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MINUTES OF THE ORDINARY COUNCIL MEETING

Held on Monday 24 July 2023.

RELEASED TO THE PUBLIC ON 31 JULY 2023.

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



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

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

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

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

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



English

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

Arabic

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

Chinese

这些是市议会会议纪要。如需协助了解任何纪要项目，请致电8470 8888。

Greek

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

Hindi

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

Italian

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

Macedonian

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

Nepali

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

Punjabi

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

Somali

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

Spanish

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

Urdu

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

Vietnamese

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

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MINUTES OF THE ORDINARY COUNCIL MEETING DAREBIN CITY COUNCIL, MONDAY 24 JULY 2023

THE MEETING OPENED AT 6.02PM

The Mayor advised that the meeting was being live streamed 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
Cr. Susan Rennie

Council Officers

Peter Smith - Chief Executive Officer
Jodie Watson - General Manager Governance and Engagement
Rachel Ollivier - General Manager Operations and Capital
Kylie Bennetts - General Manager Community
Vanessa Petrie - General Manager City Sustainability and Strategy
Enna Giampiccolo – Manager Communications, Engagement and Customer Experience
Bobbie Bright – Acting Manager Corporate Governance
Yvonne Callanan - Manager Governance and Strategy, Merri-Bek City Council

Mayor Williams made the following statement:

I'd like to pause here and take a moment to acknowledge our General Manager of Governance and Engagement, Jodie Watson, who is joining us for the last time this evening. This will be Jodie's last Council meeting with us before she takes on a new role at Melbourne Water. On behalf of my fellow Councillors and staff, I'd like to sincerely thank Ms Watson for her dedicated service over the last 3 years, for her frank and fearless advice, her contagious smile, and for the important contribution she has made to the organisation and to the Darebin community.

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.

I would also like to extend my respect to all Aboriginal and Torres Strait Islander people who are joining this meeting in the Council Chamber or online.

3. APOLOGIES

Nil.

4. DISCLOSURES OF CONFLICTS OF INTEREST

Cr. Hannan declared a conflict of interest in Item 9.2 Options to Retain Trees in Gladstone Avenue, Northcote due to this relating to Energy Safe Victoria, as this is his area of employment.

5. CONFIRMATION OF THE MINUTES OF COUNCIL MEETINGS

Council Resolution

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

That the Minutes of the Ordinary Meeting of Council held on 26 June 2023 be confirmed as a correct record of business transacted.

CARRIED UNANIMOUSLY

6. COUNCIL'S OCCUPATIONAL HEALTH AND SAFETY RESPONSIBILITIES

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.

Due to the amount of community interest on a number of agenda items tonight, we have had to consider how best to meet our responsibilities. As such, consistent with every council meeting held in the chamber, we have capped capacity of the space to 40 people. In addition, due to the large number of questions and submissions, only those who have submitted a Public Question or Submission, will be provided priority seating in the Chamber or the conference room.

7. QUESTION AND SUBMISSION TIME

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

There were a number of similar public questions regarding the Edwardes Lake Dog off Leash Park and the death of the swan submitted for Public Question Time, and in accordance with the Governance Rules 15.2(7) the questions of the first person that submitted, were read out and a single response was provided.

Similar questions were received from:

1. Karyn Bacon
2. Libby Wood
3. Belinda Lloyd
4. Teresa Aquino
5. Rachel Unicomb
6. Maureen Wilson
7. Andrea Canzano
8. Catherine Rouse

- **Karyn Bacon**

1. Is Darebin City Council going to start patrolling Edwardes Lake and issuing infringements to owners of off leash dogs?
2. How many park patrols of Edwardes Lake has Darebin City Council completed since the cygnets were tragically killed by a dog in October 2022?
3. Will Darebin City Council instal permanent anti-vandal signage at Edwardes Lake and other open space about on-leash requirements to protect wildlife?

Response from General Manager City Sustainability and Strategy

Thank you to each of you who have submitted questions on this issue.

1. **Council's Local Laws Officers conduct patrols throughout the entire municipality, including Edwardes Lake.**

In response to the recent incident, we have increased patrols at Edwardes Lake, with a focus on both educating pet owners and enforcing compliance.

More generally, our Local Law officers are regularly engaged in educating and enforcing noncompliance, including matters related to responsible pet ownership and other local laws.

2. **Park patrols are regularly carried out across the municipality, the frequency varies depending on available resources, seasonal factors, events, and prioritisation of tasks. Our officers work to ensure the safety and well-being of our communities and wildlife.**
3. **Council recently audited the signs at Edwardes Lake to identify any gaps, and in the short-term we will be installing additional temporary signs to reinforce dog-on lead requirements. We'll also review long-term signage needs.**

I'd also like to share the following information, in response to similar questions that have been asked this evening:

Council will start running responsible pet ownership workshops in October. Officers are working with the Darebin Domestic Animal Reference Group to develop a comprehensive education program.

Council will consider updating the Environmental Significance Overlay after it has updated the creek mapping and policy and we are planning to undertake this work in 2026-27.

Regarding dog attacks, in the last financial year, there were:

- 2 dog attacks at Edwardes Lake,
- And across Darebin, a total of 65 reports of dog attacks on persons and 54 reports of dog attacks on animals.

Each incident is investigated as a priority, and our actions vary based on the investigation's outcome.

The revenue that we raised from pet registration is used for various essential services and programs, including operating the Wat Djerring Animal Facility, and education and research programs.

Regarding wildlife, Councils Local Laws team have been working very closely with Parks & Open Space to protect native wildlife at all reserves across Darebin.

If the community members do come across a sick, injured, or orphaned animal, we encourage them to please contact Wildlife Victoria and you can find their details on their website.

- **Serena O'Meley**

1. In April this year, Friends of Wat Ganbo Park met with representatives of Darebin Council to discuss the installation of new wetlands in the park. The design is significantly different to what was proposed in the Master Plan, so we were invited to ask questions and were promised a written response from officers and/or an external consultant. Those questions were emailed to Darebin Council on 26 April 2023 and, despite follow up contact, there has not been a response. We are concerned that works may proceed before consultation takes place. When can we expect a response to our questions?
2. According to the April 2023 Municipal Monitor's report, Darebin Council has a 20% vacancy rate, and has been forced to spend an estimated \$600,000 dealing with poor councillor behaviour during the current term. What steps is Darebin Council taking to address the widespread perception that our council is a terrible place to work?
3. How much money is Darebin Council spending on external contractors to backfill staff who are taking industrial action, when it could be finalising an enterprise agreement with fair conditions and a reasonable pay rise that addresses current cost of living pressures?

Response from General Manager Operations & Capital

1. Thank you for your question, Serena.

I am sorry that you haven't had a response yet. The project team is working on that, and I expect them to respond shortly. In the meantime, the Manager Capital & Major Projects is available to discuss, if you'd like to.

The thing I can say is for 2023-24, the scheduled work is finalisation of design for the wetlands, and proceeding to construction would be considered in future years. So, there is certainly time for engagement and we're planning engagement through the year ahead.

Response from General Manager Governance & Engagement

2. Thank you for your question, Serena and we do also acknowledge you have another question to come.

I acknowledge that the past 18 months it's been a particularly challenging time for Council.

With the appointment of Peter Smith, CEO in October 2022, we have reviewed our:

- Council Plan
- Long term Financial Plan
- Future Investment in IT

As a values led organisation, we are only as good as our people and we are working to establish an Organisational Strategy to focus our efforts and strengthen our service delivery.

3. Thanks for the question, Serena. A similar question was also asked by Phillipa Balk tonight. Council has engaged one agency to support us in continuing our waste service delivery to the community whilst staff have undertaken industrial action. We'll take this one on notice in terms of the cost impacts and get back to you both and we have future response regarding enterprise agreement more broadly.

- **Tash Wark**

1. The budget states that a \$9.66mn Surplus is projected this year (up \$8.6mn on last year's forecast); and \$11.54 mn projected 24/25. With this in mind, why do EA (Enterprise Agreement) assumptions seem to be based on 80% of the rate cap in the budget, this appears to be an attempt to lock in an unfair rate, that staff will not see a fair share of the increase in funds paid by rate payers for providing services so valued by the community.
2. Are councillors aware of other mechanisms being asserted by senior Council officers to drive down workers' terms, and in effect make Darebin a less attractive place to work, such as Freezing all Industrial Allowances except one in the EA offer? This impacts all council workers performing ongoing valued work that maybe be for instance at unsociable hours impacting on their personal time and personal lives outside of work; that involves work in difficult circumstances like working with dust, mud, mould, infected materials, etc; or has community value like utilising languages other than English?

3. Have councillors explored in full detail the finance challenges and accept officers' statements that there isn't enough money available? If we all agree that staffing for frontline public service delivery is important and a critical part of council's function, have considered either cutting spending in other areas, or an application for rate cap exemption?

Response from General Manager Governance & Engagement

Thank you for your questions, Tash.

We have received a number of public questions tonight regarding our Enterprise Agreement process. I want to acknowledge that there are other questions that were very similar received from:

- Emma Bagg
- Phillipa Balk
- Ioannis Tsiavos
- John Nugent

What I intend to do is provide a wholistic response to all of those questions.

Enterprise Bargaining negotiations are an operational matter managed under delegation by the CEO. We have been negotiating in good faith through the established mechanisms, including through the Fair Work Commission, and we do not intend to pursue negotiations in either the Council Chamber or through the media tonight.

Councillors have been provided with high level briefings regarding the status of the process.

If we consider the quantum that is being posed including the superannuation guarantee our offer is actually a little bit different to that. In terms of alignment to the rate cap:

- Year 1 - 2.5% which is 2% plus a .5% superannuation guarantee that's against a rate cap of 1.75%, so it's actually an offer exceeding the rate cap.
- Year 2 - 3.5% which is 3% plus a .5% superannuation guarantee that's against a rate cap of 3%, so it's actually an offer exceeding the rate cap.

Year 3 -It is set at 85% of the rate cap in its current offer, that rate cap is not known to us, and we wouldn't know that until December of this year. That is the best way for us to ensure and protect our long-term financial sustainability.

Alongside those offers our lower paid staff will get a bigger pay rise than this as we are offering \$30 in Year 1 equivalent to an increase of 2.3% plus the .5% super. \$45 in Year 2 equivalent to an increase of 3.5% plus the .5% super, and a minimum of \$35 or .5% in Year 3, based on the 85%.

Providing a pay increase that matches inflation and the rising cost of living will mean we will have to reduce services that our community needs and the jobs that go with those services in a rate capped environment. When the CEO attended the Fair Work Commission to assist with negotiations, he took great care and time in explaining the constraints in a rate capped environment.

We value our staff deeply and understand the impact of the rising cost of living on them, we also value the services that they provide our community.

Staff pay makes up 50% of our total expenses (approximately \$100M).

The other 50% of our expenses (service contracts, grants, utilities, insurances etc totalling approximately \$100M) they are rising well above inflation and so we need to consider the impact that has on our community.

Whilst our expenses are growing, the increase in our rates income (which is 74% of our total income or around \$152M) for 23-24, was capped last year at 1.75% and is capped this year at higher than that.

We cannot significantly increase the rest of our income well above 3.5% without making our services unaffordable to our community.

This means we do not have the increase in income we would need to pay our people at a level that matches inflation whilst also meeting our other expenses that are rising at or well above inflation.

As we cannot increase our income, the only way we can afford a pay rise that matches the rising cost of living is to find efficiencies and reduce our services and the jobs that go with those services.

To afford the offer we have already made, we have built \$6M of savings into our operating budget over the next two years. Agreeing to the union's demands or requests would add a further \$4.7M to this savings target, which is not sustainable.

We value our staff and our services, and our offer balances a fair pay rise with what we can afford whilst minimising the impact on our services and the jobs that go with those services.

Other Councils took steps during the pandemic to reduce their workforce and reduce services. At Darebin we chose to maintain people's jobs and that has added to the financial problems we are facing now.

