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MINUTES OF THE ORDINARY COUNCIL MEETING

Held on Monday 28 June 2021

Released to the public on Friday 2 July 2021

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



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

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

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

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

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



English

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

Arabic

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

Chinese

这些是市议会会议纪要。如需协助了解任何纪要项目，请致电8470 8888。

Greek

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

Hindi

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

Italian

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

Macedonian

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

Nepali

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

Punjabi

ਇਹ 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.

Table of Contents

Item Number	Page Number
1. OPENING OF MEETING AND MEMBERSHIP	5
2. ACKNOWLEDGEMENT OF TRADITIONAL OWNERS	6
3. APOLOGIES.....	6
4. DISCLOSURES OF CONFLICTS OF INTEREST.....	6
5. CONFIRMATION OF THE MINUTES OF COUNCIL MEETINGS.....	6
6. QUESTION AND SUBMISSION TIME	7
7. PETITIONS	13
7.1 NOISE AND AMENITY ISSUE IN THORNBURY	13
8. CONSIDERATION OF REPORTS.....	15
8.1 COMMUNITY VISION - DAREBIN 2041	15
8.2 ADOPTION OF THE 2021 - 2025 COUNCIL PLAN (INCORPORATING THE MUNICIPAL PUBLIC HEALTH AND WELLBEING PLAN).....	17
8.3 ADOPTION OF BUDGET 2021-22, FINANCIAL PLAN 2021-31 AND REVENUE AND RATING PLAN 2021-25.....	23
8.4 PRESTON MARKET PRECINCT - RESPONSE TO VPA PLANNING CONTROLS.....	28
8.5 PROPERTY MATTERS REPORT.....	34
8.6 PROPOSED ROAD DECLARATION REAR 137-143 STATION STREET, 100-104 ARTHUR STREET AND ADJOINING 2 DUNCAN STREET, FAIRFIELD	38
8.7 GOVERNANCE REPORT - JUNE 2021.....	43
8.8 SOCIAL & SUSTAINABLE PROCUREMENT POLICY 2021-2025.....	52
8.9 DAREBIN LIBRARIES PROCUREMENT AUSTRALIA CONTRACT	53
9. NOTICES OF MOTION.....	54
9.1 FOSSIL FUEL NON-PROLIFERATION TREATY.....	54
9.2 PALESTINE	55
10. URGENT BUSINESS.....	58
ADMISSION OF URGENT BUSINESS.....	58
10.1 REFUGEE HUNGER STRIKE	58
11. CONSIDERATION OF REPORTS CONSIDERED CONFIDENTIAL.....	59
12. CLOSE OF MEETING	59

MINUTES OF THE ORDINARY MEETING OF THE DAREBIN CITY COUNCIL HELD ON MONDAY 28 JUNE 2021

THE MEETING OPENED AT 6.01 PM

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

1. OPENING OF MEETING AND MEMBERSHIP

Councillors

Cr. Lina Messina (Mayor) (Chairperson)

Cr. Gaetano Greco (Deputy Mayor)

Cr. Emily Dimitriadis

Cr. Tom Hannan

Cr. Tim Laurence

Cr. Trent McCarthy

Cr. Susanne Newton

Cr. Susan Rennie

Cr. Julie Williams (arrived at 6.05 pm)

Council Officers

Sue Wilkinson - Chief Executive Officer

Sam Hewett - General Manager Operations and Capital

Kerry McGrath - General Manager Communities

Rachel Ollivier - General Manager City Sustainability and Strategy

Jodie Watson - General Manager Governance and Engagement

Anita Craven - Manager Governance and Corporate Strategy

Damian Hogan – Manager Finance

Vanessa Petrie – Manager Climate Emergency & Sustainable Transport

Stevie Meyer – Coordinator Strategic Planning

Anthea Kypreos – Acting Manager Property

Greg Phippen – Coordinator Property

Stephen Mahon - Coordinator Council Business

Rachna Gupta Singh - Senior Council Business Officer

2. ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

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

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

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

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

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

3. APOLOGIES

Nil

4. DISCLOSURES OF CONFLICTS OF INTEREST

The Mayor Cr. Lina Messina declared a material conflict of interest in Item 8.2 Adoption of the Council Plan (incorporating the Health & Wellbeing Plan) specifically for those sections related to Council priorities and actions in relation to Home Care due to her current employment in the Home Care Sector.

5. CONFIRMATION OF THE MINUTES OF COUNCIL MEETINGS

Officer Recommendation

That the Minutes of the Ordinary Meeting of Council held on 24 May 2021 and the Special Meeting of Council held on 15 June 2021 be confirmed as a correct record of business transacted.

Council Resolution

MINUTE NO. 21-060

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

That the Minutes of the Ordinary Meeting of Council held on 24 May 2021 and the Special Meeting of Council held on 15 June 2021 be confirmed as a correct record of business transacted.

CARRIED UNANIMOUSLY

6. QUESTION AND SUBMISSION TIME

The Mayor, Cr Lina Messina and the Chief Executive Officer, Sue Wilkinson responded to the following questions submitted for Public Question Time.

- **Maria Poletti, DADA President**

Congratulations Mayor and the team on the success of the change.org petition, Protect Preston Market - the Heart of Preston. On behalf of others who have signed but who may also be wondering

1. How do you plan to use the petition?
2. Will it form the basis of and drive the council response to the VPA recommendations/proposals for the site released last week?

Response from Chairperson, Mayor Messina

We are very pleased with the success of our Preston Market petition. Over 5,700 community members have now signed up, and we will continue to invite signatures.

Council will submit the petition to the Victorian Planning Authority and Planning Minister.

- **Chris Elranden, DADA Vice President**

Given the VPA recommendations for the development of Preston Market released last week are so inadequate in appreciation of its existing footprint and protection of the heritage values of the market and do not respect the community or council position of keeping the market where it is;

1. Will Council now proceed with haste to prepare a comprehensive heritage overlay for application across the whole site?
2. Has council yet established what the 'fast track' process will mean in terms of council and the community participation in future development applications/proposals for the site?
3. If the VPA does not amend the recommendations in line with community and council expectations will council move to acquire the site?

Response from Chairperson, Mayor Messina

Council will be considering its submission to the VPA for the Preston Market planning controls this evening. I will answer the questions I can, but cannot pre-empt Council's decision tonight.

1. **Council has already prepared and requested the strongest possible heritage controls from the State Government, including sending them a comprehensive heritage overlay to use.**
2. **The proposed notice and review requirements for future planning applications are that they are exempt unless the application exceeds preferred building heights or doesn't meet design requirements.**
3. **This is not a question that Council has considered and so it's not a question I can answer at this time. I would note that the site has not been offered for sale.**

- **Moira Deeming**

"Under Victorian law, is it legal for Local Government Councils to provide sex based/targeted services and facilities separately to gender identity based/targeted services and facilities? If not, why not? For example, can we legally put signs on a set of public toilets declaring that one is for biological males (including males with an intersex condition), one is for biological females (including biological females with an intersex condition) and one is for people with transgender identities (of any biological sex)? If not, why not?"

As a taxpayer, I would like clarification on this issue and would like to know Councillors opinion on the answer. I would also like to have the response made both at the meeting and also in writing to this email address

Response from CEO, Sue Wilkinson

Both Federal (Sex Discrimination Act 1984 as amended by the Sexual Orientation, Gender Identity and Intersex Status Amendment Act 2013) and Victorian (Equal Opportunity Act 2010) anti-discrimination legislation prohibits discrimination on the basis of sex, gender identity or intersex status. Under these laws it is discriminatory to require a person who is transgender to use a toilet which does not align with their gender identity.

Section 8 of the Victorian Charter of Human Rights and Responsibilities Act 2006 reiterates the right of all Victorians to equality and non-discrimination, ensuring everyone has the same rights, and benefits from the same level of respect and dignity.

Similarly, the Gender Equality Act 2020 (Vic) highlights the need to “redress disadvantage, address stigma, stereotyping, prejudice and violence against persons of different genders” and to “enhance social participation by persons of different genders”. Access to public toilets supports social participation and inclusion of all, regardless of sex, gender, gender identity or abilities.

As a result, Council’s Public Toilet Strategy 2015-2025 states that the default option for toilets in the public realm will be all-gender, accessible toilets that cater to all needs.

- **Devina Potter, Preston**

1. Isn't it inconsistent for Council to commit to developing a disability action plan and a cultural diversity action plan alongside the existing action plans for women and Aboriginal and Torres Strait Islander people, and yet rule out developing a new LGBTIQ+ Action Plan?
2. What does Council regard as the difference between people with a disability, culturally diverse people, women and Aboriginal and Torres Strait Islander people that justifies an action plan for these groups and LGBTIQ+ people who are denied a dedicated action plan?
3. Why is Council resisting calls to work together with the community to develop a new LGBTIQ+ Action Plan after the last one expired six years ago?

Response from Chairperson, Mayor Messina

While the previous Sexuality, Sex and Gender Diversity Action Plan ceased in 2017, the goals of this plan continue to remain relevant and applicable to Council’s work. Actions to support the needs and wellbeing of LGBTIQ+ community members are embedded in a number of key documents such as Age Friendly Darebin and the Darebin Youth Strategy.

As outlined in the Draft 2021-25 Council Plan, Council will Work towards the Rainbow Tick accreditation (best practice in LGBTQIA+ inclusion) for Council's services and activities.

As part of this accreditation process, Council will be required to develop an improvement plan, that will include a range of action to improve the inclusion and participation of LGBTQIA+ residents in Council's services and activities.

You may also wish to stay online this evening for the Council Plan item as I expect this will form part of our consideration and discussion

- **Cas, Essendon**

Under the draft Council Plan, do you also intend to combat discrimination against other LGBTQIA+ communities (such as asexual / aromantic and intersex people)?

Response from Chairperson, Mayor Messina

The Council Plan currently includes action 1-17 Continue to support the inclusion, rights and wellbeing of LGBTQIA+ communities, and work to combat homophobia, biphobia and transphobia.

Council's intention through this action is address any form of discrimination based on an individual's sexual orientation, gender identity and intersex status. This seeks to ensure that all community members can fully participate in community life and Council services without fear of discrimination.

In 2019 Darebin Council was the first local government in Australia to affirm the Darlington Statement supporting the rights of intersex people in Australia and New Zealand. Darebin flies the Intersex Flag annually between 26 October and 8 November to recognise Intersex Awareness Day and Intersex Solidarity Day.

THIS WILL REMAIN IMPORTANT PARTS OF COUNCIL'S WORK TO IMPROVE THE WELLBEING AND INCLUSION OF LGBTQIA+ COMMUNITY MEMBERS.

- **ROBIN VOTE, PRESTON**

ITEM 1-8, PAGE 42 OF THE DRAFT COUNCIL PLAN STATES:

DELIVER AGE FRIENDLY DAREBIN, EXPAND AGED CARE DIRECT SERVICES, AND REGISTER COUNCIL TO BECOME AN AGED CARE PACKAGE PROVIDER.

THE TERM 'AGED CARE PACKAGE PROVIDER' HAS NO RELEVANCE IN THE CURRENT AGED CARE SYSTEM. IS THIS A DELIBERATE ERROR?

THE CORRECT TERMINOLOGY IS HOME CARE PACKAGE PROVIDER.

THEREFORE 1-18 MUST STATE:

DELIVER AGE FRIENDLY DAREBIN, EXPAND AGED CARE DIRECT SERVICES, AND REGISTER COUNCIL WITH THE COMMONWEALTH DEPARTMENT OF HEALTH AND AGEING TO BECOME A HOME CARE PACKAGE PROVIDER.

RESPONSE FROM CHAIRPERSON, MAYOR MESSINA

I AM CONFIDENT THIS WILL BE ADDRESSED AS PART OF THE CONSIDERATION OF THE COUNCIL PLAN LATER THIS EVENING.

- **AUDREY GRACE, NOTHCOTE**

WILL ALL COUNCILLORS ATTENDING THIS MEETING TONIGHT, PLEASE VOTE IN THE AFFIRMATIVE TO TAKE ACTION THAT DAREBIN COUNCIL WILL BECOME A PROVIDER OF HOME CARE PACKAGES (HCP) TO SUPPORT THEIR ELIGIBLE DAREBIN RESIDENTS ?

RESPONSE FROM CHAIRPERSON, MAYOR MESSINA

THIS MATTER IS SUBJECT TO A SPECIFIC COUNCIL RESOLUTION FOR THE COUNCIL MEETING TONIGHT, UNDER AGENDA ITEM 8.2, THE ADOPTION OF THE 2021-2025 COUNCIL PLAN.

- **VASILIOS TSALKOS, RESERVOIR**

IF THE PANDEMIC HAS TAUGHT US ANYTHING IT IS THE IMPORTANCE OF ENSURING EFFECTIVE AND UP TO DATE INFORMATION TO ALL MEMBERS OF THE COMMUNITY AT ALL TIMES.

