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MINUTES OF THE COUNCIL MEETING

Held on Monday 18 September 2017

Released to the public on Thursday 21 September 2017

Table of Contents

Item Number	Page Number
1. PRESENT	3
2. APOLOGIES	3
3. DISCLOSURES OF CONFLICTS OF INTEREST	3
4. CONFIRMATION OF THE MINUTES OF COUNCIL MEETINGS	4
5. QUESTION AND SUBMISSION TIME	4
6. CONSIDERATION OF REPORTS	8
6.1 BUSINESS AWARD FOR COMMUNITY CONTRIBUTION.....	8
6.2 OCTOPUS SCHOOL	10
6.3 ADOPTION OF GOVERNANCE LOCAL LAW 2017	12
6.4 DELEGATION OF POWERS, DUTIES AND FUNCTIONS TO CHIEF EXECUTIVE OFFICER	14
6.5 DELEGATIONS OF POWER, DUTIES AND FUNCTIONS TO COUNCIL STAFF	16
7. CONSIDERATION OF RESPONSES TO PETITIONS, NOTICES OF MOTION AND GENERAL BUSINESS	18
NIL	
8. NOTICES OF MOTION	18
NIL	
9. URGENT BUSINESS	18
9.1 RESPECTING LOCAL GOVERNMENT DECISION MAKING MANDATE.....	18
9.2 NORTHCOTE BY-ELECTION.....	19
9.3 ROHINGYA IN MYANMAR	21
10. GENERAL BUSINESS	21
11. PETITIONS	21
12. REPORTS OF STANDING COMMITTEES	21
NIL	
13. RECORDS OF ASSEMBLIES OF COUNCILLORS.....	22
13.1 ASSEMBLIES OF COUNCILLORS HELD.....	22
14. REPORTS BY MAYOR AND COUNCILLORS	23
15. CONSIDERATION OF REPORTS CONSIDERED CONFIDENTIAL	27
15.1 SOLAR SAVER PROGRAM 2017 - 2019 - CONFIDENTIAL.....	28
16. CLOSE OF MEETING.....	29

**MINUTES OF THE ORDINARY MEETING OF THE
DAREBIN CITY COUNCIL HELD AT DAREBIN CIVIC CENTRE,
350 HIGH STREET PRESTON ON MONDAY 18 SEPTEMBER 2017**

THE MEETING OPENED AT 6.02PM

WELCOME

The Chairperson, Mayor, Cr. Le Cerf opened the meeting with the following statement:

“I would like to acknowledge the traditional owners and custodians of the land on which we stand here today, the Wurundjeri people, and pay my respects to their Elders, past and present, as well as to Elders from other communities who may be with us today.”

The Chairperson, Mayor, Cr. Le Cerf welcomed Sue Wilkinson, Chief Executive Officer to her first day and first Council meeting.

The Chairperson, Mayor, Cr. Le Cerf presented to Council a gift received from a delegation by a group of Mayors in Qinghai province, China.

1. PRESENT**Councillors**

Cr. Kim Le Cerf (Mayor) (Chairperson)

Cr. Gaetano Greco (Deputy Mayor)

Cr. Trent McCarthy

Cr. Lina Messina

Cr. Susanne Newton

Cr. Susan Rennie

Cr. Julie Williams

Council Officers

Sue Wilkinson - Chief Executive Officer

Katrina Knox - Director Community Development

Andrew McLeod - Director Corporate Services

Jacinta Stevens - Director Civic Governance and Compliance

Oliver Vido - Director Operations and Environment

Dave Bell - Senior Media Advisor

Katia Croce - Coordinator Council Business

Karlee Ferrante - Council Business Officer

2. APOLOGIES

Cr. Tim Laurence and Cr. Steph Amir are on an approved leave of absence.

3. DISCLOSURES OF CONFLICTS OF INTEREST

Nil

4. CONFIRMATION OF THE MINUTES OF COUNCIL MEETINGS

Council Resolution

MINUTE NO. 17-319

MOVED: Cr. J Williams
SECONDED: Cr. L Messina

That the Minutes of the Ordinary Meeting of Council held on 4 September 2017 be confirmed as a correct record of business transacted.

CARRIED

5. QUESTION AND SUBMISSION TIME

The Chairperson, Mayor, Cr. Le Cerf, responded to the following questions submitted for Public Question Time.

- **Brian Sanaghan, Preston**

At the last meeting of Council I made a statement that advocated to Council a redevelopment of the St Georges Road land to allow for an inner urban linear forest of grey ghost gums between Merri Parade, the site where John Batman took the land on which this city is built from the Wurundjeri people, to Miller Street where some of that land was returned to the Aborigines Advancement League by the City of Northcote. I advocated that when the time comes this section of St Georges Road should be renamed the Avenue of the Republic. Why was this statement not included in the minutes?

