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MINUTES OF THE ORDINARY COUNCIL MEETING

Held on Monday 23 October 2023

Released to the public on 26 October 2023.

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



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 COUNCIL MEETING DAREBIN CITY COUNCIL, MONDAY 23 OCTOBER 2023

THE MEETING OPENED AT 6.04PM

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

1. OPENING OF MEETING AND MEMBERSHIP

Councillors

Cr. Julie Williams (Mayor) (Chairperson)
Cr. Susanne Newton (Deputy Mayor)
Cr. Emily Dimitriadis
Cr. Gaetano Greco
Cr. Tom Hannan
Cr. Tim Laurence
Cr. Trent McCarthy
Cr. Lina Messina (Virtual)
Cr. Susan Rennie

Council Officers

Peter Smith - Chief Executive Officer
Rachel Ollivier - General Manager Operations and Capital
Kylie Bennetts - General Manager Community
Tarnya McKenzie - General Manager Governance and Engagement
Vanessa Petrie - General Manager City Sustainability and Strategy
Bobbie-Lea Bright - Head of Governance and Risk

2. ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

The Chairperson, Mayor Williams, 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 in relation to Item 9.7 Property Matters – Leasing of Kindergartens and Childcare Centres, due to his partner being a casual employee for the Clifton Street Childcare Centre.

Cr. Laurence disclosed a conflict of interest in Item 9.9 DCMC Audit Report, as a member of the DCMC he has been involved in discussions on this matter.

Peter Smith, CEO declared a general conflict in Item 9.13 CEO Employment Matters Committee - Independent Chair and Item 13.1 CEO Performance Review, due to these being matters involving his employment as the CEO.

5. CONFIRMATION OF THE MINUTES OF COUNCIL MEETINGS

Council Resolution

MINUTE NO. 23-090

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

That the Minutes of the Ordinary Meeting of Council held on 25 September 2023 be confirmed as a correct record of business transacted.

CARRIED UNANIMOUSLY

6. COUNCIL'S OCCUPATIONAL HEALTH AND SAFETY RESPONSIBILITIES

The Chairperson, Mayor Williams, made the following statement:

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

7. QUESTION AND SUBMISSION TIME

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

Michael Haralambous

1. What specifically has Council done to 'advocate for reinstatement' of stop 52 since the question was raised last year?
2. Why is the corridor planning cut at the Plenty Rd junction when demographic data shows the need for accessible stops is greater north of Bell Street?
3. How are residents north of Bell Street meant to see this as anything other than a further example of this Council preferencing the more affluent and better serviced residents of Northcote and Thornbury?

Response from General Manager City Sustainability and Strategy

Thank you for your questions, Michael

1. Council has advocated for the reinstatement of stop 52 for a number of years. Late last year, Council worked closely with the Department of Transport and Planning to consider Darebin's tram needs and advocacy priorities. This included workshops and a site visit to the site of stop 52.

Last year, the department advised Council that level access tram stops are their development priority.

I understand this is not the outcome you were hoping for, it is not the outcome we preferred for this location either.

Council will be writing to the new Minister for Public and Active Transport, the Honourable Gabrielle Williams, to ask that the Government prioritise stop 52.

2. The Department's corridor planning project stops at the Plenty Junction, based on the Department's selection criteria.
3. Improving accessible public transport across all of Darebin is a priority for Council.

The Mayor advised that there had been a large amount of community interest in Item 9.7 Property Matters - Leasing of Kindergartens & Childcare Centres and there had been a number of questions submitted on this topic. In accordance with the Governance Rules 15.2 these questions were grouped as 'like questions', with a single response provided by the General Manager Operations and Capital.

Owen McCrink

1. Community kindergarten and childcare services are an asset to the community that should be cherished by council. Why are the council negatively impacting these community services by significantly decreasing the leasing duration (from 10 years to 2 years) and increasing cost for services through additional outgoings, utilities and maintenance costs? Community kindergarten and childcare services already struggle to keep the finances afloat, even with significant time donations by the volunteer committee of management and parent financial donations.
2. Does the council still actively believe in supporting community run kindergarten services?
3. With such negative changes being made towards community run kindergarten and childcare services, how is the council going to repair relationships and ensure the strength of said services in the future?

Response from General Manager Operations and Capital

Thank you for your questions, Owen. As the Mayor advised, we have received a number of questions of a similar nature, my records show that 80 people submitted questions on this topic by midday. I am going to make a short statement which covers all of those including those questions we have heard from Owen.

Council has a longstanding and ongoing commitment to support community-managed kindergarten and childcare services. This was restated in the Early Years Infrastructure Planning Framework 2021-41, which was adopted in 2022. Council has budgeted \$8.25M over the next four years in the budget adopted in June this year towards the expansion of the Kindergarten Program. Item 9.6 on tonight's agenda is about the expansion of the program.

Report Item 9.7 relates to 18 Early Years facilities leases. What Council is being asked to make a decision about is whether to proceed to community consultation about proposed new leases. The report proposes that new leases be provided for 18 Early Years services to enable them to continue providing services beyond the current lease term which expires at the end of December this year.

The proposal is that these leases would be on the basis of a peppercorn rent which includes a rental subsidy of almost 100%. Consultation is needed under the Local Government Act because most of the sites have an annual rental value of over \$100,000 each. Council will consider whether to proceed to consultation in its meeting tonight.

If Council proceeds to consultation a community consultation period will occur and after hearing community views, Council will make a decision about the leases.

The reason for that a 2 year term has been proposed is to enable these leases to align with the implementation of a Leasing and Licensing Policy, which Council is developing separately and is expected to be consulted on and finalised during the next 12 months. The aim of developing a policy is to ensure Council has a transparent and consistent approach across all the different types of community services that Council supports with the provision of property. There aren't any other motives behind trying to align those two pieces of work, that is the intent of proposing a 2 year term.

Council supports community-managed providers in a range of other ways, including through running professional development programs and networks for staff and volunteers, providing the early years resource van service, providing the central registration service for both kindergarten and childcare and I think we are very much looking forward to having a constructive and longstanding relationship with the providers.

Rina Galgano

1. The main entrances to the park are deplorable, lack character and are in need of a major overhaul. When will Council re-develop the main entrance at the Edwardes & Griffiths St including reinstating the original wrought iron "Edwardes Lake" sign?
2. When will Council develop & improve the Lake's supporting infrastructure including construction of boardwalk along sections of the lake for improved safety and access using environmentally friendly solutions?
3. Why hasn't Council considered other effective water quality solutions including aeration systems? These systems will not only help improve the water quality of the lake but will also create a unique water feature and attraction for park visitors?

Response from General Manager Operations and Capital

Thank you for the questions Rina, in regards to questions 1 and 2, at this stage we don't have particular plans to overhaul the entrance of Edwards Lake Park or to install a boardwalk.

We are working through quite a number of priorities for works across the City and at this point in time those other works have been assessed as higher priorities. Each year we re-asses the priority of works requests across the City, so I will take these two requests and ask that our Capital Works program team take a look at those along with everything else and do a fresh assessment ahead of the budget next year and there is an opportunity to make a submission on Council's Budget usually around April each year.

In regards to question 3, Council is aiming to improve the water quality of the lake. We have established the Edwardes Lake Taskforce which is currently helping Council assess options including aeration and filtration systems. I don't yet have the outcomes of this work but I am very much looking forward to finding out what is recommended.

Nino Galgano

1. Regarding Edwardes Lake Boathouse as I understand it, the removal of the restrictive covenant is expected to be completed in 12 months, will Council now start to commence and implement plans to upgrade the facility?
2. Regarding former Reservoir Library - Why is there no set and clear timetable, master plan process or implementation plan in place to determine the future direction of the former library and surrounding carpark site. When can we expect Council to take action and re-develop this site?
3. Former Reservoir Police Precinct. I understand Council is in the process of seeking EOI and responses from external community based stakeholders. Can Council accelerate this process and immediately commence retrofitting the premises?

Response from General Manager Operations and Capital

1. **Council is planning for \$350,000 of works at the Edwardes Lake Boathouse in the 2025/26 year and this is included in Council's 4-year Capital Budget which Council adopted in June 2023. This proposed timing is intended to be after Council knows if it has been able to remove the restrictive covenant.**

Council is optimistic that it will be able to have covenant removed, however in the event that this doesn't occur, it isn't clear that bringing the Boathouse to life as a venue would be feasible. Given the significant community funds involved and the many community needs for funding, Council is being cautious about investing funds until it is sure that they can create value at that site.

2. **In regards to timing of the development at the former Reservoir Library site, Council has identified this site as a priority for strategic assessment, and in due course that work will work towards a master plan. This work has started and is at the stage where the timeline and sequence of work is being developed. A report to confirm scope is expected to come to a Council meeting in early 2024.**

Work to plan for and redevelop a large site like this one can take in the order of 5 years, it's not a quick process. Before we get to construction, there are a range of things such as development feasibility, technical feasibility, strategic use assessment, consultation, master planning, market testing or design and approvals.

3. **Regarding the former Reservoir Police Precinct, Council is currently reviewing registrations of interest, we are expecting to have an outcome of that process pretty soon. Any works to the site will be subject to the terms and conditions of the lease as agreed between the parties. We are going to wait until that is in place before we do works on that building.**

Sean Nettleton

1. How many months does it normally take for initial contact to be made about a complaint?

Response from General Manager Governance and Engagement

Thanks for the question, Sean. Complaints are assessed in accordance with the Complaints Handling Policy and are generally acknowledged within two business days. Council endeavours to resolve all complaints within 2 weeks.

Serena O'Meley

1. I have repeatedly raised with Darebin Council my concerns about the poor upkeep of Clements Reserve. Two key rewilded beds - one at the entrance of McMahon Road and one in the middle of the park - have been poisoned across their entire area, leaving nothing but yellow straw and a few established plants. Gone are the paper daisies, billy buttons, and other small plants. It looks appalling. Poisoning has taken place on a wide margin along the footpath as well. At the Clements Grove entrance, the rewilded area is overgrown with grasses that will need a team of people to hand-weed them to save the plants beneath, such as the Inland Pigface, which is barely visible. This neglect sends a very bad message to our migrant/working class neighbourhood - namely that it is too much trouble to rewild. After making so many requests for Council to care for Clements Reserve, I am left to ask why this particular park is being so incompetently managed?
2. On 8 June 2023, Darebin Council issued a permit (D/718/2022) to La Trobe University for the removal of native vegetation at the corner of Plenty Road and Kingsbury Drive to make way for photovoltaic panels. Hundreds of members of the Victorian Field Naturalists Club Facebook page have expressed anger and dismay, and local residents are devastated, about the destruction. As one local expert said, this was habitat and greenery for birds and people, during a looming climate and biodiversity crisis. It was regular feeding habitat for nationally threatened Gang Gang Cockatoos. How did Darebin Council judge this planning permit to be consistent with its Breathing Space policy and other related biodiversity policies?
3. At the 24 July 2023, Darebin Council confirmed, in response to a question from me, that it had spent \$100,691 on contractors due to backfilling staff who are taking industrial action, when it could be finalising an enterprise agreement with fair conditions and a reasonable pay rise that addresses cost of living pressures. How much additional money has Darebin Council spent on external contractors since 24 July 2023 to backfill staff who are taking industrial action?

