



the place  
to live

# MINUTES OF THE COUNCIL MEETING

Held on Monday 1 May 2017

Released to the public on Thursday 4 May 2017





# **ACKNOWLEDGEMENT OF DAREBIN'S ABORIGINAL AND TORRES STRAIT ISLANDER COMMUNITY**

**(Council adopted this Acknowledgment on 1 July 2013 in order  
to confirm the commitment of Council to the process of  
Reconciliation)**

Darebin City Council acknowledges the Wurundjeri people and the Kulin Nations as the traditional landowners and the historical and contemporary custodians of the land on which the City of Darebin and surrounding municipalities are located.

Council recognises, and pays tribute to, the diversity of Darebin's Aboriginal and Torres Strait Islander community, valuing the unique and important role Aboriginal and Torres Strait Islander community members play in progressing reconciliation, respect and the building of mutual understanding across the City, amongst its people, and in the achievement of shared aspirations. Council recognises and pays tribute to, and celebrates, Darebin's long standing Aboriginal and Torres Strait Islander culture and heritage.





**Italian**

Questo è il verbale della riunione del Consiglio Comunale di Darebin tenutasi nella data riportata sulla prima pagina di questo documento. Se desiderate informazioni sul verbale in lingua italiana, siete pregati di chiamare la Linea Telefonica Multilingue del Comune al 8470 8888.

**Greek**

Αυτά είναι τα πρακτικά της συνεδρίασης του Δημοτικού Συμβουλίου Darebin, που έγινε την ημερομηνία που φαίνεται στο εξώφυλλο αυτού του εγγράφου. Αν θα θέλατε πληροφορίες στα Ελληνικά σχετικά με αυτά τα πρακτικά, παρακαλούμε καλέστε την Πολυγλωσσική Τηλεφωνική Γραμμή του Δήμου στον αριθμό 8470 8888.

**Chinese**

這是一份戴瑞濱市議會的會議記錄，其開會日期顯示於此文件之封面。如果您欲索取有關此會議記錄的中文資料，敬請致電8470 8888 聯絡市議會的多語種電話專線。

**Arabic**

هذا هو المحضر الرسمي لوقائع اجتماع مجلس بلدية داربيبن الذي عقد في التاريخ الوارد في الصفحة الأولى من هذه الوثيقة. إذا أردت الحصول على معلومات في اللغة العربية حول هذا المحضر فيرجى الاتصال برقم هاتف البلدية المتعدد اللغات 8470 8888.

**Macedonian**

Ова е записникот за состанокот на Општината на Градот Даребин, одржан на датумот покажан на предната корица од овој документ. Ако Ви се сакаат некои информации, на Македонски јазик, за записников, Ве молиме повикајте ја Општинската Повеќејазична Телефонска Линија на 8470 8888.

**Vietnamese**

Đây là biên bản buổi họp của Hội đồng Thành phố Darebin; ngày họp có ghi ở trang bìà tài liệu này. Muốn có thông tin về biên bản buổi họp này bằng Việt ngữ, xin gọi cho Đường dây Điện thoại Đa Ngôn ngữ của Hội đồng Thành phố qua số 8470 8888.

**Bosnian**

Ovo je zapisnik sa sastanka Gradske općine Darebin čiji je datum održavanja naznačen na prvoj strani ovog dokumenta. Ako želite više informacija o ovom zapisniku na bosanskom jeziku, molimo nazovite općinsku višejezičnu telefonsku službu na 8470 8888.

**Croatian**

Ovo je zapisnik sa sastanka održanog u Darebin City Council dana koji je naveden na prednjem ovitku ovog dokumenta. Ako želite informacije o ovom zapisniku na hrvatskom jeziku, molimo da nazovete Council Multilingual Telephone Line (Višejezičnu telefonsku liniju) na 8470 8888.

**Portuguese**

Estas são as anotações sobre a reunião da Câmara Municipal de Darebin, realizada na data que consta na capa deste documento. Se você deseja informação em Português sobre estas anotações, por favor ligue para a Linha Telefônica Multilíngue da Câmara no 8470 8888.

**Serbian**

Ово је записник са састанка Darebin City Council-а (Градско веће Darebin) који је одржан дана наведеног на насловној страни овог документа. Ако желите информације на српском о овом записнику, молимо вас да назовете Council Multilingual Telephone Line (Вишејезичку телефонску линију Већа), на 8470 8888.

**Somali**

Kuwani waa qodabadii lagaga Hadley shirkii Degaanka Degmada Darebin oo la qabtay taariikhda ku xusan boga ugu sareeya ee qoraalkan. Haddii aad doonysid inaad heshid qodobadan oo ku qoran Af-Somali, fadlan ka wac Khadka Taleefanka Afafka ee Golaha oo ah 8470 8888.



