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MINUTES OF THE ORDINARY COUNCIL MEETING

Held on Monday 28 August 2023

RELEASED TO THE PUBLIC ON 31 AUGUST 2023

LIVE STREAMING OF THE COUNCIL MEETING WAS MADE AVAILABLE ON
[COUNCIL'S WEBSITE.](#)



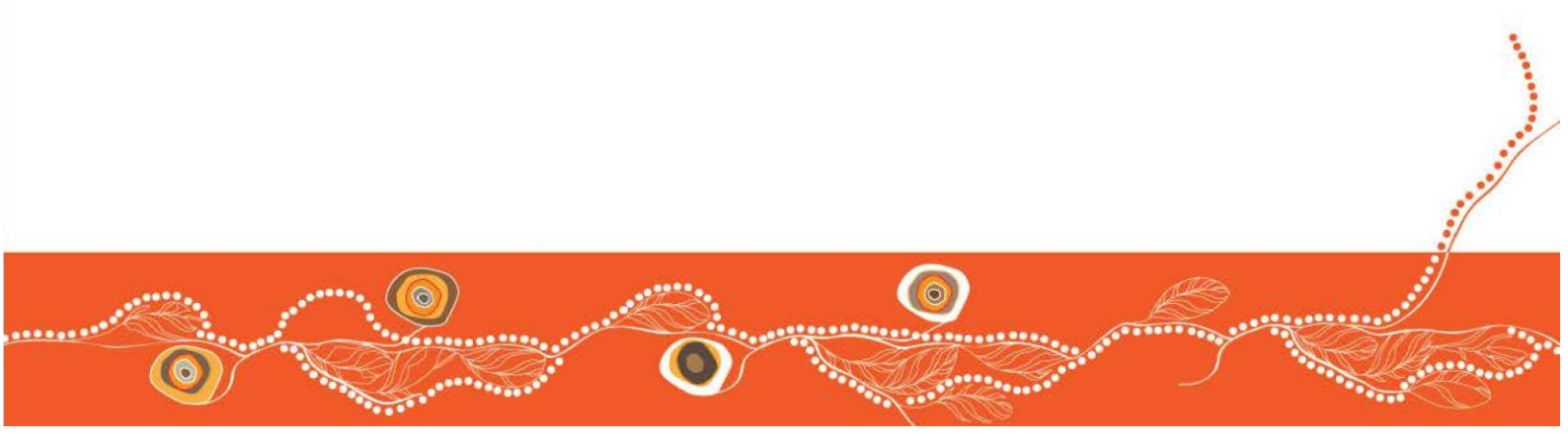
ACKNOWLEDGEMENT OF TRADITIONAL OWNERS AND ABORIGINAL AND TORRES STRAIT ISLANDER COMMUNITIES IN DAREBIN

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

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

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

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



English

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

Arabic

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

Chinese

这些是市议会会议纪要。如需协助了解任何纪要项目，请致电8470 8888。

Greek

Αυτά είναι τα Πρακτικά της συνεδρίασης του Δημοτικού Συμβουλίου. Για βοήθεια με οποιαδήποτε θέματα στα πρακτικά, παρακαλείσθε 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 28 AUGUST 2023

THE MEETING OPENED AT 6:02PM

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

1. OPENING OF MEETING AND MEMBERSHIP

Councillors

Cr. Julie Williams (Mayor) (Chairperson)
Cr. Susanne Newton (Deputy Mayor)
Cr. Emily Dimitriadis (arrived 6:15pm)
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
Tarnya McKenzie - 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 Governance and Communications
Bobbie-Lea Bright – Head of Governance and Risk

2. ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

The Chairperson, Mayor Williams, made the following statement:

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

3. APOLOGIES

Nil

4. DISCLOSURES OF CONFLICTS OF INTEREST

The CEO, Peter Smith, declared an 'interest' in Item 9.6. Governance Report – August 2023, as the report notes that he is attending a conference on behalf of Council, and noted that it was not a "conflict of interest".

5. CONFIRMATION OF THE MINUTES OF COUNCIL MEETINGS

Council Resolution

MINUTE NO. 23-068

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

That the Minutes of the Ordinary Meeting of Council held on 24 July 2023 be confirmed as a correct record of business transacted.

CARRIED UNANIMOUSLY

6. COUNCIL'S OCCUPATIONAL HEALTH AND SAFETY RESPONSIBILITIES

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

7. QUESTION AND SUBMISSION TIME

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

- **Jacqueline Saunders-Petty**

1. Can Darebin Council confirm that facial recognition surveillance has been implemented in the suburbs under Darebin Council and if so, how did Darebin council go about getting this approval and permission from the residents?
2. If so, what is the purpose of such surveillance?
3. Has Darebin Council sought the views of the residents about the installation of such surveillance equipment and explained their purpose and financial expenditure costs involved with installing these devices?

Response from General Manager Operations & Capital

1. **Thank you for your questions, Jacqueline. We have received and responded to similar questions at a recent Council meeting and the minutes of the meeting provide responses on the public record.**

Council does not use facial recognition or number plates technology in its activities or operations.

What Council does use is a range of photo and video technologies such as CCTV cameras on buildings, bodycams worn by some staff, or dashcams on enforcement vehicles. None of those activities use facial recognition technology.

2. **The main purposes of using the camera technologies that Council uses are to ensure safety and security of people and property, and for enforcement activities which rely on collecting suitable evidence.**
3. **Council hasn't recently consulted community about use of various technologies. We have established a Surveillance Systems Policy to ensure our practices align with various State and Federal obligations. This is available on Council's website to provide community with transparency about Council's approach.**

- **Vasilios Tsalkos**

1. What was the amount of rate payers money that was spent to send councillors to the ALGA National conference (\$ value)
2. What percentage of their trip total cost was paid for (% value)?
3. Will council be reimbursed a percentage of the cost of travel by councillors that attended a political party dinner on rate payers' money?

Response from General Manager City Sustainability and Strategy

Thank you for your questions today, Vasilios.

1. **Council paid for four Councillors and one officer to attend the Australian Local Government Association Conference between 12- 16 June.**

Council's total cost for the conference and connecting with government officials was \$14,687.93, which includes airfares, accommodation, and conference registration.

During the trip, productive meetings were held with several Senators and advisers to discuss and advocate for Council priorities. The Mayor's Statement presented at last month's Council meeting provides more detail.

2. As per convention across the local government sector, Council fully funded councillors and an officer to attend the Australian Local Government Conference, and to lobby for Council's advocacy priorities.

An estimated 500 Councils from across Australia were in attendance.

3. Council funded the costs associated with official ALGA events and meetings and Councillors were responsible for planning their activities outside of this agenda.

- **Sam Bolton**

1. Can the council provide an update on the progress of further investigations of traffic calming to improve cycling and pedestrian safety along Cramer Street (West) since deciding not to proceed with the proposed pinch points on 26 April 2021?
2. Can council confirm the exact route proposed for the Strategic Cycling Corridor along Cramer St outlined in the City of Darebin Strategic Transport Framework Plan?
3. Can council provide an update on its advocacy for a new pedestrian crossing at Elizabeth Street and Raymond Street?

Response from General Manager City Sustainability and Strategy

Thank you for your questions, Sam

1. The Your Street, Your Say project for the Group A area, including Cramer Street (West) did not prioritise any treatments for design and delivery. This is due to the effect the James Street road closure has had on reducing traffic volumes, and a planned speed reduction to 40 km/hour in this area, which will be delivered this year.

It is intended to engage the Preston West area as part of the Group A Your Street, Your Say project again to identify other priorities in the 2024/25 financial year.

2. All of Cramer Street is on the Strategic Cycling Corridor.
3. The crossing of Elizabeth Street near Raymond Street and Goff Street continues to be an advocacy priority for Council.

We have been advised by the Department of Transport and Planning that this project has been added to the pipeline of projects that will be considered for development funding in the 2024/25 financial year.