WILL DAREBIN COUNCIL COMMIT TO DOING MORE FOR MEMBERS OF THE COMMUNITY WHO ARE HEARING IMPAIRED AND COMMIT TO HAVING A SIGN LANGUAGE INTERPRETER AT ALL FUTURE MEETINGS INCLUDING BUT NOT LIMITED TO COUNCIL MEETINGS AND PLANNING MEETINGS?

RESPONSE FROM CHAIRPERSON, MAYOR MESSINA

COUNCIL IS COMMITTED TO PROVIDING ACCESS FOR ALL. I HAVE ASKED THE CEO TO CONSIDER THE USE OF AUSLAN INTERPRETERS AS APPROPRIATE.

- **MADDY MAITRI, PRESTON**

LXRP WORKS AT BELL STATION RESULTED IN THE REMOVAL OF LIGHTS IN THE WALKWAY BETWEEN GERTRUDE AND GARNET STREETS, A VERY POPULAR PATHWAY TO BELL STATION AND BEYOND. WE ASKED COUNCIL TO ARRANGE LIGHTING AFTER DARK. THIS WAS FORWARDED TO LXRA. THEIR RESPONSE IS TO CLOSE THE PEDESTRIAN WALKWAY (EVEN DURING TIMES WHEN NO LIGHTS ARE REQUIRED) THEREBY SHOWING EVEN MORE CONTEMPT FOR LOCAL RESIDENTS.

1. WILL COUNCIL NEGOTIATE WITH LXRA TO TAKE OVER THE MANAGEMENT OF THIS WALKWAY AND OFFER TO PROVIDE TEMPORARY "MAKE SAFE" WORKS UNTIL CONSTRUCTION IS COMPLETE?
2. IF NOT, WILL COUNCIL NEGOTIATE AT LEAST DAYLIGHT HOURS ACCESS TO THE WALKWAY?
3. WHAT WILL COUNCIL TO DO STAND UP TO LXRA AND DEFEND THE RESIDENTS IN THIS AREA?

RESPONSE FROM CHAIRPERSON, MAYOR MESSINA

COUNCIL HAS ASKED THE LXRP TO PUT IN TEMPORARY ACCESS WITH TEMPORARY LIGHTING, HOWEVER THEY HAVE DECLINED THIS REQUEST AND EXPLAINED THAT CLOSING THE PEDESTRIAN WALKWAY IS THE SAFEST OPTION FOR PEDESTRIANS, EVEN IF LIGHTING WAS PUT IN.

COUNCIL OFFICERS WILL CONTINUE THEIR DISCUSSIONS WITH THE LXRP ON THIS TOPIC AND I HAVE ASKED THAT THEY PHONE YOU TO DISCUSS THIS MATTER FURTHER.

IN RESPONSE TO YOUR THIRD QUESTION, COUNCIL CONTINUE TO ADVOCATE FOR A NUMBER OF OTHER IMPROVEMENTS AND WOULD ENCOURAGE YOU TO GET IN TOUCH WITH THE LXRP AND IF NEEDED COUNCIL ABOUT ANYTHING ELSE.

- **RUTH JELLEY, NORTHCOTE**

1. ON 24 JUNE, OUR NEIGHBOURING COUNCIL IN THE CITY OF YARRA UNANIMOUSLY SUPPORTED A MOTION TO ADVOCATE TO THE STATE GOVERNMENT FOR THE DEVELOPMENT OF ADDITIONAL SAFE CYCLING INFRASTRUCTURE. AS A FELLOW MEMBER OF THE M9 GROUP OF COUNCILS, WHOSE STATED PURPOSE IS 'SHARED ADVOCACY', WILL DAREBIN COUNCIL JOIN YARRA COUNCIL IN ADVOCATING TO MAKE THE POP-UP BIKE LANE ON HEIDELBERG ROAD PERMANENT?
2. THE 2020-21 DAREBIN COUNCIL Q3 REPORT STATES THAT CONTRACTS HAVE BEEN AWARDED FOR CONSTRUCTION IN JAMES ST AND CRAMER ST, PRESTON WEST, AS PART OF THE PRESTON ACTIVITY LINK (WEST) PROJECT. AT THE APRIL 26 COUNCIL MEETING, COUNCILLORS VOTED TO NOT PROGRESS WITH ANYTHING OTHER THAN THE POP-UP PARK ON JAMES STREET. WERE ANY AMENDMENTS REQUIRED TO BE MADE TO THAT CONTRACT AS A RESULT OF COUNCIL'S DECISION TO GO BACK TO THE DRAWING BOARD FOR THE JAMES ST TRAFFIC CONTROL MEASURES AND WHAT ARE THE COSTS ASSOCIATED WITH THIS?
3. THIS REPORT ALSO STATES THAT COUNCIL WILL CONTINUE TO ADVOCATE FOR POP-UP BICYCLE LANES ON 'OTHER KEY ARTERIAL ROADS IN DAREBIN'. IF COUNCIL HAS COMMITTED TO ADVOCATE FOR POP-UP BICYCLE LANES, WHY DID COUNCIL VOTE AGAINST DEVELOPING DESIGNS FOR COMMUNITY CONSULTATION FOR POP-UP BIKE LANES ON HIGH STREET IN NORTHCOTE AND THORNBURY, IN DIRECT CONTRAVENTION OF ITS OWN STRATEGIC PLANS?

RESPONSE FROM CEO, SUE WILKINSON

1. **AT THE COUNCIL MEETING ON 29 JUNE 2020, COUNCIL UNANIMOUSLY VOTED TO ADVOCATE FOR TEMPORARY PROTECTED BICYCLE LANES ALONG KEY CYCLING CORRIDORS, INCLUDING HEIDELBERG ROAD BETWEEN IVANHOE AND CLIFTON HILL. I HAVE ASKED THE MANAGER TO CALL YOU TOMORROW TO DISCUSS CYCLING ADVOCACY AND THE STATE GOVERNMENT'S HEIDELBERG ROAD POP-UP BIKE LANE.**
2. **THE CONTRACT TO CONSTRUCT THE JAMES STREET TEMPORARY ROAD CLOSURE HAS BEEN AWARDED FOLLOWING A COMPETITIVE TENDER EVALUATION PROCESS.**

COUNCIL HAD RECEIVED TENDERS BEFORE COUNCIL'S DECISION, BUT HAD NOT AWARDED THE CONTRACT. COUNCIL HAS NEGOTIATED A REDUCED SCOPE WITH TENDERS AFTER COUNCIL'S DECISION.

3. DAREBIN ENCOURAGES AND SUPPORTS CYCLING THROUGH A COMBINATION OF INFRASTRUCTURE AND PROGRAMS, INCLUDING OUR SIGNIFICANT CAPITAL WORKS PROGRAM.

PROGRAMS THIS YEAR HAVE INCLUDED

- **E-BIKE SEMINARS,**
 - **MONTHLY FREE BIKE REPAIRS FOR OUR COMMUNITY,**
 - **DETAILED DESIGN FOR BRACKEN AVE SHARED PATH CROSSINGS AND NORTHERN RESERVOIR STREETS FOR PEOPLE,**
 - **DUNDAS STREET BICYCLE LANE LINE MARKING**
 - **WOOD STREET BICYCLE ENTRANCE SAFETY WORKS**
 - **BROADHURST BRIDGE UPGRADE WORKS**
 - **NORTHCOTE STREETS FOR PEOPLE WORKS X2 – HERBERT AND HAWTHORN IMPROVEMENTS AND ETHEL STREET**
- **DAVID SCHULZE, RESERVOIR**

WHY IS A NON-ELECTED OFFICIAL BEING ALLOWED TO VOTE ON COUNCIL MATTERS, AND WHAT WILL HAPPEN IF THERE IS A 5-5 SPLIT.

RESPONSE FROM CHAIRPERSON, MAYOR MESSINA

THE CEO EMPLOYMENT MATTERS COMMITMENT IS AN ADVISORY COMMITTEE ONLY – IT HAS NO AUTHORITY TO MAKE DECISIONS. IN THE EVENT THAT A MATTER BEFORE THE COMMITTEE WAS VOTED UPON AND THERE WAS AN EQUAL VOTE, THE ADVICE TO COUNCIL WOULD OUTLINE THIS.

- **PETER GONIS, RESERVOIR**
1. **IN THE INTERESTS OF TRANSPARENCY, WILL THE MAYOR SHARE WITH DAREBIN RESIDENTS THE COSTS OF SENDING THE CEO & COUNCILLORS TO CANBERRA?**
 2. **IN THE INTERESTS OF TRANSPARENCY, WILL THE MAYOR EXPLAIN THE CONVENTION THAT STATES "THAT THE CHAIR OF AN INDEPENDENT COMMITTEE (CEO EMPLOYMENT) IS GIVEN THE RIGHT TO NOT ONLY RECOMMEND, & ALSO A VOTING RIGHT?**
 3. **IN THE INTERESTS OF TRANSPARENCY, WILL THE MAYOR EXPLAIN IN DETAIL THE METHODS USED TO CALCULATE THE \$63.5 MILLION PRICE TAG FOR THE NORTHCOTE POOL REDEVELOPMENT?**

RESPONSE FROM CHAIRPERSON, MAYOR MESSINA

1. **YES. THE COUNCILLOR SUPPORT & EXPENSES POLICY REQUIRES A QUARTERLY REPORT TO COUNCIL ON COUNCILLOR EXPENSES AND REIMBURSEMENTS. THIS REPORTING REGIME PROVIDES DETAILS OF EXPENSES AND REIMBURSEMENTS OF EXPENSES FOR EACH COUNCILLOR CATEGORISED SEPARATELY AS**
 - **TRAVEL EXPENSES**
 - **CHILDCARE EXPENSES**
 - **INFORMATION AND COMMUNICATIONS TECHNOLOGY EXPENSES**
 - **CONFERENCES AND TRAINING**

- FUNCTIONS AND EVENTS

THESE REPORTS ARE ALSO SUBMITTED TO COUNCILS AUDIT AND RISK COMMITTEE BIANNUALLY.

COUNCIL ADDITIONALLY MAINTAINS REGISTER OF OVERSEAS AND INTERSTATE TRAVEL UNDERTAKEN BY COUNCILLORS AND COUNCIL STAFF.

2. THE CEO EMPLOYMENT MATTERS COMMITMENT CHARTER WAS THE SUBJECT OF A REPORT TO THE SPECIAL COUNCIL MEETING ON THE 15 JUNE 2021. THE CHARTER AS ADOPTED ESTABLISHES THE COMPOSITION OF THE COMMITTEE AS BEING ALL NINE (9) COUNCILLORS AND AN INDEPENDENT CHAIRPERSON WHO CANNOT BE A COUNCILLOR OR MEMBER OF COUNCIL STAFF. THE CHARTER PROVIDES FOR THE INDEPENDENT CHAIRPERSON TO BE ABLE TO VOTE ON RECOMMENDATIONS PUT BEFORE THE COMMITTEE.

I HAVE NOTED PREVIOUSLY TONIGHT THAT THE CEO EMPLOYMENT MATTERS COMMITMENT IS AN ADVISORY COMMITTEE ONLY – IT HAS NO AUTHORITY OR POWER TO MAKE DECISIONS AND AS SUCH ANY RECOMMENDATION OF THE COMMITTEE MUST BE PRESENTED TO COUNCIL FOR CONSIDERATION.

3. THE TOTAL PROJECT COST OF THE POOL HAS BEEN DERIVED UTILISING A NUMBER OF METHODS DATING BACK TO THE INITIAL PLANNING PHASES OF THE PROJECT INCLUDING
 - FEASIBILITY STUDY (AS DETAILED IN THE COUNCIL REPORT DATED 27 AUGUST 2018)
 - MARKET COMPARISON (AS DETAILED IN THE COUNCIL REPORT DATED 22 MARCH 2021)
 - ENGAGING ARCHITECTURAL EXPERTISE IN THE CONSTRUCTION OF AQUATIC AND RECREATION FACILITIES THROUGH A PUBLIC TENDER PROCESS (SEE COUNCIL REPORT 24 JUNE 2019)
 - ENGAGING COUNCIL'S OWN QUANTITY SURVEYOR TO TEST ALL PROJECT COSTINGS AT EVERY DESIGN PHASE.

7. PETITIONS**7.1 TABLING OF PETITION - NOISE AND AMENITY ISSUE IN THORNBURY**

Cr. Rennie sought leave of Council to present a petition regarding a noise and amenity issue in Thornbury.

Leave was granted.

Council Resolution**MINUTE NO. 21-061**

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

That the petition signed by approx. 15 persons stating:

We the undersigned, petition Darebin City Council to urgently investigate and take appropriate action to address the non compliance of any Planning, Building, Liquor Licencing and EPA requirements and conditions at the Capers (formerly Northern Soul) 843 High Street, Thornbury, Victoria 3071 which are currently causing significant impact to the amenity

of surrounding residents and property owners, and that the signatories of this petition be informed of the outcomes of this investigation and the action proposed.

