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MINUTES OF THE ORDINARY COUNCIL MEETING

Held on Monday 28 November 2022

Released to the public on 2 December 2022

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



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

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

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

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

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



English

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

Arabic

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

Chinese

这些是市议会会议纪要。如需协助了解任何纪要项目，请致电8470 8888。

Greek

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

Hindi

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

Italian

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

Macedonian

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

Nepali

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

Punjabi

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

Somali

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

Spanish

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

Urdu

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

Vietnamese

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

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MINUTES OF THE ORDINARY MEETING OF THE DAREBIN CITY COUNCIL HELD VIRTUALLY ON MONDAY 28 NOVEMBER 2022

THE MEETING OPENED AT 6.03pm

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. Trent McCarthy (Deputy Mayor)

Cr. Emily Dimitriadis

Cr. Tom Hannan

Cr. Susanne Newton

Cr. Susan Rennie

Cr. Julie Williams

Council Officers

Peter Smith - Chief Executive Officer

Jodie Watson - General Manager Governance and Engagement

Sam Hewett - General Manager Operations and Capital

Melanie McCarten - Acting General Manager Community

Rachel Ollivier - General Manager City Sustainability and Strategy

Jody Brodribb - Coordinator Governance Services

Michelle Martin – Acting Senior Governance Services Officer

Danica Webster – Governance Services Officer

Jeme Liang – IT Support Officer

John Watson – Municipal Monitor

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.

The Mayor also acknowledged and congratulated all Candidates that ran in the recent State Elections.

3. APOLOGIES

Cr. Gaetano Greco is an apology.

Tim Laurence is on a period of suspension.

4. DISCLOSURES OF CONFLICTS OF INTEREST

Peter Smith, CEO declared a general conflict of interest in 'Item 9.6 – Governance Report (relating to the CEO Employment Matters Committee)' and 'Item 13.1 – CEO Contractual Matter'.

Councillor Newton declared an interest in Item 9.1 – Amendment C191Dare (Thornbury Park Estate Heritage) – Consideration of Panel Report and Adoption to note as she owns property in the subject area of this proposed Planning Scheme Amendment but does so in common with approx. 1000 property owners and has formed the view that her interest does not exceed that of the interests held by other residents, ratepayers and electors.

Councillor Williams declared an interest in Item 9.5 Property Matters (Item 2) on the basis that she lives one street away from one of the subject sites but does not know the owners of the affected properties, and asked for her interest to be noted in the minutes.

5. CONFIRMATION OF THE MINUTES OF COUNCIL MEETINGS

Council Resolution

MINUTE NO. 22-114

MOVED: Cr. T McCarthy

SECONDED: Cr. J Williams

That the Minutes of the Ordinary Meeting of Council held on 24 October 2022 and the Special Meeting of Council held on 14 November 2022 be confirmed as a correct record of business transacted.

CARRIED UNANIMOUSLY

6. COUNCIL'S OCCUPATIONAL HEALTH AND SAFETY RESPONSIBILITIES

The health, safety and wellbeing of the community has and will always be the paramount consideration of the Council. Council continues to be guided by the government directives and wants to be able to do the right thing for the health of our community, councillors and council staff.

The Chamber (virtually or in person) is both a workplace and a public space, and we have an obligation to ensure that the working environment and public forums are safe for everyone, both emotionally as well as physically.

7. QUESTION AND SUBMISSION TIME

The Chair advised that where members of the public were not in attendance to ask their questions, a member of the Governance team would read out the question on their behalf. All responses to public questions would be then provided by the relevant General Managers.

The following questions were submitted for Public Question Time:

- **Kaela Drew of Brunswick East**

1. Can you please address what actions or plans are underway for:
 - a) Removing up the huge amount of plastic and other litter distributed along the Merri Creek and by the floods one month ago.
2. What will be done to pinpoint the source of all of this rubbish and install rubbish traps and stormwater drain infrastructure to prevent this happening again.
3. Has the Council sent any crews to assess the damage or begin the clean-up process. There is too much rubbish in and along the creek for it to be cleaned by small community groups alone, we need help.

Response from General Manager, Sam Hewett

1. Council staff joined Melbourne Water staff and spent 2 weeks cleaning debris from the waterways, bridges and paths after the floods. We'll continue this effort if requested by Melbourne Water.
2. Council has over 30 gross pollutants traps that collect rubbish before it enters the stormwater system. Council frequently liaise with various stakeholders such as Melbourne Water and community groups to understand littering hot spots & implement appropriate solutions like new stormwater infrastructure, maintenance regimes and community education.
3. Whilst the waterbody of the Merri Creek is managed by Melbourne Water, Council staff continue to undertake clean-up and rectification works along the banks of the creek corridor.

- **Mark Tregonning of Thornbury**

I note the recent arbiter's decision which found that a Darebin Councillor, committed misconduct. The arbiter used his powers to sanction the Councillor, including directing them to undertake retraining

1. Who will pay for the Councillor Lawrence's retraining?
2. Does Council propose to make changes to its internal systems to prevent similar misconduct recurring in future as far as possible, and if they do recur, respond to them more effectively?
3. If so, what will those changes be?

Response from General Manager, Jodie Watson

Thank you for your question Mark

1. I can confirm that the cost of retraining will be paid for by Council.
2. Darebin Council will continue to support Councillors to strengthen conduct and governance at the Council, including ensuring that Councillors are aware of their role and responsibilities within the Local Government Act and the need to adhere to the Darebin Councillor Code of Conduct in their interactions with each other, Council staff and members of the community.

Internal systems can guide Councillors, however the conduct of Councillors is their own individual responsibility.

The complaint process is managed by the Principal Councillor Conduct Registrar appointed by the Minister Local Government.

3. The current framework that supports Councillors with conduct and interaction expectations has been reviewed and will be presented to Council at its December meeting for adoption. This includes a Code of Conduct, Councillor interaction Policy, Councillor OHS Policy and Social Media Policy.

- **Angela Denton of Northcote**

Today, at 10.30 am on 24 November 2022, I received a call from a council officer Alan from the transport team under the guise of following up on a disability parking space outside my house at 18 Oldis Avenue Northcote.

When questioned, Alan advised that Rachel Olivier general manager had asked Alan to contact me ahead of the release of the updated parking plan for the High Street precinct. For the record i have never requested a disability parking bay outside my house but rather have asked Council to enforce the recent amendment to the planning permit at 21 Oldis Avenue whereby a significant off street parking waiver was granted which nonetheless provides for three off street carparks.

The owner has erected a gate and access to the three carparks for residents at 21 Oldis Avenue have no access to the off street parking but rather utilise street parking in Oldis Avenue. Can council provide information as to why I am being asked if I want provision made for a disability carpark outside my house rather than addressing actual issue which is the decision to grant the waiver in the first place, councils failure to enforce the existing parking restrictions in Oldis Avenue Northcote and councils failure to enforce planning compliance to provide access to the on street parking at 21 Oldis Avenue Northcote?

Response from General Manager, Rachel Ollivier

Thank you for the question Angela

Council previously investigated your concern about planning compliance at 21 Oldis Avenue and not found a compliance issue.

The most recent correspondence you've received from the General Manager about this is still current and outlines the reasons for Council's conclusions.

I can confirm that the parking enforcement team regularly patrol in the Northcote area, including in Oldis Avenue.

The main reason our staff reached out to you ahead of broader public consultation for the upcoming local parking review, is to understand if there are any accessibility needs that we should provide for. I'm sorry for any concern or distress this has caused – our intent is to assist.

- **Catherine Maguire of Thornbury**

1: How does Darebin Council intend to protect residents with properties in the SBO from future flood inundation? Climate change appears to be changing the 1:100 flood situation - why are we being forced to maintain houses with floor levels below Melbourne Water's minimum height data requirements?

2: With increasing moves to efficient design utilising current building science, why is Darebin Council making it more difficult, rather than less, to build environmentally sustainable houses (e.g., PassivHaus or high NatHERs star ratings)?

3: On what grounds were 72 Keon Street , 100 & 102 Rennie Street, etc. made non-contributory? According to expert statements made at the independent panel justifying inclusion of buildings, the original form of the building must be "readable". This is clearly the case for these properties - so what justification exists for their designation?

Response from General Manager, Rachel Ollivier

A heritage overlay does not prevent property owners in a SBO from modifying their homes to address flood risk.

A heritage overlay does not prevent measures to improve the environmental performance of buildings. Council commissioned report from a sustainability consultant which found that high NatHERs ratings and excellent operational energy outcomes can be achieved while retaining significant heritage fabric.

The Panel recommended that 72 Keon Street be regraded to non-contributory because it was assessed by Council's heritage expert as having a low intactness.

100 and 102 Rennie are post WWII dwellings. Panel recommended that all Post WWII properties be downgraded to non-contributory on the basis that they do not contribute to the heritage value of the precinct

- **Brian Sanaghan of Preston**

I wish to know how much was spent by Council on Gaetano Greco's "Save the Preston Market" political advertising.