- **Belinda Lloyd of Reservoir**

1. How many patrols of Edwardes Lake (to ensure dogs are on lead) have occurred since the last council meeting, and of these how many have resulted in a fine being issued?
2. When will increased and improved signage be implemented at Edwardes Lake (for dogs to be on lead)?

Response from General Manager City Sustainability and Strategy

Thank you for your questions, Belinda.

1. The Local Laws Team has increased park patrols since the end of July:
 - 37 Patrols, including 1 that was undertaken today
 - no infringements have been issued
 - several verbal warnings were issued
 - levels of compliance have increased, due to the increased presence of local laws officers at the park.

Park Patrols will continue, as well as 7-day week Animal Management Compliance Services provided to our community.

2. I can confirm that a total of 9 new signs will be installed at the site this week. The sign locations have been identified by Local Laws in conjunction with our Bushland Management Team and will also include the Edgars Creek wetland immediately north of Edwardes Lake

- **Harry Cadle**

1. A number of years ago, council had a meeting at the bowls venue and a commitment was made to put a speed hump across Raleigh St at the intersection, with Victoria Rd. Similar to the one at Clarendon St. When will that be constructed?
2. The storm water drain on Raleigh St. at the intersection with Victoria St continually blocks when there is a heavy rain. Thus, it causes a large lake. Can the drainage gate be enlarged and the pipe be replaced? Pictures will be forwarded.

Response from General Manager City Sustainability and Strategy

Thank you for your question, Harry:

1. A splitter Island was identified through the Clarendon Area Local Area Traffic Management Study in 2019. The Your Street, Your Say program is currently investigating transport need for this area, and this program will identify transport construction priorities.

Response from General Manager City Operations and Capital

2. Thanks for making Council aware of this issue Harry, we will follow this matter through and respond to you directly.

Officers have conducted a preliminary review of the drainage network at the intersection of Raleigh and Victoria Streets and have observed that there are both Council owned assets and Melbourne Water main drains at this location. Council officers have registered this issue and will conduct further investigations to understand the nature of the problem and the root causes. We welcome your offer to send photographs which will help our investigations.

- **Carmen Muscat of Thornbury**

1. What are the full implications for ratepayers and residents of council declaring a climate emergency? Include monetary costs as well as loss of freedom or further restrictions for residents.
2. Will this likely include increases in fees, charges and rates?
3. Can council categorically declare that the declaration of a climate emergency will not lead to travel restrictions, road closures, increased fees or rates, increased surveillance, further parking restrictions or restrictions in private vehicle ownership or use?

Response from General Manager City Sustainability and Strategy

Thank you for your questions, Carmen.

1. **There is no cost to declare a Climate Emergency.**

Responding to climate emergency remains a priority for Council, and this is why 'continuing to lead with our response to the climate emergency' is one of the 10 Big Actions in the Council Plan.

This year funded actions include Solar Saver Program at \$200,000, finalising the Climate Emergency Plan at \$30,000 and a number of operating initiatives, which has an allocated \$30,000 budget.

2. **Fees, charges and rates are developed and considered through Council's annual budget cycle, and community engagement is an important part of the process.**

A broad range of factors are considered when setting the Council Budget. In June, Council adopted the revised 10 Year Financial Plan, and you can read this by visiting our website.

3. **The 2016 Darebin Climate Emergency Declaration has not directly led to travel restrictions, road closures, increased surveillance, further parking restrictions or restrictions on private vehicle ownership.**

The 2016 Declaration has not directly led to increased rates, fees and charges. As I noted above, Council does allocate budget to deliver climate initiatives.

The climate is changing, and we have and will continue to experience increased extreme weather events like bushfires and flooding. When an emergency like a flood occurs, deploying the Emergency Management Plan may require roads to be closed and restricted travel for a temporary period to ensure we keep the community safe.

There were a number of similar public questions submitted in relation to protecting the significant old growth trees at La Trobe University Campus. 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. Nina Kerr
2. James Shugg
3. Catherine Rouse

Nina Kerr's questions were then read out, as these were the first questions to be submitted on this topic.

1. Why hasn't Darebin City Council made the planning application to remove the significant pre-European tree at La Trobe University Campus open to public notice yet, considering 950 people, most of who work and live in Darebin or study at La Trobe have signed a petition to save this Tree?
2. Why wasn't the planning permit application to remove the River Red Gum at La Trobe made open to public notice in the first place?
3. Do Councillors know that there is apparently no proposal, presented by any of the parties, which seeks to protect this venerable tree because it appears that La Trobe University's proposal entails transitioning the River Red Gum to a stump with the loss of the vast majority of the tree's exceptional benefits and heritage values?

Response from General Manager City Sustainability and Strategy

Thank you for the questions, Nina, and also to James and Catherine for your questions.

Because you have asked similar questions, I will answer all questions now.

1. Council has not yet put the application on notice, because Council is waiting on further information. After we receive this information, the application will formerly be put on notice.

The public can lodge a formal objection to the planning permit application any time up until when a decision is made, and objections can be lodged now.

The petitions received have been lodged as objections to the application.

2. While Council is yet to be notified of any application for listing of the River Red Gum on the National Trust's Register of Significant Trees, if asked Council will consider any application in line with its Council Plan commitment to "regenerating, enhancing and protecting ecosystems and biodiversity".
3. Regarding what Council is doing to protect this tree - this tree and many others are already protected through Clause 52.17 of the Darebin Planning Scheme which applies to native vegetation removal. This standard provision within all Victorian planning schemes.

As the Responsible Authority, Council will consider the planning application in accordance with the Darebin Planning Scheme

In addition to the vegetation requirements of the Darebin Planning Scheme, Council's local law protects significant trees, including this tree.

Earlier in August, Latrobe University announced that, "...following Honeywell's application for a planning permit from Darebin Council to remove the tree, as owner of the land on which the tree is located, La Trobe has denied permission for the tree to be removed.

You can find this statement by visiting the News section on LaTrobe's website.

- **Angelique Matias**

1. What are your plans for improving the interaction of Council members and the local community into your meetings? Currently there is no adequate debate and is limited to submitted questions. This generally leads to the community members feeling shut down and disappointed.
2. You are currently only allowing community members who submit questions to be included in the council meetings which does not show your commitment or inclusivity to the local citizens. Is this going to change? If so when?

Response from General Manager Governance and Engagement

Thank you for your questions, we have collated our response to address both of your questions.

Our meetings are run in accordance with our Governance Rules which were adopted following community consultation.

The practice of submitted questions is standard practice across the local government sector and enables officers the opportunity to gather information to provide responses to questions from the community at the meeting.

Everyone is welcome to attend our Council meetings which are also live streamed and promoted through our website and social media.

Thank you for feedback which will be taken into consideration during the next review of the Governance Rules.

- **Serena O'Meley**

1. Please clarify whether finalisation of the acquisition of three parcels of land within Clements Reserve is contingent upon discontinuing Blenheim Avenue, which is situated within the park?
2. Now that negotiations between the Department of Transport and Darebin Council have been completed for three parcels of land within Clements Reserve - and consistent with council's transparency obligations - can you please disclose to the community the sale price of the land?
3. During a site meeting in April 2023 between Friends of Wat Ganbo Park and Darebin Council staff, we discussed the need for in-fill planting around the playground this season to replace plants that had failed. Can you give a progress report on this planting?

Response from General Manager Operations and Capital

Thank you for your questions, Serena.

1. **No, the finalisation of the acquisition of the three parcels from the Department of Transport and Planning is not contingent upon discontinuing Blenheim Avenue.**
2. **I need to clarify that negotiations have not yet been completed and as such I am not yet able to share the purchase price.**

The latest update is that Council has received the draft Contract of Sale from the Department of Transport and Planning and that this document is currently being reviewed by Council's solicitor.

