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MINUTES OF THE COUNCIL MEETING

Held on Monday 29 April 2019

Released to the public on Thursday 2 May 2019




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

Darebin City Council acknowledges the Wurundjeri people as the traditional owners and custodians of the land we now call Darebin and pays respect to their Elders, past, present and future.

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

وهذه هي محاضر اجتماع المجلس. للحصول على المساعدة في أي من البنود في المحضر، يرجى الاتصال بالرقم 8470 8888.

Chinese

这是市议会会议纪要。如需协助了解其中的任何事项，请致电8470 8888。

Greek

Αυτά είναι τα πρακτικά της συνεδρίασης του Δημοτικού Συμβουλίου. Για βοήθεια σε οποιοδήποτε θέμα των πρακτικών, παρακαλούμε τηλεφωνήστε στο 8470 8888.

Hindi

ये काउंसिल की बैठक का ब्यौरा है. ब्यौरे के किसी भी आइटम के साथ सहायता के लिए कृपया 8470 8888 पर टेलीफोन करें।

Italian

Questo è il verbale per la riunione municipale. Per assistenza su uno dei punti del verbale chiamate il numero 8470 8888

Macedonian

Ова е записникот од состанокот на Советот на Општината. За помош за било која точка во записникот, ве молиме телефонирајте на 8470 8888.

Nepali

काउन्सिल बैठकका लागि यी माइनुटहरू हुन्। माइनुटमा कुनै पनि वस्तुहरूको सहायताको लागि कृपया 8470 8888 फोन गर्नुहोस्।

Punjabi

ਕੌਂਸਿਲ ਮੀਟਿੰਗ ਲਈ ਇਹ ਮਿਨਟ ਹਨ। ਮਿਨਟਾਂ ਵਿੱਚ ਕਿਸੇ ਵੀ ਆਈਟਮਾਂ ਨਾਲ ਸਹਾਇਤਾ ਲਈ, ਕਿਰਪਾ ਕਰਕੇ 8470 8888 ਤੇ ਟੈਲੀਫੋਨ ਕਰੋ।

Somali

Warbixintan koobani waa wixii lagaga wada hadlay kulankii Golaha Degmada. Wixii caawima ah oo ku saabsan qodob kasta oo ku jira warbixintan kooban, fadlan la xiriir tel: 8470 8888.

Spanish

Estas son las actas de la reunión del Concejo Municipal. Si necesita asistencia con cualquiera de los temas de las actas, llame al teléfono 8470 8888.

Urdu

یہ کاؤنسل میٹنگ کے رودادی نوٹس ہیں۔ رودادی نوٹس میں کسی قسم کی مدد کے لئے، براہ مہربانی 8470 8888 پر فون کریں۔

Vietnamese

Đây là biên bản buổi họp của Hội đồng Thành Phố. Muốn biết thêm các thông tin về biên bản buổi họp, xin hãy gọi số 8470 8888.

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**MINUTES OF THE ORDINARY MEETING OF THE
DAREBIN CITY COUNCIL HELD AT DAREBIN CIVIC CENTRE,
350 HIGH STREET PRESTON ON MONDAY 29 APRIL 2019**

THE MEETING OPENED AT 6.02PM

WELCOME

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

“NGARRGMA WURUNDJERI KULIN MIRAMBEEKAL BIK WENEROP DAREBIN BAGUNGBUL ARWEET DHARRO BA GANGOOKAL NANGGIT BAMBUTH BA YALINGBU.

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. Susan Rennie (Mayor) (Chairperson)
Cr. Susanne Newton (Deputy Mayor)
Cr. Steph Amir
Cr. Gaetano Greco
Cr. Trent McCarthy
Cr. Lina Messina
Cr. Julie Williams

Council Officers

Sue Wilkinson - Chief Executive Officer
Ingrid Bishop - General Manager Governance and Engagement
Cathy Henderson - General Manager Community
Darren Martin – Acting General Manager Operations and Capital
Rachel Ollivier - General Manager City Sustainability and Strategy
Melinda Viksne - Manager Governance and Performance
Avi Maharaj - Coordinator Governance, Council Business and Civic Se
Karlee Ferrante - Council Business Officer
Michelle Martin – Council Business Officer
Chaden Berbari – IT Service Desk Officer

2. APOLOGIES

Cr. Kim Le Cerf and Cr. Tim Laurence were both 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. 19-045

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

That the Minutes of the Ordinary Meeting of Council held on 8 April 2019 and Special Meeting of Council held on 15 April 2019 be confirmed as a correct record of business transacted.