Be received and referred to the Chief Executive Officer for action.

CARRIED UNANIMOUSLY

8. CONSIDERATION OF REPORTS

8.1 COMMUNITY VISION - DAREBIN 2041

EXECUTIVE SUMMARY

The Community Vision is a new requirement introduced through the Local Government Act 2020. The Community Vision must be for at least 10 years and must be in place by 31 October 2021, taking effect from 1 July 2021.

The Community Vision articulates the aspirations of the community for the future and extends beyond the reach of Council and its responsibilities and sets direction for individuals, community groups, organisations, businesses and government bodies that participate, influence and contribute to community life and Darebin's future.

The Darebin 2041 Community Vision is based on a 20-year horizon, enabling our community to consider the future of Darebin for the next generation. The Darebin 2041 Community Vision has been developed by the community, for the community and articulates that aspirations of the community for Darebin for 2041.

The Vision has been developed through the Design Your Darebin 2041 engagement program, which included the establishment of a Deliberative Community Engagement Panel. Community Engagement commenced in December 2020 with broad engagement and the results of this engagement informed the Deliberative Panel's work to develop the Darebin 2041 Community Vision. The Deliberative Panel met virtually 3 times between 28th February and 11th March (due to covid restrictions) and in person on 2nd May and 23rd May 2021 to undertake this work.

Since late last year, Councillors have been regularly briefed throughout the process of the development of the Community Vision. In addition, the draft Community Vision was presented to Council on 8 April 2021 for noting, and Council resolved to make changes to the draft Community Vision and the remit of the Deliberative Panel.

Following the consideration and change to the draft Community Vision, a meeting in person with Councillors and the Deliberative Panel was convened on 24 April 2021 to discuss next steps. Additional sessions were allocated for the Panel to complete their work on the Community Vision, and the sessions originally scheduled for the Council Plan and Financial Plan deliberation were adjusted to provide additional time for the Community Vision to be completed. These sessions were held in person, as originally planned, on 2nd and 23rd May 2021.

More recently, Councillors were briefed on the final Community Vision on 24 May 2021 and "met" the Deliberative Panel virtually at a stakeholder engagement session on 7 June 2021. At this session, members of the Panel presented their work on the Community Vision (and Council Plan) and shared the thinking behind the elements of the Vision statement and the themes they had established.

The Darebin 2041 Community Vision and priorities outlined below is the work of the Deliberative Panel and remains unchanged from when it was presented to Councillors on 7 June 2021.

Darebin 2041 Community Vision

Darebin is an equitable, vibrant and connected community.

Darebin respects and supports First Nations People, values country, our diverse communities and places.

Darebin commits to mitigating the climate emergency, creating prosperity for current and future generations.

Officer Recommendation

That Council:

- (1) Adopts the Darebin 2041 Community Vision.
- (2) Thanks the Deliberative Panel Members for their commitment and work undertaken from March to May to develop the Community Vision.
- (3) Thanks the Aboriginal Advisory Committee, Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation, Young Citizen Jury and Youth Forum participants for their contribution to support the Deliberative Panel in their development of the 2041 Community Vision.
- (4) Thanks all members of the community who participated in the engagement undertaken to inform the 2041 Darebin Community Vision, including individuals and groups who participated through both formal and less formal community engagement activities.

Council Resolution

MINUTE NO. 21-062

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

That Council:

- (1) Adopts the Darebin 2041 Community Vision.
- (2) Thanks the Deliberative Panel Members for their commitment and work undertaken from March to May to develop the Community Vision.
- (3) Thanks the Aboriginal Advisory Committee, Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation, Young Citizen Jury and Youth Forum participants for their contribution to support the Deliberative Panel in their development of the 2041 Community Vision.
- (4) Thanks all members of the community who participated in the engagement undertaken to inform the 2041 Darebin Community Vision, including individuals and groups who participated through both formal and less formal community engagement activities.

CARRIED UNANIMOUSLY

Declaration of Conflict of Interest

The Mayor Cr. Lina Messina advised Council that she has a material conflict of interest in the following item, specifically those sections related to Council priorities and actions in relation to Home Care due to her current employment in the Home Care Sector. Accordingly discussion and voting on this motion would occur in two parts to deal with those matters with which she has a conflict separately.

6.33 pm Cr Messina left the meeting and the Deputy Mayor Cr Greco assumed the Chair

8.2 ADOPTION OF THE 2021 - 2025 COUNCIL PLAN (INCORPORATING THE MUNICIPAL PUBLIC HEALTH AND WELLBEING PLAN)

EXECUTIVE SUMMARY

The draft 2021-2025 Council Plan (incorporating Municipal Public Health and Wellbeing Plan) is a requirement under the Local Government Act 2020 and the Public Health and Wellbeing Act 2008 and must be in place by 31 October 2021 and takes effect from 1 July 2021.

The draft 2021-2025 Council Plan (incorporating Municipal Public Health and Wellbeing Plan) has been developed using the context of the governance principles, strategic planning principles, financial management principles, community engagement principles, service performance principles and asset plan integration.

Its development has also been informed by the development of the Darebin 2041 Community Vision and provides for alignment to the Vision through the Strategic Directions. This four-year plan provides a view of how Council will achieve the Community Vision aspirations.

Extensive community engagement has been undertaken on the draft Council Plan (incorporating Municipal Public Health and Wellbeing Plan) 2021-2025 priorities document released to the community in April 2021. This community engagement included telephone survey, targeted engagement, targeted conversation sessions and a formal submission process.

A total of **1,341** community members participated in the community engagement for the draft Council Plan (incorporating Municipal Public Health and Wellbeing Plan) 2021-2025 priorities document.

The draft 2021 – 2025 Council Plan (incorporating Municipal Public Health and Wellbeing Plan) has four strategic directions that will guide Council's actions and resources over the next four years:

- Vibrant, Respectful and Connected
- Prosperous, Liveable and Flourishing
- Climate, Green and Sustainable
- Responsible, Transparent and Responsive

The ten big actions contained within the draft 2021-2025 Council Plan (incorporating Municipal Public Health and Wellbeing Plan) are:

1. Build infrastructure for the future by redeveloping Northcote Aquatic and Recreation Centre, redeveloping BT Connor Pavilion in Reservoir, and building Darebin Intercultural Centre in Preston
2. Plan infrastructure for decades to come by redeveloping Reservoir Leisure Centre, activating Edwardes Lake Boat House in Reservoir, building new kindergarten facilities, and undertaking a feasibility study for a Global Learning Hub in Preston
3. Continue to lead with our response to the climate emergency by updating our Climate Emergency Plan to set out how to best achieve zero greenhouse gas emissions for Darebin by 2030, offering solar installations and energy retrofits to pensioners and vulnerable communities, delivering new business and community power purchase partnerships, supporting a shift to a circular economy and massively reducing our waste going to landfill, and delivering projects and programs aimed to improve safety for people

- cycling, walking and wheeling, increasing active travel which will also reduce transport emissions
4. Deepen our commitment to truth and justice for First Nations communities in partnership with the Wurundjeri Woi-wurrung Cultural Heritage Corporation and Aboriginal and Torres Strait islander peoples who live and work in Darebin
 5. Support vulnerable members of our community by providing support with COVID-19 recovery, expanding our homelessness Assertive Outreach program, and supporting community-led programs in East Reservoir and East Preston, to achieve greater physical and mental health, and wellbeing for all
 6. Champion local business and creative industries by providing support with COVID -19 recovery, facilitating the establishment of a Darebin Chamber of Commerce, and improving the lighting and safety of our retail precincts and business activity centres
 7. Build a more inclusive community for all by supporting Darebin's multicultural communities, reducing racism and discrimination, increasing access to our Council's services and sporting assets by groups who are under-represented, developing our Disability Action Plan to improve access for all to our services and infrastructure, and achieving Rainbow Tick accreditation (best practice in LGBTQIA+ inclusion) for our services and activities
 8. Improve the quality of development and work to protect all that we love about Darebin by pursuing protections for Preston Market, conducting a Planning Scheme review informed by in-depth community consultation, and reviewing our Parking Permit Policy
 9. Protect our natural environment and biodiversity by improving water quality in Edwardes Lake, increasing tree canopy coverage in our parks, residential areas and retail precincts, and enhancing understorey planting
 10. Expand our delivery of quality universal services by providing more three-year-old kindergarten places, continuing to deliver its flagship Age Friendly Darebin project, expanding aged care direct services, and registering to become a aged care package provider.

Officer Recommendation

That Council:

- (1) Adopts the following actions contained within the 2021-25 Council Plan (incorporating Municipal Public Health and Wellbeing Plan) (attached as **Appendix A**) for inclusion in the 2021-25 Council Plan:
 - a. **Big Action No.10** (p.39) Expand our delivery of quality universal services across the lifespan by providing more three-year-old kindergarten places, continuing to deliver our flagship Age Friendly Darebin project, expanding aged care direct services, and registering to become an aged care package provider
 - b. **Action 1-18** (p.45) Deliver Age Friendly Darebin, expand aged care direct services, and register Council to become an aged care package provider
- (2) In accordance with section 90 of the *Local Government Act 2020* and section 26 of the *Public Health and Wellbeing Act*, adopts the 2021-25 Council Plan (incorporating Municipal Public Health and Wellbeing Plan) (attached as **Appendix A**) subject to ministerial exemption in accordance with section 27 of the *Public Health and Wellbeing Act*, and
- (3) Notes the Municipal Health and Wellbeing Profile Report (attached as **Appendix B**); and
- (4) Thank the Deliberative Panel for their work; and
- (5) Notes Darebin's Integrated Strategic Planning and Reporting Framework that will guide Council's work to embed the Strategic Principles of the *Local Government Act 2020*; and
- (6) Notes the summary of the submissions received, prepared on behalf of the Hearing of Submissions Committee (attached as **Appendix D**); and
- (7) Advises all submitters that Council has considered their submissions relating to the 2021-25 Council Plan (incorporating Municipal Public Health and Wellbeing Plan) and that the submitters be advised of the outcome of the consideration as it relates to their specific submission, and they be thanked for their contributions; and
- (8) Authorise the Chief Executive Officer to make any necessary administrative changes to the document to prepare it for publication, and
- (9) Authorise the Chief Executive Officer to submit a copy of the adopted 2021 – 2025 Council Plan (incorporating the Municipal Public Health and Wellbeing Plan) to the Minister for Local Government and the Minister for Families, Fairness and Housing.

Motion

MOVED: Cr. T Laurence

SECONDED: Cr. J Williams

That Council:

- (1) Adopts the following actions contained within the 2021-25 Council Plan (incorporating Municipal Public Health and Wellbeing Plan) (**attached as Appendix A**) for inclusion in the 2021-25 Council Plan:
- a. Big Action No.10 (p.39) Expand our delivery of quality universal services across the lifespan by providing more three-year-old kindergarten places, continuing to deliver our flagship Age Friendly Darebin project, expanding aged care direct services, and registering to become home care package provider
 - b. Action 1-18 (p.45) Deliver Age Friendly Darebin, expand aged care direct services, and register Council to become home care package provider

The motion was put and carried unanimously .

Council Resolution

MINUTE NO. 21-063

MOVED: Cr. T Laurence

SECONDED: Cr. J Williams

That Council:

- (1) Adopts the following actions contained within the 2021-25 Council Plan (incorporating Municipal Public Health and Wellbeing Plan) (**attached as Appendix A**) for inclusion in the 2021-25 Council Plan:
- a. Big Action No.10 (p.39) Expand our delivery of quality universal services across the lifespan by providing more three-year-old kindergarten places, continuing to deliver our flagship Age Friendly Darebin project, expanding aged care direct services, and registering to become home care package provider
 - b. Action 1-18 (p.45) Deliver Age Friendly Darebin, expand aged care direct services, and register Council to become home care package provider

CARRIED UNANIMOUSLY

6.39 pm The Mayor Cr. Messina returned to the meeting and assumed the Chair.

