

MINUTE NO. 21-146

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

9.58 pm That the Council meeting continue after 10.00 pm for 30 minutes.

CARRIED UNANIMOUSLY

Motion

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

That the Officer Recommendation be adopted.

The motion was put and carried.

Council Resolution

MINUTE NO. 21-147

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

That Council:

- (1) Adopt the Asset Management Policy (**Appendix A**) and revoke the Asset Management Policy adopted on 2 October 2017.
- (2) Adopt the Asset Management Strategy (**Appendix B**), replacing the existing Asset Management Strategy adopted on 18 May 2015.

CARRIED

For: Cr's. Hannan, McCarthy, Messina, Newton and Rennie (5)

Against: Cr's. Dimitriadis, Laurence, and Williams (3)

Abstained: Cr. Greco (1)

Declaration of Conflict of Interest

10.01 pm The Chief Executive Officer, Sue Wilkinson declared a general conflict of interest in the following Item 8.5, Governance Report – November 2021, specifically the matter dealing with the extension of the appointment of the independent Chairperson of the CEO Employment Matters Committee and left the meeting prior to Council commencing its determination of the matter.

8.5 GOVERNANCE REPORT - NOVEMBER 2021

EXECUTIVE SUMMARY

The matters covered under the Governance Report for the month of November 2021 are:

- Summary of Advisory Committees, Councillor Briefing and other informal meetings of Councillors;
- Reports by Mayor and Councillors;
- Responses to the questions taken on notice during Public Question Time at the Council Meeting held on 25 October 2021;
- Councillor Expenses Report for the quarter from 1 July to 30 September 2021;
- Summary Minutes of the Audit and Risk Committee Meeting held on 13 September 2021
- Summary Report of Hearing of Submissions Committee meetings held on 8 November 2021
- Council Community Advisory Committees – Membership update
- Approval of S18 Instrument of Delegation under Environment and Protection Act 2017
- Extension of the appointment of the Independent Chair of the CEO Employment Matters Committee for a further 12 month term, in accordance with the terms of appointment.

Officer Recommendation

That Council:

- (1) Notes the Governance Report – November 2021.
- (2) Notes the Summary of Advisory Committees, Councillor Briefings and other Informal Meetings of Councillors 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) Notes the responses to the questions taken on notice during Public Question Time at the Council meeting held on 25 October 2021, at **Appendix B** to this report.
- (5) Notes the Councillor Expenses Report for the quarter from 1 July 2021 to 30 September 2021, at **Appendix C** to this Report.
- (6) Notes the Summary Minutes of the Audit and Risk Committee Meeting held on 13 September 2021 at **Appendix D** to this report.
- (7) Notes the Reports of Standing Committees – Summary Report of Hearing of Submissions Committee meeting held on 8 November 2021 at **Appendix E** to this report;
- (8) Notes the updates on the membership of the Council's Community Advisory Committees.
- (9) To delegate to the members of Council staff holding, acting in or performing the duties of the officers or positions referred to in the 'S18 *Instrument of Delegation*' (**Appendix G**) the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument.
- (10) That the S18 instrument of delegation to Council staff comes into force immediately when the Common Seal of Council is affixed to this instrument.
- (11) Confirm the extension of the appointment of the Independent Chair of the CEO Employment Matters Committee for a further 12 month period to 25 November 2022, in accordance with the terms of the existing appointment.

PROCEDURAL MOTION**Council Resolution****MINUTE NO. 21-148**

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

That item 8.5 be considered after item 8.10 on the Agenda.

CARRIED UNANIMOUSLY

10.07 pm The Chief Executive Officer returned to the meeting.

8.6 AWARDING OF CONTRACT 202163 MANAGEMENT OF NARRANDJERI STADIUM AND DAREBIN COMMUNITY SPORTS STADIUM

EXECUTIVE SUMMARY

Council is currently constructing the new multi-sport stadium, Narrandjeri Stadium, at John Cain Memorial Park, 281 Darebin Road Thornbury. This facility will see the development of a premier community venue to support current and future participation in indoor sporting activities to compliment the outdoor courts recently completed. The aim of the centre is to increase participation across a range of sports and physical activities across the municipality with a focus on supporting female participation and enhancing the access to health and wellbeing opportunities for Darebin residents.