1. We are bargaining in good faith and have made a fair offer that maintains many of the good conditions that our staff benefit from. We remain committed to working with the unions to come to an agreement.
 2. Our staff at Darebin already enjoy many conditions that are above those offered elsewhere in the Local Government sector.
 3. In this EA we have already agreed to a number of extra conditions to support our staff, these include:
 - Introduction of COVID /paid pandemic leave clause up to five days paid if directed to isolate and if work can't be provided from home.
 - Casual conversion clause has been updated to reflect the changes as per the National Employment Standards.
 - Fixed term or temporary contracts where these contracts are to be extended a review will occur no later than 4 weeks prior to expiry.
 - Gender Transition Leave.
 - Changes to Parental Leave.
 - Replacement of absences: to ensure that we're appropriately filling absences once people do depart.
-

- **The Right to Disconnect: to help with our post-COVID hybrid workforce and workplace.**
- **Family Violence Commitment.**
- **New appendices for Aboriginal and/or Torres Strait Islander staff as well as a new appendices for our Darebin Resource and Recovery Centre staff.**

Thank you for all your questions, Tash, I hope that's answered all of them and others. If there's anything that we haven't covered, I'm happy to pick that up with you separately.

- **Michael Ricardo**
 1. What needs to be done for council to keep its residents and ratepayers safe?
 2. Why are council phone line hours so restricted?

Response from General Manager Operations & Capital

1. I want to say thank you to Michael, for reporting the stormwater pit lid at Bennak McMahon reserve. That will be replaced this week.
I've discussed this matter more broadly with the responsible Manager and I understand there is currently a backlog at the moment. We're going to meet further this week to look at options to address this. Our aim is that this program should fix pit lids promptly.

Response from General Manager Governance & Engagement

2. Thank you for your question, Michael.
Sorry to hear that you have had an unsatisfactory experience with our out of hours service.
If you are concerned about unsafe work practices with relation to building sites you can also contact WorkSafe I would be happy to provide the number to you after this meeting. If you would like to provide the details of your specific experience that would help us to review that case to look at what our course of action taken was, to make sure we are dealing with those things appropriately.
Our Customer Service phone line is open 8.30am – 5pm daily and we have an After-Hours service for those calls taken afterhours that are either urgent matters or emergencies. Anything that is not an urgent matter is in fact delayed until the next day. So it is only emergencies like Storm water flooding or something of significant concern that would be then referred on overnight.
Thank you very much for the feedback and happy to discuss offline.

- **Michael Haralambous**

1. What action is Council taking and/or what advocacy has occurred with the Level Crossing Removal Authority to:
 - A) Improve safety at the Gower Street bike and pedestrian crossing underneath the new Preston Station; and
 - B) improve the light cycle at the Murray Road pedestrian crossing which has replaced the level crossing at Preston Station. The cycle currently prioritises cars on Murray Road and wait times for pedestrians and cyclists are lengthy.

Response from General Manager City Sustainability and Strategy

Thank you for the questions Michael.

The LXP has installed additional signs in response to recent community feedback, however, Council is asking for more to be done to ensure cyclist and pedestrian safety.

Murray Road is managed by the Department of Transport and Planning, and Council has limited influence over signalling decisions.

Officers will raise this matter with the LXP and Department of Transport and Planning to request that signals be adjusted to better accommodate both pedestrians and cyclists.

- **Anna Priedkalns**

1. How will council ensure that the proposed loft above the garage is not used as an illegal dwelling?
2. What ongoing checks exist to ensure this does not occur?
3. What will be done to limit the continued damage to the laneway with the increased traffic?

Response from General Manager City Sustainability and Strategy

Thank you for the question, Anna.

This matter relates to a planning permit application that will be considered at the August planning committee and you are able to make a submission at that meeting.

1. The application is for two dwellings only, and the rear garage loft buildings do not meet the definition of a dwelling under the Darebin planning scheme because they do not contain a kitchen sink or food preparation areas. The loft space could not be used or converted into a separate dwelling without further planning permit, and doing so without planning approval would result in planning compliance action.
2. A number of Council departments have reviewed the proposed use of the laneway and determined that it is appropriate use for vehicle access. Should a planning permit be issued, a recommended condition would require that the southern portion of the laneway is constructed to Council's standards.
3. This recommended condition is constructed this would ensure that any potential impact on the condition of the laneway, from additional traffic generated by the development, would be mitigated.

- **Kelvin Granger and Dean Hurlston.**

1. Can council please advise the dollar (\$) amount of "cost shifting from State Government" they estimate they incurred in 2022/23 Financial Year?

Response from General Manager City Sustainability and Strategy

Thank you for the question, Dean and Kelvin.

Council continues to be concerned about cost shifting from State and Federal Government. Whilst no specific figure is available, key areas of concern would be centred around:

- **Waste relating to Recycling Victoria reforms.**
- **Early Childhood**
- **Aged and Home Care**
- **Building Cladding**

- **Hunter Cullen**

1. What is your vision for Youth services, activities and spaces in Darebin in terms of Youth services' ultimate goals and what does that look like to you in a practical sense?
2. Are there aspects of your childhood missing today in Darebin?
3. What is lacking in the area of youth services, activities and spaces in Darebin?

Response from General Manager Community

Thank you for your questions, Hunter.

1. **Darebin's Youth Services Strategy was endorsed by Council in 2019. A copy of this is available on Council's website.**
2. **Over 1000 young people's voices were heard in the development of the Strategy with Council's Young Citizens Jury co-leading its development, implementation, and review.**
3. **Council is currently in the process of developing an integrated Families, Youth and Children Strategy that will again include co-design, and extensive engagement, with young people and involve council and other youth services providers and peak bodies.**

PROCEDURAL MOTION TO EXTEND PUBLIC QUESTION TIME

Council Resolution

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

6.34pm - That Council extend public question time by 30minutes.

CARRIED UNANIMOUSLY

- **Ruth Jelley (representing Streets Alive Darebin)**

1. Is Darebin Council partnering with the Department to engage with the community about their vision for High Street Thornbury, which may include more pedestrian crossings and tram platforms that are directly accessible from the footpath?
2. What opportunities is Darebin exploring to advocate for safe separated bike lanes on High Street, in line with the Council's transport strategy objectives to "increase the role of sustainable transport modes; improve health and environmental outcomes; improve community safety; and integrate quality urban design, economic development and access"?
3. I have one question regarding the successful Octopus Schools program. Why did Council scrap this program, when it's clear this program is popular with school communities across Darebin, and that there is also an ongoing need for the program?

Response from General Manager City Sustainability and Strategy

1. **We have met with the Department of Transport and Planning about this project. We understand the project team will be working to understand the issues and opportunities for the corridor over the coming months. Officers are looking forward to working with the department on this important project and will work to help ensure our community knows about the department's consultation opportunity.**
2. **We will continue to work with the Department of Transport and Planning on their project to ensure Darebin's strategic objectives are considered.**
3. **Safety around schools continues to be a priority for Council. This is why safety around schools is a key element of the Your Street, Your Say program, with investigation work currently underway for 'Area B'. Council also continues to deliver and support a range of road safety school programs.**

- **Chris Vellios of Northcote**

1. I was here about a month ago asking about over value of properties to charge at a higher rate?
2. City of Darebin needs to address investors with multi properties, how they are being fleeced?
3. I need to know about land shortage in Australia, why they are charging vacant land tax?

Response from General Manager Governance & Engagement

Thanks for your question, Chris.

Council can only increase the total amount of Rates and Charges by the amount allowed under the State Government's Rate Cap system.

The total Rates and Charges are then distributed to all Ratepayers according to the one of seven Rating types utilised for an individual property which is then valued by the Valuer-General of Victoria.

Council does not increase its rates due to valuation increases, including on vacant or investor-based properties. If would you some more information I am happy to take your details and call you tomorrow.

I will come back to you regarding the council rates we charge for vacant land, however I don't have response for you regarding whether we need to know about the land shortages in Australia, I'm taking that more as a rhetorical question, but I'll get back to you specifically with what we do for vacant land.

- **Laura Fazio of Preston**

1. Will Council commit to exploring with the State government compulsory acquisition in the event that the owners of the market, Preston Market Development, carries through with its threat to shut down the market in January.
2. Last week representatives of the Save the Preston Market Action Group had a meeting with the Planning Minister, Sonia Kilkenny regarding her imminent decision on the future planning and heritage controls that will be applied to the Preston Market site.
3. The Save Preston Market Action Group is organising a community event (Hands around the Market) on August the 12th 2023. Will council provide us support as they have done in the past?

Response from General Manager City Sustainability and Strategy

1. **On 26 June Council resolved to write to the Premier, to request that he establish a process and mechanism for the State Government and Council to work together with traders and the market owners to consider and facilitate viable options for:**
 - **The market to continue operating in the short term (beyond January 2024)**
 - **The retention of the existing market in any future redevelopment of the site consistent with the SAC's key findings.**
2. **Thank you for seeking a meeting. An officer will reach out to you this week.**

Response from General Manager Community

3. **Thanks for your question, Laura. I will ask a Council officer to reach out to you as soon as possible to seek more information on your event.**

- **Marion Attwater of Pascoe Vale**

1. What is the annual cost of the Council's membership of the M9 and the Northern Council Alliance?
2. Was there an additional cost for the M9 waste services shared business case, which is mentioned in a Councillor briefing record on page 233 of the agenda, and if so what was Darebin Councils' contribution?
3. Does the M9 group keep minutes of its meetings?

Response from General Manager City Sustainability and Strategy

Thank you for your question, Marion.

1. **I can confirm that Council's annual membership fee for the Northern Council Alliance is \$45,292, which was agreed on March 2023. I can confirm, Council is a member of the M9 group, an alliance of nine inner Melbourne Councils that represent the collective interests of inner Melbourne. Since joining, no membership fees have been given to the auspicing Council Melbourne City Council, however, at times member Councils do contribute project funding**
2. **Darebin has contributed \$20,000 to this project.**
3. **Thank you for your question, Marion. I can inform for you that minutes are circulated by the Lord Mayor of Melbourne's office to all member Councils.**

- **Wayne Moore of Preston**

1. What has been done about the Quest Hotel not giving out their free carpark?
2. Has Youngman Street had an impact study been done on the increase of speed and the danger they have now caused to children walking to school alone as this is a bottleneck in Morgan Street for children walking to school?
3. Why does it take 3 months to trim one tree in Morgan Street and are all staff accountable everyday with productivity timesheets If not what can be put in place?

Response from General Manager City Sustainability and Strategy

1. I will get an officer or the manager to reach out to you tomorrow morning, as I think your question is slightly different to the ones you've submitted today and I would like to be able to provide that information to you. We understand there has been some changes to the way people are parking in your area following the changes to parking controls. The Permit Zone parking in each of the side roads near High Street will be adjusted to allow vehicles without permits to park near High Street for short periods during the day, and without restriction in the evening and overnight.
2. A follow-up study that considers community feedback and safety will be completed February 2024 and be used to evaluate the trial parking changes in the area. The study findings will be used in deciding whether the parking changes will be changed or retained. An officer will call you tomorrow to talk in detail with you.

Response from General Manager Operations & Capital

3. I can firstly clarify that it is a contractor that we work with on our tree pruning, most of our tree pruning requests are subject to their availability. There was a backlog towards the end of the financial year which is now being worked through, in terms of some of the times you have experienced that is part of the reason for that. In this case I understand that the team have been back several times, they have gone out and pruned to what our normal standards would be for a pruning request, not understanding the need you're looking at to get access for the vehicle, so it has taken us some time to get back and make sure we are meeting that need, it's not the standard we would normally prune to and I am expecting that the crew will be back to make sure you have that access. This will be done within 6-8 weeks.

- **Jacqueline Saunders of Reservoir**

1. Has the Darebin Council advised residents of their plan of the 20 min cities and sought their feedback, if so, where can this information be found, if not - why, given that Council has a responsibility to be responsive to residents.

Response from General Manager City Sustainability and Strategy

The Darebin 2041 Community Vision was developed by a deliberative panel of community members established to undertake this work in 2021. This vision includes "Being a 20-minute city with access to amenities and services close to our homes" under the theme of Prosperous, Liveable and Flourishing. Council is required to implement the Community Vision through its efforts, including strategic planning. When we undertake strategic planning and transport projects, we consult with the community.

- **Annette Kalkbrenner**

1. Why are developers being allowed to not adhere to planning and environmental act in not correctly advertising a development?
2. Why are Darebin Council's Arborists not following Australian Standards in tree protection zones and structural root zones and deferring to what developers agree to in considering planning permits?
3. How many years since the last flood map was updated prior to the May 2023 update?