Motion

MOVED: Cr. E Dimitriadis

SECONDED: Cr. S Newton

That Council:

- (1) Adopts the following actions contained within the 2021-25 Council Plan (incorporating Municipal Public Health and Wellbeing Plan) (**attached as Appendix A**) for inclusion in the 2021-25 Council Plan:
 - c. Action 1-17 (pg44) - develop a Sexuality, Sex and Gender Diversity Action Plan to support the inclusion, rights and wellbeing of LGBTIQ+ communities and work to combat homophobia, biphobia and transphobia.
 - d. Action 2-44 (p.57) Partner with Bowel Cancer Screening, Cancer Council Victoria and local community organisations to increase awareness of bowel cancer and improve community understanding of the benefits of screening, with a particular focus on underrepresented groups undertaking bowel cancer screening.
 - e. Big Action No. 8 (p.39) Change the wording “reviewing our Parking Permit Policy” to be “review to amend our Parking Permit Policy”
 - f. Action 2-37 (p.56) Change the wording “Review the Parking Permit Policy” to be “Review to amend the Parking Permit Policy”
 - g. Action 1-32 (pg 46) Change the wording to ‘Through the establishment of our Darebin Nature Plan, begin discussions with Traditional Owners to understand the feasibility and resources required for Council to hand back land and responsibility for land management’
- (2) In accordance with section 90 of the Local Government Act 2020 and section 26 of the Public Health and Wellbeing Act, adopts the 2021-25 Council Plan (incorporating Municipal Public Health and Wellbeing Plan) (attached as Appendix A) subject to ministerial exemption in accordance with section 27 of the Public Health and Wellbeing Act; and
- (3) Notes the Municipal Health and Wellbeing Profile Report (attached as Appendix B); and
- (4) Thank the Deliberative Panel for their work; and
- (5) Notes Darebin’s Integrated Strategic Planning and Reporting Framework that will guide Council’s work to embed the Strategic Principles of the Local Government Act 2020; and
- (6) Notes the summary of the submissions received, prepared on behalf of the Hearing of Submissions Committee (attached as Appendix D); and
- (7) Advises all submitters that Council has considered their submissions relating to the 2021-25 Council Plan (incorporating Municipal Public Health and Wellbeing Plan) and that the submitters be advised of the outcome of the consideration as it relates to their specific submission, and they be thanked for their contributions; and
- (8) Authorise the Chief Executive Officer to make any necessary administrative changes to the document and related documents to prepare them for publication, and
- (9) Authorise the Chief Executive Officer to submit a copy of the adopted 2021 – 2025 Council Plan (incorporating the Municipal Public Health and Wellbeing Plan) to the Minister for Local Government and the Minister for Families, Fairness and Housing.

The motion was put and carried unanimously .

Council Resolution**MINUTE NO. 21-064****MOVED: Cr. E Dimitriadis****SECONDED: Cr. S Newton****That Council:**

- (1) Adopts the following actions contained within the 2021-25 Council Plan (incorporating Municipal Public Health and Wellbeing Plan) (**attached as Appendix A**) for inclusion in the 2021-25 Council Plan:
 - c. Action 1-17 (pg44) - develop a Sexuality, Sex and Gender Diversity Action Plan to support the inclusion, rights and wellbeing of LGBTIQ+ communities and work to combat homophobia, biphobia and transphobia.
 - d. Action 2-44 (p.57) Partner with Bowel Cancer Screening, Cancer Council Victoria and local community organisations to increase awareness of bowel cancer and improve community understanding of the benefits of screening, with a particular focus on underrepresented groups undertaking bowel cancer screening.
 - e. Big Action No. 8 (p.39) Change the wording “reviewing our Parking Permit Policy” to be “review to amend our Parking Permit Policy”
 - h. Action 2-37 (p.56) Change the wording “Review the Parking Permit Policy” to be “Review to amend the Parking Permit Policy”
 - i. Action 1-32 (pg 46) Change the wording to ‘Through the establishment of our Darebin Nature Plan, begin discussions with Traditional Owners to understand the feasibility and resources required for Council to hand back land and responsibility for land management’
- (2) In accordance with section 90 of the Local Government Act 2020 and section 26 of the Public Health and Wellbeing Act, adopts the 2021-25 Council Plan (incorporating Municipal Public Health and Wellbeing Plan) (attached as Appendix A) subject to ministerial exemption in accordance with section 27 of the Public Health and Wellbeing Act; and
- (3) Notes the Municipal Health and Wellbeing Profile Report (attached as Appendix B); and
- (4) Thank the Deliberative Panel for their work; and
- (5) Notes Darebin’s Integrated Strategic Planning and Reporting Framework that will guide Council’s work to embed the Strategic Principles of the Local Government Act 2020; and
- (6) Notes the summary of the submissions received, prepared on behalf of the Hearing of Submissions Committee (attached as Appendix D); and
- (7) Advises all submitters that Council has considered their submissions relating to the 2021-25 Council Plan (incorporating Municipal Public Health and Wellbeing Plan) and that the submitters be advised of the outcome of the consideration as it relates to their specific submission, and they be thanked for their contributions; and
- (8) Authorise the Chief Executive Officer to make any necessary administrative changes to the document and related documents to prepare them for publication, and
- (9) Authorise the Chief Executive Officer to submit a copy of the adopted 2021 – 2025 Council Plan (incorporating the Municipal Public Health and Wellbeing Plan) to the Minister for Local Government and the Minister for Families, Fairness and Housing.

CARRIED UNANIMOUSLY

8.3 ADOPTION OF BUDGET 2021-22, FINANCIAL PLAN 2021-31 AND REVENUE AND RATING PLAN 2021-25

EXECUTIVE SUMMARY

The Financial Plan 2021-31 outlines the long term resourcing and support for the delivery of the 2041 Community Vision and Council Plan 2021-25.

The Revenue and Rating Plan 2021-25 outlines arrangements for Council revenue to support the delivery of the 2021-25 Council Plan.

The annual 2021-22 Budget is an essential planning and resource tool produced each year. The development of a considered budget is vital to the ongoing operational and financial viability of Council. The budget sets out the expected income and expenditure of both operational, strategic and capital activities for the coming year and also incorporates Council's rating strategies.

The budget documentation forms part of a comprehensive public accountability process and reporting that includes:

- A 20-year Community Vision
- A 4-year Council Plan incorporating the Municipal Public Health and Wellbeing Plan
- A 10-year Financial Plan
- A 4-year Rating and Revenue Plan
- An Annual Report

The budget seeks to continue Councils proactive approach to prioritising efforts to supporting the community still impacted by the COVID pandemic. Towards this, the budget contains a \$3.2 million financial assistance package featuring:

- A \$50 spend local voucher to pensioners who are property owners
- A \$30 spend local voucher to residential property owners
- A \$50 spend local voucher and pet registration subsidy for Darebin residents who are eligible Job Seekers
- Continued support to traders including through fee waivers such as footpath trading fees
- Fee waivers in Art venues and Community Hubs
- Leisure and Recreation vouchers and discounts
- Subsidise for 12 months the special rates that are charged to the four trading precincts
- Continuing opportunity for all ratepayers to defer 2021-22 rate payments to 30 June 2022

In addition to the above financial assistance package, Council will invest \$6.3 million towards an ongoing economic recovery package that includes:

- Investment in economic development and COVID recovery - job creation and industry sector partnerships to attract new industries and investment including food, health, renewables, creative, circular economy and digital industries.
- An expanded activity centre program that leverages state government funding to help shape the city of the future - includes revitalisation of Reservoir, outdoor dining and parklets, place activations, business support programs and building thriving retail centres.
- Continuing to adapt our existing services to meet emerging needs in new ways.

- Continued advocacy for funding and economy policy that supports new sustainable industries for the long term.

It is important to acknowledge that Council's own financial position has been significantly impacted by the pandemic and this is expected to continue at least in the short term. In responding to this challenging period, it is critical that Council maintains a sound financial position so that it can meet its financial obligations and ensure that it is in a position to support the needs of the Darebin community into the future.

In addition to the significant financial assistance package outlined above, other key features of the budget include:

- \$64.1M capital works program
- Revenue in user fees and statutory fees and fines at 75% of pre-covid level
- Significant delays in cash receipts from rates instalments (rates can be deferred to 30 June 2022)
- No interest charged on deferred rate and sundry debtors to 30 June 2022
- Borrowings of \$8 million
- No changes to current service levels (increased in some areas to continue to respond to the ongoing pandemic)
- An overall average rate increase of 1.5% in line with the rate cap set by the Victorian State government

Officer Recommendation

That Council:

- (1) In accordance with section 94 of the *Local Government Act 2020* adopts the Budget 2021-22 (attached as **Appendix A**);
- (2) In accordance with section 91 of the *Local Government Act 2020* adopts the Financial Plan 2021-2031 (**Appendix B**) including updates to reflect any consequential changes to the Budget 2021-22 and revokes the Strategic Resource Plan 2020-2024 and Ten Year Capital Works Plan 2020-21 to 2029-30;
- (3) In accordance with section 93 the *Local Government Act 2020* adopts the Revenue and Rating Plan 2021-2025 and revokes the Rating Strategy 2014 and Fees and Charges Policy 2014 (**Appendix C**);
- (4) In accordance with section 94 (2)(e) and (h) of the *Local Government Act 2020*, declares the Rates and Annual Service Charges for the 2021-22 rating year commencing 1 July 2021 and ending 30 June 2022 as detailed in the Budget 2021-22;
- (5) Declares a rebate in relation to rates of \$150 to each owner of rateable land who is an 'eligible recipient' within the meaning of the *State Concessions Act 2004* to assist the proper development of the municipal district as detailed in the Budget 2021-22 and is being granted because Council considers that it provides a benefit to the Darebin community in that it provides some relief on rates to elderly and other eligible residents in addition to the State Government rates concession and is consistent with principles of fairness and equity;
- (6) Notes the summary of the submissions received, prepared on behalf of the Hearing of Submissions Committee (attached as **Appendix D**);
- (7) Advises all submitters that Council has considered their submissions relating to the Draft Budget 2021-22 and that the submitters be advised of the outcome of the consideration as it relates to their specific submission, and they be thanked for their contributions; and
- (8) Authorise the Chief Executive Officer to give public notice of the decision to adopt the Budget, and to submit a copy of the adopted Budget to the Minister for Local Government.

Motion

MOVED: Cr. T Hannan

SECONDED: Cr. G Greco

That Council:

- (1) In accordance with section 94 of the *Local Government Act 2020* adopts the Budget 2021-22 (attached as **Appendix A**) but amended to include the following;
 - a. Reinstatement of community grants to \$982,250 and inclusion of an additional \$80,000 for a new specific community grant stream for women and girls in sport
 - b. Allocation of \$5,000 for the SES
- (2) In accordance with section 91 of the *Local Government Act 2020* adopts the Financial Plan 2021-2031 (**Appendix B**) including updates to reflect any consequential changes to the Budget 2021-22 and revokes the Strategic Resource Plan 2020-2024 and Ten Year Capital Works Plan 2020-21 to 2029-30;
- (3) In accordance with section 93 the *Local Government Act 2020* adopts the Revenue and Rating Plan 2021-2025 and revokes the Rating Strategy 2014 and Fees and Charges Policy 2014 (**Appendix C**);
- (4) In accordance with section 94 (2)(e) and (h) of the *Local Government Act 2020*, declares the Rates and Annual Service Charges for the 2021-22 rating year commencing 1 July 2021 and ending 30 June 2022 as detailed in the Budget 2021-22;
- (5) Declares a rebate in relation to rates of \$150 to each owner of rateable land who is an 'eligible recipient' within the meaning of the *State Concessions Act 2004* to assist the proper development of the municipal district as detailed in the Budget 2021-22 and is being granted because Council considers that it provides a benefit to the Darebin community in that it provides some relief on rates to elderly and other eligible residents in addition to the State Government rates concession and is consistent with principles of fairness and equity;
- (6) Notes the summary of the submissions received, prepared on behalf of the Hearing of Submissions Committee (attached as **Appendix D**);
- (7) Advises all submitters that Council has considered their submissions relating to the Draft Budget 2021-22 and that the submitters be advised of the outcome of the consideration as it relates to their specific submission, and they be thanked for their contributions; and
- (8) Authorise the Chief Executive Officer to give public notice of the decision to adopt the Budget, and to submit a copy of the adopted Budget to the Minister for Local Government.

The motion was put and carried unanimously

Council Resolution

MINUTE NO. 21-065

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

That Council:

- (1) In accordance with section 94 of the *Local Government Act 2020* adopts the Budget 2021-22 (attached as **Appendix A**) but amended to include the following;
 - a. Reinstatement of community grants to \$982,250 and inclusion of an additional \$80,000 for a new specific community grant stream for women and girls in sport
 - b. Allocation of \$5,000 for the SES
- (2) In accordance with section 91 of the *Local Government Act 2020* adopts the Financial Plan 2021-2031 (**Appendix B**) including updates to reflect any consequential changes to the Budget 2021-22 and revokes the Strategic Resource Plan 2020-2024 and Ten Year Capital Works Plan 2020-21 to 2029-30;
- (3) In accordance with section 93 the *Local Government Act 2020* adopts the Revenue and Rating Plan 2021-2025 and revokes the Rating Strategy 2014 and Fees and Charges Policy 2014 (**Appendix C**);
- (4) In accordance with section 94 (2)(e) and (h) of the *Local Government Act 2020*, declares the Rates and Annual Service Charges for the 2021-22 rating year commencing 1 July 2021 and ending 30 June 2022 as detailed in the Budget 2021-22;
- (5) Declares a rebate in relation to rates of \$150 to each owner of rateable land who is an 'eligible recipient' within the meaning of the *State Concessions Act 2004* to assist the proper development of the municipal district as detailed in the Budget 2021-22 and is being granted because Council considers that it provides a benefit to the Darebin community in that it provides some relief on rates to elderly and other eligible residents in addition to the State Government rates concession and is consistent with principles of fairness and equity;
- (6) Notes the summary of the submissions received, prepared on behalf of the Hearing of Submissions Committee (attached as **Appendix D**);
- (7) Advises all submitters that Council has considered their submissions relating to the Draft Budget 2021-22 and that the submitters be advised of the outcome of the consideration as it relates to their specific submission, and they be thanked for their contributions; and
- (8) Authorise the Chief Executive Officer to give public notice of the decision to adopt the Budget, and to submit a copy of the adopted Budget to the Minister for Local Government.