# Table of Contents

Item Number	Page Number
1. PRESENT .....	1
2. APOLOGIES .....	1
3. DISCLOSURES OF CONFLICTS OF INTEREST .....	1
4. CONFIRMATION OF THE MINUTES OF COUNCIL MEETINGS .....	2
5. QUESTION AND SUBMISSION TIME .....	2
6. CONSIDERATION OF REPORTS .....	7
6.1 PLANNING SCHEME AMENDMENT C157: 217-239 SEPARATION STREET NORTHCOTE - REQUEST FOR AUTHORISATION.....	7
6.2 LA TROBE NEIC FRAMEWORK PLAN SUBMISSION TO THE VICTORIAN PLANNING AUTHORITY .....	10
6.3 FINANCIAL REPORT - 9 MONTHS ENDED 31 MARCH 2017 .....	12
6.4 RESILIENT MELBOURNE STRATEGY .....	13
6.5 PROPOSED ROAD DISCONTINUANCE ADJOINING REAR 13 TO 17 FULHAM GROVE AND 14 AND 16 PERSHING STREET AND 52 TO 54 CRISPE STREET, RESERVOIR.....	15
6.6 PROPOSED DISCONTINUANCE OF DRAINAGE RESERVE ADJOINING 20 PELLEW STREET AND REAR 7 TO 13 TAYLOR AVENUE, RESERVOIR .....	17
7. CONSIDERATION OF RESPONSES TO PETITIONS, NOTICES OF MOTION AND GENERAL BUSINESS .....	19
NIL	
8. NOTICES OF MOTION .....	19
NIL	
9. URGENT BUSINESS .....	19
10. GENERAL BUSINESS .....	19
NIL	
11. PETITIONS .....	19
12. REPORTS OF STANDING COMMITTEES .....	19
NIL	
13. RECORDS OF ASSEMBLIES OF COUNCILLORS.....	20
13.1 ASSEMBLIES OF COUNCILLORS HELD.....	20
14. REPORTS BY MAYOR AND COUNCILLORS .....	21
15. CONSIDERATION OF REPORTS CONSIDERED CONFIDENTIAL .....	26
15.1 APPOINTMENT OF GENERAL INSURANCE BROKER.....	27
16. CLOSE OF MEETING.....	28





**MINUTES OF THE ORDINARY MEETING OF THE  
DAREBIN CITY COUNCIL HELD AT DAREBIN CIVIC CENTRE,  
350 HIGH STREET PRESTON ON MONDAY 1 MAY 2017**

---

**THE MEETING OPENED AT 6.00PM**

**WELCOME**

The Chairperson, 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.”*

**1. PRESENT**

***Councillors***

Cr. Kim Le Cerf (Mayor) (Chairperson)

Cr. Steph Amir

Cr. Gaetano Greco (Deputy Mayor)

Cr. Trent McCarthy

Cr. Lina Messina

Cr. Susanne Newton

Cr. Susan Rennie

***Council Officers***

Phil Shanahan - Acting Chief Executive Officer

Andrew McLeod - Director Corporate Services

Jacinta Stevens - Director Civic Governance and Compliance

Oliver Vido - Director Operations and Environment

Katia Croce - Coordinator Council Business

Jody Brodribb - Council Business and Governance Officer

Dave Bell - Senior Media Advisor

**2. APOLOGIES**

Cr. Laurence is on an approved leave of absence.

An apology was lodged for the absence of Cr. Julie Williams.

**3. DISCLOSURES OF CONFLICTS OF INTEREST**

Nil

---

## 4. CONFIRMATION OF THE MINUTES OF COUNCIL MEETINGS

<b>Council Resolution</b>
---------------------------

MINUTE NO. 17-158

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

**That** the Minutes of the Ordinary Meeting of Council held on 3 April 2017 be confirmed as a correct record of business transacted.

**CARRIED**

## 5. QUESTION AND SUBMISSION TIME

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

- **Brian Sanaghan of West Preston:**

### **General statement from the Mayor prior to Mr Sanaghan's question**

*"The Governance Local Law states the Chair can disallow questions on a subject matter that has previously been answered.*

*While Mr Sanaghan has phrased his questions differently each time he has asked them, the questions are variations on the same theme, which has already been clearly addressed on the public record. However, I will provide the answers again.*

*In addition, clause 54 (5) of the Governance Local Law doesn't allow a person to submit more than 2 questions at any 1 meeting, If more than two parts to a question are received, only the first two parts will be considered."*

### **Question**

*"After only two and a half months as the statutory representative of the City of Darebin on the MAV, was Independent Councillor Susan Rennie adjudged so inadequate as council's representative on the MAV, that a special meeting had to be called to replace her?"*

Cr. Le Cerf provided the following response:

*"At the Council meeting on 30 January 2017, all Councillors unanimously resolved to appoint Cr Ross as the representative to the MAV as she was a capable and qualified candidate who deserved the opportunity to compete for the MAV presidency on merit, alongside other male and female candidates. At the same meeting, Council voted to appoint Cr Rennie as our ongoing MAV delegate post the election period, demonstrating our full confidence in both councillors.*

*As advised previously, the proportion of women in leadership roles across the local government sector falls short of community expectation. All councils have a role in promoting gender equity and Darebin Council remains committed to fostering greater female representation across the local government sector."*

- **Brian Sanaghan of West Preston:**

*“In the recently adopted Councillor Code of Conduct 2017 to which each councillor has solemnly committed, the Councillor Conduct Principles assert that:*

*“In carrying out our role as Councillors, we will:  
.....not improperly seek to confer an advantage or disadvantage on any person “*

*Rucker ward councillor, Susan Rennie, was clearly disadvantaged by Council’s decision to sack her from her position as Council’s representative on the MAV. Boroondara councillor, Coral Ross was materially advantaged by Council’s decision to appoint her to replace Councillor Rennie on the MAV. It enabled Coral Ross to contest the Presidency of the MAV.*

*Can the mayor, Councillor Le Cerf look every Darebin ratepayer in the eye and assert that the Councillor Code of Conduct 2017 has not been breached by the decision to replace Councillor Rennie with Coral Ross as Darebin’s representative on the MAV? Are you prepared to offer an unreserved apology to Councillor Rennie for the disadvantage imposed on her? Are you prepared to offer an apology to the ratepayers for breaching the Councillor Code of Conduct so shortly after its endorsement by Council?”*