Response from General Manager City Sustainability and Strategy

Thank you for the question, Ms Kalkbrenner.

1. **Planning permit applications, including public notice requirements, are processed in accordance with the requirements of the Planning and Environment Act 1987. I am aware that you have a concern with the way one particular planning permit application was notified. I am finalising my investigation into this matter and I will contact you to discuss it later this week.**

Response from General Manager Operations & Capital

2. **I can confirm that Council arborist's do enforce Australian Standards when it comes to tree protection. I'm not aware of a systemic issue where that's not happening. I know that our Parks Manager reached out to you about a particular matter recently, but if you're worried about something broader then that then I think that would be something that I would like some further information about.**
3. **Council's planning scheme formally incorporates 1998 data. We are working towards updating the planning scheme and we are currently advising people with current building or planning permit applications about a new flood map on a case-by-case basis. Anyone seeking information about how this applies to a particular property can contact our planning and building teams.**

- **Dylan Vigilante of Preston**

1. As a local young resident, the upcoming Voice to parliament will be the first referendum I vote in but have seen no action at all from my local council so can the mayor please outline what action the council will be doing to "educate" the community and explain why there has been a lack of any sort of campaign in any form from the council.

Response from General Manager Community

Thank you for the question. Council is considering this item at its meeting tonight.

- **John Nugent of Epping**

1. Could you please advise why junior clubs and senior clubs both pay the same on pavilions? Doesn't this Council give any incentive to support for junior people to play sport?
2. Could you please advise if the Bill Lawry has been hired out from mid August to the end of August or has the City Oval been hired out from mid August to the end of September?

Response from General Manager Community

Thank you for your questions, John.

1. **Our fees and charges are based on the insurable value of the Pavilion, not which club is using the facility. However, Council's Performance Subsidies program includes an allocation for the number of registered junior teams or 20 or more junior players. Meeting the Performance Subsidy criteria results in discounted fees for sports clubs which acts as an incentive and reward for tenant clubs when meeting various inclusion targets it that space. We will further consider your feedback on incentivising young people to participate in sport in our upcoming review the Sporting Fees, Charges and Occupancy Agreement Policy.**
2. **In relation to Bill Lawry Oval and Preston City Oval we have tenanted sports clubs that are there is those timeframes. Officers are currently in the final stages of negotiations with relevant clubs and football leagues for a range of bookings in those timeframes.**

8. PETITIONS

8.1 ENFORCEMENT OF RESPONSIBLE DOG OWNERSHIP AND TO HELP FRIENDS OF EDWARDES LAKE PROTECT AND SUPPORT DAREBIN'S WILDLIFE, PETS AND HUMANS BY ENSURING THE OFF- LEASH RULES ARE CLEAR AT EDWARDES LAKE PARK

Cr. Newton sought leave of the Council to table a petition to Help Friends of Edwardes Lake protect and support Darebin's wildlife, pets, and humans by ensuring the off-leash rules are clear at Edwardes Lake Park.

Leave was granted.

Petition

MINUTE NO23-049

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

'I move a motion to table a petition for referral to the CEO for consideration and response concerning the "4 Dead Black Swans killed by dogs, 5,000 signatures collected, no fines issued by Darebin City Council. I move the petition signed by up to 1333 people, I note that this is only local signatories, and that complies with the Councils Governance Rules. The petitions states:

Help Friends of Edwardes Lake protect and support Darebin's wildlife, pets, and humans by ensuring the off-leash rules are clear at Edwardes Lake Park.

Edwardes Lake supports a rich biodiversity of wildlife including water birds, amphibians, reptiles, and marsupials. These animals are vulnerable to attack from off lead dogs and dog owners who do not adequately know how to keep their pets at a safe distance from the local wildlife.

We need your support to ensure stronger protections for our local wildlife.

We need your support for protecting the biodiversity of this area.

We need your help to ensure that pet owners get the support and education they need to help protect wildlife.

We need to help to ensure the harmonious interactions between Darebin's wildlife, pets and humans.

On Tuesday 25th October 2022 a dog attacked the resident Black Swans, Kevin, Mabel and their clutch of 5 cygnets. Resulting in 2 cygnets dying of their injuries.

Despite reporting the owner's identity to Darebin City Council, enforcement actions have not been taken. The owner and their dog continue to walk around the lake as it lunges at water birds to this date.

On Friday 14th July 2023 at approximately 12.30pm, a number of witnesses saw a black and white off lead dog rush at the swan couple Kevin and Mabel near the yellow toilet block next to the playground.

The dog managed to get off hold of Mabel (Female Black Swan) with it's teeth and continued to bite her until the owner pulled the dog away from her. But the owner again lost control of the dog and it attacked Mabel a second time. The owner managed to gain control of the dog after a period of time.

Mabel was then finally able to get away from the dog, but she only managed to move a meters before she fell onto the grass and died shortly after.

The dog owner looks nervously around for anyone who has witnessed the incident and left the park, heading towards the corner of Edwardes and Griffiths Streets.

Mabel has been part of the Friends of Edwardes Lake community since November 2020. She was named by the community, was an excellent mum to all of her cygnets, and always made Kevin eat his greens and was loved.

Her death is tragic, and we must now give her a voice and fight for change. She will be buried at Edwardes Lake and the Friends of Edwardes Lake volunteers will plant around her burial site to remember the joy she brought to all of us.

We are AGAIN petitioning the City of Darebin to take the following action to prevent the above incident happening in the future;

- (1) Install signage on the footpath and on signposts that clearly state dogs must be on a lead and under control to protect wildlife. Signs should advise of possible fines if laws are not followed.*
- (2) Install clear signage at the exits of the dog park that are separate to the dog park rules clearly stating that dogs must be on a lead and under control to protect wildlife. Signs should advise of possible fines if laws are not followed.*
- (3) Local Laws officers to provide educational workshops about responsible pet ownership and provide dog training opportunities at Edwardes Lake off leash dog park, first workshop to be held before 31 December 2023. As promised in Darebin's 2022 – 25 Domestic Animal Management Plan.*
- (4) Local Laws officers to receive briefing from Parks and Open space team about damage off leash and uncontrolled dogs can have on biodiversity and ecosystems.*
- (5) Local laws officers start patrolling Edwardes Lake and Edgars Creek Wetlands at peak dog exercising times to provide education about responsible pet ownership and issue fines if necessary. If current local laws officers do not have capacity another local laws officer position should be created to patrol all waterways and conservation areas in Darebin.*
 - 7am- 8am and 5pm - 7pm Monday to Friday During daylight saving hours*
 - 9am to 6pm Weekends During daylight savings hours*
 - 7am to 6pm Weekends - During winter hours*

Local laws officers to meet with the FoEL committee to build a partnership to ensure biodiversity and ecosystems are being cared for.

We ask this petition be accepted and action taken to protect and support everybody, Darebin's wildlife, pets and humans.

CARRIED UNANIMOUSLY

Submission

Kate Jost made a 2-minute submission in relation to Item 8.1, concerning enforcement of responsible Dog Ownership and to Help Friends of Edwardes Lake protect and support Darebin's Wildlife, pets and humans by ensuring the off- leash rules are clear at Edwardes Lake Park.

8.2 PROTECTION OF OUR OLD GROWTH TREES AT LA TROBE UNIVERSITY

Cr. Rennie sought leave of the Council to table a petition concerning the Protection of our old growth trees at La Trobe University.

Leave was granted.

Petition

MINUTE NO. 23-050

MOVED: Cr. S Rennie

SECONDED: Cr. S Newton

'I move a motion to table a petition for referral to the CEO for consideration and response concerning the "Protection of our old growth trees at La Trobe University". I move the petition signed by 10 people in hard copy + 855 electronic signatures and that complies with the Councils Governance Rules, requesting that the City of Darebin take action to protect these trees.

The petition urges Darebin council to reject a planning permit application and asks La Trobe and Honeywell to see alternative options to removal so that we can protect this old growth tress, which is thought to be over 4years old, pre-dating European invasion.'

CARRIED UNANIMOUSLY

Submission

Jim Shugg made a 2-minute submission in relation to Item 8.2 Petition concerning the Protection of our old growth trees at La Trobe University.

7.21pm - The Meeting adjourned for a break.

7.30pm - The meeting resumed.

9. CONSIDERATION OF REPORTS

9.1 DAREBIN ABORIGINAL ADVISORY COMMITTEE ADVICE TO COUNCIL ON THE VOICE TO PARLIAMENT REFERENDUM

Submissions

The following people made 2minute submissions in relation to Item 9.1 Darebin Aboriginal Advisory Committee advice to Council on the Voice to Parliament referendum.

1. *Jill Gallagher*
2. *Phillip Cooper*
3. *Muriel Bamblett*
4. *Esme Bamblett*
5. *Dylan Vigilante*
6. *Ioannis Tsiavos*

EXECUTIVE SUMMARY

A referendum to alter the Constitution to recognise the First Peoples of Australia by establishing an Aboriginal and Torres Strait Islander Voice to Parliament will be held in 2023. This proposed change is generating considerable community interest, among non-Aboriginal and Aboriginal communities.

On 24 April 2023, the Darebin Aboriginal Advisory Committee (DAAC) asked Council to be patient in regard to providing advice on the Voice to Parliament and to respect DAAC's leadership in this matter out of respect for the right to self-determination.

On 12 July 2023, the DAAC unanimously endorsed advice to Council regarding the Voice to Parliament Referendum (**Appendix A**).

Based on extensive engagement, DAAC's advice primarily acknowledges that there is a diversity of views within the local Aboriginal and Torres Strait Islander community, reflecting a diversity of experiences, knowledge, and perspective.

Rather than advocating for a position, the DAAC advice recommends that Council takes an active role in the provision of information and support the facilitation of respectful, inclusive, and culturally safe conversations to raise awareness about the Voice to Parliament, so all community members can participate in the referendum process and make an informed personal decision.

An important aspect to this advice is the consideration for the spiritual and emotional wellbeing of Aboriginal and Torres Strait Islander people, including DAAC members, Darebin City Council employees and local Darebin community that is culturally safe during the referendum campaign.

DAAC has asked that Council embrace this advice in its entirety and commit to actions within three areas:

1. Support Aboriginal and Torres Strait Islander people over the next few months as the Referendum campaign plays out.
2. Encourage the whole of Darebin community to inform and educate themselves about the Voice to Parliament and support them to do so.
3. Continue to work towards truth telling and stand up against racism, as this is the foundation for progress towards self-determination and Treaty.

Council has allocated \$20,000, if it chooses to deliver the actions outlined in DAAC's advice.

Officer Recommendation

That Council:

- (1) Endorses the advice prepared by the Darebin Aboriginal Advisory Committee on the Voice to Parliament referendum and supports the recommendations made by the Darebin Aboriginal Advisory Committee as outlined in **Appendix A**, as Council's formal position on the matter.
- (2) Thanks, the Aboriginal members of the Darebin Aboriginal Advisory Committee for their sustained, robust, and always principled support and guidance, and express particular gratitude to them in preparing this advice to Council, acknowledging the challenges around cultural load and cultural safety on this matter.
- (3) Requests and authorises the CEO to make operational arrangements to implement DAAC's recommendations.

Motion

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

- (1) Endorses the advice prepared by the Darebin Aboriginal Advisory Committee on the Voice to Parliament referendum and supports the recommendations made by the Darebin Aboriginal Advisory Committee as outlined in **Appendix A**, as Council's formal position on the matter.
- (2) Thanks, the Aboriginal members of the Darebin Aboriginal Advisory Committee for their sustained, robust, and always principled support and guidance, and express particular gratitude to them in preparing this advice to Council, acknowledging the challenges around cultural load and cultural safety on this matter.
- (3) Requests and authorises the CEO to make operational arrangements to implement DAAC's recommendations.