CARRIED UNANIMOUSLY

8.4 PRESTON MARKET PRECINCT - RESPONSE TO VPA PLANNING CONTROLS

EXECUTIVE SUMMARY

The Victorian Planning Authority (VPA) released the draft structure plan and planning controls for the Preston Market Precinct for public consultation on 18 May 2021. These planning controls are proposed to guide future development of the site. The plans are on public consultation for eight weeks (ending 13 July) and submissions can be made until this date.

Council has continuously advocated to protect the character, identity, and long-term success of Preston Market, and has outlined what it is seeking in its adopted 'Heart of Preston' document. While it is evident that Council's advocacy has positively influenced some elements of VPA's plans, (for example a heritage overlay is proposed, high ESD standards are included, and mandatory requirements for affordable housing and open space are included), overall, the proposed controls require substantial change to protect the market, and to ensure that overall development of the site is appropriate and liveable for the long term.

Officers' assessment is that the proposed controls provide inadequate protection of the Preston Market and scores poorly against Council's Heart of Preston objectives. Substantial changes are required, in particular:

- the proposed framework fundamentally fails to protect the social, economic, or cultural functions of the market and poses an existential threat to Preston Market.
- controls provide weak protection of the market use and heritage that allow the majority of the market to be rebuilt in new alignment
- proposed development density and heights fail to achieve best practice principles of urban design and pave the way for an insensitive overdevelopment of the site that is not commensurate with actual housing need.

A submission to the VPA has been drafted and is attached to this report (**Appendix A**). Officers recommend Council seek that the VPA change in its plan including in the following ways:

- Change the framework plan and heritage controls to retain the current market buildings which are of historical significance
- Strengthen the planning controls to protect market size and identity in any new or rebuilt sections
- Reduce proposed building heights, add mandatory overall height limits and improve urban design controls.
- Further enhance the proposed environmentally sustainable design standards, open space and affordable housing contributions.
- Consider delivery of the community hub to serve the Preston Market Site on the Civic Precinct as part of an integrated community services hub to provide more efficient and integrated service.

Officers have assessed the proposed draft controls against Council's Heart of Preston criteria, and prepared key submission points to the VPA for Council to endorse **Appendix A**.

Relevant experts have been engaged to contribute to Council's submission and to provide expert advice for Council at any upcoming Standing Advisory Committee hearings (which is expected to be similar to a planning panel).

Further detailed advice will be available in the coming weeks to input into Council's submission before submitting it to VPA on July 13. This further detail is expected to be in line with the general objectives of Council's submission as detailed in this report, providing further detailed comments and evidence to support Council's submission.

Officer Recommendation

That Council:

- (1) Endorse the recommended Submission (key points) to the VPA contained in **Appendix A** to form the basis of Council's submission to the VPA engagement on Preston Market Precinct Planning Framework.
- (2) Authorise the General Manager City Sustainability and Strategy to add further detail, including of a technical nature, to Council's submission, prior to submitting it to the VPA on 13 July 2021, and subsequently as may be required as part of Council's submission to the Standing Advisory Committee and to Authorise the Manager City Futures to make minor alterations and corrections where necessary.
- (3) Write to the Victorian Planning Authority and Planning Minister, to:
 - a. Outline Council's disappointment with the draft planning controls for Preston Market Precinct, and request significant changes be made to adequately protect the market's heritage, identity, and provide more appropriate design response to the local context.
 - b. Request that the VPA make these changes and engage the community once more, before proceeding to Standing Advisory Committee
 - c. Request that the proposed draft planning scheme amendment is not approved before the landowner commits to:
 - i. Enter into a contractual commitment to ensure the market is an ongoing use on site and to support the market traders and affordability
 - ii. Adequately resolve the Section 173 agreement to Council's satisfaction on affordable housing and public easements and carparking prior to gazettal of a planning scheme amendment.
- (4) Endorses the communications campaign outlined in this report to share Council's decision and maximise community participation in the State Government's consultation.
- (5) Immediately advises all local state and federal MPs in the Darebin area of Council's decision and advocacy and seeks their support.

Motion

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

That Council:

- (1) Endorse the recommended Submission (key points) to the VPA contained in **Appendix A** to form the basis of Council's submission to the VPA engagement on Preston Market Precinct Planning Framework., with the following changes:
 - a. Add to Submission Request 1 two new dot points as follows:
 - Incorporate Structure Plan Action 26 'Maintain at least the same number of car parking spaces as currently provided for the existing market' into the zone as a mandatory requirement.
 - Change from a discretionary to a mandatory requirement in the zone that car parking must be located underground, where possible. Where this is not technically possible parking must be located above ground level and sleeved with active uses.
 - b. In Submission Request 1, replace the last dot point with:
 - Demolishing the market by 80% is an unacceptable heritage outcome that has no clear rationale and would decimate the heritage significance of Preston Market. It would also harm the social and cultural roles of the market, along with its continuity and commercial viability.
 - c. In Submission Request 2, replace dot point two with:
 - Require the developer enter into a s173 agreement with Council, committing to the market diversity and affordability requirements in the Charter of Community Expectations. This must be entered into before a planning scheme amendment is gazetted.
 - d. In Submission Request 3 - dot point 4, replace sub-point 3 with:
 - require an 'all electric site' and no new gas connections on the site. Ensure the precinct becomes a 'renewable energy power hub that maximises onsite solutions such as solar panels, battery storage and microgrid;
 - e. In Submission Request 3 - dot point 4, replace sub-point 5 with:
 - provide for residential and commercial composting and/or anaerobic digestion and encourage urban agriculture facilities within the precinct, where amenity can be protected;
- (2) Authorise the General Manager City Sustainability and Strategy to add further detail, including of a technical nature, to Council's submission, prior to submitting it to the VPA on 13 July 2021, and subsequently as may be required as part of Council's submission to the Standing Advisory Committee and to Authorise the Manager City Futures to make minor alterations and corrections where necessary.
- (3) Write to the Victorian Planning Authority and Planning Minister, to:
 - a. Outline Council's disappointment with the draft planning controls for Preston Market Precinct, and request significant changes be made to adequately protect the market's heritage, identity, and provide more appropriate design response to the local context.
 - b. Request that the VPA make these changes and engage the community once more, before proceeding to Standing Advisory Committee
 - c. Request that the proposed draft planning scheme amendment is not approved before the landowner commits to:
 - i. Enter into a contractual commitment to ensure the market is an ongoing use on site and to support the market traders and affordability

- ii. Adequately resolve the Section 173 agreement to Council's satisfaction on affordable housing and public easements and carparking prior to gazettal of a planning scheme amendment.
- (4) Endorses the communications campaign outlined in this report to share Council's decision and maximise community participation in the State Government's consultation.
- (5) Immediately advises all local state and federal MPs in the Darebin area of Council's decision and advocacy and seeks their support.
- (6) Request the Minister to require the VPA Projects Standing Advisory Committee to conduct its proceedings through a Public Hearing for greater transparency.
- (7) Call for a report to come back to Council in September to provide an update on the progress of the VPA's Preston Market project, and to consider any new advice or issues that may arise in the months that follow.

The motion was put and carried unanimously.

Council Resolution**MINUTE NO. 21-066**

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

That Council:

- (1) Endorse the recommended Submission (key points) to the VPA contained in **Appendix A** to form the basis of Council's submission to the VPA engagement on Preston Market Precinct Planning Framework., with the following changes:
 - a. Add to Submission Request 1 two new dot points as follows:
 - Incorporate Structure Plan Action 26 'Maintain at least the same number of car parking spaces as currently provided for the existing market' into the zone as a mandatory requirement.
 - Change from a discretionary to a mandatory requirement in the zone that car parking must be located underground, where possible. Where this is not technically possible parking must be located above ground level and sleeved with active uses.
 - b. In Submission Request 1, replace the last dot point with:
 - Demolishing the market by 80% is an unacceptable heritage outcome that has no clear rationale and would decimate the heritage significance of Preston Market. It would also harm the social and cultural roles of the market, along with its continuity and commercial viability.
 - c. In Submission Request 2, replace dot point two with:
 - Require the developer enter into a s173 agreement with Council, committing to the market diversity and affordability requirements in the Charter of Community Expectations. This must be entered into before a planning scheme amendment is gazetted.
 - d. In Submission Request 3 - dot point 4, replace sub-point 3 with:
 - require an 'all electric site' and no new gas connections on the site. Ensure the precinct becomes a 'renewable energy power hub that maximises onsite solutions such as solar panels, battery storage and microgrid;
 - e. In Submission Request 3 - dot point 4, replace sub-point 5 with:
 - provide for residential and commercial composting and/or anaerobic digestion and encourage urban agriculture facilities within the precinct, where amenity can be protected;
- (2) Authorise the General Manager City Sustainability and Strategy to add further detail, including of a technical nature, to Council's submission, prior to submitting it to the VPA on 13 July 2021, and subsequently as may be required as part of Council's submission to the Standing Advisory Committee and to Authorise the Manager City Futures to make minor alterations and corrections where necessary.
- (3) Write to the Victorian Planning Authority and Planning Minister, to:
 - a. Outline Council's disappointment with the draft planning controls for Preston Market Precinct, and request significant changes be made to adequately protect the market's heritage, identity, and provide more appropriate design response to the local context.
 - b. Request that the VPA make these changes and engage the community once more, before proceeding to Standing Advisory Committee
 - c. Request that the proposed draft planning scheme amendment is not approved before the landowner commits to:
 - i. Enter into a contractual commitment to ensure the market is an ongoing use on site and to support the market traders and affordability

- ii. Adequately resolve the Section 173 agreement to Council's satisfaction on affordable housing and public easements and carparking prior to gazettal of a planning scheme amendment.
- (4) Endorses the communications campaign outlined in this report to share Council's decision and maximise community participation in the State Government's consultation.
- (5) Immediately advises all local state and federal MPs in the Darebin area of Council's decision and advocacy and seeks their support.
- (6) Request the Minister to require the VPA Projects Standing Advisory Committee to conduct its proceedings through a Public Hearing for greater transparency.
- (7) Call for a report to come back to Council in September to provide an update on the progress of the VPA's Preston Market project, and to consider any new advice or issues that may arise in the months that follow.

CARRIED UNANIMOUSLY

8.5 PROPERTY MATTERS REPORT

EXECUTIVE SUMMARY

This report relates to a range of current property matters that require Council's consideration including;

- (1) The proposed naming of the Beavers Road Bridge
- (2) To complete the statutory procedures for the proposed sale of land from the discontinued right of way/road at the rear of 127 to 133 Crookston Road, 10 and 12 White Street and adjoining 28 and 29 Macartney Street, Reservoir, shown hatched on the site plan in **Appendix A** and outlined black in the aerial view in **Appendix B**, and to seek approval from Council to finalise the statutory procedures for the proposed sale and/or to take title to the unsold land. (**Item 1**)
- (3) To inform Council of the outcome of preliminary investigations into the proposed sale of parcels of land from a previously discontinued road adjoining 32 to 42 Gloucester Street and 29 to 39 Pine Street, Reservoir, shown hatched on the site plan in **Appendix C** and orange in the aerial view in **Appendix D** (the Land) and request to commence the statutory procedures for the proposed sale of land from the discontinued road, and to take title to any land remaining unsold. (**Item 2**)

Officer Recommendation

A. Proposed naming of the Beavers Road Bridge

That Council:

- (1) Formally thank the Wurundjeri Council and in particular the Wurundjeri Elders who provided Council with the proposed naming options;
- (2) Endorse, for inclusion in the voting poll, the following names for the Bridge at end of Beavers Road, Northcote connecting over the Merri Creek to Kingfisher Gardens, Brunswick East:
 - a. Bindjirru Parren Bridge; and
 - b. Warrk-warrk Bridge
- (3) Commence the statutory process in accordance with the requirements of the *Geographic Place Name Act 1998* and the Names rules for places in Victoria – Statutory requirements for naming roads, features and localities 2016;
- (4) Gives notice of the voting poll by way of an online survey and on Council's webpage. Posters will be placed at each end of the Bridge and circulated to local networks to promote; and
- (5) Receives a further report with the results of the voting poll and recommendation for Council to endorse the name for the Bridge at end of Beavers Road, Northcote connecting over the Merri Creek to Kingfisher Gardens, Brunswick East.