Cr. Le Cerf provided the following response:

*You have not understood the meaning of section 76B of the Local Government Act 1989. No benefit, within the meaning of the Act, is conferred on any person as a consequence of Council nominating a delegate to the MAV. Only obligations are so conferred.*

*Cr Rennie has not been disadvantaged in any way. As Council’s current nominated MAV delegate she has been an active participant in MAV business and is looking forward to representing Council at the upcoming MAV State Council later this month.*

- **Maria Drossos of Preston West**

*“Madame Mayor,*

*Why hasn't the 200 metre rule regarding objecting to developments been removed as voted by the Councillors on the 5 December 2016 Council meeting? A resolution that was CARRIED UNANIMOUSLY.”*

Cr. Le Cerf provided the following response:

*“The resolution of 5 December 2016 sought a report on the implications of removing the 200m trigger for planning applications to be considered by the Planning Committee. Council has been briefed on this matter and a further report is expected in the next 2 months, where Council will consider resource implications and whether the requirement should be removed.”*

- **Amy Bugeja of Northcote**

*“Can the council please provide an update to its constituents on what is happening with the Westgarth median strip artworks valued at \$34,000 that were removed after two weeks? At the time, Councillor Laurence indicated that the art would be modified and used effectively in another location.*

*After four years, we would like an update on what will happen with this artwork.”*

Cr. Le Cerf provided the following response:

*“Following removal in mid-2013, the artwork formerly installed on the median strip in High Street, Westgarth was removed and placed in safe storage in Council’s works depot in Reservoir. The works are made from steel and cost \$32,000 to design and manufacture and \$2,000 to install.*

*A capital bid to engage the community in consultation regarding the future of the sculptural work, to understand what alternative treatment (if any) should be applied to the median strip and to undertake a feasibility study of alternate locations for the work. This capital bid did not progress to the final stages of the budget process.*

*The sculptures will remain in safe storage until such a time as they can be reinstalled into an appropriate location, sold or repurposed.”*

- **Maria Poletti, DADA**

*“Dear Councillors,*

- 1. Exactly what is the case law that was used to justify the decision to not advertise Stage 1B of the Preston Market Planning application?*
- 2. Why did Darebin Council support the 'position as stands' in regard to preventing 3rd party objectors rights and blocking objectors from being 'joined' for Stage 1B at the Practice Day Hearing, even after Councillors had unanimously voted to refuse the planning application on grounds that were sufficient to show that they thought the application was not 'generally in accordance' with the Preston Market Incorporated Plan 2007?”*

Cr. Le Cerf provided the following responses:

- 1. The Darebin Planning Scheme, through the Schedule of the Priority Development Zone which applies to the Preston Market site, exempts public notice and third party appeal rights. Council at the outset and again prior to making a decision on the application sought legal advice to confirm this assessment is correct*
- 2. Council’s position is on the record as refusing the application - this decision includes validating the process leading up to the decision (which acts in accordance with legal advice). Council would not agree that its decision or the process undertaken deems the application submitted to not fit the criteria of being generally in accordance with the Preston Market Incorporated Plan (2007), as set out in the relevant Case Law decision *Fabcot P/L Vs Whittlesea CC (2014 – VCAT 600).**

- **Giuseppe Ciccia, Reservoir**

Mr Ciccia made a statement about concerns with Council's response to acting on issues he had previously raised at Council's meeting on 3 April 2017 regarding vandalism of nature strips on Yarra Ave, Reservoir.

Cr. Le Cerf provided the following response:

*"I am sorry to hear about your ongoing problems since our last meeting and I will refer this matter to the CEO and Director Operations and Environment for their attention."*

- **Annette Kalkbrenner, Thornbury**

*"Why hasn't the community and residents been involved and taken into consideration on the St Georges Road median closures?"*

Cr. Le Cerf provided the following response:

*"Thank you for your question and again I have responded to you previously on this matter. Once again in response VicRoads is the decision maker around St Georges Road and the median closures. Council had resolved to write to VicRoads to ensure that the community would be involved in the final decision making because VicRoads are the ones that are responsible for what happens and what is reinstated along the median. VicRoads notified Council on 28 April 2017 that they will be undertaking a community consultation which will begin on 1 May 2017 which I encourage you to get involved in. In terms of the previous Council's position or decisions that they had taken on St Georges Road, they took a position that according to the St Georges safety audit that was completed, that some of the medians should be closed because of the safety issues. However, that did not mean they would be closed permanently it meant that they should be closed in their current state.*

*Council took a position that the median should be closed in their current form, they weren't advocating for permanent closure. They were advocating that they were to be reopened in a more safe intersection, whether that be installation of lights or changing the intersection to improve the safety for all road users not just the cars and trams but also the cyclists and the pedestrians."*

- **Louise Goode, Thornbury**

*"Who initiated the bike closing of the roads for the sole purpose of bikes? Who initiated the order so that there would be a continuous flow along St Georges Road?"*

Cr. Le Cerf provided the following response:

*"As part of the Melbourne Water works they requested that the roads be closed so that they could undertake their works. No final decision has yet been made over the crossings on St Georges Road between Arthurton Road and Normanby Avenue. VicRoads is the decision maker."*

*Ms Goode wished for her concerns to be noted.*

**Responses to Public Questions taken on notice at the Council meeting on 3 April 2017**

At the Council meeting held on 3 April 2017, the following questions were taken on notice by the Chairperson.