3. **The team have scheduled in-fill planting for the next 2-3 weeks to meet the need for hardy vegetation at this site, the plan is for several appropriate indigenous species to be planted in clusters.**

- **Sean Nettleton**

1. Opposite -262 Wingrove St, Fairfield on Council controlled VicTrack land, fake grass was set up with for a number of years with Darebin's full knowledge as it was reported to Darebin a number of times, the fake grass has been removed but the area is now a dustbowl. Can Darebin please provide a timeline on when the area will be rehabilitated after the fake grass allowed by Darebin was removed?
2. This question included terms which could offend or trigger members of the community. The question related to whether Darebin provides support, promotion, high level advice or engagement to groups that use notorious figures or groups outside of the historical context such as for comedic effect?

Response from General Manager Operations and Capital

Thanks for your questions, Sean.

1. **The majority of the land you are referring to is owned and managed by VicTrack, and VicTrack are the best contact point to discuss improvements on their land. Council does have a small section currently under its maintenance control.**

In regards to this section, given the site is level, safe and accessible there are no plans for rehabilitation works at this point in time.

Response from General Manager Governance and Engagement

2. **We understand this question relates to a recent post made by a small community group interested in protecting the Preston Market. Council's only alignment with this group is its well-documented commitment to ensuring the market is protected as a thriving fresh food market.**

PROCEDURAL MOTION TO EXTEND PUBLIC QUESTION TIME

Council Resolution

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

6:37pm - That Council extend public question time for 30 minutes.

CARRIED UNANIMOUSLY

- **John Nugent**

1. Could you please advise why are all the Customer Service areas closed over the Christmas period? And why should ratepayers and customers be disadvantaged over this period, just because it's a quieter period?
2. When can the residents/customer, ask their question from the floor without submitting their question prior to the council Meeting?
3. Could you please advise why no junior clubs were given any free lights or upgraded at Donath and Dole Reserves? Only senior clubs received them.

Response from General Manager Governance and Engagement

Thank you for the questions, John.

1. Our Customer Service Centres close for the main days between the Christmas and New Year period, which are traditionally very quiet times.

While our Service Centres are closed, our call centre remains operational where customers and ratepayers can process payments, access information and submit requests.

Our website also provides a range of self-serve options for the convenience of our customers.

2. As has been answered in a previous question, our meetings are run in accordance with our Governance Rules which were adopted following community consultation.

The practice of submitted questions is standard practice across the local government sector and enable officers the opportunity to gather information to provide responses to questions from the community at the meeting.

Everyone is welcome at our Council meetings which are also live streamed and promoted through our website and social media.

Thank you for feedback which will be taken into consideration during the next review of the Governance Rules.

Response from General Manager Community

3. Thank you for your question, John – we will need to take this question on notice and come back to you as soon as we can.

- **Annette Sinclair**

1. I would like to know if the council is aware of the prices of Reservoir Leisure Centre doubling since 1st July?
2. What can the council do about these extreme charges?
3. I've noticed a lot of rubbish lying around our neighbourhood, when will you take responsibility for the rubbish in our area?

Response from General Manager Community

Thanks for your questions, Annette.

1. & 2. For the past two financial years, Council applied a further 50% price reduction to some concession fees in recognition of the impact of the pandemic on our community. Those concession fees have now returned to their normal discounted price, which is why they are showing as a 100% increase.

Response from General Manager Operations and Capital

3. Thank you, in regard to the rubbish Council have different ways to deal with rubbish in the community, depending on whether it's on the nature strip or whether it's in someone's private property we have different approaches that we use. One of the really helpful things that our community can do is tell us about specific things as we don't see all of it every day so it's really helpful to report particular issues through us through our customer service centre. We have the

details from your question today, we will follow up on those 2 sites you have told us about but I will invite you or your neighbours or if there's others that you're worried about to let us know about the specific site so we can follow them up.

- **Niki Konstantinidis**

1. Which particular legislation rules or regulations allow Darebin council to go beyond the rates cap and charge a separate public waste service rate?
2. How is the above discriminatory rate justified (not charging it in respect of properties that are over a particular value)?
3. When will Darebin council be audited by external auditors so that residents get true transparency and accountability?

Response from General Manager Governance and Engagement

Thank you for your questions, Niki.

1. **Darebin's Waste Charge has been established in accordance with the Local Government Act. There is some good information about how the rates cap works in Victoria on Local Government Victoria's website and this includes what the rates cap covers and what it doesn't cover.**
2. **Council can only charge a waste charge to properties that receive a Council waste and recycling service.**
3. **Council is audited annually by the Victorian Auditor General Office.**

- **Annette Kalkbrenner**

1. Why are developers being allowed to not adhere to the Planning and Environment Act in regards to not correctly advertising or notifying neighbours?
2. Why are Darebin Council arborist not consistently following Australian Standards in tree Protection and Structural root zones and deferring to what the developers will agree to in considering planning permits?
3. Statistically I would like to know the number of questions that have answers deferred and successfully answered as promised?

Response from General Manager City Sustainability and Strategy

1. **Thank you for your question. All developers are required to comply with requirements of the Planning and Environment Act.**

Response from General Manager Operations and Capital

2. **Thank you for the question, Annette. I am aware that you have a concern with the way a particular planning permit application was reviewed by Council's arborist.**

This matter has been subject to a full investigation which the GM City Sustainability and Strategy has contacted you about. I am confident that the case was thoroughly reviewed by a senior and independent arborist, and that they considered the appropriate standards and applicable requirements. I understand the outcomes of the investigation are not what you were hoping for.

Our aim is to always be consistent in how we apply the relevant standards. If there are other matters that you have concerns about please let me know and we will investigate.

Response from General Manager Governance and Engagement

3. The majority of public questions are answered on the night and those that are taken on notice are documented in the minutes of the following Council meeting.

8. PETITIONS

Nil

9. CONSIDERATION OF REPORTS

9.1 COMMUNITY COMPLAINTS ABOUT A COUNCILLOR POLICY

Submissions

Serena O'Meley made 2-minute submissions in relation to Item 9.1 Community Complaints about a Councillor.

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 Seniors' Club during the month of June 2023 and further community feedback received at the Council meeting on 24 July 2023.

Officer Recommendation

That Council:

- (1) Adopts the Community Complaints about a Councillor Policy attached at **Appendix A** to this report.
- (2) Endorses that complaints can be received and considered under the policy about Councillor behaviour that has occurred no later than 3 months **preceding the date** the policy is adopted by Council or **12 months** for serious misconduct, in alignment with the Councillor Code of Conduct.

With leave of the Chairperson, the CEO advised that the officer recommendation had been amended as follows:

Amended Officer Recommendation

That Council:

- (1) Adopts the Community Complaints about a Councillor Policy attached at Appendix A to this report.
- (2) Endorses that complaints can be received and considered under the policy about Councillor behaviour that has occurred no later than 3 months preceding the date the policy is adopted by Council or 12 months for serious misconduct, in alignment with the Councillor Code of Conduct.
- (3) **Adjusts the policy to make it clear that complaints need to be lodged within 3 months of the alleged behaviour occurring or 12 months for serious misconduct in alignment with the Councillor Code of Conduct.**
- (4) **Authorises the CEO to make minor editorial amendments to the policy to provide clarity as required.**

Motion

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

That Council:

- (1) Adopts the Community Complaints about a Councillor Policy attached at Appendix A to this report.
- (2) Endorses that complaints can be received and considered under the policy about Councillor behaviour that has occurred no later than 3 months preceding the date the policy is adopted by Council or 12 months for serious misconduct, in alignment with the Councillor Code of Conduct.
- (3) Adjusts the policy to make it clear that complaints need to be lodged within 3 months of the alleged behaviour occurring or 12 months for serious misconduct in alignment with the Councillor Code of Conduct.
- (4) Authorises the CEO to make minor editorial amendments to the policy to provide clarity as required.

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

Council Resolution**MINUTE NO. 23-069**

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

That Council:

- (1) Adopts the Community Complaints about a Councillor Policy attached at Appendix A to this report.
- (2) Endorses that complaints can be received and considered under the policy about Councillor behaviour that has occurred no later than 3 months preceding the date the policy is adopted by Council or 12 months for serious misconduct, in alignment with the Councillor Code of Conduct.
- (3) Adjusts the policy to make it clear that complaints need to be lodged within 3 months of the alleged behaviour occurring or 12 months for serious misconduct in alignment with the Councillor Code of Conduct.
- (4) Authorises the CEO to make minor editorial amendments to the policy to provide clarity as required.