The Darebin Community Sports Stadium (DCSS) is currently under a management contract, which is due to expire on 30 June 2022. All extension options for this contract have been exercised and the management of this facility will form part of the overall management contract, albeit with a later commencement date.

The scope of Narrandjeri Stadium and Darebin Community Sports Stadium Contract Management covers:

- The management and operation of the centres in accordance with the contract documents, best practice and Council's current and future policies and initiatives.
- The management, marketing and delivery of programs, services, activities and events for the centres.
- The provision of services consistent with the City of Darebin vision and policies and subsequent revisions / updates.
- Achievement of the service aims and objectives.

The proposed contract arrangement is to run for a period of approximately five years, with an option for a further extension for an additional two-year period.

The following principles were used to guide and form the basis for decisions on the management, operation and use of the stadia:

- Participation
- Sustainable Facilities
- Equity, Access and Inclusion
- Health and Wellbeing.

Council's procurement process was adhered to, with guidance from the Procurement Team and an independent (external) Probity Advisor which was also appointed to the Evaluation Panel.

The contract documentation has been legally reviewed, and the reporting mechanisms are aligned with Council's participation, access and inclusion policies. Together with the thorough process undertaken in the EOI for court usage, future participation of Council's stadium facilities will be reflective Darebin's diverse community, with participation focusing on supporting female participation and actively increase participation levels in other groups and community members who face barriers to participation.

The management contract process has been a competitive one, with five submissions received. The cost of the management of CT202163 is an expense to Council, however the cost of increased participation and activation in our community and recreation spaces is anticipated to provide significant wellbeing benefits to the Darebin community.

Officer Recommendation

That Council:

- (1) Awards Contract CT202163 for the Management of Ngarrindjeri and Darebin Community Sports Stadiums to _____ for the contract sum of _____ (GST exclusive). This sum is the total contract sum over the life of the contract, to 30 June 2026.
- (2) Approves the contract term from 1 July 2022 – 30 June 2026 for Darebin Community Sports Stadium, and commencement date for Narrandjeri Stadium to be negotiated based on construction timeline, with the contract to have an option for provision for a further two years.
- (3) Authorises the Chief Executive Officer to finalise and execute the contract documentation on behalf of the Council.
- (4) Authorises the Chief Executive Officer to execute any contract extension options.

Motion

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

That Council:

- (1) Awards Contract CT202163 for the Management of Ngarrindjeri and Darebin Community Sports Stadiums to **Clublinks Management Pty Ltd.** for the contract sum of **\$443,738 (GST exclusive)**. This sum is the total contract sum over the life of the contract, to 30 June 2026.
- (2) Approves the contract term from 1 July 2022 – 30 June 2026 for Darebin Community Sports Stadium, and commencement date for Narrandjeri Stadium to be negotiated based on construction timeline, with the contract to have an option for provision for a further two years.
- (3) Authorises the Chief Executive Officer to finalise and execute the contract documentation on behalf of the Council.
- (4) Authorises the Chief Executive Officer to execute any contract extension options.

The motion was put and carried unanimously.

Council Resolution

MINUTE NO. 21-149

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

That Council:

- (1) Awards Contract CT202163 for the Management of Ngarrindjeri and Darebin Community Sports Stadiums to **Clublinks Management Pty Ltd.** for the contract sum of **\$443,738 (GST exclusive)**. This sum is the total contract sum over the life of the contract, to 30 June 2026.
- (2) Approves the contract term from 1 July 2022 – 30 June 2026 for Darebin Community Sports Stadium, and commencement date for Narrandjeri Stadium to be negotiated based on construction timeline, with the contract to have an option for provision for a further two years.
- (3) Authorises the Chief Executive Officer to finalise and execute the contract documentation on behalf of the Council.
- (4) Authorises the Chief Executive Officer to execute any contract extension options.

CARRIED UNANIMOUSLY

8.7 SOLAR SAVER - NEW PROGRAM DESIGN AND PROCUREMENT PROCESS

EXECUTIVE SUMMARY

The Darebin Solar Saver program started in 2014. Between 2017 and 2021 the program helped double the amount of roof-top solar across Darebin.