Response

Clause 54 of the Governance Local Law only requires Council to record the name of the submitter. The statement you made at the previous Council meeting has been minuted correctly.

- **Brian Sanaghan, Preston**

My question is to the Mayor.

Mayor did you resign from your position as a paid employee of the City of Melbourne prior to or subsequent to taking up the position of Mayor of Darebin?

Response

No. There are no requirements under the Local Government Act that requires a Councillor to resign during their four year elected term, unless they are a current employee of that Council.

- **Brian Sanaghan, Preston**

Did the City of Melbourne fund your trip to China?

Response

I have never been to China.

- **Craig Walters, Preston**

To clarify this response, in the Special Building Overlay section 44.05-6 “Decision guidelines”. In making a decision on a planning application, who is the responsible authority that must consider things such as:

- comments from the floodplain management authority i.e. Melbourne Water;
- the susceptibility of the development to flooding and flood damage;
- flood risk factors such as the frequency, duration, extent, depth and velocity of flooding of the site and accessway; and
- the effect of the development on redirecting or obstructing floodwater.

Response

Council is the responsible authority for planning decisions and Melbourne Water is the statutory authority responsible to consider matters relating to flooding in the Special Building Overlay. This means Council is obliged to comply with any direction from them in relation to flooding matters. For example, if Melbourne Water is not supportive of a particular development, Council must refuse the planning application.

- **Craig Walters, Preston**

Could this responsible body be potentially liable in negligence for decisions, acts and omissions that relate to the exercise of these powers and functions?

Response

Council cannot answer this question. We cannot speculate on the legal liability of another Statutory Authority that Council has no direct control over.

- **Submission from Carolyn Lunt, Northcote**

Ms Lunt made a submission regarding the environmental weed (Pennisetum) and was thanked by the Chairperson, Mayor, Cr. Le Cerf.

- **Submission from Katarina Brozovic-Basic, Northcote**

Ms Brozovic-Basic made a submission regarding Rohingya’s in Myanmar and was thanked by the Chairperson, Mayor, Cr. Le Cerf.

- **Jane Foyer, Fairfield**

I am concerned about the increase in and placement of sporting infrastructure in precious open space at MacDonnell Park, Northcote.

It is important for all users of the park to keep a sense of open space.

Would the Mayor place a temporary halt on construction works and meet with me and other users to discuss this issue?

There are reasonable options that will be acceptable to all parties.

Response

Chairperson, Mayor, Cr. Le Cerf advised the question would be taken on notice and followed up by the relevant Director and Chief Executive Officer.

- **Louise Goode, Thornbury**

Ms Goode made a submission expressing her experience during public question time on 1 May 2017, and the treatment she believed Ms Kalbrenner received in relation to a question around the St. George's Road median closure.

During Ms Goode's submission, Mr Sanaghan unnecessarily interjected on a number of occasions directing comments to the Mayor, Cr Le Cerf. The Mayor provided warnings to Mr Sanaghan that if he continued he would be asked to leave the Chamber. After continued interjection by Mr Sanaghan, the Mayor asked him to leave the Chamber at which time the meeting was adjourned for a short period of time.

The meeting was adjourned at 6.31pm and recommenced at 6.37pm.

- **Louise Goode, Thornbury**

What Ward is Cr. McCarthy in?

Response

Cr. McCarthy is in the Rucker Ward.

- **Louise Goode, Thornbury**

Why are Cr. Le Cerf and Cr. McCarthy targeting Ms Annette Kalkbrenner?

Response

I don't think I was targeting Ms Kalkbrenner. When Annette posted on Facebook items that are not factually correct, it is my role to correct the record and Council's position on a particular issue.

Cr. McCarthy made a statement in response to the submission made by Louise Goode.

Responses to Public Questions taken on notice at the Council meeting on 4 September 2017.

At the Council meeting held on 4 September 2017, the following questions were taken on notice by the Chairperson, Mayor, Cr. Le Cerf.

- **Geoffrey Richards: submitted a question regarding pension entitlement**

Question 1 - From January 1st this year the Commonwealth institute introduced a revised formula for the pension entitlement and changing the asset test meant cancellation of my part time pension. A health care card was issued and on that it said concessions vary between different states and eligibility talk to the people concerned and that concession has been granted to me from VicRoads and from the Utilities but not Darebin Council. So my question is will Council review that I believe it's an anomaly which you probably have realised has happened. So could Council review that situation please?

Kerrie Wellington, Revenue Coordinator provided the following written response to Mr Richards:

Council administer the pensioner rate concession scheme as set out by the Department of Human Services. When determining pensioner eligibility, council verifies the pension details with the Department of Human Services, who then either confirm or deny the application. Council does not determine the eligibility of ratepayers.