CARRIED UNANIMOUSLY

9.2 **2022-23 Q4 PERFORMANCE REPORT (NON-FINANCIAL)
ENDING 30 JUNE 2023**

EXECUTIVE SUMMARY

Council is required by the *Local Government Act 2020* (the Act) to prepare a Council Plan containing the strategic objectives of Council, strategies for achieving those objectives, and indicators to monitor the achievements of those objectives.

The 2022-23 Quarter Four (Q4) (April – June 23) Performance Report includes progress of the Council Plan Action Plan (CPAP), Capital Works Program, Council Resolutions and Procurement (**Appendix A**). The 2022-23 Council Plan Action Plan provides an overview of Council's performance in delivering the year two actions that will contribute to the completion of the four-year strategic actions in the Council Plan 2021-25.

Overall, the Q4 results indicate that the organisation has achieved a result of 68.8% (139 of 202) actions complete in the 2022-23 Council Plan Action Plan detailed in **Appendix A**. Prior quarterly performance reports identified some risk in deliverability of the full 2022-23 Council Plan Action Plan.

A comprehensive review of the Council Plan occurred during Q3. This review was driven by a change in Council's financial position and the need to re-baseline the Council Plan. This review resulted in refocusing the Council Plan on what can realistically be delivered in the next two years, within financial constraints. This should have a positive impact on CPAP delivery in future years.

Council Resolution

MINUTE NO. 23-070

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

That Council:

- (1) Endorses the 2022-23 quarter four Performance Report 2022-23 including Council Plan Action Plan Progress at **Appendix A**.
- (2) Notes the quarter four update of the Capital Works program at **Appendix A**.
- (3) Notes the quarter four update on Council Resolution and Planning Committee Resolution contained within this report.
- (4) Notes the quarter four Procurement update contained within this report.

CARRIED UNANIMOUSLY

9.3

DRAFT BORROWING POLICY

EXECUTIVE SUMMARY

The purpose of this Report is to seek Council approval of the new Borrowing Policy that aligns to the 2023/24 Annual Budget and the 2023/24 – 2032/33 Long-Term Financial Plan as adopted by Council on 26 June 2023.

Council Resolution

MINUTE NO. 23-071

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

That Council:

- (1) Notes that the draft Borrowing Policy incorporates feedback provided by the Audit and Risk Committee; and
- (2) Adopts the Borrowing Policy at **Appendix A**.

CARRIED UNANIMOUSLY

**9.4 DECLARATION OF A SPECIAL CHARGE: SOLAR SAVER
ROUND 4.2 (BATCH 2)**

EXECUTIVE SUMMARY

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

There are 33 installations enabled through this special charge declaration batch. The value of this proposed Special Charge scheme is \$224,385.20 excl. GST. This price is calculated pre-rebate, but after STC claim and excl. GST. (The gross amount, pre-rebate, pre-STC and incl. GST is \$315,727.72). If all expected rebates are provided, the Special Charge amount is \$183,658.16 ex GST (after the Small Technology Certificate (STC) claim and Solar Victoria rebate).

Council will pay upfront for installation and supply of the solar power systems and split systems at properties as listed in Appendix A. Council will be repaid these costs, as detailed in confidential Appendix B. Around 30-40% of the gross cost is returned to Council at the point that works are invoiced for the STCs generated by the solar systems. Most participants are eligible for State Government rebates, and this will reduce the upfront cost to Council and the amount of the Special Charge that will be raised. This is estimated to be \$40,727.04 excl. GST.

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

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

Council Resolution

MINUTE NO. 23-072**MOVED: Cr. T McCarthy****SECONDED: Cr. S Rennie****That Council:**

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

- ii. Arises out of Council's functions of advocating and promoting proposals which are in the best interests of the community and ensuring the peace, order and good government of Council's municipal district.
 - c) The total:
 - i. Cost of performing the function described in paragraph 1(b) of this resolution is \$224,385.20; and
 - ii. Amount for the Special Charge to be levied is \$224,385.20, or such other amount as is lawfully levied as a consequence of this resolution.
 - d) The Special Charge is declared in relation to all rateable land described in the table included as confidential Appendix B to this report, in the amount specified in the table as applying to each piece of rateable land.
 - e) The following list is specified as the criteria that form the basis of the Special Charge so declared:
 - i. Ownership of any land described in paragraph 1(d) of this resolution.
 - f) The following is specified as the manner in which the Special Charge so declared will be assessed and levied:
 - i. A Special Charge calculated by reference to the size of the solar energy system being installed and the particular costs of installation at each property participating in the Solar Saver scheme, in respect of which an Agreement has been executed, totalling \$224,385.20 for the residential batch, being the total cost of the scheme to Council.
 - ii. To be levied each year for a period of 10 years.
 - g) Having regard to the preceding paragraphs of this resolution and subject to section 166(1) of the Act, let it be recorded that the owners of the land described in paragraph 1(d) of this resolution will pay the Special Charge in the amount set out in paragraph 1(f) of this resolution in the following manner:
 - i. Payment annually by a lump sum on or before one month following the issue by Council of a notice levying payment under section 163(4) of the Act; or
 - ii. Payment annually by four instalments to be paid by the dates which are fixed by Council in a notice levying payment under section 163(4) of the Act.
- (2) Considers that there will be a special benefit to those required to pay the Special Charge *because* there will be a benefit to them that is over and above, or greater than, the benefit that is available to those who are not subject to the proposed Special Charge, as a result of the expenditure proposed by the Special Charge, in that the properties will have the benefit of a solar energy system being installed.
- (3) For the *purposes* of having determined the total amount of the Special Charge to be levied:
- a) Considers and formally records that only those rateable properties included in the Solar Saver scheme as proposed will derive a special benefit from the imposition of the Special Charge, and there are no community benefits to be paid by Council; and
 - b) Formally determines for the purposes of section 163(2)(a), (2A) and (2B) of the Act that the estimated proportion of the total benefits of the Special Charge to which the performance of the function or the exercise of the power relates (including all special benefits and community benefits) that will accrue as

special benefits to those who are liable to pay the Special Charge is 100%.

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

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

CARRIED UNANIMOUSLY

9.5 PROPERTY MATTERS - SALE OF MINOR ASSETS

EXECUTIVE SUMMARY**For Item 1:**

The commencement of the statutory procedures for the proposed discontinuance and vesting of unused roads, forming part of Clements Reserve, otherwise shown hatched on the site plan shown hatched in Figure 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 consider whether to endorse the proposed discontinuance and vesting of title in Council's name.

For Item 2:

The Chief Executive Officer's acceptance to sell the land, known as Lot 4 on Title Plan TP023764B, to the owner of 9 Kelvin Grove, Thornbury for \$29,700.00 (incl GST), as per Council's resolution on 24 April 2023.

Officer Recommendation

Item 1: Discontinuance of road within Clements Reserve, Reservoir

That Council:

- (1) Commences the statutory procedures under section 206 and clause 3 of Schedule 10 to the Local Government Act 1989 to discontinue part of an unused road known as Blenheim Avenue, within Clements Reserve, Reservoir, shown hatched in Figure 1 in **Appendix A**, and to take title to the land from the unused road.
- (2) Gives public notice under section 223 of the Local Government Act 1989 in the appropriate newspapers and on Council's website of the intention to discontinue the road and to take title to the land in accordance with Council's Community Engagement Policy 2022 and Sale of Minor Assets Policy May 2022.
- (3) Invites both written and verbal submissions on the proposed discontinuance and transfer of land into Council's name 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 9 October 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 transfer of the road into Council's name.

Item 2: Sale of discontinued road adjoining 9 Kelvin Grove, Thornbury

That Council

- (1) Notes the matter of the sale of Lot 4 on Title Plan TP023764B, to the owner of 9 Kelvin Grove, Thornbury, has been completed under delegation by the CEO in accordance with Council's resolution on 24 April 2023.