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

Amendment

MOVED: Cr. E Dimitriadis

SECONDED: Cr. T Laurence

- (1) ~~Endorses Notes~~ the advice prepared by the Darebin Aboriginal Advisory Committee on the Voice to Parliament referendum and supports the recommendations made by the Darebin Aboriginal Advisory Committee as outlined in Appendix A. ~~as Council's formal position on the matter.~~
- (2) **Waits until the Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation has a formal position on the Voice to Parliament referendum and then Darebin Council can decide on an official position on the Voice.**
- (3) **Seeks the advice of the Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation and the First People's Assembly of Victoria on the upcoming Voice to Parliament referendum.**
- (4) Thanks, the Aboriginal members of the Darebin Aboriginal Advisory Committee for their sustained, robust, and always principled support and guidance, and express particular gratitude to them in preparing this advice to Council, acknowledging the challenges around cultural load and cultural safety on this matter.
- (3) ~~Requests and authorises the CEO to make operational arrangements to implement DAAC's recommendations.~~

Following advice from the CEO, Cr. Dimitriadis added points (5) and (6) below to the amendment:

- (5) *Seeks the advice of all Indigenous organisations within Darebin on the upcoming Voice to Parliament referendum.*
- (6) *Requests a report be provided to Council upon receiving advice from Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation, the First People's Assembly of Victoria and Indigenous organisations in Darebin on the upcoming Voice to Parliament referendum.*

The amendment was put to vote and lost:

Amendment

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

- (1) ~~Endorses Notes~~ the advice prepared by the Darebin Aboriginal Advisory Committee on the Voice to Parliament referendum and supports the recommendations made by the Darebin Aboriginal Advisory Committee as outlined in Appendix A. ~~as Council's formal position on the matter.~~
- (2) **Waits until the Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation has a formal position on the Voice to Parliament referendum and then Darebin Council can decide on an official position on the Voice.**
- (3) **Seeks the advice of the Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation and the First People's Assembly of Victoria on the upcoming Voice to Parliament referendum.**
- (4) Thanks, the Aboriginal members of the Darebin Aboriginal Advisory Committee for their sustained, robust, and always principled support and guidance, and express particular gratitude to them in preparing this advice to Council, acknowledging the challenges around cultural load and cultural safety on this matter.

- (4) ~~Requests and authorises the CEO to make operational arrangements to implement DAAC's recommendations.~~
- (5) **Seeks the advice of all Indigenous organisations within Darebin on the upcoming Voice to Parliament referendum.**
- (6) **Requests a report be provided to Council upon receiving advice from Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation, the First People's Assembly of Victoria and Indigenous organisations in Darebin on the upcoming Voice to Parliament referendum.**

LOST

For: Cr's Dimitriadis and Laurence (2)

Against: Cr Hannan (1)

Abstained: Cr's Rennie, McCarthy, Messina, Newton, Greco and Williams (6)

8.23pm – The Meeting adjourned for a break.

8.41pm – The Meeting resumed.

Cr. Greco proposed an amendment to the substantive motion as follows:

Amendment

MOVED: Cr. G Greco

SECONDED: Cr. T McCarthy

That Council:

- (1) ~~Endorses **Gratefully receives** the advice prepared by the Darebin Aboriginal Advisory Committee on the Voice to Parliament referendum and supports the recommendations made by the Darebin Aboriginal Advisory Committee as outlined in Appendix A. as Council's formal position on the matter.~~
- (2) Thanks, the Aboriginal members of the Darebin Aboriginal Advisory Committee for their sustained, robust, and always principled support and guidance, and express particular gratitude to them in preparing this advice to Council, acknowledging the challenges around cultural load and cultural safety on this matter.
- (3) Requests and authorises the CEO to make operational arrangements to implement DAAC's recommendations.
- (4) **Seeks the formal position of the Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation on the Voice to Parliament referendum and then Darebin Council can decide on an official position on the Voice.**
- (5) **Seeks the formal position of the First People's Assembly of Victoria on the upcoming Voice to Parliament referendum.**
- (6) **Seeks the formal position of all Indigenous organisations within Darebin on the upcoming Voice to Parliament referendum.**
- (7) **Requests a report be provided to Council upon receiving the formal position from Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation, the First People's Assembly of Victoria and Indigenous organisations in Darebin on the upcoming Voice to Parliament referendum.**

Cr. Dimitriadis proposed a further change to point (1) and point (3), to remove the word "recommendations" and replace with "actions recommended" as follows:

- (1) ~~Endorses~~ *Gratefully receives the advice prepared by the Darebin Aboriginal Advisory Committee on the Voice to Parliament referendum and supports the **recommendations actions recommended** by the Darebin Aboriginal Advisory Committee as outlined in Appendix A. ~~as Council's formal position on the matter.~~*
- (3) *Requests and authorises the CEO to make operational arrangements to implement **the actions recommended by DAAC. recommendations.***

Cr. Rennie proposed a further change to point (4) to remove the following words:

- (4) *Seeks the formal position of the Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation on the Voice to Parliament referendum. ~~and then Darebin Council can decide on an official position on the Voice.~~*

The amendments were accepted by the mover and seconder and were put to vote:

Amendment

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

That Council:

- (1) ~~Endorses~~ **Gratefully receives** the advice prepared by the Darebin Aboriginal Advisory Committee on the Voice to Parliament referendum and supports the ~~recommendations~~ **actions recommended** by the Darebin Aboriginal Advisory Committee as outlined in Appendix A. ~~as Council's formal position on the matter.~~
- (2) Thanks, the Aboriginal members of the Darebin Aboriginal Advisory Committee for their sustained, robust, and always principled support and guidance, and express particular gratitude to them in preparing this advice to Council, acknowledging the challenges around cultural load and cultural safety on this matter.
- (3) Requests and authorises the CEO to make operational arrangements to implement **the actions recommended by DAAC. recommendations.**
- (4) **Seeks the formal position of the Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation on the Voice to Parliament referendum. and then Darebin Council can decide on an official position on the Voice.**
- (5) **Seeks the formal position of the First People's Assembly of Victoria on the upcoming Voice to Parliament referendum.**
- (6) **Seeks the formal position of all Indigenous organisations within Darebin on the upcoming Voice to Parliament referendum.**
- (7) **Requests a report be provided to Council upon receiving the formal position from Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation, the First People's Assembly of Victoria and Indigenous organisations in Darebin on the upcoming Voice to Parliament referendum.**

CARRIED

For: Cr's Dimitriadis, Hannan, Rennie, McCarthy, Laurence, Messina, Greco and Williams (

Abstained: Cr. Newton (1)

The amendments were put and carried and became the substantive motion.

Extension of Time**MOVED: Cr. T McCarthy****SECONDED: Cr. L Messina****9.00pm – That Council extend the meeting by 30 minutes.****CARRIED UNANIMOUSLY**

The word “Indigenous” within the substantive motion, was corrected to “Aboriginal and Torres Strait Islander”.

The substantive motion was put to vote and became the Council Resolution as follows:

Council Resolution**MINUTE NO. 23-051****MOVED: Cr. S Rennie****SECONDED: Cr. T Hannan****That Council:**

- (1) Gratefully receives the advice prepared by the Darebin Aboriginal Advisory Committee on the Voice to Parliament referendum and supports the actions recommended by the Darebin Aboriginal Advisory Committee as outlined in Appendix A.
- (2) Thanks, the Aboriginal members of the Darebin Aboriginal Advisory Committee for their sustained, robust, and always principled support and guidance, and express particular gratitude to them in preparing this advice to Council, acknowledging the challenges around cultural load and cultural safety on this matter.
- (3) Requests and authorises the CEO to make operational arrangements to implement the actions recommended by DAAC.
- (4) Seeks the formal position of the Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation on the Voice to Parliament referendum.
- (5) Seeks the formal position of the First People’s Assembly of Victoria on the upcoming Voice to Parliament referendum.
- (6) Seeks the formal position of all Aboriginal and Torres Strait Islander organisations within Darebin on the upcoming Voice to Parliament referendum.
- (7) Requests a report be provided to Council upon receiving the formal position from Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation, the First People’s Assembly of Victoria and Aboriginal and Torres Strait Islander organisations in Darebin on the upcoming Voice to Parliament referendum.

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

**9.2 OPTIONS TO RETAIN TREES IN GLADSTONE AVENUE,
NORTHCOTE**

Cr. Hannan declared a conflict of interest in Item 9.2 Options to Retain Trees in Gladstone Avenue, Northcote due to this relating to Energy Safe Victoria, as this is his area of employment.

9.03pm – Cr. Hannan left the meeting.

EXECUTIVE SUMMARY

This Report provides information on options to retain 3 trees in Gladstone Avenue Northcote. A wide range of options have been explored as outlined in this report. Council officers have discussed options with and considered ideas and feedback from local residents as part of investigations. Unfortunately, investigations have not identified a legal and safe option that also retains the trees and canopy cover.

A 2020 audit, carried out by Energy Safe Victoria (ESV), identified three street trees located at 43, 45 & 53 Gladstone Avenue in Northcote as non-compliant with the Electricity Safety Regulations 2020. Compliance with these Regulations ensures appropriate standards of electrical safety are reached. Failing to apply the Code of the Electrical Line Clearance (ELC) may result in outcomes that include electrocution and fire or that may affect the reliability of electricity supply. Significant financial penalties are applicable for non-compliance.

Opportunities to retain and manage these trees in line with the ELC regulations have been explored with assessments carried out by both internal and external arborists. Options included: installation of Aerial Bundled Cable (ABC); selective pruning works; installation of kerb outstands; redirection of existing wires and undergrounding of overhead cables.

None of the options have found a legal and safe option that would also retain the trees and canopy cover. Redirection of existing wires could retain the trees, but would result in a net loss of canopy cover due to substantial pruning required of other trees and is not recommended even before costs are considered. The trees have all been assessed as having relatively short useful life expectancies (ULE) and officers note that an advantage of replacing them sooner is that new trees will establish sooner.

It is recommended that the trees be removed and replaced with trees of a more suitable species. This would provide long-lasting benefits to the streetscape and achieve required compliance. The replacement species is fast growing and is expected to establish quickly.

Council's Tree Management team has been engaging with residents of Gladstone Avenue for an extended period to investigate options for retention. Council initiated a street meeting for residents of Gladstone Avenue and has undertaken several rounds of consultation and communication regarding the trees in question.

Council Resolution**MINUTE NO. 23-052**

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

That Council:

- (1) Notes the requirement for compliance with the *Electricity Safety Act 1998* and *Electricity Safety (Electric Line Clearance) Regulations*, which Council achieves through its Electrical Line Clearance Program.
- (2) Writes to the Minister for Energy and Resources requesting the next review of the *Electricity Safety Act 1998* and *Electricity Safety (Electric Line Clearance) Regulations* to give consideration to changing requirements for maintaining trees within an urban setting with the aim of retaining more canopy in these areas.
- (3) Notes that officers will remove and replace the three (3) trees in question with a suitable native species (*Corymbia scentuous*).
- (4) Notes that officers will communicate the outcome of Council's decision and the reasons for it with local residents.

CARRIED

For: Cr's Greco, Messina, Laurence, Williams and Newton (5)

Against: Cr's McCarthy, Dimitriadis and Rennie (3)

9.11pm – Cr. Hannan returned to the meeting.

9.3 COMMUNITY COMPLAINTS ABOUT A COUNCILLOR POLICY

Submissions

Serena O'Meeley made a 2minute submission in relation to Item 9.3 Community Complaints about a Councillor Policy.

EXECUTIVE SUMMARY

To seek Council endorsement of the draft Community Complaints about a Councillor Policy (Policy) following online community consultation and targeted discussions with the Italian Seniors Citizen's Club of Preston and Vietnamese Senior's Club during the month of June 2023.

Officer Recommendation

That Council endorse the Community Complaints about a Councillor Policy attached at **Appendix A** to this report.

Cr. Messina proposed a procedural motion to defer this item to the next Council Meeting, 28 August 2023.

Procedural Motion

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

That Council defer Item 9.3 Community Complaints about a Councillor Policy to the next Council Meeting, 28 August 2023.

CARRIED UNANIMOUSLY

9.4 PRESTON MARKET RESPONSE TO NOM ON SUPPORTING MARKET TRADERS

EXECUTIVE SUMMARY

This report responds to elements of Council's 24 April 2023 resolution to the Notice of Motion:

'That Council:

- 1) *Notes points 1, 3 and 4 of Item 11.3 - Preston Market.*
- 2) *Calls for a report by June 2023 that outlines options for supporting Preston Market Traders, including advocacy, and convening a committee that would invite traders, a representative from Salta and Councillor/s and staff.*
- 3) *Writes to the Minister for Planning for Salta to provide a Market Business Continuity Plan, to the satisfaction of the Responsible Authority.'*

A report was presented to Councillors in June 2023 and a briefing of Councillors was also held in June 2023 in relation to part 2 of this Council decision.