Response from General Manager Operations and Capital

1. **We do know and broadly agree with you about the challenges at that site. What we are working through at the moment is the best pathway to get the management and establishment of that site working well for the long run. What we are intending to do is strip back some of the current re-wilding sites at Clements to ensure we can get on top of the maintenance prior to replanting works. Those works will likely include brush cutting, spraying and additional mulching. We will look to consider replacement species starting with shrubs, larger grasses and groundcovers to get them established first in the next part of this planting season, so middle of next year, and then we will aim to build the more delicate species in after that.**

Response from General Manager City Sustainability and Strategy

Thank you for your question, Serena.

2. The planning permit application was triggered under Clause 52.17 of the Darebin Planning Scheme (Native Vegetation). Council's Statutory Planning team assessed the application in accordance with this Clause.

The removal of trees did not require a planning permit, and the assessment was limited to the removal of a section of native patch vegetation that was required for installing 9,270 solar panels.

Council's assessment and decision considered the advice provided from internal Council departments. The application was also referred to the Department of Energy, Environment and Climate Action (DEECA), the Department of Transport and Planning (DTP) and the Darebin Creek Management Committee (DCMC) and none of these bodies objected to the proposal.

Council's Breathing Space: The Darebin Open Space Strategy 2019, provides the overarching framework and strategic direction for public open space in the City of Darebin rather than being a guidance document for development of land in private ownership.

Response from General Manager Governance and Engagement

3. Very little industrial action has occurred since July 2023, so there has been no need to engage contractors to backfill. Council is continuing to work with staff and unions on finding a resolution to the Enterprise Agreement.

John Nugent

1. Mayor Williams, could you please advise, if this year's Christmas decorations will be updated by having a new Christmas tree, finally retiring the reindeers and even having Santa walking around the shopping centre and will Council celebrate the Chinese New Year?
2. Mayor Williams, could you please advise what was the maintenance costs (individually) for the 22/23 financial year for the following parks: Bundoora Park, Edwardes Park and All Nations Park?
3. Mayor Williams, as an equal opportunity employer could the following information please be provided: how many female rubbish truck drivers does this city employ?

Response from General Manager Community

1. This year's Preston Christmas decorations are predominantly the same but will have some updates. The same Christmas tree will feature but I understand will have fresh new decorations which feature a native flora and fauna theme. The sleigh & reindeers will appear near the corner of Gower & High Streets for the last year and is planned to be retired next year. Council will also be installing holiday themed bin wraps and other small-scale decorations in activity centres.

The 4 x Traders Associations will each receive up to \$5,000 match funding for their decoration spend. These groups run their own Christmas/holiday themed street activations.

Council makes a modest contribution to Lunar New Year, decorating 421 High Street with a Lunar New Year theme. Most celebration of Lunar New Year is undertaken by the Preston Central Traders Association and Preston Market who run their own Lunar New Year events and Council supports promotion of these activities.

Response from General Manager Operations and Capital

2. We don't have specific budget breakdowns for each individual site within the Parks & Open Space network, lots of our crews work across lots of our parks. I can confirm the operating budget for Parks in 22/23 financial year was \$13,784,278.

Response from General Manager Governance and Engagement

3. Thank you for the question John, Council doesn't comment on the gender make up of individual job functions but can report that women make up 60% of Darebin's broader workforce.

8. PETITIONS

8.1 TABLING OF PETITION

Cr. Newton sought leave of the Council to table a petition concerning Make AG Davis Park (Wood Street) in Preston a nicer place to be'.

Petition

That the petition: **Make AG Davis Park (Wood Street) in Preston a nicer place to be'** be tabled and referred to the CEO, and reads as follows:

PETITION SUMMARY & BACKGROUND:

AG Davis Park (Wood Street Park as it is affectionately called) is a large park which presents a great opportunity to become a vibrant hub for the local community to come together and enjoy being outside. However, the instalment of a new playground structure in 2023 prompted the local residents to question the level of investment and considerate planning in not only AG Davis Park, but in green spaces north of Bell Street more broadly.

Earlier this year, 86 local residents filled out an on line survey about the recent changes to AG Davis Park. 94% of those surveyed thought the new playground was the same, or worse than before. Unfortunately, when presented to City of Darebin, this data alone was not enough to see Council talk to residents about what they want in their local park to be like or to commit to further investment.

Local residents are seeking greater investment and consultation in AG Davis Park in order to bring it in line with the investment seen in similar parks located south of Bell Street. We want AG Davis Park to be a hub for the community, where people of all ages can find enjoyment and want to visit. This will mean additional investment by Council beyond just the recent playground change.

Therefore, we are asking you to sign our petition to let the City of Darebin know that the residents of this area want more for their community.

ACTION PETITIONED FOR:

We are asking the City of Darebin to honour their Strategic Objectives including creating "Vibrant, Respectful and Connected Communities" through having "Vibrant and dynamic spaces, amenities and events"; and "One Darebin, with no suburb left behind".

Broadly we are asking for ongoing investment in green spaces/ play spaces north of Bell Street.

More specifically we are seeking the following improvements at AG Davis Park:

- Community consultation to understand what this local community wants
- Developmentally appropriate equipment for older children (not met by recent playground replacement)
- Nature play elements
- Greater accessibility for all abilities (e.g. broaden path to accessible swing)
- Additional shade to make it a safe and enjoyable place to play
- Additional planting (e.g. community indigenous edible garden)
- Additional shelter / covered structures for picnics
- Revamp of the toilets (updated and gender neutral)

PROCEDURAL MOTION – AMEND ORDER OF BUSINESS

Council Resolution

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

That the order of business be amended to first consider Item 9.7 Property Matters - Leasing of Kindergartens & Childcare Centres First, followed by Item 9.6 Kindergarten Expansion Program, then continue with the remaining Agenda Items in order.

CARRIED

For: Cr's Dimitriadis, Hannan, Rennie, Newton, McCarthy, Laurence, Messina and Williams (8)

Abstained: Cr. Greco (1)

6.49pm – The Chairperson, Mayor Williams, adjourned the meeting for a break.

7.04pm – The meeting resumed.

9. CONSIDERATION OF REPORTS

9.7 PROPERTY MATTERS - LEASING OF KINDERGARTENS & CHILDCARE CENTRES

Cr. Greco disclosed a conflict of interest relation to this item declaring the interest as a material conflict of interest as a result of his partner being a casual worker at the Clifton Street Childcare Centre.

7.05pm – Cr. Greco left the meeting.

The following people each made a 2 minute verbal submission:

- 1. Bridget Fitzgerald*
- 2. Camilla Reehorst*
- 3. Tina Agrios*
- 4. Kim Miller*
- 5. Vicky Vasiliadis*

EXECUTIVE SUMMARY

This report seeks Council endorsement to proceed with community consultation about a proposal to enter in a new lease with each of the 18 Early Years Services Associations (service providers) to ensure the ongoing delivery of early childhood services from the Council-owned facilities from 1 January 2024, for two years. All current lease agreements are due to expire on 31 December 2023.

Council has a long-standing relationship and commitment to support Early Years Services. The proposed leases would continue to support the Early Years Services through its provision of Early Years Centres, and by providing rental subsidies at almost 100% by providing a 'nominal' rental rate.

Consultation would be undertaken in line with the statutory process required under Section 115 of the *Local Government Act 2020*, (Lease of Land). When consultation is completed, a further report will come to Council at which time Council will consider whether it wishes to proceed with the proposed leases. Council is required to consult community before it makes a decision about the Leases when the market value of the land exceeds \$100,000 per annum, which is the case for most of these premises.

The Early Learning Leases have been operating on a five-year lease and lease renewal tenure. The proposal is that the new leases would be for a 2-year term to enable Council to complete development and consultation of a holistic Leasing and Licensing Policy for all its community facilities. This term would enable a consistent and transparent approach to leasing across the City to be applied to future leases. Before the expiry of the 2 year terms, a recommendation about future Lease terms would be made to Council to consider incorporating any Policy elements from the new Leasing and Licensing Policy.

Officer Recommendation**That Council:**

- (1) Notes that all current lease agreements are due to expire on 31 December 2023.
- (2) Endorses the proposal to undertake a community engagement program in accordance with Section 115 of the *Local Government Act 2020* (“the Act”) of its intention to enter into a lease with each of the 18 (not-for-profit) Early Years Services Associations for the provision of Kindergarten and Childcare services at the various Council-owned premises.
- (3) Notes that any submissions will be considered by Council’s Hearing of Submissions Committee at a meeting to be held in the Council Chamber on Monday 11 December 2023 at 6:30pm.
- (4) Notes if no submissions are received, a further report be presented to Council to consider completion of the statutory procedures for the lease.

Cr. Dimitriadis proposed the below motion.

That Council:

- (1) Notes that all current lease agreements are due to expire on 31 December 2023.
- (2) Endorses the CEO to enter into new 5 year leases, with an Option for a further term of 5-years for the Early Years Services Associations across 18 separate Council owned premises, with the terms and conditions in line with existing rental agreements, to expire on the 31st of December 2028 in order to provide certainty to the Early Years Services Associations operating across 18 separate Council owned premises identified in Appendix A.

The CEO advised that the motion could put Council in breach of section 115 of the Local Government Act 2020. Cr. Dimitriadis withdrew the motion and moved the motion below:

Motion

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

That Council:

- (1) Notes that all current lease agreements are due to expire on 31 December 2023.
- (2) Endorses the proposal to undertake a community engagement program in accordance with Section 115 of the *Local Government Act 2020* (“the Act”) of its intention to enter into a **5-year** lease with each of the 18 (not-for-profit) Early Years Services Associations for the provision of Kindergarten and Childcare services at the various Council-owned premises **with terms and conditions that include a full rental subsidy to each of these providers at the value of the annual market rent (as shown in Appendix A column headed NAV) with a \$104 annual fee)set by crown and included in Council annual Fees and Charges Schedule). Terms and conditions relating to outgoings, utilities and maintenance would remain the same as the current lease arrangements expiring on 31 December 2023.**
- (3) Notes that any submissions will be considered by Council’s Hearing of Submissions Committee at a meeting to be held in the Council Chamber on Monday 11 December 2023 at 6:30pm.