Response from General Manager, Jodie Watson

Thank you for your Question Brian, Council did not contribute to any candidate's electoral matter.

- **Nick Montgomery of Northcote**

I live in Bridge Street Northcote, between Merri Station and High Street. Last week, parking on part of one side of the street was changed from parallel to angle parking. While I do not live directly opposite this additional parking, I was surprised to receive no notice.

In the context of

- (a) Darebin Council's declaration of a climate emergency on 5 December 2016;
- (b) the significant contribution of motor vehicles to greenhouse gas pollution;
- (c) the existing abundance of parking in Bridge Street; and
- (d) the increased danger to cyclists on this popular route posed by reversing cars,

Why has Darebin Council installed more parking? If angle parking must be done, then it should at least be accompanied by turning over more of the road surface to native vegetation, as has been done in Union Street which supports significant bird life and biodiversity.

Response from General Manager, Rachel Ollivier

Thank you for your question Nick

We recently installed a trial of 3-hour parking during business hours, on week days, to support residents to access their properties.

We did this after residents asked Council to review parking on Bridge Street, which we assessed and found had a high demand for parking.

Council will review the trial in 6 months.

- **Pia Ednie-Brown of Thornbury**

1. If property in the Thornbury Park Estate is deemed 'non-contributory', this appears to mean it will still be subject to the Heritage Overlay. What difference does a non-contributory designation make at a planning application level?

2. The overlay would render many residents in the SBO likely unable to protect their homes from future flooding through rebuilding with a higher floor level. Given the ever increasing risk of flooding due to the climate emergency, will the council consider a working group - in consultation with residents – that develops and offers information to assist residents prepare for and protect their homes from flooding via other means (such as landscaping / levees, planning for sandbagging, etc)?

Response from General Manager, Rachel Ollivier

Thank you for the question Pia.

A non-contributory property benefits from a range of permit exemptions for demolition and modifying a property. However, new development requires a permit to ensure it is designed sensitively in a heritage streetscape.

A heritage overlay does not prevent property owners in a SBO from modifying their homes to address flood risk.

Thank you for the suggestion in regards to how to support residents to prepare for flood. We don't currently have plans for a community outreach program of the type you've suggested, but residents can access good information resources from Melbourne Water on being prepared for flooding.

- **Samantha Knott of Thornbury**

1. Where is the precedent for Council ignoring an Independent Panel's Report to such a significant extent and including 146 properties that the Independent Panel recommended specifically not including?
2. How many times has Council gone against the recommendation of an independent panel when it relates to such a large number of properties (146)
3. Has Council considered the financial impact on residents of the Heritage Overlay with respect to insurance given that many home insurers will not insure houses with heritage overlay?

This is an additional premium on top of the many houses which have already increased premiums due to flood overlays.

Response from General Manager, Rachel Ollivier

Council will consider its decision tonight on this topic, it has not yet made a decision. The Report to Council makes recommendations for Council's consideration.

A planning panel provides recommendations for Council to consider.

It is common for Councils to consider Panel's recommendations and implement them in the way they deem suitable.

The Panel found that individual financial impacts are not relevant when determining the application of a heritage overlay. Council will consider its decision tonight.

Homes in a heritage overlay are commonly insured and we do not expect an overlay to be a particular barrier to insurance. Any residents experiencing challenges are encouraged to speak to other providers. I can also confirm that there is no impediment to rebuilding under the heritage overlay should the original be destroyed.

- **Jeremy Allan of Thornbury**

The stated reason for increasing the heritage overlay beyond that recommended by the Independent Panel is that "the proposed revised precinct removes less intact areas while retaining as much heritage as possible". Can the Planning Officers provide the facts to support this statement? It appears that the streets to be excluded from the revised precinct contain 162 contributory properties while those to be included contain only 95 contributory properties.

Response from General Manager, Rachel Ollivier

Thanks for your question Jeremy.

I have confirmed with Council officers that the additional area they are recommending for inclusion in the heritage overlay shows a higher proportion of contributory properties when compared to the other sections of the area excluded in the Panel's recommendation.

- **Ruth Jelley of Northcote**

1. For the last 18-20 months, people wishing to ask public questions or make submissions to Council meetings were required to give their full street address, which is classified as sensitive personal information – however I note this practice has changed this month. Following a spate of significant data breaches in Australian organisations in recent months, can Council explain how long it will retain sensitive personal information collected from community members who have asked public questions?
2. Last month I asked about costings for Your Street, Your Say Group A projects, and what sort of analysis you undertake to evaluate the success of those projects. Can council please confirm what goals, if any, these projects aim to deliver on to the community, under the Council Plan and/or the Transport Strategy?
3. How does this approach align to the principles of transparency, including those associated with justification of expenditure, as outlined in legislation and also Council's public transparency policy?

Response from General Manager, Jodie Watson

Thank you for the questions, Ruth.

1. **Council's Information Privacy Policy aligns to Office of the Victorian Information Commissioner's (OVIC's) Information Privacy Principle (IPP) 4.2 which aims to ensure organisations do not retain personal information indefinitely where it is no longer required. Any personal information that you provide to Council, which is no longer necessary for Council's purposes, has been disposed of in accordance with the document disposal requirements under the Public Records Act 1973 (Vic).**

Response from General Manager, Rachel Ollivier

2. **Because 'Your Street, Your Say' is an integrated transport place-making program, it implements many objectives from the Council Plan and the Darebin Transport Strategy.**

The key Council Plan objective is:

"We will design and create public spaces where our people feel safe, welcome, and respected, including improving lighting and safety for people walking, wheeling, cycling and driving"

3. **The program promotes transparent decision making in a number of ways.**

An inclusive community engagement program informs decision-making, which is transparently reported back through Council agenda Papers and our project website.

Council considers and endorses the recommended priority capital works projects through an Officer report that is publicly tabled.

EXTENSION OF TIME

Council Resolution

MOVED: Cr. T McCarthy**SECONDED: Cr. J Williams**

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

CARRIED UNANIMOUSLY

Cr. Dimitriadis briefly left the meeting at 6.35pm and returned at 6.39pm.

- **John Nugent of Epping**

Could you advise why the womens football was played in mid to late August at the city oval along with the mens football in September that effects parking in the market and around the city, this is all caused by the Council leasing out the city oval while about 6 to 8 kilometers away there is a first class stadium named the Bill Lawry Oval with lights on it which is far superior to the city oval.

Response from Acting General Manager, Melanie McCarten

Thanks for your question John.

We recently responded to this question via letter following your meeting with the CEO in early November. We have also responded to this question on many previous occasions.

If you are yet to receive that letter, please check your letterbox as it should have arrived.

- **Olwyn Eaton of Thornbury**

1. Given the Council's original commitment to protect the heritage and cultural significance of ALL contributory homes in the Thornbury Estate, do Councillors' consider that the officers' recommendation to excise Fyffe, Hutton and Harold streets between Bracken Avenue to St George's Road diminishes the overall heritage significance and residential amenity of the exhibited recommendations of their appointed heritage and conservation consultants?
2. If the Council officers' recommendation to excise the nominated sections of Fyffe, Hutton and Harold Streets from their proposed precinct, are approved by Council, what changes will be made to existing planning requirements to protect the heritage value and cultural significance of contributory homes in those streets, given that RB heritage and conservation experts specifically noted that ALL contributory properties in the exhibited plan, were consider equally worthy of heritage protection?
3. If the planning requirements are to be amended to protect the heritage values and cultural significance of contributory homes in Fyffe, Hutton and Harold streets, between Bracken Avenue and St George's Road, will there be an opportunity for community consultation before Council approves the changes and sends them to the Planning Minister for approval?

Response from General Manager, Rachel Ollivier

Council will consider its decision tonight on this topic, it has not yet made a decision.

The officers' proposal recommends protecting a greater number of heritage properties than the Panel's recommendation, while taking into account Panel's concerns about the higher proportion of non-contributory properties in the south-eastern part of the precinct.

If Council adopts the Planning Scheme amendment, either as recommended or amended, it will be submitted to the Minister for Planning who makes the final decision.

Any properties excluded from the heritage boundary will not be subject to heritage requirements. No other protections would be pursued for these properties.

There are no further consultation steps at this stage of the process. Community members may write to the Planning Minister about their concerns.

- **Evan Manders of Thornbury**

1. Certain properties that are considered contributory in the overlay are completely surrounded by Non-Contributory properties (E.g. 1, 13 & 30 Rennie St, 46 Keon St, 31 Miller St). Will these properties also be re-graded to Non-contributory?
2. The recommended Option 1 includes adding 2 1/2 streets east of Bracken Ave, this makes the overlay look completely disjointed as there is no natural buffer or flow between heritage and non-heritage streets in this section of the estate. The findings used to justify recommending Option 1, don't add up, in the case of Rennie St, 37% of the properties are deemed not contributory versus Streets not included; Fyffe 39%, Harold 32% and Hutton 34% which are not contributory. Why is the planning panels recommendation (Option 2) not being followed?