This Council report outlines two options for supporting Preston Market traders through the establishment of a committee.

Discussions are ongoing with Councillors in relation to advocacy and communication associated with the Preston Market.

A letter was sent to the Minister for Planning on 29 May 2023 in response to part 3 of this Council decision requesting a business continuity plan for the Preston market.

Council Resolution

MINUTE NO. 23-053**MOVED: Cr. L Messina****SECONDED: Cr. G Greco****That Council:**

- (1) Notes the two committee options available to Council to support Preston Market Traders during a time of business uncertainty.
- (2) Endorses Committee Option 2 – Provides Support to the trader-initiated Preston Market Traders Group which has recently been established.
- (3) Requests that the Chief Executive Officer (or delegate) advises the Preston Market Traders Group and Salta of this Council decision.
- (4) Requests that the Chief Executive Officer (or delegate) continues to provide support to the Preston Market Traders Group by providing consistent and regular information at meetings by invitation of the Preston Market Traders Group and also if requested, assist the Preston Market Traders Group to become an independent body with membership of diverse Preston business voices and stakeholders working to the benefit of all market traders through formal articles of association.

CARRIED UNANIMOUSLY

9.5

DRAFT DAREBIN ART COLLECTION POLICY

EXECUTIVE SUMMARY

The purpose of this report is to seek Council endorsement of the Draft Art and Collection Policy 2022-2026.

The Darebin Art Collection Policy (**Appendix A**) provides a framework for the acquisition and management of artworks and heritage items that comprise the Darebin Art Collection 'the collection'.

The policy is internal facing and owned by the Creative Culture and Events Department.

Council Resolution**MINUTE NO. 23-054****MOVED: Cr. S Newton****SECONDED: Cr. S Rennie****That Council:**

Endorse the Draft Art and Collection Policy 2022-2026 and delegate to the Chief Executive Officer the ability to make minor editorial changes that do not alter the substantive elements of the Policy (if required).

CARRIED UNANIMOUSLY**PROCEDURAL MOTION TO EXTEND THE MEETING****Extension of Time**

9.29pm - That Council extend the meeting by 30minutes.

CARRIED UNANIMOUSLY

9.6

DAREBIN MUNICIPAL EMERGENCY MANAGEMENT PLAN

EXECUTIVE SUMMARY

Darebin's Municipal Emergency Management Plan outlines the arrangements for mitigation, response and recovery, and identifies the roles and responsibilities of agencies including Council in relation to emergency management.

The Emergency Management Act 2013 and Emergency Management Legislation Amendment Act 2018 set out the roles and responsibilities of all levels of government and agencies in the function of emergency management. In late 2020, changes were made to the Emergency Management Act 2013 as a result of the Emergency Management Legislation Amendment Act 2018.

Changes included the shifting of responsibility to develop and approve the Municipal Emergency Management Plan (MEMP) from local governments to a Municipal Emergency Management Planning Committee; and approval of the MEMP from local governments to a regional emergency management planning committee.

The Darebin Municipal Emergency Management Planning Committee finalised a Municipal Emergency Management Plan (**Appendix A**) which has been approved by the Regional Emergency Management Planning Committee.

Council Resolution**MINUTE NO. 23-055**

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

That Council:

- (1) Thanks, the State Government departments, agencies and community organisations that form part of the Darebin Municipal Emergency Management Planning Committee for developing the Municipal Emergency Management Plan and for their ongoing commitment and collaboration to planning for and responding to emergency management situations for the Darebin community.
- (2) Notes Darebin's Municipal Emergency Management Plan as outlined in **Appendix A**, which has been approved by the Regional Emergency Management Planning Committee.

CARRIED UNANIMOUSLY

9.7 NARC AND LIBRARIES NAMING OPPORTUNITIES

Submissions

Agostino Giramondo made a 2minute submission in relation to Item 9.7 NARC and Libraries Naming Opportunities.

EXECUTIVE SUMMARY

Following changes to the Naming Rules for Places in Victoria, in April 2023 Council adopted the revised Road and Place Naming Policy (the Policy). As part of the Policy revision, Council discussed possible naming priorities for the remainder of the Council Plan. These were noted in the April 2023 and November 2022 Council reports and are outlined in **Appendix A**. This report outlines options for Council consideration to progress these naming priorities in 2023/24.

Amended Officer Recommendation

That Council:

- (1) **Endorses Northcote Aquatic and Recreation Centre Option 2: Create a new co-name for the Northcote Aquatic and Recreation Centre (NARC) with a name associated with CALD/migrant communities and explore intersectionality.**
- (2) Endorses Northcote Aquatic and Recreation Centre Option 3: Name components of NARC associated with CALD / migrant communities (explore intersectionality) to name:
 - a. Outdoor 50m pool.
 - b. Indoor pool hall.
 - c. Warm water pool hall.
 - d. Program rooms x 5.
- (3) Endorses Darebin Libraries Option 2A: Create new co-names for all four library branches of which three are to be named with names associated with CALD/migrant communities and one library to be named with a name from Woi-wurrung language / First Nations people.
- (4) **Creates new names for relevant library rooms as follows:**
 - a. **Preston Library: Meeting Room.**
 - b. **Northcote Library: Meetings Rooms x 2, LibArt Room.**
 - c. **Fairfield Community Centre: Meeting Room.**
 - d. **Reservoir Community and Learning Centre: Children’s Library, Youth Lounge and Library, General Library, Function Room/s and Meeting Rooms/s.**
- (5) Requests officers to engage with our community around the names of the buildings in which libraries are located and seek feedback from our community on ways to increase accessibility.
- (6) Endorses Consultation approach Option 3: Council calls for name(s) or co-name(s)

from the community using the following parameters:

- a) CALD / migrant communities names for the Northcote Aquatic Centre and Recreation Centre; Outdoor 50m pool; Indoor pool hall; Warm water pool hall and five Program rooms at the NARC.
 - b) CALD / migrant communities names for three library branches **and the library rooms in these branches.**
 - c) Woi-wurrung language / First Nations people for one library branch **and the library rooms in this branch.** This branch will be selected in consultation with relevant Aboriginal representative bodies.
- (7) **Requests that officers prepare a report to Council at the earliest possible opportunity on the outcomes of this consultation and as part of this report prepare and present to Council a phased implementation plan with detailed costings to support implementation in a way that can be afforded financially over time and prioritised as part of future Council Budget processes.**

Cr. Greco proposed the alternate motion below:

Alternate Motion

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

That Council:

- (1) Endorses Northcote Aquatic and Recreation Centre Option 2: Create a new co-name for the Northcote Aquatic and Recreation Centre (NARC) with a name associated with CALD/migrant communities and explore intersectionality.
- (2) Endorses ~~Northcote Aquatic and Recreation Centre Option 3: naming~~ components of NARC **with a mix of names** associated with CALD / migrant communities (explore intersectionality) **and Woi-wurrung language / First Nations people** to name:
 - a) Outdoor 50m pool
 - b) Indoor pool hall
 - c) Warm water pool hall
 - d) Program rooms x 5.
- (3) Endorses Darebin Libraries Option 2A: Create new co-names for all four library branches of which three are to be **co-named** with names associated with CALD/migrant communities and one library to be named with a name from Woi-wurrung language / First Nations people.
- (4) Creates new names for relevant library rooms **with a mix of names associated with CALD / migrant communities and Woi-wurrung language / First Nations people as follows:**
 - a) Preston Library: Meeting Room
 - b) Northcote Library: Meetings Rooms x 2, LibArt Room
 - c) Fairfield Community Centre: Meeting Room
 - d) Reservoir Community and Learning Centre: Children's Library, Youth Lounge and Library, General Library, Function Room/s and Meeting Rooms/s.
- (5) Requests officers to engage with our community around the names of the buildings in which libraries are located and seek feedback from our community on ways to increase

accessibility.

- (6) **Endorses Consultation approach Option 1: Council proposes the name(s) or co-name(s) for each place (informed by advice from the Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation, Victorian Multicultural Commission, Ethnic Communities Council of Victoria, Ethnic Communities Council of Darebin, informal CALD groups as defined by Councillors at a future Council briefing and Council's Welcoming Cities, Inter-Faith, and Darebin Aboriginal Advisory Groups and invite submissions from culturally and linguistically diverse community members).**
- (7) **Engages with Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation to select the library branch to be named with a name from Woi-wurrung language / First Nations people and for a co-name for that library branch.**
- (8) **Requests officers table proposed names for community engagement for items 1, 2, 3, and 4 (above) where focused on CALD/migrant names to Council for the February 2024 meeting. The Woi-wurrung / First Nations names to be tabled at the discretion of officers.**
- (9) **Requests that officers prepare and present to Council a phased implementation plan with detailed costings to support implementation in a way that can be afforded financially over time and prioritised as part of future Council Budget processes.**

Due to the urgent nature of some items remaining on the agenda, and following advice from the CEO, Cr. Rennie proposed a procedural motion to pause debate on Item 9.7 NARC and Libraries Naming Opportunities and to re-order the agenda to bring the following Items forward to be considered first:

- (1) *Item 9.8 Kerbside Waste Services Consultation.*
- (2) *Item 9.11 CT202315 - Road Maintenance & Associated Services - Contract (Northern Council Alliance NCA - Collaborative Tender).*
- (3) *Item 10.1 Australian Local Government Association National General Conference June 2023.*

Procedural Motion

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

That Council pause debate on Item 9.7 NARC and Libraries Naming Opportunities, and re-order the agenda to bring the following Items forward to be considered first:

- (1) Item 9.8 Kerbside Waste Services Consultation.
- (2) Item 9.11 CT202315 - Road Maintenance & Associated Services - Contract (Northern Council Alliance NCA - Collaborative Tender).
- (3) Item 10.1 Australian Local Government Association National General Conference June 2023.

CARRIED

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

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

9.44pm – Councillors considered and resolved Items 9.8 and 9.11.

10.02pm – Councillors resumed debate on Item 9.7 NARC and Libraries Naming Opportunities, on the alternate motion as moved by Cr. Greco and seconded by Cr. Messina.

9.8

KERBSIDE WASTE SERVICES CONSULTATION

EXECUTIVE SUMMARY

This report presents a recommended consultation and engagement approach for engaging the community about changes to kerbside waste services in Darebin.

The *Circular Economy (Waste Reduction and Recycling) Act 2021* (Act) legislates that Council must provide a four-bin service to residents by a prescribed date. This has and will affect Darebin in the following ways:

- A 'universal' Food Organic Garden Organic (FOGO) service was introduced in 2022 (ahead of the State Government deadline of 2030)
- A new glass service will need to be provided before the end of 2027
- General waste bins will need to have red lids by 2030

The proposed consultation will help inform future kerbside services to meet the Act requirements, improve environmental outcomes and customer experience.

The proposed scope of the consultation includes:

- Kerbside frequency (general waste and FOGO)
- Glass collection frequency
- Hard rubbish service
- Education regarding the use of public place recycling bins
- General feedback on waste services in Darebin, with prompts about circular economy, re-use opportunities and customer experience

The scope of the consultation will not include commingled (mixed) recycling because officers consider this service is currently fit for purpose.

The information collected from consultation participants will be used to inform recommended future kerbside service levels to Council, and the delivery of education programs. Officers will present a recommendation for kerbside services to Council for consideration later this year.

Officer Recommendation

That Council:

- (1) Endorses engaging the community about kerbside waste services to inform future kerbside services, focusing on five priority areas:
 - a) Kerbside frequency (General waste and FOGO)
 - b) Glass collection frequency
 - c) Hard rubbish service
 - d) Education regarding the use of public place recycling bins
 - e) An opportunity to provide general feedback on waste services in Darebin, with prompts about circular economy, re-use opportunities and customer

experience.

- (2) Notes that a future report to Council will recommend future kerbside waste and recycling services levels that meets legislative requirements, improves environmental outcomes and customer experience.

Motion

MOVED: Cr. L Messina

SECONDED: Cr. S Newton

That Council:

- (1) Endorses engaging the community about kerbside waste services to inform future kerbside services, focusing on five priority areas:
- Kerbside frequency (General waste and FOGO)
 - Glass collection frequency
 - Hard rubbish service
 - Education regarding the use of public place recycling bins
 - An opportunity to provide general feedback on waste services in Darebin, with prompters about circular economy, re-use opportunities and customer experience.
- (2) Notes that a future report to Council will recommend future kerbside waste and recycling services levels that meets legislative requirements, improves environmental outcomes and customer experience.