- **Chris Erlandsen, Preston – The following reply was provided to Mr Erlandsen from the Director City Futures and Assets:**

Thank you for your questions submitted to public question time at the 3 April 2017 council meeting. The following information is now provided to you.

*On behalf of the community, we would like to know who was responsible for the decision made in 2007, to not advertise Stage 1B of the proposed development and in doing so, locking out the rights of the public?*

The Preston Market Incorporated Plan was implemented into the Darebin Planning Scheme in June 2007 concurrent with the implementation of the Preston Central Structure Plan. These documents were implemented through a planning scheme amendment. This planning scheme amendment process at the time included public exhibition which identified the preferred height limits across the Market site (and across Preston Central) through the Incorporated Plan and the requirements of the Priority Development Zone Schedule 1 (PDZ1). The intention of the PDZ1 was to express a range of heights that would allow development to be considered without the need for further public notice, subject to any planning application being consistent with the requirements of the PDZ1. Although the planning application for Stage 1B was exempt from the notice and review requirements of the Act, an informal notification process was undertaken over a 4 week period as a courtesy to the community and key stakeholders, informing them of their rights regarding notice, objections and appeals.

*What was the rationale for making such a decision?*

The purpose and intention of applying the PDZ was to facilitate the development of land that is in accordance with a plan incorporated in the scheme – the idea being that any plan incorporated into the planning scheme would have already been through a public exhibition process. This type of process or planning tool is not dissimilar to other regionally and State significant land or precincts throughout metropolitan Melbourne.

- **Giuseppe Ciccia, Preston – :**

*“Chronic criminal damage/vandalism of nature strip. Reported first 6-8 months ago. Does the Council support vandalism. Is council going to take more sever action in this matter?”*

The Director Operations and Environment, Oliver Vido met with Mr Ciccia on site to discuss his concerns regarding the state of the nature strip. Mr Ciccia was advised that the nature strip would be reinstated as soon as possible. The nature strip was top-dressed with soil to address the issue of the uneven nature strip. No written response was required as this was addressed the next day.

## 6. CONSIDERATION OF REPORTS

### 6.1 PLANNING SCHEME AMENDMENT C157: 217-239 SEPARATION STREET NORTHCOTE - REQUEST FOR AUTHORISATION

**Author:** Manager City Design and Strategic Planning

**Reviewed By:** Director City Futures and Assets

---

#### Report Background

The purpose of this report is to seek a Council resolution to request authorisation and exhibit Amendment C157 to the Darebin Planning Scheme. Amendment C157 seeks to rezone the subject sites from the Industrial 3 Zone to the Residential Growth Zone 1, supporting the sites' transition from former industrial use to residential. This transition will be achieved through the rezoning of the sites and introduction of the proposed Development Plan Overlay and the Environmental Audit Overlay.

#### Previous Council Resolution

At its meeting on 20 March 2017, Council resolved:

*"That Council:*

- (1) Defers consideration of this matter until May 2017 to allow Council time to consider the residential zone provision amendments recently announced by the State Government.*
- (2) Notes the amended residential zone provisions, scheduled to be gazetted in March/April 2017, are required to be incorporated into all Victorian planning schemes.*
- (3) Receives a briefing on this matter as soon as practicable."*

#### Previous Briefing(s)

- 18 April 2017
- 20 February 2017
- 28 November 2016

#### Council Plan Goal/Endorsed Strategy

- Goal 1 - Vibrant City and Innovative Economy
- Goal 2 – Healthy and connected community

#### Endorsed Strategies:

- Darebin Housing Strategy 2013-2032
- Darebin Economic and Land Use Strategy 2014
- Darebin Open Space Strategy 2007-2017

## Summary

### What the amendment does:

Urbis, on behalf of adjoining land owners CES - Northcote (VIC) Pty Ltd and Minotaur Constructions Pty Ltd at 217, 221-223 and 235-239 Separation Street, Northcote (the land) has made a request to Council to prepare a planning scheme amendment. The request for planning scheme amendment includes the following:

- To rezone the land from Industrial 3 Zone (INZ3) to the Residential Growth 1 Zone (RGZ1). The RGZ1 provides flexibility to accommodate a diversity of housing types and styles which will allow for increased housing density.
- To apply the Development Plan Overlay (DPO) to the land. The DPO has been drafted to achieve specific design guidelines, including creating a high amenity residential neighbourhood through a coordinated and staged redevelopment of the land, respecting the residential interface, improving accessibility to McDonnell Park, encouraging provision of affordable housing, providing a contribution to upgrading infrastructure and constructing public realm works, and providing a mix of high quality medium and high density housing typologies. It is noted that the proponent has requested a maximum built form of 7 storeys. This is discussed in greater detail in the main body of this report.
- To apply the Environmental Audit Overlay (EAO) to the land. Given that there is limited detailed information available regarding the current condition of the sub surface soil considering the sites' former industrial use, the EAO is proposed to be introduced to the entire site, to ensure that prior to commencement of a new sensitive use (accommodation) that either a Certificate or Statement of Environmental Audit is issued confirming that the land is suitable for sensitive use.