The contractual arrangements for suppliers that delivered solar systems between 2018 and 2021 have expired, and new suppliers need to be secured to deliver the Council Plan 2021-25 commitment to deliver a 4-year Solar Saver program.

It is recommended that Council approves the proposed Solar Saver program design and procurement processes for 2021-25.

The redesigned Solar Saver program proposes to expand to offer both solar photovoltaic systems and energy efficiency solutions (split system air conditioners) for residents. It will focus on low-income, vulnerable and marginalised communities (including CALD and older people).

Officers are expecting that approximately 900 households will benefit from the new Solar Saver program from 2022 until 30 June 2025, achieving the following:

- Lower energy bills compared to Business-as-Usual for special charge stream participants as a result of participating in the program.
- Community emission reductions.
- Addressing climate justice issues by better protecting communities from impacts of climate change including extreme weather events and financial disadvantage.
- Darebin's continued role as a leader in helping community cut carbon emissions and address disadvantage, influencing others to also accelerate renewables uptake.
- A safer community with new, safe, quality solar installations in multiple homes.
- Leveraging State Government energy programs for Darebin residents.

The Solar Saver program design proposed in this report will help ensure that Darebin's most disadvantaged and discriminated communities can access effective heating and cooling and reduce their electricity bills.

Officer Recommendation

That Council:

1. Endorse Solar Saver program parameters for 2021-25 as outlined in this report, including eligibility criteria and technology (scope) noting that:
 - a. The new eligibility criterion will ensure that Darebin's most vulnerable residents are supported by the special charge stream (**Appendix A**).
 - b. A household financial cap will be introduced of up to \$6,000 to maximise the number of households Council can support.
 - c. The products that will be offered in the Special Charge Program will be expanded to include not just solar photovoltaic systems, but also highly efficient heating and cooling (Reverse Cycle Airconditioning).
 - d. The procurement approach will provide Council the option in future years to consider also offering other energy efficiency products of battery storage equipment.
 2. For Stage 1 of the Solar Saver program- accept the recommendation by Procurement Australia for _____ to be appointed as the supplier and installer of solar photovoltaic and storage systems for special charge stream products up to _____ and all solar panel and storage systems as part of the bulk buy options for CT202154 Solar Saver Program, to 31 March 2023 with an option to extend to 30 June 2023.
 3. Authorise the Chief Executive Officer to negotiate and execute the contract for CT202154 with _____, on behalf of Council, subject to the conclusion of Council's own procurement process, including any options to extend the contract.
-
-

Motion**MOVED: Cr. T McCarthy****SECONDED: Cr. T Laurence****That Council:**

1. Endorse Solar Saver program parameters for 2021-25 as outlined in this report, including eligibility criteria and technology (scope) noting that:
 - a. The new eligibility criterion will ensure that Darebin's most vulnerable residents are supported by the special charge stream (**Appendix A**).
 - b. A household financial cap will be introduced of up to \$6,000 to maximise the number of households Council can support.
 - c. The products that will be offered in the Special Charge Program will be expanded to include not just solar photovoltaic systems, but also highly efficient heating and cooling (Reverse Cycle Airconditioning).
 - d. The procurement approach will provide Council the option in future years to consider also offering other energy efficiency products of battery storage equipment.
2. For Stage 1 of the Solar Saver program- accept the recommendation by Procurement Australia for **Echo Group Corporation Pty Ltd. Trading as EkoEnergy** to be appointed as the supplier and installer of solar photovoltaic and storage systems for special charge stream products up to **\$ 4,000,000 (inclusive of GST)** and all solar panel and storage systems as part of the bulk buy options for CT202154 Solar Saver Program, to 31 March 2023 with an option to extend to 30 June 2023.
3. Authorise the Chief Executive Officer to negotiate and execute the contract for CT202154 with **Echo Group Corporation Pty Ltd. Trading as EkoEnergy**, on behalf of Council, subject to the conclusion of Council's own procurement process, including any options to extend the contract.

Amendment**MOVED: Cr. G Greco****That** Point 1 of the Motion be amended to include sub point (e) as follows:

- e. **Set and report on clear targets that will increase the participation of low income and vulnerable residents in the solar saver program.**

The mover and seconder of the motion consented to the amendment.