Cr. Greco proposed the following amendment to point (1) c):

- (1) ~~e) Hard rubbish service~~ *Maintaining the annual kerb side Hard Waste Service and only considering options to make the booked Spring service available to people experiencing disadvantage.*

The amendment was not accepted by the mover and seconder.

Amendment

MOVED: Cr. G Greco

SECONDED: Cr. E Dimitriadis

That Council:

- (1) Endorses engaging the community about kerbside waste services to inform future kerbside services, focusing on five priority areas:
- Kerbside frequency (General waste and FOGO)
 - Glass collection frequency
 - ~~Hard rubbish service~~ **Maintaining the annual kerb side Hard Waste Service and only considering options to make the booked Spring service available to people experiencing disadvantage**
 - Education regarding the use of public place recycling bins
 - An opportunity to provide general feedback on waste services in Darebin, with

prompters about circular economy, re-use opportunities and customer experience

- (2) Notes that a future report to Council will recommend future kerbside waste and recycling services levels that meets legislative requirements, improves environmental outcomes and customer experience.

Cr. Greco proposed a procedural motion that the amendment be put and voted on.

Procedural Motion

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

That Cr. Greco's amendment to point (1) c) be put to vote.

LOST

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

Against: Cr's Messina, McCarthy, Newton, Rennie and Hannan (4)

Abstained: Cr. Williams (1)

Further debate on Cr. Greco's proposed amendment continued and was then put to vote and lost as follows:

Amendment

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

That Council:

- (1) Endorses engaging the community about kerbside waste services to inform future kerbside services, focusing on five priority areas:
- Kerbside frequency (General waste and FOGO)
 - Glass collection frequency
 - ~~Hard rubbish service~~ **Maintaining the annual kerb side Hard Waste Service and only considering options to make the booked Spring service available to people experiencing disadvantage.**
 - Education regarding the use of public place recycling bins
 - An opportunity to provide general feedback on waste services in Darebin, with prompters about circular economy, re-use opportunities and customer experience.
- (2) Notes that a future report to Council will recommend future kerbside waste and recycling services levels that meets legislative requirements, improves environmental outcomes and customer experience.

LOST

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

Against: Cr's Hannan, Rennie, Newton, McCarthy and Messina (4)

Abstained: Cr. Williams (1)

Cr. Rennie proposed for a procedural motion to put the substantive motion to vote.

Procedural Motion

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

That the substantive motion be put to vote.

CARRIED

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

Against: Cr. Laurence (1)

Abstained: Cr's Greco and Dimitriadis (2)

The substantive motion was then put to vote and became the Council Resolution as follows:

Council Resolution

MINUTE NO. 23-056

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

That Council:

- (1) Endorses engaging the community about kerbside waste services to inform future kerbside services, focusing on five priority areas:
 - a) Kerbside frequency (General waste and FOGO)
 - b) Glass collection frequency
 - c) Hard rubbish service
 - d) Education regarding the use of public place recycling bins
 - e) An opportunity to provide general feedback on waste services in Darebin, with prompts about circular economy, re-use opportunities and customer experience.
- (2) Notes that a future report to Council will recommend future kerbside waste and recycling services levels that meets legislative requirements, improves environmental outcomes and customer experience.

CARRIED

For: Cr's Dimitriadis, Hannan, Rennie, Newton, McCarthy, Messina and Williams (7)

Abstained: Cr's Laurence and Greco (2)

9.11 CT202315 - ROAD MAINTENANCE & ASSOCIATED SERVICES - CONTRACT (NORTHERN COUNCIL ALLIANCE NCA - COLLABORATIVE TENDER)

EXECUTIVE SUMMARY

This report seeks Council endorsement to award Contract No. CT202315, Road Maintenance and Associated Services. This contract will provide road maintenance services via a panel arrangement for an initial contract term of three (3) years and with a possible extension of a two (2) year period, for a maximum contract term of (5) five years.

The Northern Council Alliance Group of Councils (NCA) incorporates (7) seven northern councils, Banyule City Council, City of Whittlesea, Darebin City Council, Hume City Council, Merri-bek City Council, Mitchell Shire Council and Nillumbik Shire Council to conduct a joint tender for the provision of Road Maintenance & Associated Services from capable suppliers in the delivery of like services across

The NCA advocates and delivers projects that positively contribute to the economic, social, health and wellbeing of residents in Melbourne's north. This collaboration resulted in savings on tender administration costs, specification development, and reducing the cost for supplier engagement.

In accordance with the Local Government Act 2020, all the participating Councils had the option to enter into individual contracts based on various discount options if the preferred tenderer was selected with one or more of the participating Councils.

The Darebin appointed subject matter experts (SME's) as representatives of Darebin for the tender activity and have recommended qualified and experienced contractors to deliver the services across the categories specific for Darebin's service requirements.

Expenditure under this contract will be determined by available annual budget allocations and works required during the contract term.

Council Resolution

MINUTE NO. 23-057

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

That Council:

- (1) Awards Contract CT202315 for Category 2, 3, 8, & 10 - Works relating to Asphalt Supply, Deliver & Lay including profiling, traffic control, line marking, and adjustment of utility covers for an initial term of three years commencing on 15 September 2023 (fixed cost rates with annual adjusted consumer price index (CPI) subject to satisfactory performance review) to the following tenderers:
1. Asphaltech (VIC) Pty Ltd
 2. Bild Bittumill Pty Ltd
 3. RABS Paving Services Pty Ltd
 4. Downer EDI Works Pty Ltd
 5. Prestige Paving Pty Ltd
 6. Roadsafe Asphalt Pty Ltd

7. Fulton Hogan

- (2) Awards Contract CT202315 for Category 5, Works relating to Crack Sealing, for an initial term of three years commencing on 15 September 2023 fixed cost rates with annual adjusted consumer price index (CPI) subject to satisfactory performance review) to the following tenderers:
 1. Supersealing Pty Ltd
 2. Crack Sealing Solutions

- (3) Awards Contract CT202315 for Category 6, Works relating to Asphalt Patching including profiling and traffic control for an initial term of three years commencing on 15 September 2023 fixed cost rates with annual adjusted consumer price index (CPI) subject to satisfactory performance review) to the following tenderers:
 1. Bild Bittumill Pty Ltd
 2. Silman Bros Asphaltting Pty Ltd
 3. Prestige Paving Pty Ltd

- (4) Awards Contract CT202315 for Category 8, Works relating to Traffic Control Services, for an initial term of three years commencing on 15 September 2023 fixed cost rates with annual adjusted consumer price index (CPI) subject to satisfactory performance review) to the following tenderers:
 1. Advanced Traffic Management Pty Ltd
 2. Altus Traffic Pty Ltd
 3. Ausroads Traffic Management Pty Ltd
 4. Go Traffic Pty Ltd

- (5) Awards Contract CT202315 for Category 9, Works relating to Line Marking, for an initial term of three years commencing on 15 September 2023 fixed cost rates with annual adjusted consumer price index (CPI) subject to satisfactory performance review) to the following tenderers:
 1. Image Line Marking Pty Ltd
 2. Omnigrip Direct Pty Ltd

- (6) Authorises the Chief Executive Officer to finalise and execute the contract documents on behalf of Council.

- (7) Authorises the Chief Executive Officer to review and approve options for two by one-year extensions subject to satisfactory performance reviews.

- (8) Authorises the Chief Executive Officer to review and approve variations, annual reviews and annual adjusted consumer price index (CPI) during the contract term.

CARRIED UNANIMOUSLY

Following advice from the CEO, consideration of Item 9.7 NARC and Libraries Naming Opportunities was then resumed.

9.7 NARC AND LIBRARIES NAMING OPPORTUNITIES

NOTE: The first part of the minutes for this item below is reproduced to enable transparency in the full decision making of Council on this matter, noting it was adjourned in the middle of debate during the meeting.

Submissions

Agostino Giramondo made a 2minute submission in relation to Item 9.7 NARC and Libraries Naming Opportunities.

EXECUTIVE SUMMARY

Following changes to the Naming Rules for Places in Victoria, in April 2023 Council adopted the revised Road and Place Naming Policy (the Policy). As part of the Policy revision, Council discussed possible naming priorities for the remainder of the Council Plan. These were noted in the April 2023 and November 2022 Council reports and are outlined in **Appendix A**. This report outlines options for Council consideration to progress these naming priorities in 2023/24.

Amended Officer Recommendation

That Council:

- (1) **Endorses Northcote Aquatic and Recreation Centre Option 2: Create a new co-name for the Northcote Aquatic and Recreation Centre (NARC) with a name associated with CALD/migrant communities and explore intersectionality.**
- (2) Endorses Northcote Aquatic and Recreation Centre Option 3: Name components of NARC associated with CALD / migrant communities (explore intersectionality) to name:
 - a. Outdoor 50m pool.
 - b. Indoor pool hall.
 - c. Warm water pool hall.
 - d. Program rooms x 5.
- (3) Endorses Darebin Libraries Option 2A: Create new co-names for all four library branches of which three are to be named with names associated with CALD/migrant communities and one library to be named with a name from Woi-wurrung language / First Nations people.
- (4) **Creates new names for relevant library rooms as follows:**
 - a. **Preston Library: Meeting Room.**
 - b. **Northcote Library: Meetings Rooms x 2, LibArt Room.**
 - c. **Fairfield Community Centre: Meeting Room.**
 - d. **Reservoir Community and Learning Centre: Children’s Library, Youth Lounge and Library, General Library, Function Room/s and Meeting Rooms/s.**
- (5) Requests officers to engage with our community around the names of the buildings in

which libraries are located and seek feedback from our community on ways to increase accessibility.

- (6) Endorses Consultation approach Option 3: Council calls for name(s) or co-name(s) from the community using the following parameters:
- d) CALD / migrant communities names for the Northcote Aquatic Centre and Recreation Centre; Outdoor 50m pool; Indoor pool hall; Warm water pool hall and five Program rooms at the NARC.
 - e) CALD / migrant communities names for three library branches **and the library rooms in these branches.**
 - f) Woi-wurrung language / First Nations people for one library branch **and the library rooms in this branch.** This branch will be selected in consultation with relevant Aboriginal representative bodies.
- (7) **Requests that officers prepare a report to Council at the earliest possible opportunity on the outcomes of this consultation and as part of this report prepare and present to Council a phased implementation plan with detailed costings to support implementation in a way that can be afforded financially over time and prioritised as part of future Council Budget processes.**

Cr. Greco proposed the alternate motion below:

Alternate Motion

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

That Council:

- (1) Endorses Northcote Aquatic and Recreation Centre Option 2: Create a new co-name for the Northcote Aquatic and Recreation Centre (NARC) with a name associated with CALD/migrant communities and explore intersectionality.
- (2) Endorses ~~Northcote Aquatic and Recreation Centre Option 3:~~ **naming** components of NARC **with a mix of names** associated with CALD / migrant communities (explore intersectionality) **and Woi-wurrung language / First Nations people** to name:
 - a) Outdoor 50m pool
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 - c) Warm water pool hall
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Library, General Library, Function Room/s and Meeting Rooms/s.