<b>Recommendation</b>
-----------------------

### **That Council:**

- (1) Request under section 8A of the *Planning and Environment Act 1987* that the Minister for Planning authorise Darebin City Council to prepare Amendment C157 to the Darebin Planning Scheme;
- (2) When authorised by the Minister for Planning exhibit Amendment C157 to the Darebin Planning Scheme in accordance with notice requirements under section 19 of the *Planning and Environment Act 1987*;
- (3) Authorise the Manager City Design and Strategic Planning to make minor alterations and corrections, where necessary, to Amendment C157 material as attached, prior to the lodgement of authorisation request with the Minister for Planning and/or the exhibition period.



**Motion**

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

**That** Council defer the matter for officers to provide further advice regarding increasing the developers contribution to community infrastructure, as listed in the report.

*Cr. Greco proposed to the mover and seconder that the motion be amended as follows. This was accepted by Cr. McCarthy and Cr. Rennie.*

**That** Council defer the matter for officers to provide further advice regarding increasing the developers contribution to community infrastructure, as listed in the report **and further information on the facilitation of social housing.**

THE AMENDED MOTION THEN READ AS FOLLOWS:

**Amended Motion**

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

**That** Council defer the matter for officers to provide further advice regarding increasing the developers contribution to community infrastructure, as listed in the report and further information on the facilitation of social housing.

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

**Council Resolution****MINUTE NO. 17-159**

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

**That** Council defer the matter for officers to provide further advice regarding increasing the developers contribution to community infrastructure, as listed in the report and further information on the facilitation of social housing.

**CARRIED UNANIMOUSLY**



**6.2 LA TROBE NEIC FRAMEWORK PLAN SUBMISSION TO THE VICTORIAN PLANNING AUTHORITY****Author:** Manager City Design and Strategic Planning**Reviewed By:** Director City Futures and Assets

---

**Report Background**

The La Trobe National Employment and Innovation Cluster currently includes La Trobe University and its industrial surrounds, Northland Shopping Centre and the Northland Urban Renewal Precinct (NURP), the Austin Biomedical Alliance Precinct and a concentration of other health, research, commercial and retail activities around the Heidelberg Activity Centre.

The Draft Framework Plan has been developed in conjunction with Austin Health, La Trobe University, Banyule and Darebin City Councils, state government agencies and stakeholders. The implementation of actions will be a coordinated effort between all partners.

Council officers have been meeting with the Victorian Planning Authority (VPA) over the last few years and have represented Council's views and contributed to the preparation of the Cluster Framework Plan.

**Previous Council Resolution**

At its meeting held on 7 September 2015, Council resolved:

*'That Council:*

....

*(2) Reaffirms its commitment to the La Trobe National Employment and Innovation Cluster in Melbourne's north, and the integral role of the Northland Urban Renewal Plan (NURP).'*

....

**Previous Briefing(s)**

- 9 May 2016
- 13 April 2017

**Council Plan Goal/Endorsed Strategy**

- Goal 1 - Vibrant City and Innovative Economy
- Goal 3 – Sustainable and Resilient Neighbourhoods

**Summary**

This report summarises a submission prepared to respond to the La Trobe National Employment and Innovation Cluster (LNEIC) Draft Framework Plan – March 2017 (**Appendix A**). It provides comment and recommendations where appropriate on matters affecting the Plan's implementation from the perspective of Darebin Council.

**Council Resolution**

**MINUTE NO. 17-160**

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

**That** Council endorses and adopts the submission and its recommendations that responds to the La Trobe National Employment and Innovation Cluster (LNEIC) Draft Framework Plan – March 2017.

**CARRIED UNANIMOUSLY**

**6.3 FINANCIAL REPORT - 9 MONTHS ENDED 31 MARCH 2017****Author:** Financial Accountant**Reviewed By:** Director Corporate Services

---

**Report Background**

Under the *Local Government Act 1989*, at least every three months the Chief Executive Officer is required to present to the Council a statement comparing the budgeted with the actual revenues and expenses for the financial year to date.

**Previous Council Resolution**

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

**Previous Briefing(s)**

This matter has not previously been to a Councillor Briefing.

**Council Plan Goal/Endorsed Strategy**

Open and Accountable Democracy

**Summary**

A comprehensive third quarter financial review has been undertaken for the nine months ended 31 March 2017 to assess the financial performance of Council year-to-date and the forecast financial position as at 30 June 2017. The outcome of the review indicates that Council has achieved a year-to-date operating surplus of \$44.90 million, which is \$8.35 million ahead of budget and capital works expenditure of \$18.38 million, which is \$13.68 million behind the budget.

The forecast actual result for the year ending 30 June 2017 is an operating surplus of \$14.97 million and capital works expenditure of \$45.15 million. The forecast underlying result for the year ending 30 June 2017 is a surplus of \$8.02 million. All material variations have been explained in the report.

All material variations have been explained in the report.

<b>Council Resolution</b>
---------------------------

**MINUTE NO. 17-161****MOVED:** Cr. G Greco  
**SECONDED:** Cr. S Rennie

**That** Council receives the contents of the "Financial Report for the nine months ended 31 March 2017" attached as **Appendix A** to this report and notes the year-to-date and full-year forecast actual and budget operating and capital results.

**CARRIED UNANIMOUSLY**

**6.4 RESILIENT MELBOURNE STRATEGY****Author:** Manager Environment and Community Outcomes**Reviewed By:** Director Operations and Environment

---

**Report Background**

This paper considers endorsement and funding of the Resilient Melbourne Strategy, a metropolitan wide strategy to enhance and improve the capacity of individuals, institutions, businesses and systems within metropolitan Melbourne to adapt, survive and thrive no matter what kind of chronic stresses and acute shocks they experience. Yearly funding of \$15,000 has been requested over a 3 year period.