With leave of the Chairperson, the motion was voted on in two parts as follows:

Council Resolution**MINUTE NO. 23-073**

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

Item 1: Discontinuance of road within Clements Reserve, Reservoir

That Council:

- (1) Commences the statutory procedures under section 206 and clause 3 of Schedule 10 to the Local Government Act 1989 to discontinue part of an unused road known as Blenheim Avenue, within Clements Reserve, Reservoir, shown hatched in Figure 1 in Appendix A, and to take title to the land from the unused road.
- (2) Gives public notice under section 223 of the Local Government Act 1989 in the appropriate newspapers and on Council's website of the intention to discontinue the road and to take title to the land in accordance with Council's Community Engagement Policy 2022 and Sale of Minor Assets Policy May 2022.
- (3) Invites both written and verbal submissions on the proposed discontinuance and transfer of land into Council's name 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 9 October 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 transfer of the road into Council's name.

CARRIED UNANIMOUSLY**Council Resolution****MINUTE NO. 23-074**

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

Item 2: Sale of discontinued road adjoining 9 Kelvin Grove, Thornbury

That Council:

- (1) Notes the matter of the sale of Lot 4 on Title Plan TP023764B, to the owner of 9 Kelvin Grove, Thornbury, has been completed under delegation by the CEO in accordance with Council's resolution on 24 April 2023.

CARRIED UNANIMOUSLY

9.6

GOVERNANCE REPORT - AUGUST 2023

The CEO, Peter Smith, noted his in 'interest' in Item 9.6. Governance Report – August 2023, as the report notes that he is attending a conference on behalf of Council, and confirmed that it was not a 'conflict of interest'. The CEO advised that he would provide a report upon his return to Councillors around how his learnings will be applied at Darebin.

Cr. McCarthy noted an 'interest' in this item, given that his name is mentioned in relation to his recent appointment to the Board of Climate Emergency Australia, and confirmed that this was not a 'conflict of interest'.

EXECUTIVE SUMMARY

- Summary of Advisory Committees, Councillor Briefing and other informal meetings of Councillors (**Appendix A**).
- Reports by Mayor and Councillors.
- Responses to public questions taken on notice at the Council Meeting held on 24 July 2023 (**Appendix B**).
- Councillor Expenses Report for the quarter from 1 April to 30 June 2023 (**Appendix C**) to this report.
- Adjustments to the allowances payable to Mayors, Deputy Mayors, and Councillors.
- Annual adjustments to the fees payable to the Independent Chair and Independent Members of the Audit and Risk Committee.
- The invitation to the CEO to represent Darebin at the Petaling Jaya International Art Conference 2023—from the 1st Asia Pacific Youth Folklore Festival, held in collaboration with the Petaling Java City Council, Eastern Regional Organisation for Planning and Housing, Malaysian Association of Town Planners of Local Authorities on 23-24 September 2023.
- Cancellation of Planning Committee meeting scheduled on 11 September 2023.

**Amended Officer
Recommendation****That Council:**

- (1) Note the Governance Report – August 2023.
- (2) Note the Summary of attendance at Councillor Briefings 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 the response to questions taken on notice during Public Question Time at the Council Meeting held on 24 July 2023 at **Appendix B** to this report.
- (5) Note the Councillor Expenses Report for the quarter from 1 January to 31 March 2023 at **Appendix C** to this report.
- (6) Note that on 8 December 2022 the Victorian Independent Remuneration Tribunal made a determination providing for an annual adjustment of 1.5% to the values of the allowances payable to Mayors (\$124,469), Deputy Mayors (\$62,235), and

Councillors (\$37,565) effective from 18 December 2022.

- (7) Note that on 30 June 2023 the Victorian Independent Remuneration Tribunal made a determination providing for an adjustment of 2% to the values of the allowances payable to Mayors (\$126,958), Deputy Mayors (\$63,480), and Councillors (\$38,316) effective from 1 July 2023.
- (8) Note that on 30 June 2023 the Victorian Independent Remuneration Tribunal made a determination providing for an adjustment of 2% to the values of the allowances payable to Mayors (\$130,390), Deputy Mayors (\$65,195), and Councillors (\$39,390) effective from 18 December 2023.
- (9) Endorse an increase in the fees for independent members of the Audit and Risk Committee, based on the rate cap of 3%, from 1 July 2023 to \$2,182.71 per quarter for the Independent Chair and \$1,720.95 per quarter for the Independent Members in accordance with provisions in the Audit and Risk Committee Charter.
- (10) Note the invitation to the CEO on 31 July 2023 to represent Darebin at the Petaling Jaya International Art Conference 2023 – *Art and the City: Economic, Social, Environmental Transformation toward Sustainability*, from the 1st Asia Pacific Youth Folklore Festival, held in collaboration with the Petaling Jaya City Council, Eastern Regional Organisation for Planning and Housing, Malaysian Association of Town Planners of Local Authorities on 23-24 September 2023.
- (11) Note that the CEO will be both attending and presenting at the Petaling Jaya International Art Conference 2023 on invitation, delivering a session on 'Creating Vibrant Public Spaces' on 23 September 2023 as the CEO of Darebin City Council.
- (12) Note that the costs for travel and accommodation for the CEO's attendance at the Petaling Jaya International Art Conference 2023 will be met by the Festival and other associated costs will be paid for by the CEO enabling representation at no cost to Council.
- (13) Notes that there are no planning permit application items listed for the Planning Committee meeting scheduled to be held on 11 September 2023.
- (14) Resolves to cancel the Planning Committee meeting scheduled to be held on Monday 11 September 2023.
- (15) **Notes that Cr. Trent McCarthy has been elected to the board of Climate Emergency Australia.**

Motion

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

That Council:

- (1) Note the Governance Report – August 2023
- (2) Note the Summary of attendance at Councillor Briefings 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 the response to questions taken on notice during Public Question Time at the Council Meeting held on 24 July 2023 at **Appendix B** to this report.
- (5) Note the Councillor Expenses Report for the quarter from 1 January to 31 March 2023 at **Appendix C** to this report.

- (6) Note that on 8 December 2022 the Victorian Independent Remuneration Tribunal made a determination providing for an annual adjustment of 1.5% to the values of the allowances payable to Mayors (\$124,469), Deputy Mayors (\$62,235), and Councillors (\$37,565) effective from 18 December 2022.
- (7) Note that on 30 June 2023 the Victorian Independent Remuneration Tribunal made a determination providing for an adjustment of 2% to the values of the allowances payable to Mayors (\$126,958), Deputy Mayors (\$63,480), and Councillors (\$38,316) effective from 1 July 2023.
- (8) Note that on 30 June 2023 the Victorian Independent Remuneration Tribunal made a determination providing for an adjustment of 2% to the values of the allowances payable to Mayors (\$130,390), Deputy Mayors (\$65,195), and Councillors (\$39,390) effective from 18 December 2023.
- (9) Endorse an increase in the fees for independent members of the Audit and Risk Committee, based on the rate cap of 3%, from 1 July 2023 to \$2,182.71 per quarter for the Independent Chair and \$1,720.95 per quarter for the Independent Members in accordance with provisions in the Audit and Risk Committee Charter.
- (10) Note the invitation to the CEO on 31 July 2023 to represent Darebin at the Petaling Jaya International Art Conference 2023 – *Art and the City: Economic, Social, Environmental Transformation toward Sustainability*, from the 1st Asia Pacific Youth Folklore Festival, held in collaboration with the Petaling Jaya City Council, Eastern Regional Organisation for Planning and Housing, Malaysian Association of Town Planners of Local Authorities on 23-24 September 2023.
- (11) Note that the CEO will be both attending and presenting at the Petaling Jaya International Art Conference 2023 on invitation, delivering a session on 'Creating Vibrant Public Spaces' on 23 September 2023 as the CEO of Darebin City Council.
- (12) Note that the costs for travel and accommodation for the CEO's attendance at the Petaling Jaya International Art Conference 2023 will be met by the Festival and other associated costs will be paid for by the CEO enabling representation at no cost to Council.
- (13) Notes that there are no planning permit application items listed for the Planning Committee meeting scheduled to be held on 11 September 2023.
- (14) Resolves to cancel the Planning Committee meeting scheduled to be held on Monday 11 September 2023.
- (15) Notes that Cr Trent McCarthy has been elected to the board of Climate Emergency Australia.