- **Geoffrey Richards: submitted a question regarding parking in Storey Road**

Question 2 - This is in relation to this lady's parking and I want to follow on from that. One of the main problems is that people use their garages for storage which I hope Council will address as well as we get cars out on the street and that's not the purpose of my question tonight. Also parked in my Storey Road street is a caravan longer than the normal size that we have so my question there is can Council reiterate what is allowed to be birth, tied, whatever in the street? The same applies to building along there too as there are b-doubles there while construction is on. Can we establish please what can be left on the street? It's a danger to actually park on the nature strip on one side otherwise we wouldn't get passed the door.

Jacinta Stevens, Director Civic Governance and Compliance provided the following written responses to Mr Richards:

Unfortunately residents are permitted to use their garages for storage and often this may result in vehicles being parked in the street. Depending upon the circumstances the Transport Engineers will consider introducing parking restrictions in a particular location if the demand for on street parking spaces exceeds availability.

Please note that caravans are permitted to be parked in a street provided the length of the caravan does not exceed 7.5 metres. Vehicles either over 7.5 metres in length or greater than 4.5 GVM are not permitted to be parked in a street for more than one hour. Furthermore, it is an offence to park a vehicle on the nature strip.

Council's Traffic Officers have been requested to patrol Storey Rd to ensure that all vehicles are parked legally.

6. CONSIDERATION OF REPORTS

6.1 BUSINESS AWARD FOR COMMUNITY CONTRIBUTION

Author: Industry Development and Employment Officer

Reviewed By: Director City Futures and Assets

Report Background

The Darebin Business Award for Community Contribution recognises local businesses that have made noteworthy community contributions to the Darebin community. Initially funded and delivered through the Better Neighbourhood Awards, Council made a decision to extend the Business Award for another two years and it was integrated into the Economic Development program and provided \$5,000 to assist with promotion and support.

Previous Council Resolution

At the Council meeting held 7 March 2016 it was resolved:

'That Council:

- 1) *Continue the Business Award for Community Contribution in 2016 and 2017.*
- 2) *Cease the Better Neighbourhood Awards and incorporate funds into the Community Support Program funding pool.*
- 3) *Receive a briefing paper in April 2016 on strategies to better promote the Business Award to the wider business community in Darebin.'*

Previous Briefing(s)

Councillor Briefing – 24 August

Council Plan Goal/Endorsed Strategy

Goal 4 - A strong economy

Summary

The Darebin Business Award for Community Contribution has been funded over the previous two years (2016 and 2017). Over this time the Economic Development unit have delivered the program increasing the awareness and number of nominees. There were challenges with respect to the eligibility, nomination and judging elements of the award, including:

- Difficulty in differentiating the contribution made by a social enterprises and not for profit businesses (who undertake community related contributions as part of their core business) and comparing this to a for profit businesses.
 - The quality and number of nominations received (14 in 2016 and 13 in 2017).
 - Assessment of the contribution of a micro business to that of a company with over 100 employees.
-

- Businesses who contribute to the community often do not wish to be recognised.
- The low profile of this Award which limits the perceived value and participation compared to other regional, state and/or national awards.

A decision on the future of the Award is required.

Council Resolution

MINUTE NO. 17-320

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

That Council cease the Award and instead focus resources on assisting businesses to nominate themselves for other notable awards which have regional, state and/or national recognition.

CARRIED

6.2 OCTOPUS SCHOOL**Author:** Safe Travel Officer**Reviewed By:** Director City Futures and Assets

Report Background

This report regards the appointment of a Councillor to the selection panel, in order to select a school to receive funding and support through the Octopus School pilot program in 2018.

The Octopus School framework aims to create a 'safe school precinct' for increasing the number of students walking and cycling to and from school, through the implementation of a range of physical infrastructure and behaviour change projects. This will be piloted in 2018, with the intention to develop an 8-level achievement system that can be rolled out more broadly in the future.

Previous Council Resolution

This matter is not the subject of a previous Council resolution.

Previous Briefing(s)

Councillor Briefing – Monday 28th August, 2017

Council Plan Goal/Endorsed Strategy

Goal 1 - A sustainable city

1.2 We will increase sustainable transport through safer streets for walking and cycling, and advocacy for public transport.

Summary

The Transport Strategy team have been working with Darebin primary schools since 2011 to determine safe travel routes to school with the purpose of encouraging walking and cycling to and from school. These audits have resulted in recommendations to improve infrastructure and maintenance of safe travel routes, many which have been implemented to date.

31 of 35 relevant primary schools, and 1 high school (a trial), have been audited since 2011, with 5% of total recommendations delivered and a further 5% under current consideration, including refuge islands, footpath repair/replacement, and raised crossings.

Aligned with this, one Darebin school will be selected based on an expression of interest to receive significant Council investment and support in 2018 as a pilot "Octopus School". This will result in the development of a model school for safe travel work with schools in Darebin. The pilot program will improve pedestrian and cyclist safety around the school with provision for consultation, signage, line marking, physical works and project management, along with partnership with the school and local community on engagement activities, with a budget of \$120,000. Before and after monitoring, and evaluation throughout the program will determine the effectiveness of the approach.