- (5) Requests officers to engage with our community around the names of the buildings in which libraries are located and seek feedback from our community on ways to increase accessibility.
- (6) **Endorses Consultation approach Option 1: Council proposes the name(s) or co-name(s) for each place (informed by advice from the Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation, Victorian Multicultural Commission, Ethnic Communities Council of Victoria, Ethnic Communities Council of Darebin, informal CALD groups as defined by Councillors at a future Council briefing and Council's Welcoming Cities, Inter-Faith, and Darebin Aboriginal Advisory Groups and invite submissions from culturally and linguistically diverse community members).**
- (7) **Engages with Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation to select the library branch to be named with a name from Woi-wurrung language / First Nations people and for a co-name for that library branch.**
- (8) **Requests officers table proposed names for community engagement for items 1, 2, 3, and 4 (above) where focused on CALD/migrant names to Council for the February 2024 meeting. The Woi-wurrung / First Nations names to be tabled at the discretion of officers.**
- (9) **Requests that officers prepare and present to Council a phased implementation plan with detailed costings to support implementation in a way that can be afforded financially over time and prioritised as part of future Council Budget processes.**

Due to the urgent nature of some items remaining on the agenda, and following advice from the CEO, Cr. Rennie proposed a procedural motion to pause debate on Item 9.7 NARC and Libraries Naming Opportunities and to re-order the agenda to bring the following Items forward to be considered first:

- (1) *Item 9.8 Kerbside Waste Services Consultation.*
- (2) *Item 9.11 CT202315 - Road Maintenance & Associated Services - Contract (Northern Council Alliance NCA - Collaborative Tender).*
- (3) *Item 10.1 Australian Local Government Association National General Conference June 2023.*

Procedural Motion

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

That Council pause debate on Item 9.7 NARC and Libraries Naming Opportunities, and re-order the agenda to bring the following Items forward to be considered first:

- (1) Item 9.8 Kerbside Waste Services Consultation
- (2) Item 9.11 CT202315 - Road Maintenance & Associated Services - Contract (Northern Council Alliance NCA - Collaborative Tender)
- (3) Item 10.1 Australian Local Government Association National General Conference June 2023

CARRIED

For: Cr's Hannan, Rennie, Newton, McCarthy and Williams (5)
Against: Cr's Dimitriadis, Laurence, Messina and Greco (4)

9.44pm – Councillors considered and resolved Items 9.8 and 9.11.

10.02pm – Councillors resumed debate on Item 9.7 NARC and Libraries Naming Opportunities, on the alternate motion as moved by Cr. Greco and seconded by Cr. Messina.

Alternate Motion

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

That Council:

- (1) Endorses Northcote Aquatic and Recreation Centre Option 2: Create a new co-name for the Northcote Aquatic and Recreation Centre (NARC) with a name associated with CALD/migrant communities and explore intersectionality.
- (2) Endorses ~~Northcote Aquatic and Recreation Centre Option 3~~: **naming** components of NARC **with a mix of names** associated with CALD / migrant communities (explore intersectionality) **and Woi-wurrung language / First Nations people** to name:
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- (6) **Endorses Consultation approach Option 1: Council proposes the name(s) or co-name(s) for each place (informed by advice from the Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation, Victorian Multicultural Commission, Ethnic Communities Council of Victoria, Ethnic Communities Council of Darebin, informal CALD groups as defined by Councillors at a future Council briefing and Council’s Welcoming Cities, Inter-Faith, and Darebin Aboriginal Advisory Groups and invite submissions from culturally and linguistically diverse community members).**
- (7) **Engages with Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation to select the library branch to be named with a name from Woi-wurrung language**

/ First Nations people and for a co-name for that library branch.

- (8) Requests officers table proposed names for community engagement for items 1, 2, 3, and 4 (above) where focused on CALD/migrant names to Council for the February 2024 meeting. The Woi-wurrung / First Nations names to be tabled at the discretion of officers.
- (9) Requests that officers prepare and present to Council a phased implementation plan with detailed costings to support implementation in a way that can be afforded financially over time and prioritised as part of future Council Budget processes.

The alternate motion was put and carried and became the Council Resolution as follows:

Council Resolution

MINUTE NO. 23-058

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

That Council:

- (1) Endorses Northcote Aquatic and Recreation Centre Option 2: Create a new co-name for the Northcote Aquatic and Recreation Centre (NARC) with a name associated with CALD/migrant communities and explore intersectionality.
- (2) Endorses naming components of NARC with a mix of names associated with CALD / migrant communities (explore intersectionality) and Woi-wurrung language / First Nations people to name:
 - a) Outdoor 50m pool
 - b) Indoor pool hall
 - c) Warm water pool hall
 - d) Program rooms x 5.
- (3) Endorses Darebin Libraries Option 2A: Create new co-names for all four library branches of which three are to be co-named with names associated with CALD/migrant communities and one library to be named with a name from Woi-wurrung language / First Nations people.
- (4) Creates new names for relevant library rooms with a mix of names associated with CALD / migrant communities and Woi-wurrung language / First Nations people as follows:
 - a) Preston Library: Meeting Room
 - b) Northcote Library: Meetings Rooms x 2, LibArt Room
 - c) Fairfield Community Centre: Meeting Room
 - d) Reservoir Community and Learning Centre: Children's Library, Youth Lounge and Library, General Library, Function Room/s and Meeting Rooms/s.
- (5) Requests officers to engage with our community around the names of the buildings in which libraries are located and seek feedback from our community on ways to increase accessibility.
- (6) Endorses Consultation approach Option 1: Council proposes the name(s) or co-name(s) for each place (informed by advice from the Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation, Victorian Multicultural Commission, Ethnic Communities Council of Victoria, Ethnic Communities Council of Darebin, informal CALD groups as defined by Councillors at a future Council briefing and Council's

Welcoming Cities, Inter-Faith, and Darebin Aboriginal Advisory Groups and invite submissions from culturally and linguistically diverse community members).

- (7) Engages with Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation to select the library branch to be named with a name from Woi-wurrung language / First Nations people and for a co-name for that library branch.
- (8) Requests officers table proposed names for community engagement for items 1, 2, 3, and 4 (above) where focused on CALD/migrant names to Council for the February 2024 meeting. The Woi-wurrung / First Nations names to be tabled at the discretion of officers.
- (9) Requests that officers prepare and present to Council a phased implementation plan with detailed costings to support implementation in a way that can be afforded financially over time and prioritised as part of future Council Budget processes.

CARRIED

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

Abstained: Cr. Newton (1)

PROCEDURAL MOTION TO MOVE ITEMS EN BLOC**Procedural Motion****MOVED: Cr. L Messina****SECONDED: Cr. G Greco****That** Council move the following items En Bloc:

- (1) Item 9.10 – Governance Report – July 2023
- (2) Item 10.1 - Australian Local Government Association National General Conference June 2023.

CARRIED**For:** Cr's Dimitriadis, Laurence, Messina, Greco and Williams (5)**Against** Cr's Rennie, Newton and Hannan (3)**Abstained** Cr. McCarthy (1)**En Bloc****MINUTE NO. 23-059****MOVED: Cr. L Messina****SECONDED: Cr. G Greco****That** Council move the following items En Bloc:

- (1) Item 9.10 – Governance Report – July 2023
- (2) Item 10.1 - Australian Local Government Association National General Conference June 2023.

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

9.10

GOVERNANCE REPORT JULY 2023

EXECUTIVE SUMMARY

- Summary of Advisory Committees, Councillor Briefing and other informal meetings of Councillors (**Appendix A**)
- Reports by Mayor and Councillors
- Minutes of the Hearing of Submissions Committee Meeting held on 13 June 2023 (**Appendix B**)
- Minutes of the Audit and Risk Committee Meeting held on 19 June 2023 (**Appendix C**)
- Quarterly Freedom of Information (FOI) statistics (1 July 2022 to 30 June 2023)
- Container Deposit Scheme Refund Sharing Protocol Consultation

Council Resolution**MINUTE NO. 23-060****MOVED: Cr. L Messina****SECONDED: Cr. G Greco****That Council:**

- (1) Note the Governance Report – July 2023.
- (2) Note the Summary of Advisory Committees, Councillor Briefings and other Informal Meetings of Councillors at **Appendix A** to this report, for incorporation in the minutes of this meeting.
- (3) Note 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) Note Councillor Laurence's one week leave reported at the June Council meeting, has since been updated to 1 day and 2 hours leave in June.
- (5) Note the Summary Minutes of the Hearing of Submissions Committee Meeting held on 13 June 2023 at **Appendix B** to this report.
- (6) Note the Summary Minutes of the Audit and Risk Committee Meeting held on 19 June 2023 at **Appendix C** to this report.
- (7) Note the Quarterly Freedom of Information (FOI) statistics (1 July 2022 to 30 June 2023).
- (8) Endorse the submission to the Container Deposit Scheme Refund Sharing Protocol Consultation, included as (**Appendix D**), that puts forward that:
 - a) The net refund value is split 50/50 between Council and the Material Recovery Facility.
 - b) The sampling container assessment is done every three months.
- (9) Endorse the Manager Climate Emergency and Sustainable Transport to make administrative changes to the draft submission at Appendix D following a decision at Council.

CARRIED**REFER TO MINUTE NO. 23-059**

REPORTS BY MAYOR AND COUNCILLORS – 24 July 2023**REPORT OF CR. JULIE WILLIAMS, MAYOR**

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

- 3 x Councillor Briefing sessions.
- 2 x Councillor only meetings
- 1 x Mayor, Deputy Mayor and CEO
- 1 x Mayor, Deputy Mayor meetings
- Monthly Council meeting
- Mayor and CEO weekly meetings
- Lord Mayor's Charitable Fund and Housing Choices Australia – site visit to Townhall Avenue, Big Housing Build apartments
- Meeting with Ros Spence MP, Minister for Suburban Development - site visit Edwardes Street with Your Community Health and Reservoir Traders Association
- Filming for Council meeting outcomes
- Darebin Domestic Animal Management Reference Group Meeting
- Nathan Lambert MP, Mayor Julie Williams, Peter Smith CEO - Monthly Meeting
- Mayoral Taskforce Supporting People Seeking Asylum Meeting
- Meeting with Senator the Hon. Jane Hume - Cost of Living
- Thread Together Clothing Hub Launch
- Citizenship Ceremony
- NAIDOC Flag Raising Event - Aboriginal Advancement League
- Ged Kearney MP, Mayor Julie Williams, Peter Smith CEO Meeting
- John Nugent - resident
- Metropolitan Transport Forum - July Meeting
- Epping Animal Welfare Facility Relaunch (wat djerring) of naming
- M9 CEO and Mayors Meeting
- Northern Councils Alliance meeting with the Hon. Colin Brooks MP
- Samantha Ratnam MP, Mayor Julie Williams, Peter Smith CEO Meeting
- Bundoora Homestead Arts Centre - Winter Season Opening Event Celebrating NAIDOC Week
- Darebin Aboriginal Advisory Committee Co-Chair Briefing
- Planning Committee Meeting
- FIFA Women's World Cup 2023 - Jamaican Women's Soccer Team Welcome
- Discussion regarding Aged Care Reforms
- Darebin Aboriginal Advisory Committee Meeting

- Opening of new exhibition at La Trobe University Bundoora campus library *Professor John Dewar AO, Vice Chancellor of La Trobe University, Dr Jamal Rifi AM, Mei Nee Cheong, General Manager Islamic Museum of Australia, Sam Dabboussy, Artist and the Hon. Tony Burke, Minister for Arts.*
- Animal Farm by Bloomshed Opening Night Performance – Northcote Town Hall
- NAIDOC Round at La Trobe University Hockey Club – Indigenous Guernsey
- Official Launch of Preston Bullants Junior Football Club Indigenous Guernsey
- Meeting with David Cvetkovski, President, Preston Lions Football Club
- 2 x Mayor's Event meetings
- Big Group Hug Children's Charity Organisation Event - Northern Bullants Fundraising Football Club
- Briefing with Bronwyn Ryan-Mercer

REPORT OF CR. SUSANNE NEWTON

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

- '10 years too bloody long: permanent visas for all now' Refugee Action Collective Victoria rally, marching with the Back your Neighbour campaign/Mayoral Taskforce Supporting People Seeking Asylum
- Weekly Councillor meetings
- Fortnightly meetings with Mayor
- Fortnightly meetings with Mayor and CEO
- Weekly Councillor briefing sessions
- Morocco v Jamaica - Women's World Cup 2023 Practice Game
- Jamaican Women's National Football Team welcome to Darebin
- Darebin Aboriginal Advisory Committee (DAAC) meeting
- Planning Committee meeting
- Northern Panthers Rugby Union NAIDOC week match and smoking ceremony
- Meeting with James Street residents about planning application
- Metropolitan Transport Forum (MTF) meeting
- Thread Together Clothing Hub launch, Northern Community Church
- Mayoral Taskforce Supporting People Seeking Asylum meeting
- Meeting with Ramona Barry, Art and Heritage Advisory Committee co-chair
- Williamson Community Leadership Program
- Bicycle Network Honan Women's Community Movie Night - screening of Motherload and panel discussion
- Friends of Baucau committee meeting

REPORT OF CR. EMILY DIMITRIADIS

Cr. Dimitriadis did not submit a report.