CARRIED

The Chairperson, Mayor Rennie read a statement that acknowledged the Easter Sunday terrorist attacks in Sri Lanka and extended Council's condolences and support to the people of Sri Lanka and to others directly affected.

Council observed a one-minute silence.

5. QUESTION AND SUBMISSION TIME

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

- **Serena O'Meley, Reservoir**

Question One

- a) The *Darebin City Council Proposed Budget 2019-2020* at p.44 states that for the Public Open Space and Recreation Reserve, "*Budgeted movement in this reserve for 2019-20 is to increase by \$2.07 million from \$6.50 million at the end of 2018-19 to \$8.57 at the end of 2019-20.*" Where is the corresponding line item in the proposed budget tables for the Public Open Space and Recreation Reserve and how much money will be left in this reserve once budgeted commitments for 2019-2020 are deducted?
- b) When does Darebin Council intend to release a planning scheme amendment for public comment to increase the amount of funds it collects from developers under Section 18 of the *Subdivision Act 1988* (which are currently collected on a sliding scale of just 2-5%)?

Question Two

- a) By 2019-2020 there will be no money left in the reserve which is dedicated to the Developer Contributions Scheme after the previous Darebin Council allowed the scheme to lapse on the 30 June 2014. The current Darebin Council has committed to renewing the DCP in its past three budgets. When will the new DCP planning scheme amendment be released for public comment?
- b) I refer to Council Resolution (Minute no.17-175) which was passed on 15 May 2017:
"(3) Requests officers to commence work on an "Infrastructure Plan and Development Contributions Policy" for identified precincts and activity centers, to be used as an

interim measure to charge development contributions prior to the mechanisms being implemented into the Darebin Planning Scheme.”

Was this interim measure to collect development contributions ever put in place, and if so, how much money has been collected, how much will be left in reserve once budgeted commitments for 2019-2020 are deducted, and where is the corresponding line item in the *Darebin City Council Proposed Budget 2019-2020*?

Response from Chairperson, Mayor Rennie

Question One

- a) Hi Serena, thank you for the questions tonight.

I can clarify that the figure of \$8.57 million at the end of 2019–20 is the amount that the reserve will have left after budgeted commitments are deducted.

The draft budget documents don't have a separate line item for the Public Open Space and Recreation Reserve. This reserve is included as part of the 'Reserves' figure that appears in the Budgeted Balance Sheet on page 25.

- b) At this stage, we are expecting to consider a report regarding funds collected under the *Subdivision Act 1988* at the June 2019 meeting – we usually refer to this as the Open Space Levy.

If Council does decide to change the current Open Space Levy, we would then formally request authority from the Planning Minister to change the planning scheme and a formal public exhibition process would follow. This could be August this year, but timing would depend on the state government.

Question Two

- a) Hi Serena, I can confirm that the Development Contributions Plan is a high priority for me and for Council.

This project is well underway, but has seen some delays to the original timelines and it will take some more time. The work is complex and officers are currently focused on detailed planning for infrastructure at local level. At this stage, we are expecting public exhibition around August 2019, but this is subject to State Government approvals so it is possible it will change.

- b) We have put in place an interim approach where we seek developer contributions on a site-by-site basis for developments in activity centres. We do this by applying planning permit conditions. Funds collected using this method must be used for specific streetscape works.

So far, this has been applied on several major development sites including those at the corner of High Street and Arthurton Road, Northcote and High Street and Raglan Street, Preston.

Funds are collected at the start of development, which can be three years after the planning permit is issued, and it is worth understanding that some developments don't go ahead. So far, the total value of works covered by conditions is approximately \$300,000, but none of this has been received yet and is therefore not reflected in the 2019–20 budget. Funds will be held in a reserve, but not the same reserve as other DCP funds.

- **John Nugent, Epping**

Mayor Rennie,

Could you please advise why the Pender Park master plan received \$300,000 in the draft budget while the Dole/Donath master plan received only \$120,000? Both have Community Reference Groups. The Dole/Donath master plan is far bigger than Pender Park.

Mayor Rennie, who decides who gets what in these master plans – is it your officers? Or is it a case of the southern part of the city getting more than the north?