- (4) Notes if no submissions are received, a further report be presented to Council to consider completion of the statutory procedures for the lease.

7.43pm – *The Chairperson, Mayor Williams, adjourned the meeting for a break.*

7.51pm – *The meeting resumed.*

Cr. Hannan proposed to the mover and seconder an amendment to point (2) as follows:

- (2) Endorses the proposal to undertake a community engagement program in accordance with Section 115 of the *Local Government Act 2020* (“the Act”) of its intention to enter into a 5-year **(2 years plus the option for 3 years)** lease with each of the 18 (not-for-profit) Early Years Services Associations for the provision of Kindergarten and Childcare services at the various Council-owned premises with terms and conditions that include a full rental subsidy to each of these providers at the value of the annual market rent (as shown in Appendix A column headed NAV) with a \$104 annual fee) set by crown and included in Council annual Fees and Charges Schedule) **for the first two years**. Terms and conditions relating to outgoings, utilities and maintenance would remain the same as the current lease arrangements expiring on 31 December 2023.

The amendment was not accepted by the mover and seconder and was put to vote as follows:

Amendment

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

That Council:

- (1) Notes that all current lease agreements are due to expire on 31 December 2023.
- (2) Endorses the proposal to undertake a community engagement program in accordance with Section 115 of the *Local Government Act 2020* (“the Act”) of its intention to enter into a 5-year **(2 years plus the option for 3 years)** lease with each of the 18 (not-for-profit) Early Years Services Associations for the provision of Kindergarten and Childcare services at the various Council-owned premises with terms and conditions that include a full rental subsidy to each of these providers at the value of the annual market rent (as shown in Appendix A column headed NAV) with a \$104 annual fee) set by crown and included in Council annual Fees and Charges Schedule) **for the first two years**. Terms and conditions relating to outgoings, utilities and maintenance would remain the same as the current lease arrangements expiring on 31 December 2023.
- (3) Notes that any submissions will be considered by Council’s Hearing of Submissions Committee at a meeting to be held in the Council Chamber on Monday 11 December 2023 at 6:30pm.
- (4) Notes if no submissions are received, a further report be presented to Council to consider completion of the statutory procedures for the lease.

CARRIED

For: Cr’s Hannan, Rennie, Newton, McCarthy and Messina (5)
Against: Cr’s Dimitriadis, Laurence and Williams (3)

Amended motion then read as follows:

Amended Motion**MOVED: Cr. E Dimitriadis****SECONDED: Cr. T Laurence****That Council:**

- (1) Notes that all current lease agreements are due to expire on 31 December 2023.
- (2) Endorses the proposal to undertake a community engagement program in accordance with Section 115 of the *Local Government Act 2020* (“the Act”) of its intention to enter into a 5-year (2 years plus the option for 3 years) lease with each of the 18 (not-for-profit) Early Years Services Associations for the provision of Kindergarten and Childcare services at the various Council-owned premises with terms and conditions that include a full rental subsidy to each of these providers at the value of the annual market rent (as shown in Appendix A column headed NAV) with a \$104 annual fee) set by crown and included in Council annual Fees and Charges Schedule) for the first two years. Terms and conditions relating to outgoings, utilities and maintenance would remain the same as the current lease arrangements expiring on 31 December 2023.
- (3) Notes that any submissions will be considered by Council’s Hearing of Submissions Committee at a meeting to be held in the Council Chamber on Monday 11 December 2023 at 6:30pm.
- (4) Notes if no submissions are received, a further report be presented to Council to consider completion of the statutory procedures for the lease.

Cr. Rennie proposed an amendment, to add points (5) and (6) to the motion as follows:

- (5) Reaffirms its commitment to supporting kindergarten and childcare services within the municipality and confirms that it has no plans to close any kindergarten or childcare centres.
- (6) Notes that this commitment is demonstrated through a significant, planned capital investment in expanding kindergarten and childcare places in the municipality discussed at agenda item 9.6 of tonight’s agenda.

The amendment was accepted by the mover and the seconder, and the further amended motion then read as follows:

Further Amended Motion**MOVED: Cr. E Dimitriadis****SECONDED: Cr. T Laurence****That Council:**

- (1) Notes that all current lease agreements are due to expire on 31 December 2023.
- (2) Endorses the proposal to undertake a community engagement program in accordance with Section 115 of the *Local Government Act 2020* (“the Act”) of its intention to enter into a 5-year (2 years plus the option for 3 years) lease with each of the 18 (not-for-profit) Early Years Services Associations for the provision of Kindergarten and Childcare services at the various Council-owned premises with terms and conditions that include a full rental subsidy to each of these providers at the value of the annual market rent (as shown in Appendix A column headed NAV) with a \$104 annual fee) set by crown and included in Council annual Fees and Charges Schedule) for the first two

years. Terms and conditions relating to outgoings, utilities and maintenance would remain the same as the current lease arrangements expiring on 31 December 2023.

- (3) Notes that any submissions will be considered by Council's Hearing of Submissions Committee at a meeting to be held in the Council Chamber on Monday 11 December 2023 at 6:30pm.
- (4) Notes if no submissions are received, a further report be presented to Council to consider completion of the statutory procedures for the lease.
- (5) Reaffirms its commitment to supporting kindergarten and childcare services within the municipality and confirms that it has no plans to close any kindergarten or childcare centres.**
- (6) Notes that this commitment is demonstrated through a significant, planned capital investment in expanding kindergarten and childcare places in the municipality discussed at agenda item 9.6 of tonight's agenda.**

The further amended motion was put and carried and became the council resolution as follows:

Council Resolution

MINUTE NO. 23-091

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

That Council:

- (1) Notes that all current lease agreements are due to expire on 31 December 2023.
- (2) Endorses the proposal to undertake a community engagement program in accordance with Section 115 of the Local Government Act 2020 ("the Act") of its intention to enter into a 5-year (2 years plus the option for 3 years) lease with each of the 18 (not-for-profit) Early Years Services Associations for the provision of Kindergarten and Childcare services at the various Council-owned premises with terms and conditions that include a full rental subsidy to each of these providers at the value of the annual market rent (as shown in Appendix A column headed NAV) with a \$104 annual fee) set by crown and included in Council annual Fees and Charges Schedule) for the first two years. Terms and conditions relating to outgoings, utilities and maintenance would remain the same as the current lease arrangements expiring on 31 December 2023.
- (3) Notes that any submissions will be considered by Council's Hearing of Submissions Committee at a meeting to be held in the Council Chamber on Monday 11 December 2023 at 6:30pm.
- (4) Notes if no submissions are received, a further report be presented to Council to consider completion of the statutory procedures for the lease.
- (5) Reaffirms its commitment to supporting kindergarten and childcare services within the municipality and confirms that it has no plans to close any kindergarten or childcare centres.
- (6) Notes that this commitment is demonstrated through a significant, planned capital investment in expanding kindergarten and childcare places in the municipality discussed at agenda item 9.6 of tonight's agenda.

CARRIED UNANIMOUSLY

8.21pm – Cr. Greco returned to the meeting.

9.6

KINDERGARTEN EXPANSION PROGRAM

EXECUTIVE SUMMARY

The roll-out of funded three-year-old kindergarten and the planned introduction of Pre-Prep for four-year-olds, combined with population growth, mean that significant additional kindergarten capacity is required in Darebin over the next 10 years to meet the needs of the community.

Council has stated its intention to expand kindergarten capacity in Darebin in the 2021-25 Council Plan and the 2021-2041 Early Years Infrastructure Planning Framework. The 2023-24 Council budget includes capital funding for kindergarten expansions in 2023-24 and over the subsequent three financial years.

Council is working in close partnership with the State Government to develop an agreed program of kindergarten expansion projects to meet the demand that will be created by the kindergarten reforms. Council and the Department of Education are close to agreeing a Building Blocks Partnership Agreement, which outlines in-principle agreement from both parties to contribute funds to a pipeline of kindergarten expansion projects in Darebin.

This report seeks Council's approval to commit to an initial tranche of expansion projects and enter into a Building Blocks Partnership Agreement. Three options have been identified for the initial tranche of projects to be included within Council's kindergarten expansion program, with option three forming the basis for the Officer recommendation in this report. All three options work within the four-year Capital Works Plan allocations for three-year-old kindergarten and align with Council's policy intentions to respond to kindergarten in areas of high need, address equity in access to sessional kindergarten and community managed integrated childcare and kindergarten services and support the sustainability of community-managed kindergarten and childcare services.

Officer Recommendation

That Council:

- (1) Notes an update on the Kindergarten Expansion Program.
- (2) Endorses Option 3 of the Kindergarten Expansion Program which includes:
 - a. Approving delivery of the following projects in 2023-24 as part of the three-year-old kindergarten capital program:
 - i. Upgrade of 2A Raleigh Street, Thornbury to licensing standard (22 additional places).
 - ii. Stage 1 expansion of Merri Community Child Care & Kindergarten (5 additional places).
 - b. Agreeing in principle to the delivery of the expansion of Maryborough Avenue Kindergarten (38 additional places) (subject to confirmation through the annual budget process) to be delivered by January 2026.
 - c. Deferring a decision on Merri Stage 2 until further information is available about feasibility and costs of expansion at other sites, which will be known by 30 June 2024.

- (3) Delegates to the Chief Executive Officer to negotiate final details and enter into a Building Blocks Partnership Agreement, as outlined in draft form in **Appendix D**, with the Department of Education to confirm both parties' in principle agreement to fund and deliver the Stage 1 expansion of Merri Community Child Care & Kindergarten and the expansion of Maryborough Avenue Kindergarten, as well both parties' intention to continue to progress planning and design for potential expansion at other sites with a view to adding further projects to the expansion pipeline in future years.
- (4) Requests a further update on the Kindergarten Expansion Program, including on the progress of planning and design for expansion of other sites, by 30 June 2024 to enable a decision about the projects to be progressed in the later years of the Kindergarten Expansion Program.