REPORT OF CR. GAETANO GRECO

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

- Council meeting
- Council Briefings
- Welcoming Cities Advisory Committee
- Residents meeting, re: traffic treatments
- Planning Committee Meeting
- Meeting with Italian community members
- Darebin Aboriginal Advisory Committee
- Weekly Councillor meetings

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. graffiti, traffic, parking, local history, organic waste recycling, footpaths, planning matters, solar panels, safety in parks, wood fire smoke
- Plastic Free July event in Fairfield Community Centre
- AAL NAIDOC Week flag raising
- Bundoora Homestead Arts Centre - Winter Season Opening Event Celebrating NAIDOC Week
- Welcoming Cities Advisory Committee
- Councillor briefings
- Councillor only meetings
- Planning Committee meeting
- Council ordinary meeting

REPORT OF CR. TIM LAURENCE

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

- Council meeting
- Planning meeting
- Councillor briefing
- Consultation with Homeless resident and CEO re support
- Attended Bundoora homestead koorie art exhibition
- Consultation with residents re animal control
- Azaad Sports club presentation
- Consultation with residents in East Reservoir on lead contamination
- Attended YES vote consultations in Thornbury and Preston

REPORT OF CR. TRENT MCCARTHY

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

- Weekly Councillor meetings
- Weekly Councillor briefing sessions
- Morocco v Jamaica - Women's World Cup 2023 Practice Game
- Darebin Aboriginal Advisory Committee (DAAC) meeting
- Planning Committee meeting
- NAGA Executive Officer recruitment
- Aboriginal Advancement League NAIDOC Flag Raising
- Aboriginal Advancement League NAIDOC Elders Lunch
- Climate Emergency Australia Executive Committee meeting
- Animal Farm Opening Night

REPORT OF CR. LINA MESSINA

Cr. Messina did not submit a report.

REPORT OF CR. SUSAN RENNIE

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

- Weekly Councillor meetings
- Weekly Councillor briefing sessions
- Jamaican Women's National Football Team welcome to Darebin
- Darebin Aboriginal Advisory Committee (DAAC) meeting
- Planning Committee meeting
- Thread Together Clothing Hub launch, Northern Community Church
- Friends of Baucau fundraising evening
- Inner North Community Foundation funding showcase at AAL
- Meeting with Advocacy Coordinator about MAV State Council
- AAL NAIDOC flag raising
- Animal Farm at NTH

10. ITEMS TO BE TABLED

10.1 AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION NATIONAL GENERAL CONFERENCE JUNE 2023

Mayor's Statement

In June, I led Darebin's delegation to Canberra to attend the Australian Local Government Association Conference. This year the conference was focused on the Future of Communities and how local governments play an essential role in all aspects. It was aptly named *Our Communities; Our Future*.

The delegation included Deputy Mayor Susanne Newton, Cr Rennie and Cr McCarthy. Council's Principal Advocacy and Government Relations Officer was also in attendance in the capacity to organise, brief and to accompany me at advocacy meetings with Senators and MPs.

Over the course of the week, I heard from the Prime Minister, the Federal Opposition Leader and a range of Ministers from the Government. As this was my first trip to ALGA, it was great to meet over 1,100 local government leaders from across Australia to share innovations to support public good and to speak to the Federal Government with one voice.

The Governor-General, His Excellency General the Hon. David Hurley, noted that councils were the level of Government that looked communities in the eye, and this really resonated with me. As a Darebin resident for nearly all my life, I have never felt more connected to the community in my role as Mayor. It was sobering to speak with leaders from across Australia who shared that same energy that I have for our community.

ALGA is body that represents Councils at a federal level. At the conference I was briefed about ALGA's ongoing advocacy for the Government to restore Financial Assistance Grants funding to a level equivalent to at least 1% of Commonwealth Taxation Revenue. Having just unanimously passed our Council budget under significant economic weight, I champion this priority. More access to federal grants is required for Council to deliver the services our community expects of us to in a timely, and efficient manner.

This is why I requested Council officers to secure meetings with Ministers, Senators, MPs and Departments. Although Ministers declined our meeting requests due to diary clashes, we were fortunate to meet with key Senators, MPs and Senior Department Officials to obtain insights, clarity, and willing partners in Canberra to help us secure more money for community-based projects.

At the Australian Council of Local Government Dinner, I briefly met the Prime Minister, and sitting next to me was the Deputy Prime Minister. I can confidently say the Deputy Prime Minister is a nice guy! And as a fellow Victorian, I was able to dive deeper into what our municipality is facing.

As part of our advocacy efforts I also met with the Chair, Deputy Chair and Committee members from the Federal Inquiry into the Cost-of-Living Crisis in Australia. It was essential to let committee members know that people in Darebin are feeling the pinch. Council has submitted our recommendations to the committee, and we look forward to further updates on our submission.

I also met with the Department of Infrastructure, Transport, Regional Development, Communication, and the Arts to discuss upcoming federal grants announced in the Federal budget. I provided the Department officers insights as to who we are as a council. I showcased the Darebin team who will be behind our future application, who attended via video link.

Finally, I would like to remind our community that Council is a member of the Mayoral Taskforce Supporting People Seeking Asylum. During the conference, Cr Rennie, Cr Newton, and I attended a stakeholder morning tea to recruit more members from across Australia to join the task force. It was fantastic to hear first-hand stories of people seeking asylum and the support that Government and MPs can offer people - some of who live and work in the City of Darebin.

As Mayor, I will continue to ensure that Council engages Ministers and MPs to ensure we obtain our fair share of funding, and to influence policy that drives great outcomes for the Darebin Community.

Council Resolution

MINUTE NO. 23-062

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

That the Mayors Statement in relation to the Australian Local Government Association National General Conference June 2023, is tabled for noting.

CARRIED**REFER TO MINUTE NO.23-059**

9.9 PROPERTY MATTERS

EXECUTIVE SUMMARY

This report relates to:

- 1) The commencement of the statutory procedures for the proposed discontinuance and sale of road adjoining the rear of 27 Zoe Circuit, Northcote, shown hatched in Figure 1 in **Appendix A**. This report recommends a further report be presented to Council to report on the findings of the advertising and community engagement process at which time Council would whether to endorse the proposed sale to the owners of 27 Zoe Circuit, Northcote.
- 2) The completion of the statutory procedures for the proposed discontinued road and sale of two roads and a reserve at the rear of 34 to 54 May Street and 29 to 47 Bayliss Street and adjoining 2 Clara Street, Preston, shown hatched in Figure 1 in **Appendix B**.

This report recommends Council endorse the discontinuance and sale of lots to adjoining landowners and vesting the balance of lots that remain unsold in Council's name, having:

- Given public notice of a proposal to discontinue and sell two 3.05m wide roads and a 0.17 to 0.30m wide reserve (revenge strip) at the rear of 34 to 54 May Street and 29 to 47 Bayliss Street and adjoining 2 Clara Street, Preston; and
- Received and heard the written and verbal submissions regarding the proposal at the meeting of Council's Hearing of Submissions Committee held on 13 June 2023; and
- Considered the submissions, acting under section 206 and clause 3(a) of Schedule 10 to the Local Government Act 1989.

Council Resolution

MINUTE NO. 23-063**MOVED: Cr. T McCarthy****SECONDED: Cr. T Laurence**Item 1: Sale of discontinued road adjoining 27 Zoe Circuit, Northcote**That Council:**

- (1) Commences the statutory procedures under section 206 and clause 3 of Schedule 10 to the Local Government Act 1989 to discontinue and sell the Road adjoining the rear of 27 Zoe Circuit, Northcote, shown hatched in Figure 1 in **Appendix A**, and section 114 of the Local Government Act 2020 to sell the land from the Road.
- (2) Gives public notice under section 223 of the Local Government Act 1989 and section 114 of the Local Government Act 2020 in the appropriate newspaper and on Council's website of the intention to discontinue the road and sell the land to the owners of 27 Zoe Circuit, Northcote, by private treaty and transfer to itself any land from the road not sold in accordance with Council's Sale of Minor Assets Policy May 2022.
- (3) Invites both written and verbal submissions on the proposed sale as part of its community engagement process and deal with any submissions received in line with the principles set out in section 223 of the Local Government Act 1989.
- (4) 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 September 2023 at 5:45pm.

- (5) Notes if no submissions are received, a further report be presented to Council to consider completion of the statutory procedures for the discontinuance and sale of the road to the owners of 27 Zoe Circuit, Northcote.
- (6) Notes that notwithstanding the present intention to sell the land to the owners of 27 Zoe Circuit, Northcote, in the event that submissions are received from other adjoining property owners or interested parties, Council reserves the right to reallocate the manner in which the land is to be sold in accordance with Council policy.

Item 2: Discontinuance and sale of two roads and a reserve at the rear of 34 to 54 May Street and 29 to 47 Bayliss Street and adjoining 2 Clara Street, Preston

That Council:

Having given public notice of a proposal to discontinue and sell two 3.05m wide roads and a 0.17 to 0.30m wide reserve (revenge strip) at the rear of 34 to 54 May Street and 29 to 47 Bayliss Street and adjoining 2 Clara Street, Preston, and having received and heard the written and verbal submissions regarding the proposal at the meeting of Council's Hearing of Submissions Committee held on 13 June 2023, and having considered the submissions:

- (1) Discontinues the roads and reserve at the rear of 34 to 54 May Street and 29 to 47 Bayliss Street and adjoining 2 Clara Street, Preston, shown hatched in Figure 1 in **Appendix B**, 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) Directs that the land from the roads and reserve be sold by private treaty to the owners of the adjoining properties in accordance with section 206 and clause 3(b) of Schedule 10 to the Local Government Act 1989 and section 114 of the Local Government Act 2020 and Council's Sale of Minor Assets Policy May 2022.
- (4) Authorises the Chief Executive Officer to sign all documents relating to the sale of any land from the discontinued roads and reserve to the owners of the adjoining properties by private treaty in accordance with Council's Sale of Minor Assets Policy May 2022.
- (5) 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.
- (6) Notes that procedures will be undertaken pursuant to part 4 of the *Planning and Environment Act 1987* and sections 24A and 35(8) of the *Subdivision Act 1988* to vest the reserve in Council, remove (discontinue) reserve status from the reserve and subdivide the land from the reserve and discontinued road.
- (7) Directs officers to notify each person who lodged a submission in relation to the proposal of Council's decision and the reasons for the decision as follows:
 - a) The section of the roads and reserve in Council's opinion, is not reasonably required for public use.
 - b) The formal discontinuance and subsequent sale of the land from the roads and reserve in accordance with Council policy is consistent with the current physical status of the land and formalises actions to occupy and use the land taken in the past by the majority of owners.
 - c) The proposal affords those owners who have expressed interest in the land with an opportunity of gaining title to the land which they have occupied/used for many years.

CARRIED

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

Abstained: Cr. Rennie (1)

11. NOTICES OF MOTION

Nil.

12. URGENT BUSINESS

12.1 EDWARDES LAKE DOG OFF LEASH ISSUES

Cr. Newton sought leave of the Council to admit an Item of Urgent Business onto the agenda.

Leave was granted.

PROCEDURAL MOTION TO ADMIT AN ITEM OF URGENT BUSINESS

Council Resolution

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

That Council admit the Urgent Business Item 12.1 Edwardes Lake Dog Off Leash Issues onto the agenda to be considered.

CARRIED

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

Council Resolution

MINUTE NO. 23-064

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

That Council:

- (1) Notes with grave concern the dog attack at Edwardes Lake that resulted in the death of Mabel the Swan
- (2) Calls for a report ASAP to implement the following:
 - a. Three park patrols at Edwardes Lake per week
 - b. Officers who conduct park patrols are to provide education to dog owners about responsible pet ownership
 - c. Officers will issue fines to dog owners who fail to display behaviours of responsible pet ownership (off leash-dog, uncontrolled leashed dogs, failing picking up after their dog, failing to carry poo bags)
 - d. Inform the community about the patrols, education and fines through signs at Edwardes Lake Park and Council's social media accounts.

CARRIED

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

13. CONSIDERATION OF REPORTS CONSIDERED CONFIDENTIAL

Nil.

14. CLOSE OF MEETING


The meeting closed at 10.16pm.

**CITY OF
DAREBIN**

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

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