**Previous Council Resolution**

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

**Previous Briefing(s)**

This matter has not previously been to a Councillor Briefing.

**Council Plan Goal/Endorsed Strategy**

Goal 3 - Sustainable and Resilient Neighbourhoods

- Climate Change and Peak Oil Adaptation Plan
- Going Places – Darebin Transport Strategy
- Darebin Cycling Strategy
- Health and Wellbeing Plan
- Emergency Management Plan
- Towards a Water Sensitive Darebin Strategy
- Urban Forest Strategy

**Summary**

This paper considers endorsement and support of the Resilient Melbourne Strategy, a metropolitan wide strategy to enhance and improve the capacity of individuals, institutions, businesses and systems within metropolitan Melbourne to adapt, survive and thrive no matter what kind of chronic stresses and acute shocks they experience.

The objectives and broad actions align directly with Council's plan and strategies. It is recommended that Council endorse the strategy and refer \$15,000 to budget considerations for the support of the Resilient Melbourne Delivery Office.

**Council Resolution**

**MINUTE NO. 17-162**

**MOVED:** Cr. S Amir  
**SECONDED:** Cr. T McCarthy

**That** Council:

- (1) Endorses the Resilient Melbourne Strategy.
- (2) Refers \$15,000 to 2017/2018 budget considerations to support the Resilient Melbourne Delivery Office.

**CARRIED UNANIMOUSLY**

*Philip Shanahan, CEO temporarily left the meeting during discussion of the above item at 6.43 pm and returned at 6.44pm.*

**6.5 PROPOSED ROAD DISCONTINUANCE ADJOINING REAR 13 TO 17 FULHAM GROVE AND 14 AND 16 PERSHING STREET AND 52 TO 54 CRISPE STREET, RESERVOIR****Author:** Property Manager**Reviewed By:** Director City Futures and Assets

---

**Report Background**

This report provides Council with information relating to the outcome of preliminary investigations into the proposed discontinuance and sale of the right-of-way adjoining 13 to 17 Fulham Grove, 14 and 16 Pershing Street and 52 and 54 Crispe Street, Reservoir.

**Previous Council Resolution**

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

**Previous Briefing(s)**

27 March 2017

**Council Plan Goal/Endorsed Strategy**

Goal: Excellent Service  
Strategy: 5.4 Long term responsible financial planning  
Property Asset Management Strategy – May 2015

Goal: Vibrant City and Innovative Economy – Strategy 1.4  
Strategy: Strategic Land Use and Sustainable Transport Planning Policies.

**Summary**

This report provides the history and background relating to the right-of-way adjoining 13 to 17 Fulham Grove, 14 and 16 Pershing Street and 52 and 54 Crispe Street, Reservoir, shown hatched on the site plan in **Appendix A**, as well as the outcome of the preliminary investigations into its proposed discontinuance.

In 2009 Council resolved to discontinue and sell part of the right-of-way/road bounded by Crispe Street, Fulham Grove and Pershing Street, Reservoir was discontinued and sold (ROW). However, the section of the right-of-way/road adjoining 13 to 17 Fulham Grove, 14 and 16 Pershing Street and 52 and 54 Crispe Street, Reservoir (Road) was not included for discontinuance at that time.

In 2015 Council received an enquiry from an adjoining property owner requesting the discontinuance and sale of the Road. Initial investigations identified that the Road is not constructed or used for access and appears to be partially occupied by adjoining owners. The Road is not listed on Council's register of Public Roads; however it remains a road on title.



<b>Council Resolution</b>
---------------------------

MINUTE NO. 17-163

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

**That** Council:

- (1) Commences the statutory procedures under section 206 and clause 3 of Schedule 10 to the *Local Government Act 1989* (“the Act”) to discontinue the road adjoining 13 to 17 Fulham Grove, 14 and 16 Pershing Street and 52 and 54 Crispe Street, Reservoir shown hatched on **Appendix C**.
- (2) Gives public notice under sections 207A and 82A and 223 of the Act of the proposed discontinuance in the appropriate newspapers and on Council’s website and such notice state that if discontinued, Council proposes to sell the land from the road to the adjoining property owners by private treaty and transfer to itself any land from the road not sold to the adjoining property owners.

**CARRIED UNANIMOUSLY**

**6.6 PROPOSED DISCONTINUANCE OF DRAINAGE RESERVE  
ADJOINING 20 PELLEW STREET AND REAR 7 TO 13  
TAYLOR AVENUE, RESERVOIR****Author:** Property Manager**Reviewed By:** Director City Futures and Assets

---

**Report Background**

This report provides Council with information relating to the outcome of preliminary investigations into the proposed discontinuance and sale of the 1.83m wide drainage and sewerage reserve adjoining 20 Pellew Street and the rear of 7 to 13 Taylor Avenue, Reservoir.

**Previous Council Resolution**

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

**Previous Briefing**

27 March 2017

**Council Plan Goal/Endorsed Strategy**

Goal: Excellent Service

Strategy: 5.4 Long term responsible financial planning  
Property Asset Management Strategy – May 2015

Goal: Vibrant City and Innovative Economy

Strategy: 1.4 Strategic Land Use and Sustainable Transport Planning Policies

**Summary**

This report provides the history and background relating to the 1.83m wide drainage and sewerage reserve adjoining 20 Pellew Street and the rear of 7 to 13 Taylor Avenue, Reservoir, shown hatched on the site plan in **Appendix A** (Reserve), as well as the outcome of the preliminary investigations into its proposed discontinuance.