B. Rear of 127 to 133 Crookston Road and 10 and 12 White Street, Reservoir**That Council:**

- (1) Having given public notice of the proposal under section 189 of the *Local Government Act 1989* (“the Act”) to sell the land from the discontinued road at the rear of 127 to 133 Crookston Road and 10 and 12 White Street, Reservoir, shown hatched on figure 1 in **Appendix B** to this report, contained within Certificate of Title Volume 12060 Folios 974 and 975 and known as Lots 4 and 5 on Title Plan TP023768S, in figure 4 in **Appendix B** and having heard the submission received:
 - i. Notes that none of the adjoining owners have expressed an interest in purchasing the land in accordance with Council policy.
 - ii. Transfers to itself the land from the discontinued road at the rear of 127 to 133 Crookston Road and 10 and 12 White Street, Reservoir, shown hatched on figure 1 in **Appendix B**.
- (2) Transfers to itself the land from the discontinued road adjoining the side of 28 and 29 Macartney Street, Reservoir, shown cross-hatched in figure 1 in **Appendix B** and as Lot 1 on Title Plan TP027685S, figure 4 in **Appendix B**, in accordance with its decision of 19 October 2020.
- (3) Authorises the Chief Executive Officer to sign all documents and take any action required relating to the transfer of the land to Council. (from the discontinued road at the rear of 127 to 133 Crookston Road, 10 and 12 White Street Reservoir and the land from the discontinued road adjoining 28-29 Macartney Street Reservoir.)

C. Previously discontinued road adjoining 32 to 42 Gloucester Street and 29 to 39 Pine Street, Reservoir**That Council:**

- (1) Commence the statutory procedures under section 189 of the *Local Government Act 1989* (“the Act”) to sell the land from the previously discontinued road adjoining 32 to 38 Gloucester Street and 29 to 37 Pine Street, Reservoir, shown as Lots 4, 5, 6 and 7 on Title Plan TP936596E in figure 9 in **Appendix B**, to the owners of 38 Gloucester Street, 35 Pine Street, 34 Gloucester Street and 32 Gloucester Street, Reservoir, respectively, by private treaty in accordance with Council Policy, and that Council transfer to itself any land from the Road not sold.
- (2) Gives public notice under sections 189 and 223 of the Act of the proposed sale in the appropriate newspaper and on Council’s website and such notice state that Council proposes to sell the land from the former road shown as Lots 4, 5, 6 and 7 on Title Plan TP936596E in figure 9 in **Appendix B** to the owners of 38 Gloucester Street, 35 Pine Street, 34 Gloucester Street and 32 Gloucester Street, Reservoir, respectively, by private treaty in accordance with Council policy, and that Council intends to transfer to itself any land from the Road which is not sold.
- (3) Gives public notice in the appropriate newspaper and on Council’s website of its intention to take title to Lots 1 and 3 on Title Plan TP936596E in figure 9 in **Appendix B**.

Council Resolution

MINUTE NO. 21-067

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

A. Proposed naming of the Beavers Road Bridge**That Council:**

- (1) Formally thank the Wurundjeri Council and in particular the Wurundjeri Elders who provided Council with the proposed naming options;
- (2) Endorse, for inclusion in the voting poll, the following names for the Bridge at end of Beavers Road, Northcote connecting over the Merri Creek to Kingfisher Gardens, Brunswick East:
 - a. Bindjirru Parren Bridge; and
 - b. Warrk-warrk Bridge
- (3) Commence the statutory process in accordance with the requirements of the *Geographic Place Name Act 1998* and the Names rules for places in Victoria – Statutory requirements for naming roads, features and localities 2016;
- (4) Gives notice of the voting poll by way of an online survey and on Council's webpage. Posters will be placed at each end of the Bridge and circulated to local networks to promote; and
- (5) Receives a further report with the results of the voting poll and recommendation for Council to endorse the name for the Bridge at end of Beavers Road, Northcote connecting over the Merri Creek to Kingfisher Gardens, Brunswick East.

B. Rear of 127 to 133 Crookston Road and 10 and 12 White Street, Reservoir**That Council:**

- (1) Having given public notice of the proposal under section 189 of the *Local Government Act 1989* ("the Act") to sell the land from the discontinued road at the rear of 127 to 133 Crookston Road and 10 and 12 White Street, Reservoir, shown hatched on figure 1 in **Appendix B** to this report, contained within Certificate of Title Volume 12060 Folios 974 and 975 and known as Lots 4 and 5 on Title Plan TP023768S, in figure 4 in **Appendix B** and having heard the submission received:
 - i. Notes that none of the adjoining owners have expressed an interest in purchasing the land in accordance with Council policy.
 - ii. Transfers to itself the land from the discontinued road at the rear of 127 to 133 Crookston Road and 10 and 12 White Street, Reservoir, shown hatched on figure 1 in **Appendix B**.
- (2) Transfers to itself the land from the discontinued road adjoining the side of 28 and 29 Macartney Street, Reservoir, shown cross-hatched in figure 1 in **Appendix B** and as Lot 1 on Title Plan TP027685S, figure 4 in **Appendix B**, in accordance with its decision of 19 October 2020.
- (3) Authorises the Chief Executive Officer to sign all documents and take any action required relating to the transfer of the land to Council. (from the discontinued road at the rear of 127 to 133 Crookston Road, 10 and 12 White Street Reservoir and the land from the discontinued road adjoining 28-29 Macartney Street Reservoir.)

C. Previously discontinued road adjoining 32 to 42 Gloucester Street and 29 to 39 Pine Street, Reservoir**That Council:**

- (1) Commence the statutory procedures under section 189 of the *Local Government Act 1989* (“*the Act*”) to sell the land from the previously discontinued road adjoining 32 to 38 Gloucester Street and 29 to 37 Pine Street, Reservoir, shown as Lots 4, 5, 6 and 7 on Title Plan TP936596E in figure 9 in **Appendix B**, to the owners of 38 Gloucester Street, 35 Pine Street, 34 Gloucester Street and 32 Gloucester Street, Reservoir, respectively, by private treaty in accordance with Council Policy, and that Council transfer to itself any land from the Road not sold.
- (2) Gives public notice under sections 189 and 223 of the Act of the proposed sale in the appropriate newspaper and on Council’s website and such notice state that Council proposes to sell the land from the former road shown as Lots 4, 5, 6 and 7 on Title Plan TP936596E in figure 9 in **Appendix B** to the owners of 38 Gloucester Street, 35 Pine Street, 34 Gloucester Street and 32 Gloucester Street, Reservoir, respectively, by private treaty in accordance with Council policy, and that Council intends to transfer to itself any land from the Road which is not sold.
- (3) Gives public notice in the appropriate newspaper and on Council’s website of its intention to take title to Lots 1 and 3 on Title Plan TP936596E in figure 9 in **Appendix B**.

CARRIED UNANIMOUSLY

8.6 PROPOSED ROAD DECLARATION REAR 137-143 STATION STREET, 100-104 ARTHUR STREET AND ADJOINING 2 DUNCAN STREET, FAIRFIELD

EXECUTIVE SUMMARY

Council received the original enquiry from the owner and occupier of 104 Arthur Street, Fairfield regarding the right-of-way/road at the rear of the property, in particular the right of the owner to legally use the right-of-way located at the rear of 137–143 Station Street and rear 100–104 Arthur Street and adjoining 2 Duncan Street, Fairfield coloured orange in the aerial photo in **Appendix A** and more specifically shown hatched in the site plan in **Appendix B**.

The ‘road’ land is shown set apart and appropriated on Certificate of Title Vol 9278 Fol 548, Vol 3499 Fol 622 & Vol 9297 Fol 873 in (**Appendix C**).

The Property at 104 Arthur Street, Fairfield was sold on 26 October 2013, as a 3 bedroom house with no plans and permits in place. Plans and permits were lodged following settlement of the property by the current owner/occupier which proposed to change the property from a residential dwelling into a medical practice with rear parking for 3 vehicles to be used by the practitioners of the clinic. Public notice of the proposed development was given in accordance with the *Planning & Environment Act 1987*, by way of a sign erected at the site as well as letters sent on 21 November 2015, to all adjoining properties (including the owner and occupier of 143 Station Street), no objections were received. Additionally, during the course of the development works, including the installation of the roller door at the rear of the property, no objections or concerns were raised by any person/s at that time.

In 2015, a planning permit (D/997/2014) was approved by Council, allowing the property located at 104 Arthur Street, Fairfield to be changed from a residential dwelling into a medical practice with rear parking for three vehicles to be used by the practitioners of the clinic. The property does not have vehicular access from Arthur Street.

The use of the right-of-way at the rear of the property was, amongst other reasons, authorised because the right-of-way appeared on the plans to be a road which legally benefited the property being developed. It was subsequently identified by both the property owner and Council officers (after the refurbishment and redevelopment of the property) that:

- The property did not have any legal abuttal rights (on title) to or over the road, and
- The entire road was not registered as a public road on Council’s Register of Public Roads under the *Road Management Act 2004*.

Despite this title position the *Road Management Act 2004* (section 9(1)) provides that “An owner or occupier of any land which adjoins a road is entitled as of right to access the road from that land.”

Since that time the owners and occupiers of 104 Arthur Street have been using the right-of-way to access the rear of their property, but this has often been, and is often being, restricted or prohibited, as there are often obstructions or vehicles parked in or across the Road on a regular basis (as shown in the photographs in **Appendix D**).

In an initial investigation of the matter (concerning the use of the Road), Council had conducted community consultation (preliminary consultation). The results of that preliminary consultation have previously been reported to Council. Further copies of the letters and other communications which Council officers had received in relation to the preliminary consultation have been provided to Councillors with their agenda papers for this meeting.

At its meeting on 19 October 2020, Council resolved to commence statutory procedures under sections 204(2), 207A(c) and 223 of the *Local Government Act 1989* regarding the proposed declaration of the right-of-way/road located, being the Road, at the rear of 137-143 Station Street, 100-104 Arthur Street and adjoining 2 Duncan Street, Fairfield.

Public notice was given of Council's intention to declare the subject right of way/road as being a road that is "*reasonably required for public use and to be open to public traffic*" in the Herald Sun newspaper and on Councils website on 28 October 2020, in addition all adjoining owners and occupiers were consulted in writing. The public notice period ended on 27 November 2020. Council received two written submissions in regard to the proposal with both parties requesting to be heard by Council in support of their submission. These two submissions were heard by Council at its Hearing of Submissions Committee convened on 29 March 2021. This meeting was live streamed and recorded and is available for viewing online. A report on those proceedings, including a summary of the hearings is attached to this Report (**Appendix E**) (and further copies of the section 223 submissions have been provided to Councillors with their agenda papers for this meeting).

A report was presented to Council on 26 April 2021 for consideration, with a motion passed to defer the item to a June meeting with a request for a briefing prior to the item being taken back to Council.

Officer Recommendation

That Council acting under section 204(2) of the *Local Government Act 1989 (Act)* and every other power given to Council enabling it to:

- 1) Having given public notice under sections 207A(c) and 223 of the *Act* and having taken into consideration the submissions made to Council, including at Council's Hearing of Submissions Committee meeting held on 29 March 2021, hereby records that it is the opinion of Council that the section of road in Council's municipal district which is shown coloured pink, green and yellow respectively on the site plan in **Appendix B** (section of road) is reasonably required for public use and is to be open to public traffic and, accordingly, hereby resolves, pursuant to section 204(2) of the *Act*, to declare the section of road to be reasonably required for public use and to be open to public traffic (declaration).
- 2) Acknowledges that, pursuant to section 204(3) of the *Act*, the section of road does not become a public highway by virtue of this declaration.
- 3) Further acknowledges that, pursuant to section 205(1)(b) of the *Act*, the section of road, as and from the date of this resolution, will be and become a road under the discretionary care and management of Council.
- 4) Directs that the Chief Executive Officer notify in writing each person who has made a separate submission of the decision of Council and the reasons for the decision, the reasons being that Council considers the section of road is reasonably required for public use and is to be open to public traffic.

Motion

MOVED: Cr. E Dimitriadis

SECONDED: Cr. S Rennie

That Council acting under section 204(2) of the *Local Government Act 1989 (Act)* and every other power given to Council enabling it to:

- 1) Note that there are existing carriageway rights which are presently reserved in favour of the Station Street properties. Each of these rights are reserved under the existing title and lot plan and do not currently extend to 100-104 Arthur Street and 2 Duncan Street, Fairfield.
- 2) Having given public notice under sections 207A(c) and 223 of the Act and having taken into consideration the submissions made to Council, including at Council's Hearing of Submissions Committee meeting held on 29 March 2021, hereby records that it is the opinion of Council that the section of road in Council's municipal district which is shown coloured pink, green and yellow respectively on the site plan in Appendix B (section of road) is not reasonably required for public use and will not be opened to public traffic.
- 3) Acknowledges that, pursuant to section 204(3) of the Act, the section of road is not currently declared a public highway.
- 4) Directs that the Chief Executive Officer notify in writing each person who has made a separate submission of the decision of Council and the reasons for the decision, the reasons being that Council considers the section of road is not reasonably required for public use.