Response from General Manager, Rachel Ollivier

Thanks for your question Evan.

Council will consider its decision tonight on this topic, it has not yet made a decision.

It is normal to have some non-contributory properties in a heritage overlay area. The intactness of a street is considered more broadly, and officers have excluded those streets impacted by large clusters of non-contributory properties.

Council will make its decision tonight about this matter. I will take your second question largely as a comment. I can advise that Council officers have explained that the reason for their recommendation to cover a wider area than the Panel recommended is because there is a higher proportion of contributory properties in this part compared to the other area that the Panel recommended excluding.

- **Bill Jennings of Preston West**

1. This question is about the status of the \$200K grant offered to Darebin Council by the Victorian Government in their last electoral term for specific design funding to ensure the best 9 holes and the best newly identified parkland at Northcote Public Golf Course - has Darebin Council received the money as Yet?
2. If the answer to Question 1 is 'yes', when will Council engage a qualified golf course architect as is stipulated in the funding criteria?
3. If the answer to Question 1 is 'no', is Council still counting that \$200K in its \$950K budget to implement the changes outlined in the resolution that was passed about the golf course in the July 2022 meeting?

Response from General Manager, Sam Hewett

1. **Council has been liaising with Sport and Recreation Victoria regarding the grant criteria applicable to the Northcote Golf Course and has subsequently submitted an application.**
2. **Council is yet to receive any funds associated with the grant application.**
3. **When council considered the shared use of the Northcote Golf Course in May 2022, the total expenses identified was estimated at \$950,000 over a two-year period. Council is yet to receive any grant funding for this project.**

- **Gen Peters of Thornbury**

1. Does the planning department acknowledge that the submission data provided to Councilor's to consider the amendment on the 28th of March, was in fact incorrect and did not include submissions made that day prior to the 12pm deadline?
2. Can the planning department confirm that there were at least 6 submissions received prior to the 12pm deadline that were not included in the data provided to Councilor's and that ALL of these 6 submissions were in fact against the overlay.
3. Can the planning department confirm that one of the submission (submission 17) omitted from the data provided to Councilor's was in fact made of 20 individual objections?

Response from General Manager, Rachel Ollivier

Thank you for your question, Gen

We are not aware of any submissions that have not been shared with Councillors ahead of their decision.

On the 28th March officers tabled all late submissions made before the deadline in an appendix that was considered by Council on the night and referred to Planning Panel.

We are aware of 8 submissions received prior to 12pm. These were tabled on 28th March and shared with Council and the planning panel.

Under the Planning and Environment Act, multiple signatories to a submission are considered as one submission. This was noted in the information provided to councillors as having 20 signatures.

- **Michael of Thornbury**

1. Can the planning department confirm that submission 126 included 24 objections against the overlay and that submission 179 included 20 individual objections against the overlay, and that these 44 objections against the overlay were only counted as 2 submissions “not in favor” of the overlay.
2. Can the council confirm that you consider that when you consider the 44 objections individually and not as a group, that the correct data shows 154 individuals (69.4%) against the overlay and 68 individuals (30.6%) for the overlay?
3. Considering that over 500 homes are still impacted by the proposed overlay under the new boundaries, can the planning department confirm how many “Significant” residential properties (or “homes”), not including commercial properties or the church manse, remain in the new boundaries?

Response from General Manager, Rachel Ollivier

Thanks for the question Michael

In regards to the 24 objections you refer to that were made by multiple individuals referring to the same letter, I can confirm that these have been treated as separate submissions.

The submission that was a single submission signed by 20 people was considered as one. Under the Planning and Environment Act, multiple signatories to a submission are considered as one submission.

We have not used quite the same methodology as you are proposing and are not intending to recalculate using a different methodology at this stage. Detailed information about the submissions is available in the report to Council on 28 March.

We understand you are referring to the heritage gradings. I can confirm there are 382 contributory and 2 significant properties remaining in the proposed heritage overlay.

8. PETITIONS

8.1 **TABLING OF PETITION – HELP FRIENDS OF EDWARDES LAKE PROTECT AND SUPPORT DAREBIN’S WILDLIFE, PETS AND HUMANS BY ENSURING THE OFF-LEASH RULES ARE CLEAR AT EDWARDES LAKE PARK**

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

Leave was granted.

Petition

MINUTE NO. 22-115

That the petition signed by 61 persons plus (4500 online) asking to Help Friends of Edwardes Lake protect and support Darebin’s wildlife, pets and humans by ensuring the off-leash rules are clear at Edwardes Lake Park.

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

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

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

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

On Tuesday 25th October 2022 at approximately 4.55pm Kate Jost the president of Friends of Edwardes Lake (FoEL) was walking south along the path at Edwardes Lake from Griffiths Street, Reservoir near the picnic area towards friends garden bed to host the weekly weeding task when she witnessed a dog attack the resident Black Swan, Kevin, Mabel and their clutch of 5 cygnets.

The Black Swan family was grazing on the grass near their weir, a dog (German Shorthaired Pointer) and its owner were walking along the path when the dog noticed the swans.

The dog lunged at Kevin (male Black Swan) and pulled out some of his feathers. Kevin defended himself and his family by flapping his wings and peaking at the dog, the owner managed to pull the dog back but it lunged again and pulled the owner into the water’s edge attacking two of the cygnets this time. It was very clear that the owner had no control of the dog.

Kate managed to get herself between the dog and swans so the owner could gain control and get the owner to remove himself and the dog away from the swan family. The owner of the dog was distressed and stated that he had no control over his pet. The swan family was extremely distressed, Kevin had missing feathers, 1 cygnet was in shock and unable to swim and another cygnet looked like it had been crushed on its head and neck as it was covered in saliva and wasn’t moving much.

Kate a qualified wildlife rescuer took the 2 physically injured cygnets to a local wildlife carer for medical treatment and care. One of the cygnets died 16 hours later in care from suspected internal injuries.

The other cygnet appeared to be physically well after overnight care and was reunited with its family. When the cygnet was released Kevin and Mabel greeted it with joyful trumpeting calls as they swam off together. The reunited cygnet was not seen with family hours later but FoEL volunteers will continue to monitor the beloved family and hope that the 4th cygnet makes an appearance again.

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

- City of Darebin to remove off-leash dog area between the athletics track and path now that the new fenced off-leash dog park is open
- City of Darebin to update council website with up-to-date information about the Edwardes Lake Dog Park including rules about dogs be on lead and under control at all times when outside of the fenced off-leash park
- City of Darebin to update community directory with updated information that all dogs must be on lead and under control within the park at all times unless within the off-leash dog park
- City of Darebin to request Melbourne Playgrounds to remove YouTube video about off-leash dog area behind the athletics track
- City of Darebin to request Melbourne Playgrounds to update information on their website that all dogs must be on lead and under control within the park at all times unless within the off-leash dog park
- City of Darebin to request Only Melbourne to update information on their website that all dogs must be on lead and under control within the park at all times unless within the off-leash dog park
- City of Darebin to request Take the Dog to update information on their website that all dogs must be on lead and under control within the park at all times unless within the off-leash dog park
- Install signage on the footpath and on signposts that clearly stating dogs must be on a lead and under control to protect wildlife. Signs should advise of possible fines if laws are not followed
- Install clear signage at the exits of the dog park that are separate to the dog park rules clearly stating dogs must be on a lead and under control to protect wildlife. Signs should advise of possible fines if laws are not followed
- Local laws officers to provide educational workshops about responsible pet ownership and provide dog training opportunities at Edwardes Lake Off Leash Dog Park, first workshop to be held before 31 December 2022. As promised in Darebin's 2022-2025 Domestic Animal Management Plan
- Local law officers to receive briefing from Parks & Open Space team about damage off leash and uncontrolled dogs can have on biodiversity and ecosystems
- Local law officers start patrolling Edwardes Lake and Edgards Creek Wetlands at peak dog exercising times to provide education about responsible pet ownership and issue fines if necessary. If current local laws officers do not have the capacity another local laws position should be created to patrol all waterways and conservation areas in Darebin.
 - 7am-8am and 5pm-7pm Monday to Friday during daylight saving hours
 - 9am to 6pm Weekends During daylight saving hours
 - 7am to 6pm Weekends – During winter hours

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

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

Submission

Kate Jost made a submission in relation to Item 8.1 – Petition - Help Friends of Edwardes Lake protect and support Darebin's wildlife, pets and humans by ensuring the off-leash rules are clear at Edwardes Lake Park

9. CONSIDERATION OF REPORTS

Submissions

The following people made submissions in relation to Item 9.1 – Amendment C191dare (Thornbury Park Estate Heritage) - consideration of Panel report and adoption.

- *Paul Vascotto*
- *Jeremy Allan*

Cr. Newton declared an interest in Item 9.1 – Amendment C191Dare (Thornbury Park Estate Heritage) – Consideration of Panel Report and Adoption and made the following statement:

“Councillors, I wish to have it noted in the minutes of this meeting that whilst I own property in the subject area of this proposed Planning Scheme Amendment I do so in common with approx. 1000 property owners and I have formed the view that my interest does not exceed that of the interests held by other residents, ratepayers and electors.”