In 2016 Council received an enquiry from the owner of 20 Pellew Street, Reservoir requesting the discontinuance and sale of the Reserve. Initial investigations identified that the Reserve appears to have been enclosed and used for access and egress by 20 Pellew Street for several years.

**Council Resolution**

**MINUTE NO. 17-164**

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

**That Council:**

- (1) Commences the statutory procedures under Part 4 of the Planning and Environment Act, 1987 and section 24A of the Subdivision Act, 1988 to vest the Reserve in itself and remove 'reserve status' from the land shown hatched on **Appendix C**.
- (2) Gives public notice under sections 189, 82A and 223 of the Act of the proposed sale of the land in the appropriate newspapers and on Council's website and such notice state that Council proposes to sell the land to the owner of 20 Pellew Street, Reservoir by private treaty.

**CARRIED UNANIMOUSLY**

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

Nil

**8. NOTICES OF MOTION**

Nil

**9. URGENT BUSINESS**

Nil

**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* 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:

- Darebin Arts Ambassadors Reference Group – 8 March 2017
- Councillor Budget Briefing Session – 16 March 2017
- Aged Care Reforms Working Group – 20 March 2017
- Darebin Education Committee – 22 March 2017
- Bundoora Homestead Art Centre Board Workshop – 25 March 2017
- Councillor Briefing Session – 27 March 2017
- NURP Steering Committee – 30 March 2017
- Councillor Budget Briefing Session – 30 March 2017

<b>Council Resolution</b>
---------------------------

**MINUTE NO. 17-165**

**MOVED: Cr. L Messina**

**SECONDED: Cr. S Amir**

**That** the record of the Assembly of Councillors held on 8, 16, 20, 22, 25, 27 and 30 March 2017 attached as **Appendix A** to this report, be noted and incorporated in the minutes of this meeting.

**CARRIED**

## 14. REPORTS BY MAYOR AND COUNCILLORS

<b>Council Resolution</b>
---------------------------

MINUTE NO. 17-166

**MOVED:** Cr. S Rennie  
**SECONDED:** Cr. S Amir

**That** Council note the Reports by Mayor and Councillors.

**CARRIED**

### REPORT OF CR. KIM LE CERF

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

- Press Briefing
- Various meetings with residents
- Metropolitan Transport Forum
- CEO Employment Matters Committee meetings (1st and 2nd)
- Meeting regarding Strategic Internal Audit Plan
- Sustainability Matters: In Business and at Home event
- Interview for Geelong Community Radio, Pulse FM
- 2017 Season Opener and Unfurling of 2016 Premiership Flag with Preston Bullants
- Palm Sunday Walk for Justice for Refugees
- Meeting with 3KND
- Judge of Easter Colouring Competition
- Ethnic Press Briefing
- Meeting with Wendy Batman regarding renaming of Batman Park
- Councillor Consultation Session for CEO Recruitment
- Australian Local Government Women's Association Conference
- Nepalese Association of Victoria Opening Ceremony for Multicultural Cricket Tournament
- Northern Region Indian Seniors Association Meeting
- Meeting regarding promotion of the Council Plan
- Meeting with Acting Executive Director of Project Respect
- Meeting regarding ESD policy for Council buildings
- Meeting with Innovation Youth Centre
- Council Briefing Session
- Local Government Working Group on Gambling (LGWGOG)
- Meeting with Ivanhoe Darebin Basketball Association
- Meeting with CEO of Melbourne Innovation Centre

- Meeting with Frank Di Blasi re Banda Bellini
- Darebin Planning Scheme Review Councillor Working Group
- Citizenship Ceremony
- Planning Committee Meeting
- Councillor Briefing – Budget and Council Plan
- Women’s Northern Football League Season Launch
- ANZAC Day March Ceremony
- Meeting regarding Bridge Over Merri Creek at Beavers Rd
- Regular Catch Ups with Communication/Media team
- Regular Catch Ups with A/CEO
- Informal Meeting with Members of the Women’s Advisory Committee
- Dawn Service ANZAC Day – Darebin RSL
- Meeting with Hon Natalie Hutchins MP, Minister for Local Government
- 2017 Local Government Mayoral Advisory Panel – Meeting 2
- Darebin Creek Management Committee meeting
- Council Briefing Session
- ICLEI Meeting with Mayor of Byron Shire Council
- Annual Women Mayors Event (ALGWA/VLGA)
- Meeting with Nature Smart Kids
- Meeting with Gertrude Contemporary (move to Darebin)
- Briefing regarding IDAHOBIT events
- Media Training
- Housing Trust Workshop
- Council Meeting
- NAGA Executive meeting
- Darebin Falcons 2017 Season Launch

**REPORT OF CR. SUSANNE NEWTON**

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

- Palm Sunday 2017 Walk for Justice for Refugees
- Meeting with Wendy Batman re Potential Renaming of Batman Park
- Councillor Only Consultation for CEO Recruitment Process
- Active and Healthy Ageing Committee
- Objectives for ESD Audit of Council Buildings
- Council briefing session
- Darebin Planning Scheme Review Councillor Working Group
- Objectives for ESD Audit of Council Buildings

- VLGA Out of Session Board Meeting
- Planning Committee Meeting
- Councillor Briefing - Budget and Council Plan
- Informal Meeting with Members of the Women's Advisory Committee
- Councillor briefing session
- VLGA Board Meeting
- Trivia Night Fundraiser for Timor-Leste
- Media Training