Recommendation

That Council appoint to be on the panel for the selection of a school to participate in the pilot program for Octopus Schools.

Council Resolution

MINUTE NO. 17-321

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

That Council appoint Cr. Steph Amir to be on the panel for the selection of a school to participate in the pilot program for Octopus Schools.

CARRIED

6.3 ADOPTION OF GOVERNANCE LOCAL LAW 2017**Author:** Manager Governance and Corporate Information**Reviewed By:** Director Civic Governance and Compliance

Report Background

Section 111(1) of the *Local Government Act 1989*, provides Council with the power to make local laws.

At its Meeting of Council on 17 July 2017, Council resolved to commence the statutory procedures and give public notice in accordance with section 223 of the *Local Government Act 1989* (the Act).

Following the completion of the statutory obligations including consideration of submissions, the final version of the Governance Local Law 2017 is being presented for Council to consider adopting.

Previous Council Resolution

At its meeting held on 19 August 2013, Council resolved:

'That:

- 1) *Council adopts the Governance Local Law 2013 attached at Appendix A to this report.*
- 2) *Council notes the Governance Local Law 2013 comes into effect from the date it is published in the Government Gazette.*
- 3) *As part of the adoption of the Governance Local Law 2013, Council accepts the following amendments as a result of the written submission received.*
 - a. *Clause 8 (1)(b) in years in which there is no general election of Councillors, as soon as practicable after the fourth Saturday in November in each such year; The word 'November' is substituted with the word 'October'.*
 - b. *An additional point (d) be added to clause 60 'Procedure for a Division'. Clause 60(3)(d) would read as follows: 'Declare the result to the meeting'.*
- 4) *Council gives notice in the Government Gazette and public notice as specified under section 119(3) of the Local Government Act 1989.*
- 5) *Council submits a copy of the Governance Local Law 2013 to the Minister for Local Government in accordance with section 119(4) of the Local Government Act 1989.*
- 6) *Council writes to the person who made a written submission advising of the outcome.'*

Previous Briefing(s)

- Councillor Briefing – 20 February 2017
- Councillor Briefing - 6 March 2017
- Councillor Briefing - 26 May 2017
- Councillor Briefing - 14 September 2017

Council Plan Goal/Endorsed Strategy

Goal 6 - We will be a leading, modern, and open council to meet our challenges, now and in the future

6.1 We will implement the best delivery models to optimise efficiency and value.

Summary

At its meeting of 17 July 2017, Council resolved to commence the statutory procedures and give public notice in accordance with section 223 of the *Local Government Act 1989* (the Act).

Responses to the proposed Local Law closed at midnight on Wednesday 16 August 2017. In addition to the public exhibition, the draft was on display at the Darebin Civic Centre, available online with an electronic submission form and promoted via social media and at Darebin Libraries.

The Governance Local Law 2017 is to replace the Governance Local Law 2013.

This report recommends that Council adopt the attached Governance Local Law 2017 without any change and that public notice be given of the decision in accordance with the Act.

Council Resolution

MINUTE NO. 17-322

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

That Council:

- (1) Adopts the Governance Local Law 2017 attached at **Appendix A** to this report.
 - (a) Clause 34(2) a,b,c replace the word name with the word surname.
 - (b) Clause 43(1) include the words “transparency and accessibility of meetings to the public” after the words minute taking.
- (2) Notes the Governance Local Law 2017 comes into effect from the date it is published in the Government Gazette.
- (3) Notes public notice will be given in the Government Gazette and public notice as specified under section 119(3) of the *Local Government Act 1989*.
- (4) Notes a copy of the Governance Local Law 2017 will be submitted to the Minister for Local Government in accordance with section 119(4) of the *Local Government Act 1989*.
- (5) Notes officers will write to community members who made a written submission thanking them and advising them of the outcome.

CARRIED

6.4 DELEGATION OF POWERS, DUTIES AND FUNCTIONS TO CHIEF EXECUTIVE OFFICER

Author: Coordinator Council Business

Reviewed By: Director Civic Governance and Compliance

Report Background

The current *Instrument of Delegation* (the Delegation) of powers, duties and functions to the Chief Executive Officer (CEO) was approved by Council on 3 July 2017.