The amendment was put and carried and became substantive motion.

The substantive motion was put and carried unanimously.

Extension of Time**Council Resolution****MINUTE NO. 21-150**

MOVED: Cr. S Rennie
SECONDED: Cr. G Greco

10.28 pm That the Council meeting continue after 10.30 pm for 30 minutes.

CARRIED UNANIMOUSLY**Council Resolution****MINUTE NO. 21-151**

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

That Council:

1. Endorse Solar Saver program parameters for 2021-25 as outlined in this report, including eligibility criteria and technology (scope) noting that:
 - a. The new eligibility criterion will ensure that Darebin's most vulnerable residents are supported by the special charge stream (**Appendix A**).
 - b. A household financial cap will be introduced of up to \$6,000 to maximise the number of households Council can support.
 - c. The products that will be offered in the Special Charge Program will be expanded to include not just solar photovoltaic systems, but also highly efficient heating and cooling (Reverse Cycle Airconditioning).
 - d. The procurement approach will provide Council the option in future years to consider also offering other energy efficiency products of battery storage equipment.
 - e. Set and report on clear targets that will increase the participation of low income and vulnerable residents in the solar saver program.
2. For Stage 1 of the Solar Saver program- accept the recommendation by Procurement Australia for **Echo Group Corporation Pty Ltd. Trading as EkoEnergy** to be appointed as the supplier and installer of solar photovoltaic and storage systems for special charge stream products up to **\$ 4,000,000 (inclusive of GST)** and all solar panel and storage systems as part of the bulk buy options for CT202154 Solar Saver Program, to 31 March 2023 with an option to extend to 30 June 2023.
3. Authorise the Chief Executive Officer to negotiate and execute the contract for CT202154 with **Echo Group Corporation Pty Ltd. Trading as EkoEnergy**, on behalf of Council, subject to the conclusion of Council's own procurement process, including any options to extend the contract.

CARRIED UNANIMOUSLY

8.8 CONTRACT AWARD - CT2021127 - LIGHTING UPGRADES TO SPORTS FIELDS

EXECUTIVE SUMMARY

The provision of sports field lighting can activate sports grounds and drive an increase in participation, as well as improve general public safety.

Council has sought interest from electrical contractors to provide construction services to install new sports field lighting at JE Moore Reserve, IW Dole Reserve and JC Donath Field. Works will include installation of lighting poles, fittings and LED luminaries, as well as associated electrical works. All light installations and associated electrical works will be suitable for club match competition and training and will be compliant with relevant legislation.

A tender evaluation panel has completed a detailed evaluation process, financial checks, risk assessment and recommends awarding the contract to the preferred tenderer.

Officer Recommendation

That Council:

1. Awards Contract No. CT2021127 Lighting Upgrades to Sports fields to _____ for the contract sum of \$_____ (inclusive of GST).
2. Approves a contingency amount of \$_____ (inclusive of GST), being approximately 10% of the contract sum, to be used if required for variations and other unforeseen items as part of Contract No. CT2021127 and authorise the Chief Executive Officer to vary the contract;
3. Authorises the Chief Executive Officer to finalise and execute the contract documentation

Motion

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

That Council:

- (1) Awards Contract No. CT2021127 Lighting Upgrades to Sports fields to **Rees Electrical Pty Ltd.** for the contract sum of **\$ 1,047,200 (inclusive of GST)**.
- (2) Approves a contingency amount of **\$ 104,720 (inclusive of GST)**, being approximately 10% of the contract sum, to be used if required for variations and other unforeseen items as part of Contract No. CT2021127 and authorise the Chief Executive Officer to vary the contract;
- (3) Authorises the Chief Executive Officer to finalise and execute the contract documentation

The motion was put and carried unanimously.