Amended Officer Recommendation

That Council:

- (1) Notes an update on the Kindergarten Expansion Program.
- (2) Endorses Option 3 of the Kindergarten Expansion Program which includes:
 - a. Approving delivery of the following projects in 2023-24 as part of the three-year-old kindergarten capital program:
 - i. Upgrade of 2A Raleigh Street, Thornbury to licensing standard (22 additional places).
 - ii. Stage 1 expansion of Merri Community Child Care & Kindergarten (5 additional places).
 - b. Agreeing in principle to the delivery of the expansion of Maryborough Avenue Kindergarten (38 additional places) (subject to confirmation through the annual budget process) to be delivered by January 2026.
 - c. Deferring a decision on Merri Stage 2 until further information is available about feasibility and costs of expansion at other sites, which will be known by 30 June 2024.
- (3) Delegates to the Chief Executive Officer to negotiate final details and enter into a Building Blocks Partnership Agreement, as outlined in draft form in **Appendix D**, with the Department of Education to confirm both parties' in principle agreement to fund and deliver the Stage 1 expansion of Merri Community Child Care & Kindergarten and the expansion of Maryborough Avenue Kindergarten, as well both parties' intention to continue to progress planning and design for potential expansion at other sites with a view to adding further projects to the expansion pipeline in future years.
- (4) Requests a further update on the Kindergarten Expansion Program, including on the progress of planning and design for expansion of other sites, by 30 June 2024 ~~to enable a decision about the projects to be progressed in the later years of the Kindergarten Expansion Program~~ **including a report on the outcomes of feasibility assessments on the potential for expansion at JS Grey Reserve Kindergarten, Gellibrand Crescent Kindergarten, Blake Street Kindergarten, Thornbury Kindergarten and Clyde Street Kindergarten, detailing the number of additional licensed places that can be delivered at each site and the cost estimates for these, to enable Council to make a decision about which sites to include within the Kindergarten Expansion Program from 2024-25 through to 2026-27 to achieve the goal of maximising the number of additional places in areas of high need.**

Council Resolution**MINUTE NO. 23-092****MOVED: Cr. T Laurence****SECONDED: Cr. S Rennie****That Council:**

- (1) Notes an update on the Kindergarten Expansion Program.
- (2) Endorses Option 3 of the Kindergarten Expansion Program which includes:
 - a. Approving delivery of the following projects in 2023-24 as part of the three-year-old kindergarten capital program:
 - i. Upgrade of 2A Raleigh Street, Thornbury to licensing standard (22 additional places).
 - ii. Stage 1 expansion of Merri Community Child Care & Kindergarten (5 additional places).
 - b. Agreeing in principle to the delivery of the expansion of Maryborough Avenue Kindergarten (38 additional places) (subject to confirmation through the annual budget process) to be delivered by January 2026.
 - c. Deferring a decision on Merri Stage 2 until further information is available about feasibility and costs of expansion at other sites, which will be known by 30 June 2024.
- (3) Delegates to the Chief Executive Officer to negotiate final details and enter into a Building Blocks Partnership Agreement, as outlined in draft form in **Appendix D**, with the Department of Education to confirm both parties' in principle agreement to fund and deliver the Stage 1 expansion of Merri Community Child Care & Kindergarten and the expansion of Maryborough Avenue Kindergarten, as well both parties' intention to continue to progress planning and design for potential expansion at other sites with a view to adding further projects to the expansion pipeline in future years.
- (4) Requests a further update on the Kindergarten Expansion Program, including on the progress of planning and design for expansion of other sites, by 30 June 2024 including a report on the outcomes of feasibility assessments on the potential for expansion at JS Grey Reserve Kindergarten, Gellibrand Crescent Kindergarten, Blake Street Kindergarten, Thornbury Kindergarten and Clyde Street Kindergarten, detailing the number of additional licensed places that can be delivered at each site and the cost estimates for these, to enable Council to make a decision about which sites to include within the Kindergarten Expansion Program from 2024-25 through to 2026-27 to achieve the goal of maximising the number of additional places in areas of high need.

CARRIED UNANIMOUSLY

9.1 ANNUAL REPORT 2022-23

EXECUTIVE SUMMARY

The *Local Government Act 2020* (section 98) requires each Council in Victoria to prepare an Annual Report for the previous financial year that contains a report of operations, the audited financial and performance statements, and a copy of the Auditor's report on the financial statements.

This is the second Annual Report following the full implementation of the *Local Government Act 2020*. To increase transparency in our reporting, Council has aligned the Annual Report 2022-23 against the six sets of principles incorporated in the *Local Government Act 2020*, whilst ensuring compliance with legislative reporting requirements and best practice.

The Annual Report 2022-23 will contain Darebin City Council's audited Financial and Performance Statements ('Statements') which were subject to an earlier Council report at the September Council meeting. These Statements provide information on Council operations and services delivered to and for the Darebin community for the 2022-23 financial year. The Statements have been presented to, and considered by, the Audit and Risk Committee. The Financial and Performance Statements and the Auditor-General reports will be included in the Annual Report 2022-23.

The Annual Report 2022-23 (**Appendix A**), contains the key highlights and achievements of Darebin Council for the second year of the implementation of the Council Plan 2021-25. Since the commencement of the *Local Government Act 2020*, the previous legislative requirement for Council to submit the annual report to the Minister has been repealed therefore no longer a requirement.

A summary of the Annual Report is currently in development to include as content on the Council website to inform the community Darebin Council's achievements over the past year. The Full Annual Report will also be available on the website to view or download.

Council Resolution

MINUTE NO. 23-093

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

That Council:

- (1) Notes the Darebin City Council Annual Report 2022–23, attached at **Appendix A**, in accordance with s 98 of the *Local Government Act 2020*.
- (2) Notes that a summary of the Annual Report 2022-23 will be available digitally on Council's website, to increase transparency and accessibility, along with a full copy of the Annual Report 2022-23 for download.

CARRIED UNANIMOUSLY

9.2 2023 DAREBIN ANNUAL COMMUNITY SURVEY RESULTS

EXECUTIVE SUMMARY

This report provides a summary of the 2023 Darebin Annual Community Survey results. The Community Survey was conducted as a telephone interview with 1,001 residential households from 7 to 26 June 2023.

Overall performance has declined this year, from a “good” to a “solid” level of satisfaction.

The results of the Community Survey Program will be publicised on the Darebin corporate website and planning has commenced to improve customer satisfaction in areas which fell behind in the 2023 survey.

Officer Recommendation

That Council:

- (1) Notes the results from the 2023 Darebin Annual Community Survey.
- (2) Note that Darebin’s overall performance has declined 7% on the previous year, taking satisfaction down from ‘good’ to ‘solid’.
- (3) Notes that the most common reasons for dissatisfaction with Council’s overall performance related to issues with Council’s governance, management, and performance, issues with Council’s communication, consultation, and engagement with the community, and some concerns around specific Council services and facilities.
- (4) Notes that the four services and facilities with “excellent” satisfaction were Darebin Libraries, Weekly garbage collection, and Council’s festivals and events and events and activities supporting LGBTIQ inclusivity.
- (5) Notes that the CEO is undertaking further analysis of the issues and themes and with a briefing to councillors, outlining key actions.

Amended Officer Recommendation

That Council:

- (1) Notes the results from the 2023 Darebin Annual Community Survey.
- (2) Note that Darebin’s overall performance has declined 7% on the previous year, taking satisfaction down from ‘good’ to ‘solid’.
- (3) Notes that the most common reasons for dissatisfaction with Council’s overall performance related to issues with Council’s governance, management, and performance, issues with Council’s communication, consultation, and engagement with the community, and some concerns around specific Council services and facilities.
- (4) Notes that the four services and facilities with “excellent” satisfaction were Darebin Libraries, Weekly garbage collection, and Council’s festivals and events and events and activities supporting LGBTIQ inclusivity.
- (5) Notes that the CEO is undertaking further analysis of the issues and themes and ~~with~~ **will bring** a briefing to councillors, outlining key actions, **and report on these actions as they are implemented through the Governance Report.**

Council Resolution**MINUTE NO. 23-094****MOVED: Cr. S Rennie****SECONDED: Cr. G Greco****That Council:**

- (1) Notes the results from the 2023 Darebin Annual Community Survey.
- (2) Note that Darebin's overall performance has declined 7% on the previous year, taking satisfaction down from 'good' to 'solid'.
- (3) Notes that the most common reasons for dissatisfaction with Council's overall performance related to issues with Council's governance, management, and performance, issues with Council's communication, consultation, and engagement with the community, and some concerns around specific Council services and facilities.
- (4) Notes that the four services and facilities with "excellent" satisfaction were Darebin Libraries, Weekly garbage collection, and Council's festivals and events and events and activities supporting LGBTIQ inclusivity.
- (5) Notes that the CEO is undertaking further analysis of the issues and themes and will bring a briefing to councillors, outlining key actions, and report on these actions as they are implemented through the Governance Report.

CARRIED UNANIMOUSLY

9.3**VICTORIAN CONTAINER DEPOSIT SCHEME**

EXECUTIVE SUMMARY

The Victorian Container Deposit Scheme (CDS) is a State Government Program designed to encourage people to recycle their used drink containers. People will receive a 10-cent refund for every eligible drink can, carton and bottle they return. The program will commence on 1 November 2023.

Darebin has long advocated for a program like this to improve sustainability outcomes and reduce littering and welcomed the State Government's announcement.

Council has committed to assist in the roll out of the CDS by promoting the scheme to the broader community, as well as ensure our clubs, businesses and community groups are aware of how they can participate.

Visy Recycling is the scheme operator in Darebin and is responsible for establishing and maintaining refund collection points. Council has been in discussions with Visy about the best locations for refund points and is committed to assisting them to identify and secure suitable refund locations.

Visy and Council both concur that commercial centres are the highest priority sites, given co-benefits of helping bring people into commercial areas, and by providing the best access for community. To date, Visy has confirmed several refund locations across the municipality on commercial land and there are others that are in consideration.

None of Visy's identified priority sites are on Council land. Officers have explored several secondary priority sites and are working with Visy to consider progressing, along assisting in identifying other potential sites in priority locations. Any decisions about leasing Council land would come to a future Council Meeting for consideration in due course.

The purpose of this report is to note Council's support for the CDS and confirm its commitment to assist in its implementation.

Officer Recommendation

That Council confirms its commitment to supporting roll out of the Container Deposit Scheme and notes that:

- (1) Council welcomes the Victorian Container Deposit Scheme.
- (2) Council is committed to promoting the scheme to the broader community, as well as ensuring our clubs, businesses and community groups are aware of how they can participate.
- (3) Council is committed to working with Visy to help them identify suitable sites for refund points for the scheme's implementation beyond the 1 November 2023 commencement.
- (4) Council is progressing initial investigations of three locations as potential refund points: Reservoir Activity Centre, Darebin Resource Recovery Centre and the Darebin Arts Centre, noting that any decision to proceed with a particular location will come to Council at a future meeting for formal decision.