9.1 AMENDMENT C191DARE (THORNBURY PARK ESTATE HERITAGE) - CONSIDERATION OF PANEL REPORT AND ADOPTION

EXECUTIVE SUMMARY

Amendment C191dare proposes to apply a Heritage Overlay to properties in the Thornbury Park Estate Precinct. On 28 March 2022, Council considered submissions received through the exhibition period and resolved to refer Amendment C191dare to an independent planning panel.

Following a hearing and consideration of all submissions to the amendment, the Panel issued a report (**Appendix A**) on the proposed application of a permanent Heritage Overlay to the Thornbury Park Estate. The Panel finds the amendment is well founded and strategically justified and should proceed subject to changes, including reducing the size of the Heritage Overlay area, removing the post-war housing stock and area east of the Bracken Avenue linear park.

The Panel considered matters raised in submissions including flooding, environmentally significant development (ESD) outcomes and found they are not relevant when applying a Heritage Overlay and are detailed matters that can be considered at a planning permit stage. The Panel noted that it is confident that heritage and ESD can co-exist harmoniously. However, the Panel has made informal recommendations regarding the provision of further guidance to permit applicants on these matters.

Following assessment, it is considered that the Panel’s recommendations for a reduced heritage precinct and downgrading of Post-WWII and low intact dwellings is appropriate. However, the Panel’s recommended reduction in precinct size is substantial and would leave many federation and interwar properties and streetscapes with identified heritage value unprotected. Further, the Panel’s rationale for its chosen boundary - that Bracken Avenue Linear Reserve physically divides the east and west parts of the precinct – is questionable.

Accordingly, it is recommended that Council adopt a slightly larger heritage area than that recommended by Panel, although this new boundary represents an overall reduction when compared to the original, exhibited boundary. The new recommended boundary varies to the

Panel preferred boundary by including intact streetscapes to the north of the precinct on both the east and west sides of Bracken Avenue. The amendment has been revised to align with the majority of Panel's recommendations and is recommended for Council adoption, with changes.

Should Council adopt the amendment, the next step in the process will be to submit the amendment to the Planning Minister for a final decision on the permanent Heritage Overlay.

Officer Recommendation

That Council:

- (1) Considers the Amendment C191dare Panel Report (**Appendix A**), pursuant to section 27 of the *Planning and Environment Act 1987*.
- (2) Adopts Amendment C191dare pursuant to section 29 of the *Planning and Environment Act 1987*, and in accordance with changes outlined in this report and shown within **Appendix B**.
- (3) Authorise the Manager City Futures to make any further changes to the amendment documents where these are required for correctness, clarity or the like, including changes after approval of the Amendment by the Minister for Planning to ensure consistency with the approved planning provisions.
- (4) Submit the adopted Amendment C191dare, together with the prescribed information, to the Minister for Planning for approval pursuant to section 31 of the *Planning and Environment Act 1987*.
- (5) Advises the Minister for Planning that Council accepts the Panel's recommendations in part, for the reasons outlined in this report.
- (6) Requests the Minister for Planning to prepare and approve an amendment to the Darebin Planning Scheme, pursuant to Section 20(4) of the *Planning and Environment Act 1987*, to immediately remove the interim heritage overlay from properties no longer within Council's adopted boundary relating to Amendment C191dare.
- (7) Writes to all submitters to Amendment C191dare to advise them of Council's decision and thank them for their participation in the amendment process.

Motion

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

That Council:

- (1) Considers the Amendment C191dare Panel Report (**Appendix A**), pursuant to section 27 of the *Planning and Environment Act 1987*.
- (2) Adopts Amendment C191dare pursuant to section 29 of the *Planning and Environment Act 1987*, and in accordance with changes outlined in this report and shown within Appendix B, but with a modified Heritage Overlay boundary which accords with the 'Panel preferred version of Thornbury Park Estate Precinct' as shown in Figure 2 on page 29 of the Panel Report.
- (3) Authorises the Manager City Futures to make any further changes to the amendment documents where these are required for **consistency with Resolution 2 above**, correctness, clarity or the like, including changes after approval of the Amendment by

the Minister for Planning to ensure consistency with the approved planning provisions.

- (4) Submits the adopted Amendment C191dare, together with the prescribed information, to the Minister for Planning for approval pursuant to section 31 of the *Planning and Environment Act 1987*.
- (5) Advises the Minister for Planning that Council accepts the Panel's recommendations.
- (6) Requests the Minister for Planning to prepare and approve an amendment to the Darebin Planning Scheme, pursuant to Section 20(4) of the *Planning and Environment Act 1987*, to immediately remove the interim heritage overlay from properties no longer within Council's adopted boundary relating to Amendment C191dare.
- (7) Writes to all submitters to Amendment C191dare to advise them of Council's decision and thank them for their participation in the amendment process.

LOST

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

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

Motion

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

That Council:

- (1) Considers the Amendment C191dare Panel Report (**Appendix A**), pursuant to section 27 of the *Planning and Environment Act 1987*.
- (2) Adopts Amendment C191dare pursuant to section 29 of the *Planning and Environment Act 1987*, and in accordance with changes outlined in this report and shown within **Appendix B**.
- (3) Authorise the Manager City Futures to make any further changes to the amendment documents where these are required for correctness, clarity or the like, including changes after approval of the Amendment by the Minister for Planning to ensure consistency with the approved planning provisions.
- (4) Submit the adopted Amendment C191dare, together with the prescribed information, to the Minister for Planning for approval pursuant to section 31 of the *Planning and Environment Act 1987*.
- (5) Advises the Minister for Planning that Council accepts the Panel's recommendations in part, for the reasons outlined in this report.
- (6) Requests the Minister for Planning to prepare and approve an amendment to the Darebin Planning Scheme, pursuant to Section 20(4) of the *Planning and Environment Act 1987*, to immediately remove the interim heritage overlay from properties no longer within Council's adopted boundary relating to Amendment C191dare.
- (7) Writes to all submitters to Amendment C191dare to advise them of Council's decision and thank them for their participation in the amendment process.

THE MOTION WAS PUT AND BECAME THE COUNCIL RESOLUTION AS FOLLOWS:

Council Resolution

MINUTE NO. 22-116

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

- (1) Considers the Amendment C191dare Panel Report (**Appendix A**), pursuant to section 27 of the *Planning and Environment Act 1987*.
- (2) Adopts Amendment C191dare pursuant to section 29 of the *Planning and Environment Act 1987*, and in accordance with changes outlined in this report and shown within **Appendix B**.
- (3) Authorise the Manager City Futures to make any further changes to the amendment documents where these are required for correctness, clarity or the like, including changes after approval of the Amendment by the Minister for Planning to ensure consistency with the approved planning provisions.
- (4) Submit the adopted Amendment C191dare, together with the prescribed information, to the Minister for Planning for approval pursuant to section 31 of the *Planning and Environment Act 1987*.
- (5) Advises the Minister for Planning that Council accepts the Panel's recommendations in part, for the reasons outlined in this report.
- (6) Requests the Minister for Planning to prepare and approve an amendment to the Darebin Planning Scheme, pursuant to Section 20(4) of the *Planning and Environment Act 1987*, to immediately remove the interim heritage overlay from properties no longer within Council's adopted boundary relating to Amendment C191dare.
- (7) Writes to all submitters to Amendment C191dare to advise them of Council's decision and thank them for their participation in the amendment process.

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

**9.2 DECLARATION OF A SPECIAL CHARGE: SOLAR SAVER
RESIDENTIAL (BATCH 1)**

EXECUTIVE SUMMARY

The Solar Saver program is a key action of the Council Plan and Council's Climate Emergency Plan.

The report considers the declaration of a Special Charge Scheme. This is for Residential Special Charge Batch 1, including 36 installations, adding 179.2kW of solar capacity to Darebin.

The value of the proposed Special Charge scheme is \$225,438.03 excl. GST. This price is calculated pre-rebate, but after STC claim and excl. GST. (The gross amount, pre-rebate, pre-STC and incl. GST is \$328,023.33).

Note that during the past meeting on the 24 October 2022, the proposed Special Charge scheme total was \$228,689.53 excl. GST. The current Special Charge has reduced its total value by \$3,251.50. This change is because of increased capacity to install before the end of 2022, allowing for higher price for Small-scale technology certificates (STCs) price.

Council will pay upfront for installation and supply of the solar power systems at properties as listed in Appendix A. Council will be repaid these costs, as detailed in confidential Appendix B. Around 30-40% of the gross cost is returned to Council at the point that works are invoiced for the STCs generated by the solar systems. Most participants are eligible for state government rebates and this will reduce the upfront cost to Council and the amount of the Special Charge that would be raised. Officers estimate that the total amount raised will be \$175,038.03 excl. GST.