**REPORT OF CR. SUSAN RENNIE**

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

- Meeting re strategic internal audit plan 2017/18
- CEO recruitment committee x 2
- CEO recruitment consultation
- Meeting re renaming of Batman Park
- Meeting re objectives of ESD audit for council buildings
- Council briefing session x 2
- Planning scheme review working group
- Planning committee
- Briefing session on council budget and council plan
- Welcoming Cities presentation
- Briefing on Gladstone Avenue
- Meeting with council officers and Gladstone Avenue residents
- Media training
- Housing trust workshop
- Briefing on events for IDAHOBIT day
- Filming of message for IDAHOBIT Day

**REPORT OF CR. GAETANO GRECO**

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

- Active and Healthy Ageing Advisory Committee meeting
- Councillor briefing sessions
- Darebin Planning Scheme Review Councillor Workshop group
- Citizenship ceremony
- Planning Committee meeting
- Councillor briefing - Budget and Council Plan
- CEO recruitment committee meeting



- Anzac Day Service at Springthorpe Retirement Village
- Welcoming Cities Presentation
- Trivia night fundraiser for Timor L'ester
- Jobs for Youth campaign meeting
- Attended to residents' concerns:
  - Planning issues
  - Incident on slippery bridge
  - Preston Market community campaign
  - Emergency Council services
  - Accident at Corner of Broadhurst Ave and High Street
  - Shot fired around Polaris building site in Bundoora

**REPORT OF CR. LINA MESSINA**

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

- Australian Greek Ex Servicemen's Association Anniversary of 25th March 1821 Remembrance Day
- Kite Festival
- Numerous Council briefings
- Numerous Budget briefings
- Cazaly Ward Meeting
- Meeting with Shower St Residents
- Planning Committee Meetings
- Preston Bullants FC Unfurling of the Premiership Flag
- Darebin Falcons FC Unfurling of the Premiership Flag
- Preston Bullants FC Season Opening Family Gathering
- Friends of Baucau Trivia Night
- Nepalese Association of Victoria – Cricket Open
- Nepalese Association of Victoria – Grand Final Cricket Presentation
- Individual complaints regarding street parking
- Individual resident complaints and emails.
- Preston Business Association Committee
- INLLEN Meeting

**REPORT OF CR. TRENT McCARTHY**

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

- Meeting with residents regarding protection of land near Merri Creek, Northcote
- Meeting with residents regard N development issues and significant trees
- DECL / Melbourne Innovation Centre Board Meeting

- CEO Employment Matters Committee Meetings
- NAGA Advocacy Committee Meeting
- Council Briefing Sessions
- Council Budget Meetings
- Meeting with DECL / MIC CEO
- Meeting with Darebin Basketball Association President
- Planning Committee Meeting
- Council Plan Session
- Bridge Over Merri Creek at Beavers Road Meeting
- Meeting with Minister of Local Government
- Launch of Darebin Falcons 2017 VFL Jumper and 2016 Premiership Flag Unfurling

**REPORT OF CR. STEPH AMIR**

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

- Melbourne Innovation Centre board meeting
- Interview and photo with Preston/Northcote Leader story about women cyclists
- Meeting with West Preston residents about a planning matter
- CEO recruitment meeting
- Councillor briefing April 18th
- Meeting with Mayor and CEO of Melbourne Innovation Centre regarding future planning for MIC
- Meeting with local student to discuss role of local government
- Darebin Planning Scheme briefing
- Planning committee meeting April 20th
- Councillor briefing April 20th
- Meeting with Oakover Road residents regarding drainage
- On leave April 22 to 25
- Meeting with diversity team about supporting the LGBTIQ community
- Councillor briefing April 26th
- Interview with the VLGA for documentary
- VLGA GoWomenLG forum - selected participant
- Media training
- Meeting with residents regarding prospective Beavers Road bridge
- Meeting with Arts manager about Arts Ambassadors
- Housing Trust Workshop
- Various phone conversations with local residents including regarding housing, level crossing removals, parking issues and other matters

**15. CONSIDERATION OF REPORTS CONSIDERED CONFIDENTIAL****CLOSE OF MEETING**

<b>Council Resolution</b>
---------------------------

**MINUTE NO. 17-167**

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

**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 following item which relates to (d) contractual matters:

15.1 Appointment of General Insurance Broker

**CARRIED**

The meeting was closed to the members of the public at 6.48pm.

*Dave Bell, Senior Media Advisor left the meeting at 6.48pm.*

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

**15.1 APPOINTMENT OF GENERAL INSURANCE BROKER**

**Author:** Manager Corporate Risk

**Reviewed By:** Director Corporate Services

---

Council resolved 'in camera' that the following be made public:

**Recommendation**

**That** the Council report and resolution remain confidential.

**Council Resolution**

**MINUTE NO. 17-168**

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

**That:**

- (1) Council resolves to appoint Aon as Council's new General Insurance Broker for the period 30 June 2017 to 30 June 2019 at a fee for service cost of \$20,000 per year.
- (2) Council authorises the Director Corporate Services to finalise and execute the contract documentation.
- (3) The Council resolution be made public, but the report remain confidential.

**CARRIED**

**RE-OPENING OF MEETING**

**COUNCIL RESOLUTION**

**MINUTE NO. 17-169**

**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 6.59PM

**16. CLOSE OF MEETING**

The meeting closed at 7.00pm.