Previous Council Resolution

At its meeting held 3 July 2017, Council resolved:

That in the exercise of the powers conferred by section 98(1) of the Local Government Act 1989 (the Act) in the attached Instrument of Delegation, Darebin City Council (Council) resolves that:

- (1) There be delegated to the person holding the position, acting in or performing the duties of Chief Executive Officer the powers, duties and functions set out in the Instrument of Delegation to the Chief Executive Officer attached as **Appendix A** to this report, subject to the conditions and limitations specified in that Instrument;*
- (2) The Delegation comes into force immediately the common seal of Council is affixed to the Delegation;*
- (3) On the coming into force of the Delegation the previous Delegation to the CEO, dated 17 March 2015, is revoked;*
- (4) The duties and functions set out in the Delegation must be performed, and the powers set out in the Delegation must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt; and*
- (5) It is noted that the Delegation includes a power of delegation to members of Council staff, in accordance with section 98(3) of the Act.*

Previous Briefing(s)

This matter has not previously been to a Councillor Briefing.

Council Plan Goal/Endorsed Strategy

Goal 6 - A well governed Council

Summary

The current *Instrument of Delegation* (the Delegation) of powers, duties and functions to the Chief Executive Officer (CEO) was approved by Council on 3 July 2017.

The S5 Instrument of Delegation from Council to the CEO is submitted for Council approval concurrently with the approval of the S6 Instrument of Delegation from Council to Council Staff so that both instruments remain up to date and capture the most recent powers, duties and functions that are capable of being delegated.

Council Resolution

MINUTE NO. 17-323

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

That in the exercise of the powers conferred by section 98(1) of the *Local Government Act 1989* (the Act) in the attached *Instrument of Delegation*, Darebin City Council (Council) resolves that:

- (1) There be delegated to the person holding the position, acting in or performing the duties of Chief Executive Officer the powers, duties and functions set out in the *Instrument of Delegation to the Chief Executive Officer* attached as **Appendix A** to this report, subject to the conditions and limitations specified in that Instrument;
- (2) The Delegation comes into force immediately the common seal of Council is affixed to the Delegation;
- (3) On the coming into force of the Delegation the previous Delegation to the CEO, dated 6 July 2017, is revoked;
- (4) The duties and functions set out in the Delegation must be performed, and the powers set out in the Delegation must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt; and
- (5) It is noted that the Delegation includes a power of delegation to members of Council staff, in accordance with section 98(3) of the Act.

CARRIED

6.5 DELEGATIONS OF POWER, DUTIES AND FUNCTIONS TO COUNCIL STAFF

Author: Coordinator Council Business

Reviewed By: Director Civic Governance and Compliance

Report Background

In seeking to achieve its purposes under the *Local Government Act 1989* (Act), one of Council's objectives is to delegate decision making to appropriate levels within the organisation.

The Act allows both Council and the Chief Executive Officer to delegate to members of staff, by instrument of delegation, certain powers, duties and functions under any Act administered by Council.

Previous Council Resolution

At its meeting held on 3 July 2017, Council resolved:

That in the exercise of the powers conferred by section 98(1) of the Local Government Act 1989 (the Act) and the other legislation referred to in the attached Instrument of Delegation, Darebin City Council (Council) resolves that:

- (1) There be delegated to the members of Council staff holding, acting or performing the duties of the offices or positions referred to in the attached Instrument of Delegation to members of Council staff, the powers, duties and functions set out in that Instrument attached as **Appendix A**, subject to the conditions and limitations specified in that Instrument.*
- (2) The Instrument comes into force immediately the common seal of Council is affixed to the Instrument.*
- (3) On the coming into the force of the Instrument all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked.*
- (4) The duties and functions set out in the Instrument must be performed, and the powers set out in the Instrument must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.*

Previous Briefing(s)

This matter has not previously been to a Councillor Briefing.

Council Plan Goal/Endorsed Strategy

Goal 6 - A well governed Council

Summary

In the context of local government, delegation is the giving of decision-making power by Council or the Chief Executive Officer to members of staff.

The previous *Instrument of Delegation* was approved by Council on 3 July 2017.

This report takes into account recent legislation amendments and seeks approval by Council for the revised *Instrument of Delegation*.

Council Resolution

MINUTE NO. 17-324

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

That in the exercise of the powers conferred by section 98(1) of the *Local Government Act 1989* (the Act) and the other legislation referred to in the attached *Instrument of Delegation*, Darebin City Council (Council) resolves that:

- (1) There be delegated to the members of Council staff holding, acting or performing the duties of the offices or positions referred to in the attached Instrument of Delegation to members of Council staff, the powers, duties and functions set out in that Instrument attached as **Appendix A**, subject to the conditions and limitations specified in that Instrument.
- (2) The Instrument comes into force immediately the common seal of Council is affixed to the Instrument.
- (3) On the coming into the force of the Instrument all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked.
- (4) The duties and functions set out in the Instrument must be performed, and the powers set out in the Instrument must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

CARRIED

7. CONSIDERATION OF RESPONSES TO PETITIONS, NOTICES OF MOTION AND GENERAL BUSINESS

Nil

8. NOTICES OF MOTION

Nil

9. URGENT BUSINESS**ADMISSION OF URGENT BUSINESS****Council Resolution****MINUTE NO. 17-325****MOVED: Cr. S Rennie**
SECONDED: Cr. T McCarthy

That an Urgent Business item relating to respecting Local Government decision making be admitted to the agenda and heard at Item 9.1.