Motion

MOVED: Cr. L Messina

SECONDED: Cr. S Newton

That Council confirms its commitment to supporting roll out of the Container Deposit Scheme and notes that:

- (1) Council welcomes the Victorian Container Deposit Scheme.
- (2) Council is committed to promoting the scheme to the broader community, as well as ensuring our clubs, businesses and community groups are aware of how they can participate.
- (3) Council is committed to working with Visy to help them identify suitable sites for refund points for the scheme's implementation beyond the 1 November 2023 commencement.
- (4) Council is progressing initial investigations of three locations as potential refund points: Reservoir Activity Centre, Darebin Resource Recovery Centre and the Darebin Arts Centre, noting that any decision to proceed with a particular location will come to Council at a future meeting for formal decision.

Cr. Dimitriadis proposed to the mover and seconder that the motion be amended to include point (5) as shown below.

With leave of the Chairperson, Mayor Williams, Cr. Dimitriadis made an additional amendment to include the wording 'notes that' at the beginning of points (1) to (4) to provide further clarity.

Cr. Dimitriadis' proposed amendment then read as follows:

That Council confirms its commitment to supporting roll out of the Container Deposit Scheme and ~~notes that:~~

- (1) **Notes that** Council welcomes the Victorian Container Deposit Scheme.
- (2) **Notes that** Council is committed to promoting the scheme to the broader community, as well as ensuring our clubs, businesses and community groups are aware of how they can participate.
- (3) **Notes that** Council is committed to working with Visy to help them identify suitable sites for refund points for the scheme's implementation beyond the 1 November 2023 commencement.
- (4) **Notes that** Council is progressing initial investigations of three locations as potential refund points: Reservoir Activity Centre, Darebin Resource Recovery Centre and the Darebin Arts Centre, noting that any decision to proceed with a particular location will come to Council at a future meeting for formal decision.
- (5) **Council will undertake additional initial investigations with Visy of other potential refund points in locations around Fairfield, Northcote, Alphington, Westgarth, Thornbury and Bundoora including, but not limited to Northcote Aquatic and Recreation Centre, All Nations Park, Northcote Plaza, Bill Lawry Oval, 2 Wingrove Street Alphington and in the vicinity of La Trobe University and:**
 - (a) **Discuss with Visy appropriate arrangements for this to be facilitated within the funding scope; and**
 - (b) **Provide a report back to council at the November council meeting on these investigations.**

The mover and seconder did not accept point (5) of the proposed amendment.

9.03pm – Cr. Laurence left the meeting.

Amendment

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

That Council confirms its commitment to supporting roll out of the Container Deposit Scheme and:

- (1) **Notes that** Council welcomes the Victorian Container Deposit Scheme.
- (2) **Notes that** Council is committed to promoting the scheme to the broader community, as well as ensuring our clubs, businesses and community groups are aware of how they can participate.
- (3) **Notes that** Council is committed to working with Visy to help them identify suitable sites for refund points for the scheme's implementation beyond the 1 November 2023 commencement.
- (4) **Notes that** Council is progressing initial investigations of three locations as potential refund points: Reservoir Activity Centre, Darebin Resource Recovery Centre and the Darebin Arts Centre, noting that any decision to proceed with a particular location will come to Council at a future meeting for formal decision.
- (5) **Council will undertake additional initial investigations with Visy of other potential refund points in locations around Fairfield, Northcote, Alphington, Westgarth, Thornbury and Bundoora including, but not limited to Northcote Aquatic and Recreation Centre, All Nations Park, Northcote Plaza, Bill Lawry Oval, 2 Wingrove Street Alphington and in the vicinity of La Trobe University and:**
 - (a) **Discuss with Visy appropriate arrangements for this to be facilitated within the funding scope; and**
 - (b) **Provide a report back to council at the November council meeting on these investigations.**

LOST

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

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

9.09pm – Cr. Laurence returned to the meeting.

Extension of Time

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

8.58pm - That the Council meeting continue after 9pm for 30 minutes.

CARRIED UNANIMOUSLY

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

That Council confirms its commitment to supporting roll out of the Container Deposit Scheme and:

- (1) Notes that Council welcomes the Victorian Container Deposit Scheme.
- (2) Notes that Council is committed to promoting the scheme to the broader community, as well as ensuring our clubs, businesses and community groups are aware of how they can participate.
- (3) Notes that Council is committed to working with Visy to help them identify suitable sites for refund points for the scheme's implementation beyond the 1 November 2023 commencement.
- (4) Notes that Council is progressing initial investigations of three locations as potential refund points: Reservoir Activity Centre, Darebin Resource Recovery Centre and the Darebin Arts Centre, noting that any decision to proceed with a particular location will come to Council at a future meeting for formal decision.

Cr. Rennie proposed to the mover and seconder that the motion be amended to include point (5) as follows:

- (5) Council refers, via the CEO, councillor and community site suggestions to Visy for investigation and notes that any requests from Visy for use of Council owned sites would be reported to Council for consideration at a future meeting.

The amendment was accepted by the mover and seconder, and the amended motion then read as follows:

Amended Motion**MOVED: Cr. L Messina****SECONDED: Cr. S Newton**

That Council confirms its commitment to supporting roll out of the Container Deposit Scheme and:

- (1) Notes that Council welcomes the Victorian Container Deposit Scheme.
- (2) Notes that Council is committed to promoting the scheme to the broader community, as well as ensuring our clubs, businesses and community groups are aware of how they can participate.
- (3) Notes that Council is committed to working with Visy to help them identify suitable sites for refund points for the scheme's implementation beyond the 1 November 2023 commencement.
- (4) Notes that Council is progressing initial investigations of three locations as potential refund points: Reservoir Activity Centre, Darebin Resource Recovery Centre and the Darebin Arts Centre, noting that any decision to proceed with a particular location will come to Council at a future meeting for formal decision.
- (5) Council refers, via the CEO, councillor and community site suggestions to Visy for investigation and notes that any requests from Visy for use of Council owned sites would be reported to Council for consideration at a future meeting.**

The amended motion was put and carried and became the council resolution as follows:

Council Resolution**MINUTE NO. 23-095****MOVED: Cr. L Messina****SECONDED: Cr. S Newton**

That Council confirms its commitment to supporting roll out of the Container Deposit Scheme and:

- (1) Notes that Council welcomes the Victorian Container Deposit Scheme.
- (2) Notes that Council is committed to promoting the scheme to the broader community, as well as ensuring our clubs, businesses and community groups are aware of how they can participate.
- (3) Notes that Council is committed to working with Visy to help them identify suitable sites for refund points for the scheme's implementation beyond the 1 November 2023 commencement.
- (4) Notes that Council is progressing initial investigations of three locations as potential refund points: Reservoir Activity Centre, Darebin Resource Recovery Centre and the Darebin Arts Centre, noting that any decision to proceed with a particular location will come to Council at a future meeting for formal decision.
- (5) Council refers, via the CEO, councillor and community site suggestions to Visy for investigation and notes that any requests from Visy for use of Council owned sites would be reported to Council for consideration at a future meeting.

CARRIED UNANIMOUSLY

9.4 AWARD CONTRACT CT202356 - MICROSOFT ENTERPRISE AGREEMENT RENEWAL

EXECUTIVE SUMMARY

This report outlines the rationale and benefits of renewing the Microsoft Enterprise Agreement (EA) for the Council. The strategic imperative of renewing the EA is underpinned by multifaceted considerations, primarily revolving around the requirements of sustained access to critical Microsoft software and services, strengthening our IT Infrastructure and ongoing digital transformation endeavours, ensuring comprehensive compliance with software licensing obligations, and diligently optimizing associated costs. By securing licenses for a range of Microsoft software products, this endeavour will not only facilitate the seamless continuation of the user experience but will also uphold considerations such as optimal security, reliability, and collaboration and further strengthen our capacity to support flexible remote work capabilities.

Considering these compelling reasons, this report seeks the Council's endorsement to renew a new 3-year Enterprise Agreement with Microsoft, commencing on 1st December 2023. This proposed agreement is intended to govern the provision of specified Microsoft products, thus revitalising the Council's technology landscape, and facilitating seamless operations across the council.

Council Resolution

MINUTE NO. 23-096

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

That Council:

- (1) Awards Contract CT202356 for the Renewal of Microsoft Enterprise Agreement to Microsoft Software License Service Provider Crayon Australia Pty Ltd for the contract sum of \$3,561,086 for the period 1 December 2023 to 30 November 2026.
- (2) Approves an amount of \$1,088,914 for Annual Licenses True-up cost, Azure Cloud Services, and backup storage over the 3-year agreement. This service was excluded from the RFQ as these numbers cannot be predicted precisely in advance. Reasonable estimates have been made based on the previous usage of this service for the past 24 months.
- (3) Authorises the Chief Executive Officer to finalise and execute the contract documentation on behalf of the Council.

CARRIED UNANIMOUSLY

9.5

REVIEW OF ELECTION PERIOD POLICY 2020

EXECUTIVE SUMMARY

The purpose of this report is to inform Council of the requirement to review the Election Period Policy 2020 (the Policy) no later than 12 months prior to the next general election, pursuant to Council's Governance Rules and seek endorsement of the Policy.

Officer Recommendation

That Council endorses the Election Period Policy 2020 attached at **Appendix A** to this report.

Amended Officer Recommendation

That Council endorses the Election Period Policy 2020 attached at **Appendix A** to this report, with amendments to ensure that the use of Darebin's corporate identity is not permitted in candidate election campaign material.

Council Resolution**MINUTE NO. 23-097**

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

That Council endorses the Election Period Policy 2020 attached at **Appendix A** to this report, with amendments to ensure that the use of Darebin's corporate identity is not permitted in candidate election campaign material.

CARRIED UNANIMOUSLY

**9.8 PROPERTY MATTERS – SALE OF MINOR ASSETS
(CLEMENTS RESERVE)**

EXECUTIVE SUMMARY

This report recommends completion of the statutory procedures for the proposed discontinuance and vesting of unused roads, forming part of Clements Reserve Reservoir, otherwise shown hatched on the site plan shown hatched in Figure 1 in **Appendix A**.

This report recommends Council endorse the discontinuance having given public notice of a proposal to discontinue and vesting of unused roads, forming part of Clements Reserve Reservoir, in accordance with Council's Sale of Minor Assets Policy May 2022.

Council Resolution

MINUTE NO. 23-098

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

That Council:

Having given public notice of a proposal to discontinue and vest unused road, forming part of Clements Reserve Reservoir, and having received no written and verbal submissions regarding the proposal:

- (1) Discontinues the roads forming part of Clements Reserve Reservoir, otherwise shown hatched on the site plan shown hatched in Figure 1 in **Appendix A**, acting under section 206 and clause 3(a) of Schedule 10 to the *Local Government Act 1989*.
- (2) Directs that notice of the discontinuance be published in the Victoria Government Gazette.
- (3) Authorises the Chief Executive Officer to sign all documents in relation to the transfer of title of the discontinued road in accordance Council's Community Engagement Policy 2022 and Sale of Minor Assets Policy May 2022.
- (4) Directs that the discontinuance and sale will not affect any right, power or interest held by Yarra Valley Water and Darebin City Council, in the roads and reserve in connection with any sewers, drains or pipes under the control of Yarra Valley Water and Darebin City Council in or near the roads and reserve.