The motion was put and carried.

Council Resolution**MINUTE NO. 21-068****MOVED: Cr. E Dimitriadis****SECONDED: Cr. S Rennie**

That Council acting under section 204(2) of the *Local Government Act 1989 (Act)* and every other power given to Council enabling it to:

- 1) Note that there are existing carriageway rights which are presently reserved in favour of the Station Street properties. Each of these rights are reserved under the existing title and lot plan and do not currently extend to 100-104 Arthur Street and 2 Duncan Street, Fairfield.
- 2) Having given public notice under sections 207A(c) and 223 of the Act and having taken into consideration the submissions made to Council, including at Council's Hearing of Submissions Committee meeting held on 29 March 2021, hereby records that it is the opinion of Council that the section of road in Council's municipal district which is shown coloured pink, green and yellow respectively on the site plan in Appendix B (section of road) is not reasonably required for public use and will not be opened to public traffic.
- 3) Acknowledges that, pursuant to section 204(3) of the Act, the section of road is not currently declared a public highway.
- 4) Directs that the Chief Executive Officer notify in writing each person who has made a separate submission of the decision of Council and the reasons for the decision, the reasons being that Council considers the section of road is not reasonably required for public use.

CARRIED**For:** Cr's. Dimitriadis, Greco, Laurence, Messina, Rennie and Williams (6)**Against:** Cr. Hannan (1)**Abstained :** Cr's. McCarthy and Newton (2)

8.7

GOVERNANCE REPORT - JUNE 2021

EXECUTIVE SUMMARY

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

- Summary of Advisory Committees, Councillor Briefing and other informal meetings of Councillors;
- Reports by Mayor and Councillors;
- Responses to the questions taken on notice during Public Question Time at the Council Meetings held on 24 May 2021;
- Summary Report of Hearing of Submissions Committee meetings held on 19 May 2021 and 31 May 2021;
- Bundoora Homestead Board of Management Annual Report 2019-20;
- Audit and Risk Committee Bi-annual Report and Minutes from 14 December 2020 and 22 March 2021;
- Community Advisory Committee (CAC) and Community Reference Groups (CRG) Model Terms of Reference;
- Councillor Support and Expense Policy 2021;
- Setting of Mayoral and Councillor Allowances for 2020-24 term

Officer Recommendation**That Council:**

1. Notes the Governance Report – June 2021
2. Notes the summary of Advisory Committees, Councillor Briefings and other Informal Meetings of Councillors at **Appendix A** to this report, for incorporation in the minutes of this meeting.
3. Notes that reports by Mayors and Councillors submitted prior to the meeting and circulated to Councillors, will be incorporated in the minutes of this meeting.
4. Notes the responses to the questions taken on notice during Public Question Time at the Council meetings held on 24 May 2021, at **Appendix B** to this report.
5. Notes the Reports of Standing Committees – Summary Reports of Hearing of Submissions Committee meetings held on 19 May 2021 and 31 May 2021 at **Appendix C** to this report;
6. Notes the Bundoora Homestead Board of Management Annual Report for the Financial Year 2019-20 at **Appendix D** to this Report.
7. Notes and receives the Audit and Risk Committee Biannual Report at **Appendix E** and the summary of minutes of the Audit Committee Meetings held on 14 December 2020 and 22 March 2021 at **Appendix F** to this Report.
8. Endorses the Community Advisory Committee (CAC) and Community Reference Groups (CRG) Model Terms of Reference as provided at **Appendix G** to this Report.
9. Notes that each Advisory Committee will present their ‘completed’ template Model Terms of Reference to Council over the next 3 months.
10. Adopts the Councillor Support and Expense Policy 2021 at **Appendix H** to this Report.
11. Having complied with the requirements of sections 74 and 223 of the Local Government Act 1989, and having considered the one submission received, set the Councillor and Mayoral allowances for the 2020-2024 Council term at the top of the Category 3 range, currently being: \$100,434 per annum for the Mayor and \$31,444 per annum for Councillors.

Motion

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

That the Officer Recommendation be adopted.

Amendment

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

That Council:

1. Notes the Governance Report – June 2021
2. Notes the summary of Advisory Committees, Councillor Briefings and other Informal Meetings of Councillors at Appendix A to this report, for incorporation in the minutes of this meeting.
3. Notes that reports by Mayors and Councillors submitted prior to the meeting and circulated to Councillors, will be incorporated in the minutes of this meeting.
4. Notes the responses to the questions taken on notice during Public Question Time at the Council meetings held on 24 May 2021, at Appendix B to this report.
5. Notes the Reports of Standing Committees – Summary Reports of Hearing of Submissions Committee meetings held on 19 May 2021 and 31 May 2021 at Appendix C to this report;
6. Notes the Bundoora Homestead Board of Management Annual Report for the Financial Year 2019-20 at Appendix D to this Report.
7. Notes and receives the Audit and Risk Committee Biannual Report at Appendix E and the summary of minutes of the Audit Committee Meetings held on 14 December 2020 and 22 March 2021 at Appendix F to this Report.
8. Notes the Community Advisory Committee (CAC) and Community Reference Groups (CRG) Model Terms of Reference as provided at Appendix G to this Report.
9. Formally provides the 15 committees and their members an opportunity to review these Model Terms of Reference (TOR) and provide comments, specifically requesting any submissions regarding the changes to be incorporated into the Model TOR to suit the circumstances of the committee.
10. Receives a Council report at the Council meeting of 27th September 2021 to finally approve the Terms of Reference for the 15 Advisory Committees. The report should include all suggested changes submitted by advisory committees and their members.
11. Adopts the Councillor Support and Expense Policy 2021 at Appendix H to this Report.
12. Having complied with the requirements of sections 74 and 223 of the Local Government Act 1989, and having considered the one submission received, set the Councillor and Mayoral allowances for the 2020-2024 Council term at the top of the Category 3 range, currently being: \$100,434 per annum for the Mayor and \$31,444 per annum for Councillors.

The mover and seconder of the motion did not consent to the amendment.

The amendment was put and lost.

LOST

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

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

The substantive motion before Council viz Officer Recommendation was considered in two parts. The first part covered all points except points 8 and 9 relating to Advisory Committee Model Terms of Reference.

The second part of the motion dealt with the points 8 & 9 relating to Advisory Committee Model Terms of Reference.

Both parts of the motion were put separately and carried.

Council Resolution

MINUTE NO. 21-069

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

That Council:

1. Notes the Governance Report – June 2021
2. Notes the summary of Advisory Committees, Councillor Briefings and other Informal Meetings of Councillors at **Appendix A** to this report, for incorporation in the minutes of this meeting.
3. Notes that reports by Mayors and Councillors submitted prior to the meeting and circulated to Councillors, will be incorporated in the minutes of this meeting.
4. Notes the responses to the questions taken on notice during Public Question Time at the Council meetings held on 24 May 2021, at **Appendix B** to this report.
5. Notes the Reports of Standing Committees – Summary Reports of Hearing of Submissions Committee meetings held on 19 May 2021 and 31 May 2021 at **Appendix C** to this report;
6. Notes the Bundoora Homestead Board of Management Annual Report for the Financial Year 2019-20 at **Appendix D** to this Report.
7. Notes and receives the Audit and Risk Committee Biannual Report at **Appendix E** and the summary of minutes of the Audit Committee Meetings held on 14 December 2020 and 22 March 2021 at **Appendix F** to this Report.
10. Adopts the Councillor Support and Expense Policy 2021 at **Appendix H** to this Report.
11. Having complied with the requirements of sections 74 and 223 of the Local Government Act 1989, and having considered the one submission received, set the Councillor and Mayoral allowances for the 2020-2024 Council term at the top of the Category 3 range, currently being: \$100,434 per annum for the Mayor and \$31,444 per annum for Councillors.

CARRIED UNANIMOUSLY

Council Resolution

MINUTE NO. 21-070

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

That Council:

8. Endorses the Community Advisory Committee (CAC) and Community Reference Groups (CRG) Model Terms of Reference as provided at **Appendix G** to this Report.
9. Notes that each Advisory Committee will present their 'completed' template Model Terms of Reference to Council over the next 3 months.

CARRIED

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

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

Abstained : Cr. Williams (1)

REPORTS BY MAYORS AND COUNCILLORS**REPORT OF CR. LINA MESSINA, MAYOR**

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

- Unison Housing ribbon cutting ceremony
- Mayoral Briefing – Reservoir revitalisation
- Reconciliation Week event – More Than a Word: How to be an Active Ally
- Councillor Briefing Session
- Hearing of Submissions meeting
- Melbourne Transport Forum meeting
- Meeting with Darebin Hard Rubbish Heroes
- CEO Employment Committee meeting
- Meeting with Marisa Ferraro
- Metropolitan Waste and Resource Recovery Group (MWRRG) briefing/update
- Councillor Briefing Session
- Stakeholder Engagement Session – Deliberative Panel
- MWRRG phone meeting
- MWRRG Forum
- Mayoral Briefing – Preston Market
- Councillor Briefing Session
- Special Council Meeting
- Planning Committee Meeting
- Small Business Friendly Charter Signing Event

- Filming session for Council Plan/Council Budget
- Melbourne Innovation Centre board meeting
- Site visit – 143 Station Street
- Australian Local Government Association (ALGA) National General Assembly
- ALGA General Assembly Dinner
- Northern Councils Alliance meeting
- SPAG Meeting
- Photoshoot – Victoria’s first locally built, fully electric bus operating in Darebin
- Meeting with State Member – MP Robin Scott
- Meeting with Federal Member-MP Ged Kearney
- Site tour of Parliament House
- Meeting with developer, trader, planner in Canberra
- Olive Oil Workshop with Friends of Regent Community Garden
- Several Meetings and phone call with Traders
- Several Meetings and phone call with Residents

REPORT OF CR. GAETANO GRECO

Cr. Greco did not submit a report.

REPORT OF CR. JULIE WILLIAMS

Cr. Williams did not submit a report.

REPORT OF CR. TIM LAURENCE

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

- Weekly Councillor meetings, online
- Councillor briefings, online
- Planning meeting, online
- Special council meeting, online
- Stakeholder Engagement Session - Deliberative Panel Presentation to Councillors, online
- CEO Employment Committee meeting, online
- Hearing of Submissions meeting on parking matter, online
- Reservoir Resident consultation on VCAT planning matter, phone
- Social housing association consultation, phone
- Social housing tenant consultation, phone
- Reservoir illegal Tree removal consultation, phone
- Council tree removal in Reservoir, phone and email

REPORT OF CR. SUSANNE NEWTON

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

- Australian Local Government Association National General Assembly Conference, including moving motions on behalf of Darebin on the Treaty on the Prohibition of Nuclear Weapons, and a national housing strategy/inclusionary zoning
- Victorian Local Governance Association (VLGA) board meeting, online
- Presentation to international Vital Voices alumni network, online: "Starting a worldwide movement on the climate emergency from Australia"
- Weekly Councillor meetings, online
- Councillor briefings, online
- Planning meeting, online
- Special council meeting, online
- One on one with Mayor Messina, online
- Victorian Local Governance Association (VLGA) Governance and Risk Committee budget meeting, online
- Stakeholder Engagement Session - Deliberative Panel Presentation to Councillors, online
- CEO Employment Committee meeting with independent chair Mary Crooks, online
- Hearing of Submissions meeting on parking matter, online
- Pathways to Politics for Women selection committee, online

REPORT OF CR. SUSAN RENNIE

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

- Australian Local Government Association National General Assembly Conference
- Weekly Councillor meetings
- Councillor briefings
- Planning meeting
- Special council meeting
- Stakeholder Engagement Session - Deliberative Panel Presentation to Councillors
- CEO Employment Committee meeting with independent chair Mary Crooks
- Hearing of Submissions meeting on parking matter
- Celebration of completion of women's housing project at 43 Station St Fairfield
- Local Government Gambling, Alcohol and other Drugs forum
- Reconciliation Week event – How to be an Active Ally
- Active Healthy and Ageing Committee
- Site visit 142 Station Street Fairfield

- Darebin Hard Rubbish Heroes rescue event

REPORT OF CR. TRENT MCCARTHY

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

- Innovate4Cities Working Group
- Reconciliation Week event at The Bridge Darebin – How to be an Active Ally
- Meetings re Northcote Golf Course
- Councillor Briefings
- Hearing of Submissions Committee Meeting
- Weekly Councillors Meetings
- CEO Employment Matters Committee Meeting
- Stakeholder Engagement Session
- Climate Emergency Australia Webinar – Community Engagement in an Emergency
- Special Council Meeting
- Planning Committee Meeting
- Climate Emergency Australia Strategic Advisory Group
- Melbourne Innovation Centre Board Meeting

REPORT OF CR. EMILY DIMITRIADIS

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

- Attended Council briefings
- Attended CEO Employment meeting
- Contacted from residents about parking concerns
- Contacted (online/telephone) with residents and small businesses about COVID-19 impact on their businesses
- One-on-one with Mayor Messina (online)
- Attended Official Council meeting
- Attended Hearing of Submission
- Meeting with Minister's Office in regards to Bell Station LXP
- Attended online Stakeholder Engagement Session with Deliberative Panel
- Attended Planning meeting
- Attended Special Meeting
- CEO Employment Committee meeting with independent chair Mary Crooks (online)

REPORT OF CR. TOM HANNAN

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

- Contact (phone / online) with residents about their concerns, eg, street trees, planning and new developments, building works, bike tracks, sporting facilities, rubbish collection.
- More than words - How to be an active ally to Aboriginal and Torres Strait Islander people
- Reconciliation Week event, presented by the Bridge Darebin
- Stakeholder Engagement Session - Deliberative Panel Presentation to Councillors
- Councillor briefings
- Regular meeting with Councillors
- Hearing of submissions meeting
- Planning committee meeting
- CEO Employment Committee Meeting
- Special Council meeting
- Monthly Council meeting

8.8 SOCIAL & SUSTAINABLE PROCUREMENT POLICY 2021-2025

EXECUTIVE SUMMARY

The current Social & Sustainable Procurement Policy under the *Local Government Act 1989* (LGA 1989) was adopted by Council on 16 December 2019.