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

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

Council Resolution

MINUTE NO. 22-117

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

That Council

- (1) Having complied with the requirements of sections 163A, 163B and 223 of the Local Government Act 1989 ("Act"), and otherwise according to law, declares a Special Charge ("Special Charge") under section 163 of the Act as follows:
 - a. A Special Charge is declared for the period commencing on the day on which Council issues a notice levying payment of the special rate and concluding on the tenth anniversary of that day.
 - b. The Special Charge is declared for the purpose of defraying any expense

incurred by Council in relation to the provision of solar energy systems on properties participating in the Solar Saver scheme, which:

- i. Council considers is or will be a special benefit to those persons required to pay the Special Charge (and who are described in succeeding parts of this resolution); and
 - ii. Arises out of Council's functions of advocating and promoting proposals which are in the best interests of the community and ensuring the peace, order and good government of Council's municipal district.
- c. The total:
- i. Cost of performing the function described in paragraph 1(b) of this resolution is \$225,438.03; and
 - ii. Amount for the Special Charge to be levied is \$225,438.03, or such other amount as is lawfully levied as a consequence of this resolution
- d. The Special Charge is declared in relation to all rateable land described in the table included as confidential Appendix B to this report, in the amount specified in the table as applying to each piece of rateable land.
- e. The following list is specified as the criteria that form the basis of the Special Charge so declared:
- Ownership of any land described in paragraph 1(d) of this resolution.
- f. The following is specified as the manner in which the Special Charge so declared will be assessed and levied:
- i. A Special Charge calculated by reference to the size of the solar energy system being installed and the particular costs of installation at each property participating in the Solar Saver scheme, in respect of which an Agreement has been executed, totalling \$225,438.03 for the residential batch, being the total cost of the scheme to Council
 - ii. To be levied each year for a period of 10 years.
- g. Having regard to the preceding paragraphs of this resolution and subject to section 166(1) of the Act, let it be recorded that the owners of the land described in paragraph 1(d) of this resolution will pay the Special Charge in the amount set out in paragraph 1(f) of this resolution in the following manner:
- i. Payment annually by a lump sum on or before one month following the issue by Council of a notice levying payment under section 163(4) of the Act; or
 - ii. Payment annually by four instalments to be paid by the dates which are fixed by Council in a notice levying payment under section 163(4) of the Act.
- (2) Considers that there will be a special benefit to those required to pay the Special Charge *because* there will be a benefit to them that is over and above, or greater than, the benefit that is available to those who are not subject to the proposed Special Charge, as a result of the expenditure proposed by the Special Charge, in that the properties will have the benefit of a solar energy system being installed.
- (3) For the *purposes* of having determined the total amount of the Special Charge to be levied:
- a. Considers and formally records that only those rateable properties included in the Solar Saver scheme as proposed will derive a special benefit from the imposition of the Special Charge, and there are no community benefits to be paid by Council; and

- b. Formally determines for the purposes of section 163(2)(a), (2A) and (2B) of the Act that the estimated proportion of the total benefits of the Special Charge to which the performance of the function or the exercise of the power relates (including all special benefits and community benefits) that will accrue as special benefits to those who are liable to pay the Special Charge is 100%.
- (4) Directs that notice be given to all owners and occupiers of properties included in the Scheme in writing of the decision of Council to declare and levy the Special Charge, and the reasons for the decision. For the purposes of this paragraph, the reasons for the decision of Council to declare the Special Charge are that:
- a. There is no objection to the Scheme, and it is otherwise considered that there is a broad level of support for the Special Charge from all property owners and occupiers.
 - b. Council considers that it is acting in accordance with the functions and powers conferred on it under the Local Government Act 1989, having regard to its role, purposes and objectives under the Act, particularly in relation to its functions of advocating and promoting proposals which are in the best interests of the community and ensuring the peace, order and good government of Council's municipal district.
 - c. All those who are liable or required to pay the Special Charge and the properties respectively owned or occupied by them will receive a special benefit of a solar energy system being installed at the property.

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

CARRIED UNANIMOUSLY

7.24 pm - Cr. Williams left the meeting during discussion of the above item and returned at 7.27pm.

**9.3 2022-23 QUARTER 1 PERFORMANCE REPORT ENDING 30
SEPTEMBER 2022 - COUNCIL PLAN ACTION PLAN &
FINANCIAL PERFORMANCE**

EXECUTIVE SUMMARY

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

The 2022-23 Quarter One Council Plan Action Plan Progress Report (**Appendix A**) provides an overview of Council's performance in delivering the year two actions that will contribute to the completion of the four-year strategic actions in the Council Plan 2021-25. Also included in this report is a high-level progress update for the Capital Works program, a status update of Council resolutions and the Financial Report ending 30 September 2022. Overall, the quarter one results indicate that the organisation is progressing well to achieve the majority of the year two Council Plan Action Plan by 30 June 2023.

Council has budgeted \$66.2 million for the 2022-23 Annual Capital Works Program of which \$9.83 million has been spent this financial year. As of 30 September 2022, there are currently 30 programs of works (consisting of 141 individual projects) and 16 stand-alone capital works projects. Of the 157 individual projects: 3 had been completed, 124 were in progress, 13 yet to start, 3 were on hold, 14 – data not yet available. For the overview of the Capital Works Projects refer to **Appendix A**.

Since 1 July 2022, 36 Council resolutions have been made by Council and its Delegated Committees. Of these, 24 resolutions have been completed (67%) and 12 are in progress (33%). See (**Appendix A**) for further information.

For the three months ended 30 September 2022, Council has recorded an operating surplus of \$105.26 million, which is \$4.38 million behind the year-to-date budget. After eliminating capital and other items, the adjusted underlying surplus is \$104.99 million, which is \$4.90 million less than the full-year budget. The variance is mainly a timing difference relating to the receipt of the pensioner rebate.

For the three months ended 30 September 2022, Council has expended \$9.83 million on the capital works program, which is \$6.68 million behind of the year-to-date budget. The variance is due mainly to delays in building and infrastructure works.

The financial position as at 30 September 2022 shows a cash and investment balance of \$47.34 million, which is \$25.21 million ahead of budget.

At this point in time, there are no significant variances forecast compared to the adopted budget. As part of the 2023-24 annual budget process, a more thorough review will be undertaken for the mid-year report.

Council Resolution

MINUTE NO. 22-118

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

That Council note:

- (1) The 2022-23 Quarter One Council Plan Action Plan Progress Report including Projects Report at **Appendix A**;

- (2) The status of action to implement Council Resolutions at **Appendix A**;
- (3) The Financial Report for the three months ended 30 September 2022, incorporating Procurement performance at **Appendix B**; and
- (4) The merging of two actions and minor word change of the 2022/23 yearly actions relating to the Community Safety Framework to 'Develop and implement the Community Safety Framework to assist in designing public spaces.

CARRIED UNANIMOUSLY

9.4 REVIEW OF THE PLACE AND ROAD NAMING POLICY

EXECUTIVE SUMMARY

Darebin City Council, as a Naming Authority under the *Geographic Place Names Act 1998* (the Act), is the naming authority for all geographic place names in the municipal district, with the exception of geographic places of regional, state and national significance.

The Road and Place Naming Policy 2014 requires review to ensure it reflects the Council Vision, Council Plan and the relevant Council policies and strategies, and aligns with the Naming rules for places in Victoria, Statutory requirements for naming roads, features and locations – 2022 (the Naming Rules). The Naming Rules 2022 were released in May 2022.

This report provides the draft Place and Road Naming Policy for consideration for Council endorsement to proceed to community consultation, before presenting the policy to Council for adoption.

A copy of the draft Place and Road Naming Policy is attached at **Appendix A**. A copy of the current Road and Place Naming Policy 2014 is attached at **Appendix B**.

Officer Recommendation

That Council:

- (1) Note the recent changes to the Naming Rules for Places in Victoria.
- (2) Endorse the draft Place and Road Naming Policy (**Appendix A**) to proceed to community consultation.
- (3) Endorse the referral of naming opportunities for consideration in the development of the 2023/24 and 2024/25 Council Plan Action Plans.
- (4) Note that a further report will be provided to the Council meeting on 27 March 2023 on the outcomes of community consultation and the draft Place and Road Naming Policy for adoption.

Motion

MOVED: Cr. J Williams

SECONDED: Cr. S Rennie

That Council:

1. Note the recent changes to the Naming Rules for Places in Victoria.
2. Endorse the draft Place and Road Naming Policy (**Appendix A**) to proceed to community consultation.
3. **Incorporate the naming of the Libraries identified in the naming opportunities to be referred for consideration in the development of the 2024/25 Council Plan Action Plan, with three libraries to be named with names associated with CALD/migrant communities and one library to be named with a name from Woi-wurrung language / people.**
4. Endorse the referral of naming opportunities for consideration in the development of

the 2023/24 and 2024/25 Council Plan Action Plans.

5. Note that a further report will be provided to the Council meeting on 27 March 2023 on the outcomes of community consultation and the draft Place and Road Naming Policy for adoption.

Cr. Hannan proposed an amendment to add the words "First Nations" to point 3. (below) which was accepted by the mover and seconder.