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

Council Resolution

MINUTE NO. 23-075

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

That Council:

- (1) Note the Governance Report – August 2023
- (2) Note the Summary of attendance at Councillor Briefings 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 the response to questions taken on notice during Public Question Time at the Council Meeting held on 24 July 2023 at Appendix B to this report.
- (5) Note the Councillor Expenses Report for the quarter from 1 January to 31 March 2023 at Appendix C to this report.
- (6) Note that on 8 December 2022 the Victorian Independent Remuneration Tribunal made a determination providing for an annual adjustment of 1.5% to the values of the allowances payable to Mayors (\$124,469), Deputy Mayors (\$62,235), and Councillors (\$37,565) effective from 18 December 2022.
- (7) Note that on 30 June 2023 the Victorian Independent Remuneration Tribunal made a determination providing for an adjustment of 2% to the values of the allowances payable to Mayors (\$126,958), Deputy Mayors (\$63,480), and Councillors (\$38,316) effective from 1 July 2023.
- (8) Note that on 30 June 2023 the Victorian Independent Remuneration Tribunal made a determination providing for an adjustment of 2% to the values of the allowances payable to Mayors (\$130,390), Deputy Mayors (\$65,195), and Councillors (\$39,390) effective from 18 December 2023.
- (9) Endorse an increase in the fees for independent members of the Audit and Risk Committee, based on the rate cap of 3%, from 1 July 2023 to \$2,182.71 per quarter for the Independent Chair and \$1,720.95 per quarter for the Independent Members in accordance with provisions in the Audit and Risk Committee Charter.
- (10) Note the invitation to the CEO on 31 July 2023 to represent Darebin at the Petaling Jaya International Art Conference 2023 – Art and the City: Economic, Social, Environmental Transformation toward Sustainability’, from the 1st Asia Pacific Youth Folklore Festival, held in collaboration with the Petaling Jaya City Council, Eastern Regional Organisation for Planning and Housing, Malaysian Association of Town Planners of Local Authorities on 23-24 September 2023.
- (11) Note that the CEO will be both attending and presenting at the Petaling Jaya International Art Conference 2023 on invitation, delivering a session on ‘Creating Vibrant Public Spaces’ on 23 September 2023 as the CEO of Darebin City Council.
- (12) Note that the costs for travel and accommodation for the CEO’s attendance at the Petaling Jaya International Art Conference 2023 will be met by the Festival and other associated costs will be paid for by the CEO enabling representation at no cost to Council.
- (13) Notes that there are no planning permit application items listed for the Planning Committee meeting scheduled to be held on 11 September 2023.
- (14) Resolves to cancel the Planning Committee meeting scheduled to be held on Monday 11 September 2023.
- (15) Notes that Cr Trent McCarthy has been elected to the board of Climate Emergency Australia.

CARRIED UNANIMOUSLY

REPORTS BY MAYOR AND COUNCILLORS – 28 AUGUST 2023**REPORT OF CR. JULIE WILLIAMS, MAYOR**

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

- 3 x Councillor Briefing Sessions
- 4 x Councillor only meeting
- 1 x Mayor, Deputy Mayor, and CEO meeting
- 1 x Mayor and Deputy Mayor meeting
- 2 x Mayor and CEO meetings
- Monthly Council meeting
- Various one on one meetings with residents, community members and businesses
- Various meetings with members of parliament
- The Eighty-Six Festival 2023 Program Launch
- Filming for Council meeting outcomes
- Northern Councils Alliance - Mayors and CEOs meeting
- Ministerial Forum for Mayors on Public Disruptions
- August Citizenship Ceremony
- Municipal Association of Victoria - Housing Summit - Everyone needs a home and a community
- Special Councillor Briefing Session
- Catch up with other Mayors
- Audit and Risk Committee
- Filming for Rates Campaign
- Darebin Aboriginal Advisory Committee meeting
- Metropolitan Transport Forum General Meeting
- Meeting to discuss Mayoral Event
- Northcote Rise Festival Launch Event
- Discussion regarding Mayors Writing Awards
- Disability Pride Mural Launch at Preston Library
- Filming for FUSE Spring
- Opening Night Event - The Fence by Fleur Murphy Presented by Darebin Art Speakeasy and 29 Scenes
- 50th Birthday Preston Library Event
- Hands Around Preston Market
- Northern Bullants Ladies Day Event
- August Planning Committee Meeting

- Filming for Council Meeting wrap-up
- Northern Region Indian Seniors Association - Celebrate 77th Independence Day of India Event
- Cheddar Road Median Beautification and Improvement Project - Community Planting Day Event
- Local Councils Planning Reforms Consultation
- From Barcelona to Preston: Edible Cities Network Event
- Pre-Council Meeting Briefing
- Alphington Community Battery Announcement – Village Power Ministerial Announcement

REPORT OF CR. SUSANNE NEWTON, DEPUTY MAYOR

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

- Fortnightly meeting with Mayor Williams
- Fortnightly meeting with Mayor Williams and CEO Peter Smith
- Weekly Councillor meetings
- The Salvation Army Preston presents 100 years of the Preston Citadel Band, Worship Celebration
- Meeting with CEO Peter Smith
- Weekly Councillor briefings
- Victorian Local Governance Association (VLGA) board meeting
- Williamson Community Leadership Program Warrnambool retreat
- Edgars Creek and Edwardes Lake Task Force Meeting
- Planning Committee meeting
- Launch of Northcote Rise Festival
- Victorian Local Governance Association (VLGA) board planning day
- Darebin Aboriginal Advisory Committee (DAAC) Meeting
- Metropolitan Transport Forum (MTF) meeting
- Darebin Sexuality, Sex and Gender Diversity (SSGD) Advisory Committee Meeting
- Launch of the Eighty-Six Festival
- Women's Rights at Work conference (WRAW Con 23): Safe, Respected, Equal, Organised
- From Barcelona to Preston: Edible Cities Network at Oakhill Food Justice Farm
- Unions for Yes Meeting
- Cooper for Yes meetings and volunteering
- Opening night of The Fence play at Northcote Town Hall
- Launch of poetry book Pieces that Fit by former Darebin Councillor Steph Amir
- Victorian Greenhouse Alliances Conference

REPORT OF CR. EMILY DIMITRIADIS

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

- Attended Council briefings.
- Attended Councillor-only meetings.
- Attended Official Council meeting.
- Attended meeting with Northcote Football Club.
- Attended the Islamic Council of Victoria's launch of the YES vote for the referendum.
- Attended 'Women for Yes' event.
- Attended soccer game Northcote City Football Club vs Adelaide City.
- Attended the launch of Roads to Reconciliation: Activating Multicultural Victoria at Koorie Heritage Trust.
- Attended Fairfield Bowls Club for the opening of the new green.
- Attended Alphington Community Centre for the announcement of funding to support the Alphington neighbourhood battery with Minister D'Ambrosio, Kat Theophanous MP, Village Power, and local community members.

REPORT OF CR. GAETANO GRECO

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

- Citizenship ceremony
- Special Councillor Briefing
- Darebin Aboriginal Advisory Committee meeting
- Meeting with Kylie Bennetts, General Manager Community
- Weekly Councillor Meetings
- Councillor Briefing sessions.
- Speaker at the Hands Around Preston Market event
- Planning Committee Meeting
- Task Force Pre-Meeting Briefing
- Edgars creek and Edwardes Lake Task Force meeting
- Cheddar Road Median Community Planting Day
- Pre-Council Meeting Briefing
- Community Art Auction
- The Preston Salvation Army Band Celebrating 100 years – Celebration Concert
- Preston Market Italian Day
- SBS Interview re: Preston Market.
- DECC gathering on the Referendum and DACC statement.