CARRIED**9.1 RESPECTING LOCAL GOVERNMENT DECISION MAKING MANDATE****Motion****MOVED: Cr. S Rennie**
SECONDED: Cr. S Newton

That Darebin Council submits the following motion to the October MAV State Council:

- (1) The MAV writes to the Prime Minister to strongly remind the federal government that the Local Government Act mandates the right and responsibility of democratically elected local councils to make decisions in the interests of their communities. This should occur without interference from other levels of government.
- (2) The MAV's letter points out that the federal government's action to ban Yarra and Darebin councils from conducting citizenship ceremonies, as a result of their decision not to conduct such ceremonies on the 26th January, undermines the role of local government as outlined in the *Local Government Act 1989* and calls upon the Federal Government to reverse this decision.

THE MOTION BECAME THE COUNCIL RESOLUTION AS FOLLOWS:

Council Resolution**MINUTE NO. 17-326****MOVED: Cr. S Rennie**
SECONDED: Cr. S Newton

That Darebin Council submits the following motion to the October MAV State Council:

- (1) The MAV writes to the Prime Minister to strongly remind the federal government that the Local Government Act mandates the right and responsibility of democratically elected local councils to make decisions in the interests of their communities. This should occur without interference from other levels of government.

- (2) The MAV's letter points out that the federal government's action to ban Yarra and Darebin councils from conducting citizenship ceremonies, as a result of their decision not to conduct such ceremonies on the 26th January, undermines the role of local government as outlined in the *Local Government Act 1989* and calls upon the Federal Government to reverse this decision.

CARRIED

ADMISSION OF URGENT BUSINESS

Council Resolution

MINUTE NO. 17-327

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

That an Urgent Business item relating to the Northcote by-election be admitted to the agenda and heard at Item 9.2.

CARRIED

9.2 NORTHCOTE BY-ELECTION

Motion

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

That Council:

- (1) Acknowledges that the upcoming Northcote By-Election presents a unique opportunity to progress a number of issues of concern to Council and our community.
- (2) Prioritises the following issues for Council advocacy in the lead-up to the Northcote By-Election:
 - (a) Support for current Walker Street public housing tenants, a staged upgrade of the estate, a significant increase in public housing provision in Darebin and opposition to the sale of any public housing land.
 - (b) Council's Multi-Sports Stadium and a specific financial commitment by the State Government to this regionally significant project.
 - (c) Declaration by the State Government of a Climate Emergency and commitment to a whole-of-government response to restore a safe climate.
 - (d) Reduction in the risk of harm from pokies through the introduction of \$1 bets and mandatory pre-commitment.
 - (e) Transfer of ownership, at no cost, of identified land along the Merri and Darebin Creeks and the South Morang and Hurstbridge lines in the seat of Northcote to Darebin Council to improve local amenity and overcome inter-agency obstacles to the proper maintenance of these community assets.
- (3) Writes to all candidates for the Northcote By-Election, seeking their responses to the above issues and publishes their responses via Council communication channels.

THE MOTION BECAME THE COUNCIL RESOLUTION AS FOLLOWS:

Council Resolution

MINUTE NO. 17-328

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

That Council:

- (1) Acknowledges that the upcoming Northcote By-Election presents a unique opportunity to progress a number of issues of concern to Council and our community.
- (2) Prioritises the following issues for Council advocacy in the lead-up to the Northcote By-Election:
 - (a) Support for current Walker Street public housing tenants, a staged upgrade of the estate, a significant increase in public housing provision in Darebin and opposition to the sale of any public housing land.
 - (b) Council's Multi-Sports Stadium and a specific financial commitment by the State Government to this regionally significant project.
 - (c) Declaration by the State Government of a Climate Emergency and commitment to a whole-of-government response to restore a safe climate.
 - (d) Reduction in the risk of harm from pokies through the introduction of \$1 bets and mandatory pre-commitment.
 - (e) Transfer of ownership, at no cost, of identified land along the Merri and Darebin Creeks and the South Morang and Hurstbridge lines in the seat of Northcote to Darebin Council to improve local amenity and overcome inter-agency obstacles to the proper maintenance of these community assets.
- (3) Writes to all candidates for the Northcote By-Election, seeking their responses to the above issues and publishes their responses via Council communication channels.

CARRIED

ADMISSION OF URGENT BUSINESS

Council Resolution

MINUTE NO. 17-329

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

That an Urgent Business item relating to Rohingya in Myanmar be admitted to the agenda and heard at Item 9.3.