3. Incorporate the naming of the Libraries identified in the naming opportunities to be referred for consideration in the development of the 2024/25 Council Plan Action Plan, with three libraries to be named with names associated with CALD/migrant communities and one library to be named with a name from Woi-wurrung language / **First Nations** people.

THE MOTION WAS PUT AND CARRIED AND BECAME THE COUNCIL RESOLUTION AS FOLLOWS:

Council Resolution

MINUTE NO. 22-119

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

That Council:

1. Note the recent changes to the Naming Rules for Places in Victoria.
2. Endorse the draft Place and Road Naming Policy (**Appendix A**) to proceed to community consultation.
3. Incorporate the naming of the Libraries identified in the naming opportunities to be referred for consideration in the development of the 2024/25 Council Plan Action Plan, with three libraries to be named with names associated with CALD/migrant communities and one library to be named with a name from Woi-wurrung language / First Nations people.
4. Endorse the referral of naming opportunities for consideration in the development of the 2023/24 and 2024/25 Council Plan Action Plans.
5. Note that a further report will be provided to the Council meeting on 27 March 2023 on the outcomes of community consultation and the draft Place and Road Naming Policy for adoption.

CARRIED UNANIMOUSLY

Councillor Williams stated she has an interest in Item 9.5 Property Matters (Item 2) on the basis that she lives one street away from one of the subject sites but does not know the owners of the affected properties, and asked for her interest to be noted in the minutes.

9.5 PROPERTY MATTERS

EXECUTIVE SUMMARY

This report relates to an update on:

- 1) The completion of the statutory procedures for the proposed sale of the discontinued road adjoining the rear of 22 and 24 Darebin Boulevard and 14 and 16 Banff Street, Reservoir, shown as Lots 5 and 15 on Title Plan TP023783W in **Appendix A**. This report further recommends the land from the discontinued road be sold to the owners of the adjoining property at 22 and 24 Darebin Boulevard, Reservoir, and that if no submissions are received, that the Chief Executive Officer be delegated authority to complete the statutory procedures for the sale of the land to the owners of 22 and 24 Darebin Boulevard. A further report will be presented to Council for noting regarding the Chief Executive Officer's decision.
- 2) The completion of the statutory procedures for the proposed sale of the discontinued road adjoining 3 Oakhill Avenue and 2-4 Joffre Street, Reservoir shown as Lot 5 on Title Plan TP018465R **Appendix B**. This report further recommends that Lot 5, being the land from the discontinued road be sold to the owner of the adjoining property at 3 Oakhill Avenue, Reservoir. To date, there has been no interest from the property owners adjoining the 5 lots remaining unsold following the discontinuance of the whole of the discontinued road on 4 December 2021.

Council Resolution

MINUTE NO. 22-120

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

Item 1: Sale of discontinued road adjoining the rear of 22 and 24 Darebin Boulevard and 14 and 16 Banff Street, Reservoir

That Council:

- (1) Commences the statutory procedures under section 114 of the Local Government Act 2020 to sell the land from the discontinued road adjoining the rear of 22 and 24 Darebin Boulevard and 14 and 16 Banff Street, Reservoir, shown as Lots 5 and 15 on Title Plan TP023783W in **Appendix A** to the owner of 22 and 24 Darebin Boulevard, Reservoir, by private treaty in accordance with Council's Sale of Minor Council Assets Policy May 2022.
- (2) Gives notice of its intention to sell the land on Council's website and in such notice states that Council proposes to sell the land from the former road to the owner of 22 and 24 Darebin Boulevard, Reservoir, by private treaty and to transfer to itself any land not sold, in accordance with Council policy.
- (3) As part of its community engagement process, Council invites both written and verbal submissions on the proposed sale and deal with any submissions received in line with the principles set out in section 223 of the Local Government Act 1989.

- (4) That any submissions received be considered by Council's Hearing of Submissions Committee at the Hearing of Submissions Committee on 6th February 2023.
- (5) If no submissions are received, a further report be presented to the Chief Executive Officer for a decision under delegation to consider completion of the statutory procedures for the sale of the land to the owners of 22 and 24 Darebin Boulevard, Reservoir and sign all necessary documentation for the sale of the land in accordance with Council policy and / or the transfer to Council of any land that remains unsold. A Governance Report will be presented to Council to report on the Chief Executive Officer's decision.
- (6) Notwithstanding the present intention to sell the land to the owner of 22 and 24 Darebin Boulevard, Reservoir in the event that submissions are received from other adjoining property owners or interested parties, this matter will be subject to a meeting of the Hearing of Submissions Committee on 6th February 2023 and decision of Council.

Item 2: Sale of discontinued road adjoining 3 Oakhill Avenue and 2-4 Joffre Street, Reservoir

That Council:

- (1) Commences the statutory procedures under section 114 of the Local Government Act 2020 to sell the land from the discontinued road adjoining 3 Oakhill Avenue and 2-4 Joffre Street, Reservoir, shown as Lot 5 on Title Plan TP018465R **Appendix B** to the owner of 3 Oakhill Avenue, Reservoir, by private treaty in accordance with Council's Sale of Minor Council Assets Policy May 2022.
- (2) Gives notice of its intention to sell the land on Council's website and in such notice states that Council proposes to sell the land from the former road to the owner of 3 Oakhill Avenue, Reservoir, by private treaty and to transfer to itself any land not sold, in accordance with Council policy.
- (3) As part of its community engagement process, Council invites both written and verbal submissions on the proposed sale and deal with any submissions received in line with the principles set out in section 223 of the Local Government Act 1989.
- (4) That any submissions received be considered by Council's Hearing of Submissions Committee at the Hearing of Submissions Committee meeting on 13 February the close of submissions.
- (5) Notwithstanding the present intention to sell the land to the owner of 3 Oakhill Avenue, Reservoir, in the event that submissions are received from other adjoining property owners or interested parties, Council reserves the right to reallocate the manner in which the land is to be sold in accordance with Council policy.

CARRIED UNANIMOUSLY

Peter Smith, CEO declared a general interest in 'Item 9.6 – Governance Report (in relation to CEO Employment Matters Committee).

Peter Smith left the meeting at 7.51 pm.

9.6 GOVERNANCE REPORT - NOVEMBER 2022

EXECUTIVE SUMMARY

The matters covered under the Governance Report for the month of November 2022 are:

- Summary of Advisory Committees, Councillor Briefing and other informal meetings of Councillors
- Reports by Mayor and Councillors
- Councillor Expenses Report for the quarter from 1 July to 30 September 2022
- Approval of Public Transparency Policy
- Update of Instrument of Delegation to members of Council Staff
- Audit and Risk Committee Meeting Summary Minutes
- Audit and Risk Committee Revised Charter
- Extension of the Independent Chair of the CEO Employment Matters Committee
- Response to the Municipal Association of Victoria (MAV) review of Regional Groupings of Councils – Options Paper.
- Councillor approved training and development for noting.

Officer Recommendation

That Council:

- (1) Notes the Governance Report – November 2022.
- (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 Councillor Expenses Report for the quarter from 1 July 2022 to 30 September 2022, at **Appendix B** to this Report.
- (5) Endorses the Public Transparency Policy 2020 at **Appendix C** to this Report.
- (6) In the exercise of the powers conferred by Section 11 of the *Local Government Act 2020* (the Act) and the other legislation referred to in the attached Instruments of Delegation, resolves:
 - a) To delegate to the members of Council staff holding, acting in or performing the duties of the officers or positions referred to in the '*Instrument of Delegation to members of Council staff (S6)*' (**Appendix D**) the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument.

- b) Adopts and affix Council's Common Seal to the following Instruments of Delegation provided as attachments to this report:
- Instrument of Delegation from Council to members of Council Staff (S6) (**Appendix D**);
- c) That these instruments come into force immediately the Common Seal of Council is affixed to each instrument.
- (7) Notes that the Chief Executive Officer, pursuant to Section 47 of the Act may by instrument of delegation delegate any power, duty or function of Council that has been delegated to the Chief Executive Officer by the Council to (a) a member of Council staff, or (b) the members of a Community Asset Committee, if any.
- (8) Notes the Audit and Risk Committee Meeting Summary Minutes at **Appendix E** to this Report.
- (9) Endorses the Audit and Risk Committee Revised Charter at **Appendix F** to this Report.
- (10) Confirm the offer of extension of appointment to the Independent Chair of the CEO Employment Matters Committee for a further period from 26 November 2022 to 31 May 2023.
- (11) Notes the Options Paper prepared by the Municipal Association of Victoria (MAV) following their review of the Regional Groupings of Councils.
- (12) Endorses the grouping of Councils provided with Central Option 2 in the MAV Options Paper – Regional Groupings of Councils.
- (13) Notes in accordance with clause 14.10 of the Councillor Support and Expenses policy, the Chief Executive Officer has approved Cr Newton to participate in the Williamson Community Leadership Program 2023.
- (14) Notes the cost to Council for Councillor Newton to participate in the program is \$16,000 exclusive GST. This cost will be aggregated across the remainder of this Council term therefore reducing future training opportunities for Councillor Newton.