Council Resolution

MINUTE NO. 21-152

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

That Council:

- (1) Awards Contract No. CT2021127 Lighting Upgrades to Sports fields to **Rees Electrical Pty Ltd.** for the contract sum of **\$ 1,047,200 (inclusive of GST)**.
- (2) Approves a contingency amount of **\$ 104,720 (inclusive of GST)**, being approximately 10% of the contract sum, to be used if required for variations and other unforeseen items as part of Contract No. CT2021127 and authorise the Chief Executive Officer to vary the contract;
- (3) Authorises the Chief Executive Officer to finalise and execute the contract documentation

CARRIED UNANIMOUSLY

8.9 CONTRACT AWARD - DOLE RESERVE STORMWATER HARVEST WETLAND

EXECUTIVE SUMMARY

To achieve climate resilience targets in Council's Action Plan & Watershed Strategy 2015-2025, the City of Darebin has commissioned the Dole Stormwater Harvest Wetland project. This project will significantly contribute to the Council's goals of increasing the annual use of water from alternative sources by 30ML, reducing Council's annual potable water use by 15% and reducing annual nitrogen load leaving the municipality by 650kg.

The construction of the wetland, storage tanks and associated assets will enable Council to harvest stormwater from the Cheddar Rd Melbourne Water Main Drain for irrigation reuse at seven sports ovals at Dole & Donath Reserve, Reservoir. Council sought to appoint a suitably qualified contractor to deliver the civil, electrical, structural concrete, structural steel, vegetation & mechanical construction works, in addition to a 2-year maintenance period.

The project has the following deliverables:

- 1500m² wetland & sedimentation pond
- Three 670kL and one 310kL underground reinforced concrete storage tanks
- 450 linear metres of stormwater drainage
- Stormwater drainage pits, structures & gross pollutant trap
- Irrigation system including pumps and 200 linear metres of water rising main
- 750m² concrete footpath
- Upgrade of electrical services including civil works
- Aquatic & non-aquatic vegetation establishment & maintenance
- New trees

A tender evaluation panel has completed a detailed evaluation process, including financial checks, risk assessment and recommends awarding the contract to the preferred tenderer.

Officer Recommendation

That Council:

- (1) Awards Contract No. CT202165 Construction of Dole Reserve Wetland to ____ for the contract sum of \$ _____ (inclusive of GST);
- (2) Approves a contingency amount of \$ _____ (inclusive of GST), being approximately ___% of the contract sum, to be used if required for variations and other unforeseen items as part of Contract No. CT202165 and authorise the Chief Executive Officer to vary the contract;
- (3) Authorises the Chief Executive Officer to finalise and execute the contract documentation.

Motion

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

That Council:

- (1) Awards Contract No. CT202165 Construction of Dole Reserve Wetland to **Entracon Civil Pty Ltd.** for the contract sum of **\$ 3,780,841.02 (inclusive of GST)**;
- (2) Approves a contingency amount of **\$ 149,784 (inclusive of GST)**, being approximately **4%** of the contract sum, to be used if required for variations and other unforeseen items as part of Contract No. CT202165 and authorise the Chief Executive Officer to vary the contract;
- (3) Authorises the Chief Executive Officer to finalise and execute the contract documentation.

The motion was put and carried unanimously.

Council Resolution

MINUTE NO. 21-153

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

That Council:

- (1) Awards Contract No. CT202165 Construction of Dole Reserve Wetland to **Entracon Civil Pty Ltd.** for the contract sum of **\$ 3,780,841.02 (inclusive of GST)**;
- (2) Approves a contingency amount of **\$ 149,784 (inclusive of GST)**, being approximately **4%** of the contract sum, to be used if required for variations and other unforeseen items as part of Contract No. CT202165 and authorise the Chief Executive Officer to vary the contract;
- (3) Authorises the Chief Executive Officer to finalise and execute the contract documentation.

CARRIED UNANIMOUSLY

8.10

**CONTRACT AWARD - INTERCULTURAL CENTRE
CONSTRUCTION SERVICES**

EXECUTIVE SUMMARY

The appointment of an experienced contractor for the construction of the new Darebin Intercultural Centre was sought through a public open tender process in accordance with Council's Procurement Policy and Procurement Guidelines.

The project designers in Sibling Architecture and their sub-consultants undertook the design and prepared the tender documents. Turner Townsend assisted with all cost planning requirements.