CARRIED UNANIMOUSLY

9.9 DCMC AUDIT REPORT

Cr. Laurence disclosed a general conflict of interest in Item 9.9 DCMC Audit Report, as a member of the DCMC he has been involved in discussions on this matter.

9.24pm – Cr. Laurence left the meeting.

EXECUTIVE SUMMARY

Council has an established Memorandum of Understanding (MoU) with the Darebin Creek Management Committee (DCMC) which is responsible for delivering on-ground environmental works, education and advocacy along the Darebin Creek corridor, and primarily, within 'Darebin Parklands'.

A recent VAGO recommendation that councils undertake a review and assessment of grants and funding agreements resulted in Banyule City Council (in partnership with Darebin) engaging an external consultant (RSM) to undertake an independent audit into the governance practices of DCMC.

The purpose of the audit was to “*evaluate the benefits of the recurrent grant funding provided to DCMC to ensure proper governance, transparency, and fairness, and that public money was being spent as intended*”. The report was completed in March 2023 and subsequently presented to DCMC and later councillors via a briefing in July 2023.

The audit identified a number of risks pertaining to both DCMC and Council and provided a series of recommendations to improve governance and mitigate potential risks.

Council officers have assessed which of these risks relate to Council and identified actions to mitigate the Council risks. Some of these actions are operational and have been initiated by officers under delegation, and other actions are proposed to be undertaken ahead of the end of the current MoU to inform Council's future decision.

The audit findings are attached in **Appendix A (Confidential)**. The Management of DCMC have also provided a formal response to the risks that pertain specifically to their organisation (**Appendix B (Confidential)**)

Council Resolution

MINUTE NO. 23-099**MOVED: Cr. T Hannan****SECONDED: Cr. S Newton****That Council:**

- (1) Formally notes the finalised audit of the DCMC governance practices and thanks DCMC for their contribution and participation in this.
- (2) Acknowledges the DCMC Management response in relation to the audit findings.
- (3) Notes the Council actions in progress to mitigate several risks to Council.
- (4) Endorses the Council actions proposed to enable Council to consider how to best mitigate further risks ahead of the end of the current MoU in June 2025.
- (5) Requests a report to Council outlining options for the period beyond the end of the current MoU with DCMC by the end of 2024.

CARRIED UNANIMOUSLY

9.26pm – Cr. Laurence returned to the meeting.

9.10

MERRI COMMON GRANT PROPOSAL

EXECUTIVE SUMMARY

Council recently received correspondence from the Department of Energy, Environment and Climate Action (DEECA) to advise that it was eligible for funding as part of the Better Parks and Playground Program. The stated amount available to Council is up to \$1,500,000 for the *'design and delivery of open space improvements at Merri Common, Northcote.'*

Merri Common is a State Government owned site. It is unusual for Council to be named as an eligible party for a grant for works at a site that it does not own or maintain. This report provides information for Council to consider next steps. Three main options are outlined for Council's consideration:

Option A – Apply for the Better Parks and Playground grant with an adjusted scope. This proposal would improve outcomes to the open space network and meet the needs of the local community through improvements at several local open spaces including the Merri Common, Caddayes Corner, Peters Reserve and Green Memorial Reserve. Council Officers have spoken with the Department of Energy, Environment and Climate Action who have indicated that this type of application would be considered. This option proposes any improvements made to Merri Common would be owned and maintained by the landowner, VicTrack rather than Council. *(Recommended)*.

Option B – Apply for the grant as offered to include upgrades only to the Merri Common. This option recommends that improvements made to non-Council owned land remain with the responsibility of the landowner, VicTrack.

Option C – Do not apply for the grant.

No option in this report recommends that Council assume maintenance responsibility for State Government Land. While it would be in theory possible for Council to consider maintaining State Government land, Council does not have a funding source available to do so and if it were to consider doing this it would have to reduce maintenance of other existing Council land, or reduce other community services.

Any grant application made for capital improvement works that is on State Government land will be subject to approval by the landowner.

Extension of Time

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

9.26pm - That the Council meeting continue after 9.30pm for 30 minutes.

CARRIED UNANIMOUSLY

Officer Recommendation

That Council:

- (1) Directs the CEO (or delegate) to apply for a grant from the Better Parks and Playground program for 'Option A' as outlined in this report to make open space improvements to Merri Common Reserve, Caddayes Corner, Peters Reserve and Green Memorial Reserve, and on the basis that the State Government would retain ownership and maintenance responsibility for any improvements on its land.
- (2) Delegates to the CEO (or delegate) to finalise the grant application and any necessary grant agreements, including making moderate adjustments to the project budget breakdown or project delivery scope, subject to these being largely consistent with Option A as outlined in this report.
- (3) Notes that should the grant application be successful, the CEO (or delegate), would progress with implementation, in line with the CEO's normal delegations from Council.
- (4) Note that officers will communicate Council's decision to VicTrack, the Department of Energy, Environment and Climate Action and the Merri Common Stationeers.

Motion

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

That Council:

- (1) Directs the CEO (or delegate) to apply for a grant from the Better Parks and Playground program for 'Option A' as outlined in this report to make open space improvements to Merri Common Reserve, Caddayes Corner, Peters Reserve and Green Memorial Reserve, **with the additional option of a small-scale bike track for young children at Merri Common Reserve, subject to community feedback** and on the basis that the State Government would retain ownership and maintenance responsibility for any improvements on its land.
- (2) Delegates to the CEO (or delegate) to finalise the grant application and any necessary grant agreements, including making moderate adjustments to the project budget breakdown or project delivery scope, subject to these being largely consistent with Option A as outlined in this report.
- (3) Notes that should the grant application be successful, the CEO (or delegate), would progress with implementation, in line with the CEO's normal delegations from Council.
- (4) Note that officers will communicate Council's decision to VicTrack, the Department of Energy, Environment and Climate Action and the Merri Common Stationeers.

Cr. Dimitriadis proposed amendments to the mover and seconder as follows, which were not accepted:

That Council:

- (1) **Acknowledges the sustained interest and advocacy by the local community to see improvements to the Merri Common.**
- (2) **Acknowledges the Victorian Government's commitment of \$1.5 million for the Merri Common Pocket Park and the offer to Council to apply for funds through the 'Victorian Government's Better Parks and Playground Program' to deliver this project.**

- (3) Directs the CEO (or delegate) to apply for a grant from the Better Parks and Playground program for 'Option A' as outlined in this report to make open space improvements to Merri Common Reserve, and Caddayes Corner, **with the additional option of a small-scale bike track for young children at Merri Common Reserve subject to community feedback** ~~Peters Reserve and Green Memorial Reserve~~, and on the basis that the State Government would retain ownership and maintenance responsibility for any improvements on its land.
- (4) Delegates to the CEO (or delegate) to finalise the grant application and any necessary grant agreements, including making moderate adjustments to the project budget breakdown or project delivery scope, subject to ~~these being largely consistent with Option A as outlined in this report consultation with Merri Stationeers and the local community~~ **consultation with Merri Stationeers and the local community**.
- (5) Notes that should the grant application be successful, the CEO (or delegate), would progress with implementation, in line with the CEO's normal delegations from Council.
- (6) Notes that officers will communicate Council's decision to VicTrack, the Department of Energy, Environment and Climate Action and the Merri Common Stationeers.

Amendment

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

That Council:

- (1) Acknowledges the sustained interest and advocacy by the local community to see improvements to the Merri Common.
- (2) Acknowledges the Victorian Government's commitment of \$1.5 million for the Merri Common Pocket Park and the offer to Council to apply for funds through the 'Victorian Government's Better Parks and Playground Program' to deliver this project.
- (3) Directs the CEO (or delegate) to apply for a grant from the Better Parks and Playground program for 'Option A' as outlined in this report to make open space improvements to Merri Common Reserve, and Caddayes Corner, with the additional option of a small-scale bike track for young children at Merri Common Reserve subject to community feedback and on the basis that the State Government would retain ownership and maintenance responsibility for any improvements on its land.
- (4) Delegates to the CEO (or delegate) to finalise the grant application and any necessary grant agreements, including making moderate adjustments to the project budget breakdown or project delivery scope, subject to consultation with Merri Stationeers and the local community.
- (5) Notes that should the grant application be successful, the CEO (or delegate), would progress with implementation, in line with the CEO's normal delegations from Council.
- (6) Notes that officers will communicate Council's decision to VicTrack, the Department of Energy, Environment and Climate Action and the Merri Common Stationeers.

LOST

For: Cr's Dimitriadis, Greco and Laurence (3)
Against: Cr's Hanna, Rennie, Newton and McCarthy (4)
Abstained: Cr's Messina and Williams (2)

Substantive Motion

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

That Council:

- (1) Directs the CEO (or delegate) to apply for a grant from the Better Parks and Playground program for 'Option A' as outlined in this report to make open space improvements to Merri Common Reserve, Caddayes Corner, Peters Reserve and Green Memorial Reserve, **with the additional option of a small-scale bike track for young children at Merri Common Reserve, subject to community feedback** and on the basis that the State Government would retain ownership and maintenance responsibility for any improvements on its land.
- (2) Delegates to the CEO (or delegate) to finalise the grant application and any necessary grant agreements, including making moderate adjustments to the project budget breakdown or project delivery scope, subject to these being largely consistent with Option A as outlined in this report.
- (3) Notes that should the grant application be successful, the CEO (or delegate), would progress with implementation, in line with the CEO's normal delegations from Council.
- (4) Note that officers will communicate Council's decision to VicTrack, the Department of Energy, Environment and Climate Action and the Merri Common Stationeers.

The substantive motion was put and carried and became the council resolution as follows:

Council Resolution**MINUTE NO. 23-100**

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

That Council:

- (1) Directs the CEO (or delegate) to apply for a grant from the Better Parks and Playground program for 'Option A' as outlined in this report to make open space improvements to Merri Common Reserve, Caddayes Corner, Peters Reserve and Green Memorial Reserve, with the additional option of a small-scale bike track for young children at Merri Common Reserve, subject to community feedback and on the basis that the State Government would retain ownership and maintenance responsibility for any improvements on its land.
- (2) Delegates to the CEO (or delegate) to finalise the grant application and any necessary grant agreements, including making moderate adjustments to the project budget breakdown or project delivery scope, subject to these being largely consistent with Option A as outlined in this report.
- (3) Notes that should the grant application be successful, the CEO (or delegate), would progress with implementation, in line with the CEO's normal delegations from Council.
- (4) Note that officers will communicate Council's decision to VicTrack, the Department of Energy, Environment and Climate Action and the Merri Common Stationeers.