- Facilitating a meeting between the Western Sahara Association and Northeast Syria community groups with Ged Kearney's office
- Resident's request and follow ups:
 - Concern regarding lane way in Hughes Parades
 - Youth Homelessness Project – assertive outreach initiative follows.
 - Community concern regarding traffic treatment along McFadzean Ave Reservoir
 - Referred resident's Cross Over appeal to officers.
 - Cheddar Road speed restrictions
 - Noise complaint regarding food trucks trading in Griffiths St Reservoir
 - Broken Metal Drain grate in Lloyed Ave, Keon Park
 - Linking Iranian Asylum Seekers' group with Council First Nations officer
 - Reservoir Bowls Club lawn mowing
 - Darebin Sports Grants regarding support for individual sports athletes at the international level.
 - Responded to emails about the status of Preston Market

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., planning and heritage, parklets for hospitality venues, recycling, and reuse.
- Northcote Rise Festival launch
- Meeting with Fitzroy Baseball Club
- Announcement of Village Power community battery, Alphington
- 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
- Council briefings
- Consultation with Homes Victoria regarding homeless
- Planting day at Cheddar Rd Reservoir
- Consultation traders Broadway
- Consultation residents regard damage to ornamental pear trees in Springthorpe
- Consultation with environmental defenders at 5 Ring Rd Bundoora at 400-year-old tree
- Consultation with ratepayers regarding rates Kingsbury
- Consultation with rate payers regarding drainage issues in Alphington, Thornbury, and East Reservoir
- Consultation with Soccer Club the unsafe conditions at Donath East pavilion and pitch
- Consultation with Residents near northern Darebin creek

REPORT OF CR. TRENT MCCARTHY

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

- Weekly Councillor meetings
- Weekly Councillor briefings
- Planning Committee meeting
- Special Councillor briefing
- Climate Emergency Australia meetings
- Victorian Greenhouse Alliance Conference
- Merri Creek Management Committee meeting

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:

- Council meeting
- Weekly Councillor informal meetings
- The Salvation Army Preston presents 100 years of the Preston Citadel Band
- Weekly Councillor briefings
- Planning Committee meeting

- Darebin Aboriginal Advisory Committee (DAAC) Meeting
- Opening night of The Fence play at Northcote Town Hall
- Disability Pride Mural Launch
- Village Power Ministerial Announcement
- Meetings, emails, and phone calls with residents about planning and amenity issues

10. ITEMS TO BE TABLED

Nil

11. NOTICES OF MOTION

11.1 E-SCOOTER

Take notice that at the Council Meeting to be held on 28 August 2023, it is my intention to move:

That Council:

- (1) *Notes the successful E-scooter and safety trial where the Victorian Government partnered with the City of Melbourne, City of Yarra, City of Port Phillip and City of Ballarat to run e-Scooter trial in 2021 and 2022, with nearly four million rides recorded.*
- (2) *Notes that benefits of e-scooter use include:*
 - a) *reduced emissions and congestion*
 - b) *increased transport connectivity*
 - c) *and enabling economic activity.*
- (3) *Notes that during the extended trial period, other councils across Victoria are now able to enter into their own hire schemes (hire e-scooters).*
- (4) *Receives a report on how Darebin can participate in this extended trial and partner with companies such as Lime or Neuron to make e-scooters available to hire in the Darebin municipality, including, but not limited to:*
 - a) *safety considerations*
 - b) *potential revenue to council and enabling economic activity in the city, and*
 - c) *impacts on reducing emissions and congestion.*

Notice Received: 14 August 2023

Notice Given to Councillors 14 August 2023

Date of Meeting: 28 August 2023

Motion

That Council:

- (1) *Notes the successful E-scooter and safety trial where the Victorian Government partnered with the City of Melbourne, City of Yarra, City of Port Phillip and City of Ballarat to run e-Scooter trial in 2021 and 2022, with nearly four million rides recorded.*
 - (2) *Notes that benefits of e-scooter use include:*
 - a) *reduced emissions and congestion*
 - b) *increased transport connectivity*
 - c) *and enabling economic activity.*
 - (3) *Notes that during the extended trial period, other councils across Victoria are now able to enter into their own hire schemes (hire e-scooters).*
 - (4) *Receives a report on how Darebin can participate in this extended trial and partner with companies such as Lime or Neuron to make e-scooters available to hire in the Darebin municipality, including, but not limited to:*
-

- a) safety considerations
- b) potential revenue to council and enabling economic activity in the city, and
- c) impacts on reducing emissions and congestion.

With leave of the Chairperson, Cr. Newton moved the motion with the following amendment to point (4):

Amended Motion

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

That Council:

- (1) Notes the successful E-scooter and safety trial where the Victorian Government partnered with the City of Melbourne, City of Yarra, City of Port Phillip and City of Ballarat to run e-Scooter trial in 2021 and 2022, with nearly four million rides recorded.
- (2) Notes that benefits of e-scooter use include:
 - a) reduced emissions and congestion
 - b) increased transport connectivity
 - c) and enabling economic activity.
- (3) Notes that during the extended trial period, other councils across Victoria are now able to enter into their own hire schemes (hire e-scooters).
- (4) Receives a report on how Darebin can participate in this extended trial and partner with companies ~~such as Lime or Neuron~~ **that provide e-scooters** to make e-scooters available to hire in the Darebin municipality, including, but not limited to:
 - a) safety considerations
 - b) potential revenue to council and enabling economic activity in the city, and
 - c) impacts on reducing emissions and congestion.

Cr Laurence proposed the following amendment to point (4) a) of the motion:

- a) safety **and waterway pollution** considerations

The amendment was accepted by the mover, it was not accepted by the seconder.

Amendment

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

That Council:

- (1) Notes the successful E-scooter and safety trial where the Victorian Government partnered with the City of Melbourne, City of Yarra, City of Port Phillip and City of Ballarat to run e-Scooter trial in 2021 and 2022, with nearly four million rides recorded.
- (2) Notes that benefits of e-scooter use include:
 - a) reduced emissions and congestion

- b) increased transport connectivity
 - c) and enabling economic activity.
- (3) Notes that during the extended trial period, other councils across Victoria are now able to enter into their own hire schemes (hire e-scooters).
- (4) Receives a report on how Darebin can participate in this extended trial and partner with companies that provide e-scooters to make e-scooters available to hire in the Darebin municipality, including, but not limited to:
- a) safety **and waterway pollution** considerations
 - b) potential revenue to council and enabling economic activity in the city, and
 - c) impacts on reducing emissions and congestion.

CARRIED

For: Cr's Hannan, Newton, McCarthy, Laurence, Greco and Williams (6)

Against: Cr. Messina (1)

Abstained: Cr's Dimitriadis and Rennie (2)

The substantive motion then read as follows:

Substantive Motion

MOVED: Cr. S Newton

SECONDED: Cr. S Rennie

That Council:

- (1) Notes the successful E-scooter and safety trial where the Victorian Government partnered with the City of Melbourne, City of Yarra, City of Port Phillip and City of Ballarat to run e-Scooter trial in 2021 and 2022, with nearly four million rides recorded.
- (2) Notes that benefits of e-scooter use include:
- a) reduced emissions and congestion
 - b) increased transport connectivity
 - c) and enabling economic activity.
- (3) Notes that during the extended trial period, other councils across Victoria are now able to enter into their own hire schemes (hire e-scooters).
- (4) Receives a report on how Darebin can participate in this extended trial and partner with companies that provide e-scooters to make e-scooters available to hire in the Darebin municipality, including, but not limited to:
- a) safety and waterway pollution considerations
 - b) potential revenue to council and enabling economic activity in the city, and
 - c) impacts on reducing emissions and congestion.

7:58pm – The meeting adjourned for a break.

8:10pm – The meeting resumed.