Amended Officer Recommendation

That Council:

- (1) Notes the Governance Report – November 2022.
- (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 Councillor Expenses Report for the quarter from 1 July 2022 to 30 September 2022, at **Appendix B** to this Report.
- (5) Endorses the Public Transparency Policy 2020 at **Appendix C** to this Report.
- (6) In the exercise of the powers conferred by Section 11 of the Local Government Act 2020 (the Act) and the other legislation referred to in the attached Instruments of Delegation, resolves:
- a) To delegate to the members of Council staff holding, acting in or performing the duties of the officers or positions referred to in the 'Instrument of Delegation to members of Council staff (S6)' (**Appendix D**) the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in

- that Instrument.
- b) Adopts and affix Council's Common Seal to the following Instruments of Delegation provided as attachments to this report:
 - Instrument of Delegation from Council to members of Council Staff (S6) **(Appendix D)**;
 - c) That these instruments come into force immediately the Common Seal of Council is affixed to each instrument.
- (7) Notes that the Chief Executive Officer, pursuant to Section 47 of the Act may by instrument of delegation delegate any power, duty or function of Council that has been delegated to the Chief Executive Officer by the Council to (a) a member of Council staff, or (b) the members of a Community Asset Committee, if any.
- (8) Notes the Audit and Risk Committee Meeting Summary Minutes at **Appendix E** to this Report.
- (9) Endorses the Audit and Risk Committee Revised Charter at **Appendix F** to this Report.
- (10) Notes that the current term of the Independent Chair of the CEO Employment Matters Committee, Mary Crooks, ended on 25 November 2022 and thank Mary for her significant contribution to Council since her commencement in 2017.
- (11) Appoints Joe Carbone, former independent HR Advisor to Council, as the interim Independent Chair of the CEO Employment Matters Committee up to 27 February 2023 at an agreed hourly rate, delegated to the General Manager Governance and Engagement to finalise.
- (12) Notes that the CEO Employment Matters Committee Charter, CEO Employment and Remuneration Policy will be reported to Council at its December meeting, accompanied by a recommendation to advertise the Independent Chair, CEO Employment Matters Committee position.
- (13) Notes the Options Paper prepared by the Municipal Association of Victoria (MAV) following their review of the Regional Groupings of Councils.
- (14) Endorses the grouping of Councils provided with Central Option 2 in the MAV Options Paper – Regional Groupings of Councils.
- (15) Notes in accordance with clause 14.10 of the Councillor Support and Expenses policy, the Chief Executive Officer has approved Cr Newton to participate in the Williamson Community Leadership Program 2023.
- (16) Notes the cost to Council for Councillor Newton to participate in the program is \$16,000 exclusive GST. This cost will be aggregated across the remainder of this Council term therefore reducing future training opportunities for Councillor Newton.

Council Resolution

MINUTE NO. 22-121

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

That Council:

- (1) Notes the Governance Report – November 2022.
- (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 Councillor Expenses Report for the quarter from 1 July 2022 to 30 September 2022, at **Appendix B** to this Report.
- (5) Endorses the Public Transparency Policy 2020 at **Appendix C** to this Report.
- (6) In the exercise of the powers conferred by Section 11 of the Local Government Act 2020 (the Act) and the other legislation referred to in the attached Instruments of Delegation, resolves:
 - c) To delegate to the members of Council staff holding, acting in or performing the duties of the officers or positions referred to in the 'Instrument of Delegation to members of Council staff (S6)' (**Appendix D**) the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument.
 - d) Adopts and affix Council's Common Seal to the following Instruments of Delegation provided as attachments to this report:
 - Instrument of Delegation from Council to members of Council Staff (S6) (**Appendix D**);
 - d) That these instruments come into force immediately the Common Seal of Council is affixed to each instrument.
- (7) Notes that the Chief Executive Officer, pursuant to Section 47 of the Act may by instrument of delegation delegate any power, duty or function of Council that has been delegated to the Chief Executive Officer by the Council to (a) a member of Council staff, or (b) the members of a Community Asset Committee, if any.
- (8) Notes the Audit and Risk Committee Meeting Summary Minutes at Appendix E to this Report.
- (9) Endorses the Audit and Risk Committee Revised Charter at Appendix F to this Report.
- (10) Notes that the current term of the Independent Chair of the CEO Employment Matters Committee, Mary Crooks, ended on 25 November 2022 and thank Mary for her significant contribution to Council since her commencement in 2017.
- (11) Appoints Joe Carbone, former independent HR Advisor to Council, as the interim Independent Chair of the CEO Employment Matters Committee up to 27 February 2023 at an agreed hourly rate, delegated to the General Manager Governance and Engagement to finalise.
- (12) Notes that the CEO Employment Matters Committee Charter, CEO Employment and Remuneration Policy will be reported to Council at its December meeting, accompanied by a recommendation to advertise the Independent Chair, CEO Employment Matters Committee position.
- (13) Notes the Options Paper prepared by the Municipal Association of Victoria (MAV) following their review of the Regional Groupings of Councils.
- (14) Endorses the grouping of Councils provided with Central Option 2 in the MAV Options Paper – Regional Groupings of Councils.
- (15) Notes in accordance with clause 14.10 of the Councillor Support and Expenses policy, the Chief Executive Officer has approved Cr Newton to participate in the Williamson Community Leadership Program 2023.
- (16) Notes the cost to Council for Councillor Newton to participate in the program is \$16,000 exclusive GST. This cost will be aggregated across the remainder of this Council term therefore reducing future training opportunities for Councillor Newton.

CARRIED UNANIMOUSLY

REPORTS BY MAYOR AND COUNCILLORS – 28 NOVEMBER 2022**REPORT OF CR. LINA MESSINA, MAYOR**

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

- Councillor briefings
- Councillor only meetings
- Monthly Council meeting
- Planning meeting
- One to one meeting with Cr.Rennie, Cr Newton. Cr Williams
- Regular meetings with CEO
- Regular meetings with CE Office Staff
- Good Governance Action Plan Meetings
- Weekly Mayoral event briefings
- Meeting to discuss safe access over Bell St. Bridge for everyone
- VMC/VEC Information Forum
- NARC media package video shoot
- Facility Infrastructure framework meeting
- Meeting with Melissa Scadden
- Launch of the Reservoir Revitalisation Board -Sheena Watt MP
- Manningham Mayoral Ball
- Executive Assistant weekly catchups
- Advocacy Relationship Manager meeting
- Meeting with Greens Candidate -Samantha Ratnam MP, Campbell Gome
- Preston Votes – Community Forum
- Meeting with Kat Theophanous MP
- Remembrance Memorial Service/Darebin RSL
- 50th Anniversary of Patronato Inas-Cisl in Australia
- Intercultural Centre soft opening/tour
- Craig Ondarchie Farewell dinner
- Aged Care Roundtable full day seminar
- Segmento – Tarantella Festival
- Greek Orthodox Archdiocese site visit – Chora development
- Signing of MOU between Aboriginal Housing Vic and Darebin Council
- Darebin Aboriginal Advisory Committee meeting

- 25th Anniversary of the Dardalis Archives of the Hellenic Diaspora event
- Book launch for Tales Of Cyprus
- Phone calls regarding Thornbury Park Estate
- Phone calls regarding Councillor complaints
- Interview with Rete Italia
- Lunch at Darebin RSL- Remembrance Day
- 3aw Interview
- ABC Radio Interview
- Meeting with Northern Falcons
- Meetings with business owners
- Meeting with Northern Bullants
- Discussions with Labor Candidate Nathan Lambert- Advocacy Priorities
- Discussions with Labor Candidate- Anthony Canflone- Advocacy Priorities
- Meeting with FFV- Josephine La Pila

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 is on a period of suspension.

REPORT OF CR. SUSANNE NEWTON

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

On parental leave all last month, returned to Council duties 28 November

- Weekly Councillor Meeting
- Victorian Local Governance Association (VLGA) AGM

REPORT OF CR. SUSAN RENNIE

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

- Council meeting
- Weekly Councillor Meetings
- Planning Committee
- Councillor Briefings

- Catch up with the Mayor
- Resident Parking Permit consultation session
- Vigil for Cassius at the AAL
- WHIN AGM
- Your CH AGM
- Special Council meeting
- Tour of new Intercultural Centre
- Celebration at Thornbury Bowls Club
- DAAC
- Walk Against Family Violence
- Emails, meetings and phone calls with residents

REPORT OF CR. TRENT MCCARTHY

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

- Special Council Meeting
- Planning Committee Meeting
- Councillor Briefings
- Weekly Councillor Meetings
- Merri Merri Wayi Meetings with CERES and Merri-bek Council
- Meeting with new CEO Peter Smith
- Northern Alliance for Greenhouse Action Advocacy Working Group
- Northern Alliance for Greenhouse Action Executive Committee
- Good Governance Professional Development Sessions
- Signing of MOU between Darebin Council and Aboriginal Housing Victoria
- Darebin Aboriginal Advisory Committee

REPORT OF CR. EMILY DIMITRIADIS

Cr. Dimitriadis did not submit a report.