CARRIED

For: Cr's Dimitriadis, Hannan, Rennie, Newton, McCarthy, Laurence, Greco and Williams (8)
Abstained: Cr. Messina (1)

9.11

GOVERNANCE REPORT - OCTOBER 2023

EXECUTIVE SUMMARY

- Summary of Advisory Committees, Councillor Briefing and other informal meetings of Councillors.
- Reports by Mayor and Councillors.
- Darebin Nature Trust - Appointment of new community members.
- 2024 Council & Planning Meeting Schedule.
- Quarterly Freedom of Information (FOI) statistics (1 July 2023 to 30 September 2023).

Officer Recommendation**That Council:**

- (1) Notes the Governance Report – October 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 the appointment of nine (9) community members to the Darebin Nature Trust (DNT) as recommended in confidential **Appendix B** in accordance with the DNT Terms of Reference.
- (5) Resolves to hold the 2024 Council and Planning Committee Meetings as outlined in **Table 1** of this report.
- (6) Notes the Quarterly Freedom of Information statistics (1 July 2023 to 30 September 2023).

Motion

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

That Council:

- (1) Notes the Governance Report – October 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) **Defers** the appointment of nine (9) community members to the Darebin Nature Trust (DNT) ~~as recommended in confidential **Appendix B** in accordance with the DNT Terms of Reference~~ **to the November 2023 Council Meeting.**
- (5) Resolves to hold the 2024 Council and Planning Committee Meetings as outlined in **Table 1** of this report **with a change to the April Council meeting date from 22 April 2024 to 29 April 2024.**

- (6) Notes the Quarterly Freedom of Information statistics (1 July 2023 to 30 September 2023).

With leave of the Chairperson, Mayor Williams, Cr. Greco requested that the Motion be split into 2 parts with point (4) to be voted on separately to points (1), (2), (3), (5) and (6).

The Chairperson, Mayor Williams, accepted Cr. Greco's request and the motion was voted on as follows:

Council Resolution

MINUTE NO. 23-101**MOVED: Cr. S Newton****SECONDED: Cr. T Hannan****That Council:**

- (1) Notes the Governance Report – October 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.
- (5) Resolves to hold the 2024 Council and Planning Committee Meetings as outlined in **Table 1** of this report with a change to the April Council meeting date from 22 April 2024 to 29 April 2024.
- (6) Notes the Quarterly Freedom of Information statistics (1 July 2023 to 30 September 2023).

CARRIED UNANIMOUSLY

Council Resolution

MINUTE NO. 23-102**MOVED: Cr. S Newton****SECONDED: Cr. T Hannan****That Council:**

- (4) Defers the appointment of nine (9) community members to the Darebin Nature Trust (DNT) the November 2023 Council Meeting.

CARRIED**For:** Cr's Hannan, Rennie, Newton, McCarthy and Williams (5)**Against:** Cr's Dimitriadis, Laurence and Greco (3)**Abstained:** Cr. Messina (1)

REPORTS BY MAYOR AND COUNCILLORS – 23 October 2023**REPORT OF CR. JULIE WILLIAMS, MAYOR**

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

- 3 x Councillor Briefing Session
- 4 x Councillor only meeting
- 1 x Planning Committee Meeting
- 2 x Mayor, Deputy Mayor and CEO
- 1 x Mayor, Deputy Mayor meeting
- 2 x Mayor and CEO meeting
- 1 x Communications Planning Session
- Monthly Council meeting
- 2 x Minister Meeting
- 1 x Citizenship Ceremony
- 2 x Meeting with local resident
- 1 x Smoking Ceremony
- Coordination of Mayoral Event
- Mayoral Event 2023
- Preston Lions Football Club
- 2 x DAAC Meetings
- Darebin Aboriginal Advisory Committee
- Seniors Festival Launch
- Australian Iranian Society of Victoria and Amnesty – Women, Life, Freedom Event
- CEO Employment Matters Independent Chair Interviews
- CEO Performance Review
- La Trobe Uni – LBS Project
- Filming for 86 Festival
- Programme Due North
- Filming for NARC
- MTF October General Meeting
- The Dimitria Festival
- Launch of Transport Priorities and EV Transition Plan
- M9 Mayors & CEO's
- Breakfast with Victorian Shadow Treasurer
- Opening Ceremony – WHY Robinson Cricket Nets Redevelopment

REPORT OF CR. LINA MESSINA

Cr. Messina did not submit a report.

REPORT OF CR. GAETANO GRECO

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

- Weekly Councillor Meetings
- Interviews – CEO Employment Matters Committee
- Councillor Briefing Sessions
- Discuss interviews – CEO Employment Matters Committee
- Meeting with CEO
- MAV State Conference
- PRACE 30th Anniversary
- Pre-Council Meeting Briefing

REPORT OF CR. TIM LAURENCE

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

- Council meeting
- Councillor Briefing Sessions
- Planning Committee Meeting
- Meeting with Mayor
- On site Meeting with residents over fire danger in Bundoora
- On site meeting at dumping sites in Kingsbury Drive Bundoora
- Meeting with sports clubs in Kingsbury and Reservoir
- Consultation with Fitzroy Legal service regarding breaches of the rights of homeless in Darebin
- Consultation with residents regarding flooding, animal control, public transport and road and drainage issues in Reservoir, Kingsbury and Bundoora
- Attended family outdoor movie night in Springthorpe Macleod
- Attended launch of Melbourne Diwali with SarasCare and the Lord Mayor Sally Capp and MCC councillors and Indian community members
- Attended LGPro multicultural reconciliation workshop in EPPING
- Attended AFL pre grand final community forum on the Voice to Parliament in Northcote

REPORT OF CR. SUSANNE NEWTON

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

- Victorian Local Governance Association (VLGA) Panel on Effective Leadership in Housing
- Darebin Ethnic Communities Council (DECC) steering committee meeting
- Alliance for Gambling Reform Gambling Harm Awareness Week event 'Let's bring home gambling reforms'
- Victorian Museums and Galleries Awards (celebrating Bundoora Homestead's Highly Commend Award for the Truth Telling space)
- Robyn Boyd Foundation Affordable Housing Forum
- Williamson Community Leadership Program
- Meeting with Professor Panos Piperopoulos, Associate Dean Academic Partnerships International at La Trobe Business School
- Victorian Local Governance Association (VLGA) Board Meeting
- Radio interview on Sammy J about dirt bikes at Darebin Creek
- Councillor Briefing Sessions
- Weekly Councillor Meetings
- Planning Committee Meeting (chairing)
- Meeting with CEO and Mayor
- Made speech at launch of Bundoora Homestead Art Centre Spring Season opening
- CEO Performance Committee meetings
- Meeting with co-chair of Visual Arts and Heritage Committee
- Darebin Aboriginal Advisory Committee Meeting

REPORT OF CR. SUSAN RENNIE

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

- Council meeting
- Council briefings
- Council Planning meeting
- Informal councillor catch ups
- MAV State Conference
- MAV State Council
- Schools Yarning Conference
- Opening of Cricket nets at WH Robinson Reserve
- Smoking Ceremony NARC
- Women's Tapestry Group celebration at AAL
- Gambling Harm Symposium at City of Hume
- Meeting with planning staff re Bell Street application
- Darebin Aboriginal Advisory Committee meeting

REPORT OF CR. TRENT MCCARTHY

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

- Councillor Briefing Sessions
- Weekly Councillor Meetings
- Merri Merri Wayi Meeting
- Climate Emergency Australia EO Meeting
- NAGA EO 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 Your Community Health YES event.
- Attended one-on-one meeting with CEO.
- Attended CEO Employment Matters Committee interviews for the Independent Chair
- Attended CEO Employment Matters Committee meeting.
- Attended CEO performance review.
- Attended the New United Villages of Florina event.
- Attended Northcote Aquatic and Recreation Centre (NARC) Smoking Ceremony

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., Merri Common, roads, laneways and traffic, graffiti, parking, building and planning, Darebin Enterprise Bargaining agreement, footpaths.
- Meeting with Northcote Business Association
- Completed and passed the Australian Institute of Company Directors (AICD) Company Directors Course
- Councillor briefings
- Councillor only meetings
- Planning Committee meeting
- Leave from 16 September – 7 October 2023

Table 1 below outlines the schedule of the Council and Planning Committee meetings from February 2024 to October 2024.

Meeting	Date	Time	Location
Planning Committee	Monday 12 February 2024	6.30 pm	Council Chamber
Ordinary Council	Monday 26 February 2024	6.00 pm	Council Chamber
Planning Committee	Tuesday 12 March 2024	6.30 pm	Council Chamber
Ordinary Council	Monday 25 March 2024	6.00 pm	Council Chamber
Planning Committee	Monday 8 April 2024	6.30 pm	Council Chamber
Ordinary Council	Monday 29 April 2024	6.00 pm	Council Chamber
Planning Committee	Monday 13 May 2024	6.30 pm	Council Chamber
Ordinary Council	Monday 27 May 2024	6.00 pm	Council Chamber
Planning Committee	Monday 17 June 2024	6.30 pm	Council Chamber
Ordinary Council	Monday 25 June 2024	6.00 pm	Council Chamber
Planning Committee	Monday 8 July 2024	6.30 pm	Council Chamber
Ordinary Council	Monday 22 July 2024	6.00 pm	Council Chamber
Planning Committee	Monday 12 August 2024	6.30 pm	Council Chamber
Ordinary Council	Monday 26 August 2024	6.00 pm	Council Chamber
Planning Committee	Monday 9 September 2024	6.30 pm	Council Chamber
Ordinary Council	Monday 23 September 2024	6.00 pm	Council Chamber
Planning Committee	Monday 7 October 2024	6.30 pm	Council Chamber
Ordinary Council	Monday 21 October 2024	6.00 pm	Council Chamber

**9.12 DECLARATION OF A SPECIAL CHARGE: SOLAR SAVER
ROUND 4.2 (BATCH 3)**

EXECUTIVE SUMMARY

The Solar Saver program is an action of the Council Plan 2021-25 and the Climate Emergency Plan. A target of 150 system installations has been set in the Council Plan Action Plan for 2023/24 for the Solar Saver program.

There are 16 installations enabled through this special charge declaration batch. The value of this proposed Special Charge scheme is \$106,141.34 excl. GST. This price is calculated pre-rebate, but after STC claim and excl. GST. (The gross amount, pre-rebate, pre-STC and incl. GST is \$148,197.87). If all expected rebates are provided, the Special Charge amount will be \$87,050.39 ex GST (after the Small Technology Certificate (STC) claim and Solar Victoria rebate).