CARRIED

9.3 ROHINGYA IN MYANMAR

Motion

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

That Council noting the immediate crisis unfolding against the Rohingya in Myanmar. That the Mayor writes to the Prime Minister Malcolm Turnbull MP calling on the Australian government to make strong representation to the government of Myanmar to immediately stop human right abuses and the humanitarian catastrophe being inflicted on the minority Rohingya.

Council Resolution

MINUTE NO. 17-330

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

That Council noting the immediate crisis unfolding against the Rohingya in Myanmar. That the Mayor writes to the Prime Minister Malcolm Turnbull MP calling on the Australian government to make strong representation to the government of Myanmar to immediately stop human right abuses and the humanitarian catastrophe being inflicted on the minority Rohingya.

CARRIED**10. GENERAL BUSINESS**

Nil

11. PETITIONS

Nil

12. REPORTS OF STANDING COMMITTEES

Nil

13. RECORDS OF ASSEMBLIES OF COUNCILLORS

13.1 ASSEMBLIES OF COUNCILLORS HELD

An Assembly of Councillors is defined in section 3 of the *Local Government Act 1989* (the Act) to include Advisory Committees of Council if at least one Councillor is present or, a planned or scheduled meeting attended by at least half of the Councillors and one Council Officer that considers matters intended or likely to be the subject of a Council decision.

Written records of Assemblies of Councillors must be kept and include the names of all Councillors and members of Council staff attending, the matters considered, any conflict of interest disclosures made by a Councillor attending, and whether a Councillor who has disclosed a conflict of interest leaves the assembly.

Pursuant to section 80A (2) of the Act, these records must be, as soon as practicable, reported at an ordinary meeting of the Council and incorporated in the minutes of that meeting.

An Assembly of Councillors record was kept for:

- Councillor Briefing Session – 28 August 2017

Council Resolution

MINUTE NO. 17-331

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

That the record of the Assembly of Councillors held on 28 August 2017 and attached as **Appendix A** to this report, be noted and incorporated in the minutes of this meeting.

CARRIED

14. REPORTS BY MAYOR AND COUNCILLORS

Council Resolution

MINUTE NO. 17-332

MOVED: Cr. J Williams
SECONDED: Cr. L Messina

That Council note the Reports by Mayor and Councillors.

CARRIED**REPORT OF CR. KIM LE CERF, MAYOR**

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

- Corporal R.E. Breavington Memorial Award Ceremony
- Interview with 3KND Radio
- Screening of Inconvenient Sequel and launch of Climate Emergency Plan
- Municipal Emergency Management Planning Committee meeting
- Meeting with Paul Jane, CEO Cycling Victoria – Discuss Future of DISC
- Darebin Aboriginal Advisory Committee meeting
- Northern Business Achievement Awards
- Photo for Darebin Family Fun Day with Leader
- Northland Jobs Fair
- Community Engagement: Darebin and OurSay
- Meeting regarding Mayor's event
- Regular Catch Up with Communications
- Regular Catch Up with A/CEO
- Meeting with Gerry Terati Lyons, Manager 3KND
- Planning Committee
- Photo for Croxton Special School Playground and Garden with Leader
- Resilient Women Forum
- Women's Health in the North's Building a Respectful Community Strategy 2017-2021 launch
- Local Government and electricity Retailing, Research Interview with NAGA
- Council Briefing
- MAV event: Leading Policy Innovation in Local Government
- Speech to Delegation from Qinghai Province, China
- Meeting re Selection of the Darebin Energy Foundation Advisory Board
- Football Federation Victoria Gold Medal Night
- Leo Cussen Exhibition – Arts Project Australia

- Melbourne Fringe Performance – The Sky is Well Designed
- Darebin Family Fun Day
- Preston Symphony Orchestra Youth Concerto Competition
- Induction – New CEO, Sue Wilkinson
- Introduce CEO to Available Staff Members
- Council Meeting

REPORT OF CR. STEPH AMIR

Cr. Amir is on an approved leave of absence.

REPORT OF CR. GAETANO GRECO

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

- Darebin Aboriginal Advisory Committee meeting
- Planning Committee meeting
- Council Briefing
- Family Fun Day
- Commemorating the Great Fire of Smyrna
- Darebin Ethnic Communities Council (DECC) public meeting on Rohingya Crisis
- Meetings with residents

REPORT OF CR. TRENT McCARTHY

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

- Darebin Aboriginal Advisory Committee
- Northern Business Achievement
- Awards Planning Committee
- Councillor Briefing Session
- Leading Policy
- Innovation in Local Government workshop

REPORT OF CR. LINA MESSINA

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

- Council briefings
- Planning Committee meeting
- Individual resident complaints and emails
- Preston Business Association Committee meeting
- IntoWork Board meeting