REPORT OF CR. TOM HANNAN

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

- Contact (phone / online) with residents about their concerns, e.g. waste and recycling, park management, Westgarth Village decorations, parking permit review, laneways, local business, electric vehicles, nightclub noise, property development.
- Merri Creek Management Committee
- Walk Against Family Violence

- Meeting with CEO
- Meeting with Mayor
- Councillor briefings and Good Governance sessions
- Councillor only meetings
- Planning Committee meeting
- Monthly Council meeting
- Special Council meeting

7.59pm – Peter Smith, CEO returned to the meeting at the conclusion of this item.

10. ITEMS TO BE TABLED

Nil

11. NOTICES OF MOTION

11.1 PARKING NOM

Take notice that at the Council Meeting to be held on 28 November 2022, it is my intention to move:

That Council:

- (1) *Receives a report at the March 2023 Council meeting that:*
 - (a) *Outlines options for the engagement plan on the Parking Policy to include Community workshops and facilitated community and councillor sessions.*
 - (b) *Outlines options for establishing a community advisory group for 12 months to provide input on the parking policy matters.*

Rationale

Establishing a Resident's Community Advisory Group for direct feedback and input into the Parking Permit Policy, noting the complexities levels and demands across all of Darebin.

Council Officers to assist, guide and facilitate this process of engagement allowing the Community to take part giving feedback in shaping the new Parking Policy.

The Advisory Group will have regular meetings to discuss all matters parking related, formalising the parking needs, demands, and gaps where workshops and forums are limited.

Notice Received: 7 November 2022

Notice Given to Councillors 7 November 2022

Date of Meeting: 28 November 2022

With leave of the Chair, Cr Williams moved the Notice of Motion with a minor amendment.

Motion

MOVED: Cr. J Williams

SECONDED: Cr. S Rennie

That Council:

- (1) *Receives a report at the March 2023 Council meeting that:*
 - (a) *Outlines options for an engagement plan on the Parking Policy to include Community workshops and facilitated community and councillor sessions.*
 - (b) *Outlines options for establishing a community advisory group for 12 months to provide input on parking matters.*
-

Cr Hannan proposed to the mover and seconder to amend point (a) as follows:

- (a) Outlines options for an engagement plan on the Parking **Permit** Policy matters to include Community workshops and facilitated community and councillor sessions

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

Alternate Motion

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

That Council:

- (1) Receives a report at the March 2023 Council meeting that:
 - (a) Outlines options for an engagement plan on the Parking **Permit** Policy matters to include Community workshops and facilitated community and councillor sessions.
 - (b) Outlines options for establishing a community advisory group for 12 months to provide input on parking matters

LOST

For: Cr's. Hannan, Newton (2)

Against: Cr's. Williams, Dimitriadis, Rennie and Messina (4)

8.17 pm *The Mayor adjourned the meeting for a ten minute break*

8.31 pm *The meeting resumed*

Cr. McCarthy proposed an amendment to the Substantive Motion which was accepted by the mover and seconder.

- (a) Outlines options for an engagement plan on **parking matters** to include Community workshops and facilitated community and councillor sessions.

Council Resolution

MINUTE NO. 22-122

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

That Council:

- (1) Receives a report at the March 2023 Council meeting that:
 - (b) Outlines options for an engagement plan on parking matters to include Community workshops and facilitated community and councillor sessions.
 - (c) Outlines options for establishing a community advisory group for 12 months to provide input on parking matters.

CARRIED UNANIMOUSLY

11.2

MERRI MERRI WAYI

Take notice that at the Council Meeting to be held on 28 November 2022, it is my intention to move:

That Council:

- (1) *Notes the significant progress made by the Merri Merri Wayi community-led collaboration, as outlined in the Executive Summary (<https://conversations.merri-bek.vic.gov.au/merri-merri-wayi>), including the involvement of Darebin community members and groups, Council officers and Councillors in the community consultations held between May 2021 and May 2022.*
- (2) *Calls for a report in early 2023 on the merits of becoming a partner in the Merri Merri Wayi community-led collaboration and next steps required to formalise Darebin's participation.*
- (3) *Notes the proposal to hold a Merri Merri Wayi Community Event at CERES on Saturday 29 April 2023 to "help the community learn from and celebrate Indigenous ecological and cultural knowledge and recognise the need for all of us to help care for the Merri Creek and for Country."*
- (4) *Calls for a report on the opportunity to participate in this event, promote the 5.72 hectares of new open space near Warrk-warrk Bridge and seek a name for this space from the Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation.*

Rationale

The call for a Merri Creek & Surrounds Visioning exercise arose amongst a range of community organisations and community members, who came together following the attack on a woman along the creek in East Coburg in late 2019.

As a consequence of this terrible incident, Merri-bek City Council engaged Monash University's XYX Lab to conduct a women's safety survey of the Coburg section of the Merri Creek between Bell Street and Moreland Road. The response level demonstrated strong concern in the community and a willingness of women to reflect on their safety and offer suggestions.

The Merri Creek Coburg Safety Report was an important response to this terrible incident, with recommendations that action be taken in the following three realms to improve the safety of the creek:

- Building communities
- Communication and engagement
- Infrastructure and maintenance

Importantly, community organisations and community members recognised the opportunity to build on existing work and action, as well as coming together to find new ones.

Further information on the Merri Creek Coburg Safety Report can be found on the Merri Merri Wayi webpage (<https://conversations.merri-bek.vic.gov.au/merri-merri-wayi>) Merri-bek City Council resolved to provide a framework within which relevant community collaborations could flourish, that would be in line with the report and recognise the involvement of the

community in determining goals, objectives and priorities for the future care, management and use of the Merri Creek & Surrounds. Merri-bek City Council secured funds to engage an appropriately skilled consultant to undertake this exercise and CERES was appointed in May 2021 to be the consultant on the Merri Creek & Surrounds Visioning exercise.”

Community consultation workshops were held from May 2021 to May 2022 and were attended by community members and community groups active along the Merri Creek corridor, including many from Darebin. Some Darebin Council officers and Councillors have also participated in these workshops and in subsequent meetings with the project team.

Appropriately, a name for the project was sought from Wurundjeri Elders and the name provided by Aunty Gail Smith was Merri Merri Wayi, meaning ‘Merri Merri us’.

Darebin Council has been invited to officially join the Merri Merri Wayi collaboration, along with Merri-bek Council and Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation and contribute to an important community event to be held in April 2023.

Notice Received: 14 November 2022

Notice Given to Councillors 14 November 2022

Date of Meeting: 28 November 2022

Council Resolution

MINUTE NO. 22-123

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

That Council:

- (1) Notes the significant progress made by the Merri Merri Wayi community-led collaboration, as outlined in the Executive Summary (<https://conversations.merri-bek.vic.gov.au/merri-merri-wayi>), including the involvement of Darebin community members and groups, Council officers and Councillors in the community consultations held between May 2021 and May 2022.
- (2) Calls for a report in early 2023 on the merits of becoming a partner in the Merri Merri Wayi community-led collaboration and next steps required to formalise Darebin’s participation.
- (3) Notes the proposal to hold a Merri Merri Wayi Community Event at CERES on Saturday 29 April 2023 to “help the community learn from and celebrate Indigenous ecological and cultural knowledge and recognise the need for all of us to help care for the Merri Creek and for Country.”
- (4) Calls for a report on the opportunity to participate in this event, promote the 5.72 hectares of new open space near Warrk-warrk Bridge and seek a name for this space from the Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation.

CARRIED UNANIMOUSLY

12. URGENT BUSINESS

12.1 URGENT BUSINESS 2 WINGROVE STREET, ALPHINGTON

After distribution of the agenda, the CEO determined that an item of urgent business relating to '2 Wingrove St, Alphington' was required to be dealt in camera due to the confidential nature of the item.

13. CONSIDERATION OF REPORTS CONSIDERED CONFIDENTIAL

CLOSE OF MEETING

Resolution

MOVED: Cr. J Williams
SECONDED: Cr. T McCarthy

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

Urgent Confidential Business

12.1 2 Wingrove Street, Alphington

This item is confidential because it is legal privileged information, being information to which legal professional privilege or client legal privilege applies, pursuant to Section 3(1) (e) of the Act.

13.1 CEO Contractual Matter

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

CARRIED UNANIMOUSLY

The meeting was closed to the members of the public at 8.39pm

The Council considered and resolved on Report Items 13.1 and 13.2 which had been circulated to Councillors with the Council Agenda Paper.

RE-OPENING OF MEETING

Council Resolution

MINUTE NO. 22-124

MOVED: Cr. T McCarthy
SECONDED: Cr. J Williams

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

CARRIED

The meeting was re-opened to the members of the public at 8.58pm.

14. CLOSE OF MEETING


The meeting closed at 8.58pm.

**CITY OF
DAREBIN**

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

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