If supported, Council will pay upfront for installation and supply of the solar power systems and split systems at properties as listed in Appendix A. Council will be repaid these costs, as detailed in confidential Appendix B. Around 30-40% of the gross cost is returned to Council at the point that works are invoiced for the STCs generated by the solar systems. Most participants are eligible for State Government rebates, and this will reduce the upfront cost to Council and the amount of the Special Charge that will be raised. This is estimated to be \$20,363.68 excl. GST.

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

This report recommends that Council declare a Special Charge Scheme under Section 163 of the *Local Government Act 1989* for the purposes of defraying expenses relating to the provision of solar energy systems on residential properties participating in the Solar Saver scheme. No objections were received in response to the public notification process.

Council Resolution

MINUTE NO. 23-103

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

That Council:

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

- ii. Arises out of Council's functions of advocating and promoting proposals which are in the best interests of the community and ensuring the peace, order and good government of Council's municipal district.
 - c. The total:
 - i. Cost of performing the function described in paragraph 1(b) of this resolution is \$106,141.34; and
 - ii. Amount for the Special Charge to be levied is \$106,141.34, or such other amount as is lawfully levied as a consequence of this resolution.
 - d. The Special Charge is declared in relation to all rateable land described in the table included as confidential Appendix B to this report, in the amount specified in the table as applying to each piece of rateable land.
 - e. The following list is specified as the criteria that form the basis of the Special Charge so declared:
 - Ownership of any land described in paragraph 1(d) of this resolution.
 - f. The following is specified as the manner in which the Special Charge so declared will be assessed and levied:
 - i. A Special Charge calculated by reference to the size of the solar energy system being installed and the particular costs of installation at each property participating in the Solar Saver scheme, in respect of which an Agreement has been executed, totalling \$106,141.34 for the residential batch, being the total cost of the scheme to Council
 - ii. To be levied each year for a period of 10 years.
 - g. Having regard to the preceding paragraphs of this resolution and subject to section 166(1) of the Act, let it be recorded that the owners of the land described in paragraph 1(d) of this resolution will pay the Special Charge in the amount set out in paragraph 1(f) of this resolution in the following manner:
 - i. Payment annually by a lump sum on or before one month following the issue by Council of a notice levying payment under section 163(4) of the Act; or
 - ii. Payment annually by four instalments to be paid by the dates which are fixed by Council in a notice levying payment under section 163(4) of the Act.
 - (2) Considers that there will be a special benefit to those required to pay the Special Charge *because* there will be a benefit to them that is over and above, or greater than, the benefit that is available to those who are not subject to the proposed Special Charge, as a result of the expenditure proposed by the Special Charge, in that the properties will have the benefit of a solar energy system being installed.
 - (3) For the *purposes* of having determined the total amount of the Special Charge to be levied:
 - a. Considers and formally records that only those rateable properties included in the Solar Saver scheme as proposed will derive a special benefit from the imposition of the Special Charge, and there are no community benefits to be paid by Council; and
 - b. Formally determines for the purposes of section 163(2)(a), (2A) and (2B) of the Act that the estimated proportion of the total benefits of the Special Charge to which the performance of the function or the exercise of the power relates (including all special benefits and community benefits) that will accrue as special benefits to those who are liable to pay the Special Charge is 100%.
-

- (4) Directs that notice be given to all owners and occupiers of properties included in the Scheme in writing of the decision of Council to declare and levy the Special Charge, and the reasons for the decision. For the purposes of this paragraph, the reasons for the decision of Council to declare the Special Charge are that:
- a. There is no objection to the Scheme, and it is otherwise considered that there is a broad level of support for the Special Charge from all property owners and occupiers.
 - b. Council considers that it is acting in accordance with the functions and powers conferred on it under the Local Government Act 1989, having regard to its role, purposes and objectives under the Act, particularly in relation to its functions of advocating and promoting proposals which are in the best interests of the community and ensuring the peace, order and good government of Council's municipal district.
 - c. All those who are liable or required to pay the Special Charge and the properties respectively owned or occupied by them will receive a special benefit of a solar energy system being installed at the property.

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

CARRIED UNANIMOUSLY

9.13

**CEO EMPLOYMENT MATTERS COMMITTEE -
INDEPENDENT CHAIR**

Peter Smith, CEO declared a general conflict in Item 9.13 CEO Employment Matters Committee - Independent Chair and Item 13.1 CEO Performance Review, due to these being matters involving his employment as the CEO.

9.47pm - Peter Smith left the meeting.

EXECUTIVE SUMMARY

Council is required to have and enforce a CEO Employment and Remuneration Policy under *Section 45 of the Local Government Act 2020*. To facilitate the requirements under the Act, Council established a CEO Employment Matters Committee in 2017. To assist the Committee, Council engages an Independent Chair. The role is currently filled by an interim Chair pending the completion of a recruitment process.

The Committee have undertaken a recruitment process and are recommending the appointment of their preferred candidate for a two-year period with the opportunity of extension for a further two years.

Council Resolution

MINUTE NO. 23-104

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

That Council adopts the CEO Employment Matters Committee recommendation to appoint Joe Carbone as the Independent Chair on a two-year contract from November 2023 until 30 October 2025.

CARRIED UNANIMOUSLY

10. ITEMS TO BE TABLED

Nil

11. NOTICES OF MOTION

11.1 USING FIRST NATIONS PLACE NAMES ON MAIL AND CORRESPONDENCE

Cr. Newton moved the motion below:

Take notice that at the Council Meeting to be held on 23 October 2023, it is my intention to move:

That:

- (1) *Council notes that since August 2020, Gomeroi woman Rachael McPhail has been campaigning to have First Nations place names included on Australian postal addresses through the Place Names in Addresses campaign: https://www.instagram.com/place_names_in_addresses/ This has been welcomed and endorsed by Australia Post.*
- (2) *Council receives a report about including First Nations place names on mail, correspondence and all Darebin communications including but not limited to:*
 - a. *Letters and correspondence such as rate notices, information letters, Darebin Community News*
 - b. *E-newsletters and social media*
 - c. *Staff email signatures and*
 - d. *Any other forms of communication such as online forms, fines notices, etc.*
- (3) *This report and recommendations for a way forward be presented to Council for consideration by May 2024.*
- (4) *Council notes that this Notice of Motion has received the support of the Darebin Aboriginal Advisory Committee (DAAC) at their October meeting.*

Notice Received: 9 October 2023

Notice Given to Councillors: 9 October 2023

Date of Meeting: 23 October 2023

Rationale:

In Darebin's Statement of Commitment to Traditional Owners and Aboriginal and Torres Strait Islander People, Council "acknowledges the Wurundjeri Woi-wurrung people as the traditional owners and custodians of the land and waters we now call Darebin and affirms that the Wurundjeri Woi-wurrung people have lived on this land for millennia, practising their customs and ceremonies of celebration, initiation and renewal.

Council acknowledges that Elders past, present and emerging are central to the cohesion, intergenerational wellbeing and ongoing self-determination of Aboriginal communities. They have played and continue to play a pivotal role in maintaining and transmitting culture, history and language." <https://www.darebin.vic.gov.au/-/media/Council/Files/Community-and-pets/Aboriginal-Darebin/Our-commitment/StatementofCommitment2019pdf.ashx>

In this light, Council should recognise that we are on Wurundjeri land in all correspondence and communications.

Since Rachael McPhail began campaigning for Australia Post to recognise First Nations place names on correspondence, Australia Post has accepted and endorsed this call.

<https://www.broadsheet.com.au/national/city-file/article/australia-post-agreed-include-first-nations-place-names-in-addresses>

By adding First Nations place names to all Council correspondence and communications, we can support and elevate recognition and understanding of our past, present and future on Wurundjeri land.

With leave of the Chairperson, Cr. Newton moved the motion with the following amendment.

Motion

That:

- (1) Council notes that since August 2020, Gomeroi woman Rachael McPhail has been campaigning to have First Nations place names included on Australian postal addresses through the Place Names in Addresses campaign: https://www.instagram.com/place_names_in_addresses/ This has been welcomed and endorsed by Australia Post.
- (2) Council receives a report **that includes consultation with the Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation** about including First Nations place names on mail, correspondence and all Darebin communications including but not limited to:
 - a. Letters and correspondence such as rate notices, information letters, Darebin Community News,
 - b. E-newsletters and social media,
 - c. Staff email signatures and
 - d. Any other forms of communication such as online forms, fines notices, etc.
- (3) This report and recommendations for a way forward be presented to Council for consideration by May 2024.
- (4) Council notes that this Notice of Motion has received the support of the Darebin Aboriginal Advisory Committee (DAAC) at their October meeting.

Council Resolution

MINUTE NO. 23-105

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

That:

- (1) Council notes that since August 2020, Gomeroi woman Rachael McPhail has been campaigning to have First Nations place names included on Australian postal addresses through the Place Names in Addresses campaign: https://www.instagram.com/place_names_in_addresses/ This has been welcomed and endorsed by Australia Post.
- (2) Council receives a report that includes consultation with the Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation about including First Nations place names on mail, correspondence and all Darebin communications including but not limited to:

- a. Letters and correspondence such as rate notices, information letters, Darebin Community News,
 - b. E-newsletters and social media,
 - c. Staff email signatures and
 - d. Any other forms of communication such as online forms, fines notices, etc.
- (3) This report and recommendations for a way forward be presented to Council for consideration by May 2024.
- (4) Council notes that this Notice of Motion has received the support of the Darebin Aboriginal Advisory Committee (DAAC) at their October meeting.

CARRIED UNANIMOUSLY

12. URGENT BUSINESS

Nil

13. CONSIDERATION OF REPORTS CONSIDERED CONFIDENTIAL

CLOSE OF MEETING

Council Resolution

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

That in accordance with section 3(1) of the *Local Government Act 2020*, the meeting be closed to members of the public to consider the following items on the basis that these matters are confidential for the following reasons :

13.1 CEO Performance Review

This item is confidential because it is personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs, pursuant to Section 3(1) (f) of the Act.

CARRIED UNANIMOUSLY

9.53pm - The meeting was closed to the members of the public.

The Council considered and resolved on Report Item 13.1 which had been circulated to Councillors with the Council Agenda Paper.

RE-OPENING OF MEETING

Council Resolution

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

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

CARRIED UNANIMOUSLY

9.57pm - The meeting was re-opened to the members of the public.

14. CLOSE OF MEETING


The meeting closed at 9.57pm.

**CITY OF
DAREBIN**

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