The scope of work includes, but is not limited to the following:

- Co-working space for Council staff and centre partners
- Intercultural Centre lounge for informal collaboration and connections
- Reflection room for multi-faith prayer and personal reflection
- Flexible gathering spaces to accommodate diverse programming requirements
- Universal access toilet facilities and accessible entrance ramps to the Shire Hall and main centre entrance
- Furniture and partitions that consider gender equity and diverse cultural preferences
- Facilities management elements including additional security access points, upgrade of the air conditioning system and information technology upgrades.

A tender evaluation panel (TEP) has completed a detailed evaluation process, including financial checks, risk assessment and recommends awarding the contract to the preferred tenderer. The works are proposed to be completed by August 2022.

Officer Recommendation

That Council

- (1) Awards contract No. CT202153 Provision of Intercultural Centre Construction Services to _____ for the contract sum of \$ _____ (inclusive of GST).
- (2) Approves a contingency amount of \$ _____ (inclusive of GST), being approximately ___% of the contract sum, to be used if required for variation and other unforeseen items as part of the contract sum.
- (3) Authorises the Chief Executive Officer to finalise and execute the contract documentation.

Motion

MOVED: Cr. G Greco
SECONDED: Cr. S Rennie

That Council:

- (1) Awards contract No. CT202153 Provision of Intercultural Centre Construction Services to **Construction Building Design Pty Ltd.** for the contract sum of **\$ 1,732, 946.62 (inclusive of GST)**.
- (2) Approves a contingency amount of **\$ 173,294 (inclusive of GST)**, being approximately **10%** of the contract sum, to be used if required for variation and other unforeseen items as part of the contract sum.
- (3) Authorises the Chief Executive Officer to finalise and execute the contract documentation.

The motion was put and carried unanimously.

Council Resolution**MINUTE NO. 21-154**

MOVED: Cr. G Greco
SECONDED: Cr. S Rennie

That Council:

- (1) Awards contract No. CT202153 Provision of Intercultural Centre Construction Services to **Construction Building Design Pty Ltd.** for the contract sum of **\$ 1,732,946.62 (inclusive of GST)**.
- (2) Approves a contingency amount of **\$ 173,294 (inclusive of GST)**, being approximately **10%** of the contract sum, to be used if required for variation and other unforeseen items as part of the contract sum.
- (3) Authorises the Chief Executive Officer to finalise and execute the contract documentation.

CARRIED UNANIMOUSLY

The meeting returned to Item 8.5 Governance Report – November 2021

Declaration of Conflict of Interest

10.39 pm The Chief Executive Officer, Sue Wilkinson declared a general conflict of interest in the following Item 8.5, Governance Report – November 2021, specifically the matter dealing with the extension of the appointment of the independent Chairperson of the CEO Employment Matters Committee and left the meeting prior to Council commencing its determination of the matter.

Motion

MOVED: Cr. S Rennie
SECONDED: Cr. S Newton

That the debate on this item commence.

The motion was put and carried.

CARRIED

For: Cr's. Hannan, McCarthy, Messina, Newton, Rennie and Williams (6)

Against: Cr's. Dimitriadis, Greco and Laurence (3)

Motion

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

That the Officer recommendation be adopted.

Amendment

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

That the Officer recommendation be adopted subject to point 11 being deferred to the next Council Meeting.

The amendment was put and lost.

LOST

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

Against: Cr's. Hannan, McCarthy, Messina, Newton and Rennie (5)

Abstained: Cr. Williams (1)

Amendment

MOVED: Cr. E Dimitriadis
SECONDED: Cr. G Greco

That Council seek legal advice regarding the inconsistency between the CEO Employment Matters Committee Charter and the contract with the current independent Chair of the Committee.

PROCEDURAL MOTION

Motion

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

That the amendment be put.

Due to the expiration of available time the following resolution was put and carried and the meeting was closed.

Council Resolution

MINUTE NO. 21-155

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

That the consideration of following items listed on this Agenda be deferred to a Special Council Meeting to be held on Thursday, 25 November 2021 at 5.30pm:

- Governance Report - November 2021
- Strategic Property Matter (confidential)
- John Cain Memorial Park State Sporting Facilities (confidential)

CARRIED UNANIMOUSLY

9. CLOSE OF MEETING


The meeting closed at 11.16 PM

**CITY OF
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