Effective from 1st July 2021, the new *Local Government Act 2020*, Procurement s108 & s109 will replace all procurement matters previously covered under s186 of the LG Act (1989). The current *Local Government Act 1989*, which remains in effect until 30 June 2021, requires Council to review its Procurement Policy each financial year.

The new *Local Government Act 2020* requires Council to prepare and adopt a Procurement Policy in respect of the purchase of goods and services by the Council commencing 1 July 2021.

This report informs Council of the revised Social & Sustainable Procurement Policy 2021-2025 to address the requirement of the 1989 Act and align with the 2020 Act.

Officer Recommendation

That Council adopts the draft Social and Sustainable Procurement Policy 2021-2025 attached as **Appendix A** as its procurement policy in accordance with section 108 & S109 of the *Local Government Act 2020*

Motion

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

That this item be deferred.

The motion was put and carried.

Council Resolution**MINUTE NO. 21-071**

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

That this item be deferred.

CARRIED UNANIMOUSLY

**8.9 DAREBIN LIBRARIES PROCUREMENT AUSTRALIA
CONTRACT**

EXECUTIVE SUMMARY

Procurement Australia (PA) completed national public tender 2306/0843 for library collections, furniture, equipment and associated requirements for 2021-25 on behalf of interested organisations, including Darebin City Council.

The contract enables Council to purchase library collection items, furniture and technology equipment and solutions from one or more vendors on the preferred vendor panel. The contract does not commit Council to spending a specific amount through these panel arrangements.

Officer Recommendation

That Council:

- (1) Resolves that Darebin Libraries access the vendor panel secured through Procurement Australia public tender 2306/0843 to purchase library collection items, furniture and technology equipment and solutions as and when required for the initial two-year contract term (July 2021-June 2023)
- (2) Authorises the CEO to review and approve option to extend the contract term for a further 2 x 1 years subject to satisfactory performance of vendors under Procurement Australia contract 2306/0843.

Council Resolution

MINUTE NO. 21-072

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

That Council:

- (1) Resolves that Darebin Libraries access the vendor panel secured through Procurement Australia public tender 2306/0843 to purchase library collection items, furniture and technology equipment and solutions as and when required for the initial two-year contract term (July 2021-June 2023)
- (2) Authorises the CEO to review and approve option to extend the contract term for a further 2 x 1 years subject to satisfactory performance of vendors under Procurement Australia contract 2306/0843.

CARRIED UNANIMOUSLY

9. NOTICES OF MOTION

9.1 FOSSIL FUEL NON-PROLIFERATION TREATY

Councillor: Susanne NEWTON

Take notice that at the Council Meeting to be held on 28 June 2021, it is my intention to move:

That Council:

- (1) *Endorses the community campaign calling on national governments to negotiate and ratify a Fossil Fuel Non-Proliferation Treaty to stop the expansion and begin phase out of fossil fuels and ensure a global just transition for all.*
- (2) *Writes to the Australian Foreign Minister and the Federal Member for Cooper advising of this action and calling on the Commonwealth Government to support, negotiate and, eventually, ratify this treaty.*

Council Resolution

MINUTE NO. 21-073

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

That Council:

- (1) Endorses the community campaign calling on national governments to negotiate and ratify a Fossil Fuel Non-Proliferation Treaty to stop the expansion and begin phase out of fossil fuels and ensure a global just transition for all.
- (2) Writes to the Australian Foreign Minister and the Federal Member for Cooper advising of this action and calling on the Commonwealth Government to support, negotiate and, eventually, ratify this treaty.

CARRIED UNANIMOUSLY

9.2 PALESTINE**Councillor: Gaetano GRECO**

Take notice that at the Council Meeting to be held on 28 June 2021, it is my intention to move:

That Council

1. *Views with great concern the latest outbreak of hostilities between Israel and Palestine, and the horrific loss of life and destruction of vital infrastructure, especially in Gaza. The UN High Commissioner for Human Rights (OHCHR), reports that up to 27 May, 256 Palestinians, including 66 children and 40 women were killed, of whom 128 were civilians. Almost 2,000 Palestinians were injured during the hostilities, including over 600 children and 400 women, and 52,000 Palestinians were displaced. In Israel, 13 people were killed, including two children, and less were injured. Condemns the threatened evictions of Palestinian families from East Jerusalem's Sheikh Jarrah and the violence against worshippers at the Al-Aqsa mosque during Ramadan*
2. *Condemns the threatened evictions of Palestinian families from East Jerusalem's Sheikh Jarrah and the violence against worshippers at the Al-Aqsa mosque during Ramadan*
3. *Notes Darebin's Towards Equality Framework policy "recognises the current climate change and social justice challenges that we encounter both locally and globally.*
4. *Notes that Darebin is home to and welcomes people from diverse backgrounds and therefore reaches out to support Palestinian and Israeli members of the Darebin community whose relatives and friends have been affected by the recent violence.*
5. *Stands in solidarity with the Palestinian and Israeli communities in Darebin in condemning the recent violence and with the Palestinian community who are calling for their basic human rights in the Occupied Territories to be respected in accordance with international law.*
6. *Authorises the Mayor to write to the Prime Minister, Scott Morrison; the Minister for Foreign Affairs, Marise Payne; Opposition Leader Anthony Albanese, Shadow Minister for Foreign Affairs, Penny Wong, and Leader of the Greens, Adam Bandt urging the Australian parliament to work constructively and fairly towards observance of human rights generally, which is fundamental to the achieving of a just and lasting peace in Israel-Palestine.*
7. *The aforementioned letter will urge the federal government and opposition to:*
 - a. *call for the observance of all human rights in the Occupied Territories, including Gaza, the West bank and East Jerusalem*
 - b. *call on the Israeli Government to cease its occupation of Palestine and reverse the trend which points to Apartheid rule over Palestinians, and*
 - c. *recognise the State of Palestine, thereby joining the 139 other countries that have already extended recognition.*

Motion

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

That Council:

1. Views with great concern the latest outbreak of hostilities between Israel and Palestine, and the horrific loss of life and destruction of vital infrastructure, especially in Gaza.
2. Condemns the threatened evictions of Palestinian families from East Jerusalem's Sheikh Jarrah and the violence against worshippers at the Al-Aqsa mosque during Ramadan
3. Notes Darebin's Towards Equality Framework policy "recognises the current climate change and social justice challenges that we encounter both locally and globally.
4. Notes that Darebin is home to and welcomes people from diverse backgrounds and therefore reaches out to support Palestinian and Israeli members of the Darebin community whose relatives and friends have been affected by the recent violence.
5. Stands in solidarity with the Palestinian and Israeli communities in Darebin in condemning the recent violence and with the Palestinian community who are calling for their basic human rights in the Occupied Territories to be respected in accordance with international law.
6. Authorises the Mayor to write to the Prime Minister, Scott Morrison; the Minister for Foreign Affairs, Marise Payne; Opposition Leader Anthony Albanese, Shadow Minister for Foreign Affairs, Penny Wong, and Leader of the Greens, Adam Bandt urging the Australian parliament to work constructively and fairly towards observance of human rights generally, which is fundamental to the achieving of a just and lasting peace in Israel-Palestine.

The motion was put and carried.

Council Resolution**MINUTE NO. 21-074**

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

That Council:

1. Views with great concern the latest outbreak of hostilities between Israel and Palestine, and the horrific loss of life and destruction of vital infrastructure, especially in Gaza.
2. Condemns the threatened evictions of Palestinian families from East Jerusalem's Sheikh Jarrah and the violence against worshippers at the Al-Aqsa mosque during Ramadan
3. Notes Darebin's Towards Equality Framework policy "recognises the current climate change and social justice challenges that we encounter both locally and globally.
4. Notes that Darebin is home to and welcomes people from diverse backgrounds and therefore reaches out to support Palestinian and Israeli members of the Darebin community whose relatives and friends have been affected by the recent violence.
5. Stands in solidarity with the Palestinian and Israeli communities in Darebin in condemning the recent violence and with the Palestinian community who are calling for their basic human rights in the Occupied Territories to be respected in accordance with international law.
6. Authorises the Mayor to write to the Prime Minister, Scott Morrison; the Minister for Foreign Affairs, Marise Payne; Opposition Leader Anthony Albanese, Shadow Minister for Foreign Affairs, Penny Wong, and Leader of the Greens, Adam Bandt urging the Australian parliament to work constructively and fairly towards observance of human rights generally, which is fundamental to the achieving of a just and lasting peace in Israel-Palestine.

CARRIED

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

Abstained: Cr. Rennie (1)

10. URGENT BUSINESS

The Mayor advised that an Item of Urgent Business regarding the Refugee Hunger Strike had been accepted by the Chief Executive Officer pursuant to the Governance Rules and distributed to all Councillors prior to the meeting.

ADMISSION OF URGENT BUSINESS

Council Resolution

MINUTE NO. 21-075

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

That an Urgent Business item relating to Refugee Hunger Strike be admitted to the Agenda.

CARRIED UNANIMOUSLY

10.1 REFUGEE HUNGER STRIKE

Urgent Business Motion

That Council:

1. As a Welcoming City and a signatory of the Refugee Welcome Zone declaration, remains deeply concerned about the wellbeing of all people being held in detention under the Federal government's inhumane immigration and settlement policy.
2. Urges the Federal government to release the men being held in immigration detention into the community (as others have been) and Council commits to work with partners to provide support, should the men be released into the community.
3. Expresses its deep concern for the immediate health and wellbeing of 14 men who are seeking asylum as Medivac refugees being held in detention indefinitely at the Melbourne Immigration Transit Accommodation (MITA) centre, who continue to be on a hunger strike since Thursday 17 June 2021.
4. Authorises the Mayor to write to:
 - i) the Minister for Immigration and Minister for Home Affairs requesting the urgent humanitarian settlement of all people seeking asylum and call on the Federal government to change its immigration and settlement policy that continues to unfairly impact those who legitimately seek sanctuary and a safe home in Australia.
 - ii) the Local Government Mayoral Taskforce Supporting Asylum Seekers requesting that this group also writes to the Minister for Immigration and the Minister for Home Affairs regarding this urgent action

Council Resolution**MINUTE NO. 21-076**

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

That Council:

1. As a Welcoming City and a signatory of the Refugee Welcome Zone declaration, remains deeply concerned about the wellbeing of all people being held in detention under the Federal government's inhumane immigration and settlement policy.
2. Urges the Federal government to release the men being held in immigration detention into the community (as others have been) and Council commits to work with partners to provide support, should the men be released into the community.
3. Expresses its deep concern for the immediate health and wellbeing of 14 men who are seeking asylum as Medivac refugees being held in detention indefinitely at the Melbourne Immigration Transit Accommodation (MITA) centre, who continue to be on a hunger strike since Thursday 17 June 2021.
4. Authorises the Mayor to write to:
 - i) the Minister for Immigration and Minister for Home Affairs requesting the urgent humanitarian settlement of all people seeking asylum and call on the Federal government to change its immigration and settlement policy that continues to unfairly impact those who legitimately seek sanctuary and a safe home in Australia.
 - ii) the Local Government Mayoral Taskforce Supporting Asylum Seekers requesting that this group also writes to the Minister for Immigration and the Minister for Home Affairs regarding this urgent action

CARRIED UNANIMOUSLY

11. CONSIDERATION OF REPORTS CONSIDERED CONFIDENTIAL

Nil

12. CLOSE OF MEETING


The meeting closed at 8.59 pm.

**CITY OF
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