- INNLLen Committee meeting
- Cazaly Ward meeting
- Stakeholders meeting regarding Oakover Road
- Municipal Association of Victoria (MAV) Environmental Committee meeting
- Preston Business Advisory Committee meeting
- Darebin Family Fun Day
- Commemorating the Great Fire of Smyrna

REPORT OF CR. SUSANNE NEWTON

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

- Darebin Aboriginal Advisory Committee
- Northern Business Achievement Awards
- Planning Committee
- Councillor Briefing Session
- Leading Policy Innovation in Local Government workshop
- Inconvenience Sequel Screening
- Launch of Darebin's Climate Emergency Plan

REPORT OF CR. SUSAN RENNIE

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

- Planning Committee meeting
- Darebin Family Fun Day
- Preliminary meeting for Darebin Energy Foundation
- Council briefing
- Emails, meetings and phone calls with residents

REPORT OF CR. JULIE WILLIAMS

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

- Council meeting
- Planning Committee meeting
- 3KND Smoking Ceremony
- Farewell Dinner for Acting CEO
- Cazaly Ward meeting
- Psychology wellbeing ball
- Stakeholders meeting - Preston Renewal Stage 2 Information Session regarding Oakover Road /Kenwood Court residents

- Council Briefing session
- NDIS for Moreland City Council
- Memorial Service for Late Fiona Richardson MP
- Preston Business Association Committee
- Northern Business Achievement Awards
- Resilient Kids
- Preston Bullants presentation
- Resilient Women Forum
- Brain Plasticity Webinar
- School production
- Kaygees Gymnetics award winning for NBAA
- Media interviews regarding Australia Day
- Family Fun Day AH Capp Reserve
- Commemorating the great fire of Smyrna - DECC
- Attended to matters on development, dumped rubbish, meals on wheels, graffiti, safety on High Street, dumped rubbish, Zwar Park dog issues and other constituent matters

REPORT OF CR. TIM LAURENCE

Cr. Laurence is on an approved leave of absence.

15. CONSIDERATION OF REPORTS CONSIDERED CONFIDENTIAL

The Chief Executive Officer, pursuant to section 77(2)(c) of the *Local Government Act 1989* (the Act), has designated the following items to be confidential:

15.1 Solar Saver Program 2017 - 2019

This item is designated confidential because it is a contractual matter pursuant to section 89(2)(d) of the Act.

CLOSE OF MEETING

Council Resolution

MINUTE NO. 17-333

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

That in accordance with section 89(2) of the *Local Government Act 1989*, Council resolves to close the meeting to members of the public to consider the items designated confidential by the Chief Executive Officer.

CARRIED

The meeting was closed to the members of the public at 7.23pm.

The Council considered and resolved on Report Item 15.1 which had been circulated to Councillors with the Council Agenda Paper.

RE-OPENING OF MEETING

Council Resolution

MINUTE NO. 17-334

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

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 7.41pm.

Cr Williams temporarily left the meeting at 7.23pm

CONFIDENTIAL**15.1 SOLAR SAVER PROGRAM 2017 - 2019 - CONFIDENTIAL****Author:** Coordinator Council Business**Reviewed By:** Director Civic Governance and Compliance

Recommendation**That** the Council report and resolution remain confidential.**Council Resolution****MINUTE NO. 17-335****MOVED: Cr. T McCarthy**
SECONDED: Cr. S Rennie**That:**

- (1) Council offers low income households (pensioners, social housing, and Centrelink benefit recipients) participation in the Solar Saver program with no interest charged as part of the special charge scheme.
- (2) Council offers the Solar Saver program to all other Darebin residential properties with interest to be charged on their remaining outstanding balance at the same rate of interest as Council's borrowings used to fund the Solar Saver program as part of the special charge scheme.
- (3) Council awards the Solar Saver 2017-2019 contract to The Enviro Shop Pty Ltd trading as EnviroGroup for the installation of 2kW to 10kW systems based on MAV tender SP0607-2017 between September 2017 and 30 June 2019 to a maximum value of \$9,790,000 (GST inclusive). The contract is to be delivered in two parts – with first round installation from 1 July to 31 December 2018 and the second round installation 1 January to 30 June 2019, subject to satisfactory performance of key contract conditions.
- (4) Council authorises the Chief Executive Officer to finalise and execute the contracts on behalf of Darebin City Council.
- (5) Council receives a further report on the inclusion of non-residential properties in the Solar Saver program following a separate tender process.
- (6) Council authorises negotiations with The Enviro Shop Pty Ltd to provide bulk buy options for residents and Darebin staff for direct purchase of solar systems.
- (7) The report remain confidential and the Council resolution and **Appendix C** be made public.
- (8) Council notes that the Solar Saver funding allocation is due to be considered as part of the 2018/2019 budget development and adoption process and requests a report to come to the ordinary Council meeting on 16 October 2017 to consider the source of those funds.

CARRIED

16. CLOSE OF MEETING

The meeting closed at 7.42pm.