Cr Messina proposed an amendment to point (4), and point (4) b), of the motion as follows:

- (4) Receives a report **in March 2024** on how Darebin can participate in this extended

trial and partner with companies that provide e-scooters to make e-scooters available to hire in the Darebin municipality, including, but not limited to:

- a) safety and waterway pollution considerations
- b) potential revenue **with comprehensive direct and indirect costs to be included** to council and enabling economic activity in the city, and
- c) impacts on reducing emissions and congestion.

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

Amended Motion

MOVED: Cr. S Newton

SECONDED: Cr. S Rennie

That Council:

- (1) Notes the successful E-scooter and safety trial where the Victorian Government partnered with the City of Melbourne, City of Yarra, City of Port Phillip and City of Ballarat to run e-Scooter trial in 2021 and 2022, with nearly four million rides recorded.
- (2) Notes that benefits of e-scooter use include:
 - a) reduced emissions and congestion
 - b) increased transport connectivity
 - c) and enabling economic activity.
- (3) Notes that during the extended trial period, other councils across Victoria are now able to enter into their own hire schemes (hire e-scooters).
- (4) Receives a report in March 2024 on how Darebin can participate in this extended trial and partner with companies that provide e-scooters to make e-scooters available to hire in the Darebin municipality, including, but not limited to:
 - a) safety and waterway pollution considerations
 - b) potential revenue with comprehensive direct and indirect costs to be included to council and enabling economic activity in the city, and
 - c) impacts on reducing emissions and congestion.

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

Council Resolution

MINUTE NO. 23-076

MOVED: Cr. S Newton

SECONDED: Cr. S Rennie

That Council:

- (1) Notes the successful E-scooter and safety trial where the Victorian Government partnered with the City of Melbourne, City of Yarra, City of Port Phillip and City of Ballarat to run e-Scooter trial in 2021 and 2022, with nearly four million rides recorded.
- (2) Notes that benefits of e-scooter use include:
 - a) reduced emissions and congestion

- b) increased transport connectivity
 - c) and enabling economic activity.
- (3) Notes that during the extended trial period, other councils across Victoria are now able to enter into their own hire schemes (hire e-scooters).
- (4) Receives a report in March 2024 on how Darebin can participate in this extended trial and partner with companies that provide e-scooters to make e-scooters available to hire in the Darebin municipality, including, but not limited to:
- a) safety and waterway pollution considerations
 - b) potential revenue with comprehensive direct and indirect costs to be included to council and enabling economic activity in the city, and
 - c) impacts on reducing emissions and congestion.

CARRIED UNANIMOUSLY

11.2 PLANT BASED TREATY

Take notice that at the Council Meeting to be held on 28 August 2023, it is my intention to move:

That Council:

(1) *Receives a report that considers:*

- a) *Council endorsing the Plant Based Treaty, joining 21 municipalities worldwide including the cities of Edinburgh, Los Angeles, and Norwich*
- b) *How the goals of the treaty could be implemented within Darebin, including but not limited to:*
 - i. *Including a plant-based approach to food and food purchasing in the review of our climate emergency plan*
 - ii. *Using council's communication channels to promote sustainable and affordable food and drink practices, including details of the climate and health benefits of plant-based food and drinks*
 - iii. *Liaise with local businesses, schools and community groups to promote campaigns such as Meat Free Mondays and Plant Powered Fridays*
 - iv. *Explore potential for increasing plant-based food options/ having plant-based only options at council events and meetings*
 - v. *Partnering with community groups to establish seed distribution hubs in libraries to promote homegrown produce and improve access to fresh fruits and vegetables*
 - vi. *When events occur on council land, ensure that environmentally friendly plant-based options are included and available (i.e., minimum from at fifty per cent of caterers), secured through the use of terms and conditions of hire (where reasonably and appropriately possible)*
 - vii. *Work with community groups across the city to promote the establishment of new and appropriate community gardens and orchards.*
- c) *Advocacy options for the Plant Based Treaty, including writing to the Federal Government, sharing details with the community through Darebin's communication channels, and circulating the Treaty and Council's position, to all other Victorian Council's, the MAV, the VLGA and Darebin's sister city Hefei in China.*

Notice Received: 14 August 2023

Notice Given to Councillors 14 August 2023

Date of Meeting: 28 August 2023

With leave of the Chairperson, Cr Newton moved the motion with an amendment to insert a new point b) as follows:

Motion

MOVED: Cr. S Newton

SECONDED: Cr. T Hannan

That Council

- (1) Receives a report that considers:
- a) Council endorsing the Plant Based Treaty, joining 21 municipalities worldwide including the cities of Edinburgh, Los Angeles, and Norwich.
 - b) **An Equity Impact Assessment undertaken to inform the report that considers cultural, spiritual, health and wellbeing and community connections to food.**
 - c) How the goals of the treaty could be implemented within Darebin, including but not limited to:
 - i. Including a plant-based approach to food and food purchasing in the review of our climate emergency plan
 - ii. Using council's communication channels to promote sustainable and affordable food and drink practices, including details of the climate and health benefits of plant-based food and drinks
 - iii. Liaise with local businesses, schools and community groups to promote campaigns such as Meat Free Mondays and Plant Powered Fridays
 - iv. Explore potential for increasing plant-based food options/ having plant-based only options at council events and meetings
 - v. Partnering with community groups to establish seed distribution hubs in libraries to promote homegrown produce and improve access to fresh fruits and vegetables
 - vi. When events occur on council land, ensure that environmentally friendly plant-based options are included and available (i.e., minimum from at fifty per cent of caterers), secured through the use of terms and conditions of hire (where reasonably and appropriately possible)
 - vii. Work with community groups across the city to promote the establishment of new and appropriate community gardens and orchards.
 - d) Advocacy options for the Plant Based Treaty, including writing to the Federal Government, sharing details with the community through Darebin's communication channels, and circulating the Treaty and Council's position, to all other Victorian Council's, the MAV, the VLGA and Darebin's sister city Hefei in China.

8.32pm – Cr. Laurence temporarily left the meeting.

8.36pm – Cr. Laurence returned to the meeting.

Council Resolution

MINUTE NO. 23-077

MOVED: Cr. S Newton**SECONDED: Cr. T Hannan****That Council**

- (1) Receives a report that considers:
- a) Council endorsing the Plant Based Treaty, joining 21 municipalities worldwide including the cities of Edinburgh, Los Angeles, and Norwich.
 - b) An Equity Impact Assessment undertaken to inform the report that considers cultural, spiritual, health and wellbeing and community connections to food.
 - c) How the goals of the treaty could be implemented within Darebin, including but not limited to:
 - i. Including a plant-based approach to food and food purchasing in the review of our climate emergency plan
 - ii. Using council's communication channels to promote sustainable and affordable food and drink practices, including details of the climate and health benefits of plant-based food and drinks
 - iii. Liaise with local businesses, schools and community groups to promote campaigns such as Meat Free Mondays and Plant Powered Fridays
 - iv. Explore potential for increasing plant-based food options/ having plant-based only options at council events and meetings
 - v. Partnering with community groups to establish seed distribution hubs in libraries to promote homegrown produce and improve access to fresh fruits and vegetables
 - vi. When events occur on council land, ensure that environmentally friendly plant-based options are included and available (i.e., minimum from at fifty per cent of caterers), secured through the use of terms and conditions of hire (where reasonably and appropriately possible)
 - vii. Work with community groups across the city to promote the establishment of new and appropriate community gardens and orchards.
 - d) Advocacy options for the Plant Based Treaty, including writing to the Federal Government, sharing details with the community through Darebin's communication channels, and circulating the Treaty and Council's position, to all other Victorian Council's, the MAV, the VLGA and Darebin's sister city Hefei in China.

CARRIED**For:** Cr's Hannan, Rennie, Newton, McCarthy, and Laurence (5)**Against:** Cr's Messina and Williams (2)**Abstained:** Cr's Greco and Dimitriadis (2)

12. URGENT BUSINESS

13. CONSIDERATION OF REPORTS CONSIDERED CONFIDENTIAL

14. CLOSE OF MEETING


The meeting closed at 8.57pm.

**CITY OF
DAREBIN**

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