Response from Chairperson, Mayor Rennie

Thank you Mr Nugent for your submission and for your question, you have entered into the domain of submissions.

In response to that this is a draft budget and I would very much encourage you to make a submission in relation to this matter and advocate in your submission for further funding for the Dole/Donath Reserve.

- **John Nugent, Epping**

Mayor Rennie,

Could you please advise what was spent in the 2018–19 Budget on capital works in the northern part of the city from Dundas Street onwards and what was spent on capital works in the southern part of the city?

Also what will be spent in the proposed 2019–20 Budget in the north and south areas?

Response from Chairperson, Mayor Rennie

MR NUGENT THANK YOU FOR THAT QUESTION. IN RELATION TO THE SPECIFICS OF SPENDING IN THE PAST, I WOULD OBVIOUSLY NEED TO TAKE THAT ON NOTICE. I CAN ASSURE YOU THAT A REVIEW HAS BEEN UNDERTAKEN OF CAPITAL WORKS PROPOSED IN THE NORTH AND SOUTH AND ALMOST EQUAL AMOUNTS ARE BEING SPENT, BUT WE MAKE OUR BUDGET DECISIONS BASED ON THE NEEDS OF PROJECTS IN ALL AREAS. WE DON'T MAKE THEM ON THE BASIS OF WARDS.

THANK YOU, WE WILL GET THAT FURTHER INFORMATION TO YOU.

RESPONSES TO PUBLIC QUESTIONS TAKEN ON NOTICE AT THE COUNCIL MEETING ON 8 APRIL 2019.

AT THE COUNCIL MEETING HELD ON 8 APRIL 2019, THE FOLLOWING QUESTIONS WERE TAKEN ON NOTICE BY THE CHAIRPERSON, MAYOR RENNIE.

- **ANNE LAVER OF NORTHCOTE SUBMITTED THE FOLLOWING QUESTION REGARDING CHEMICAL WASTE AND RECYCLING**

'AS COUNCIL KNOWS THERE HAS BEEN YET ANOTHER INCIDENT WITH A CHEMICAL SPILL WHICH MAY HAVE IMPACTED ON THE MERRI CREEK AND RESIDENTS HEALTH. THE COUNCIL STATES THE RESPONSIBILITY FOR CHEMICAL STORAGE IS THE EPA AND WORKSAFE.

THE COMMUNITY ARE VERY CONCERNED THAT THE COUNCILS ARE NOT TAKING STRONGER ACTION AND ROLE IN PROVIDING THE COMMUNITY WITH A SAFE ENVIRONMENT IN WHICH TO LIVE AND PROTECT THE CREEKS. BOTH THE EPA,

WORKSAFE, THE DEPARTMENT OF ENVIRONMENT AND THE COUNCILS ARE ALL PASSING THE BUCK.

ALL LEVELS OF GOVERNMENT MUST WORK TOGETHER IN RESOLVING THE ISSUES OF CHEMICAL WASTE AND GOOD EFFECTIVE RECYCLING. SKM DO NOT RECYCLE – THEY SIMPLY ON-SELL THE COMPACTED AND SORTED WASTE ONTO OTHER PROVIDERS – WHICH AS WE KNOW HAS DECLINED IN NUMBER.

THE ANNUAL HARD WASTE COLLECTION IS DUE TO OCCUR IN MAY I BELIEVE, LAST YEAR I WAS INFORMED BY COUNCIL OFFICERS THAT 90% OF THIS HARD WASTE WAS NOT RECYCLED BUT SIMPLY SENT TO LANDFILL. THE REASON WHY ALL THIS WASTE – RECYCLING, HARD AND CHEMICAL WASTE IS NOT RECYCLED OR DISPOSED OF CORRECTLY IS BECAUSE OF THE COST AND BECAUSE NO MANDATORY PERFORMANCE MEASURES ARE PUT INTO CONTRACTS OR PERMITS SO THAT CONTRACTORS ARE COMPELLED TO COMPLY.

THE COUNCIL HAVE ALREADY UNDERTAKEN SOME ACTIONS TO IMPROVE WASTE MANAGEMENT BUT IT NEEDS TO BE A REAL PRIORITY AND TO BE GREATLY EXPANDED:

- THIS COULD TAKE TO FORM OF OFFERING GRANTS OR FINANCIAL ASSISTANCE TO SMALL COMPANIES WILLING TO REDUCE AND REUSE
- EXPAND THE RESOURCE CENTRE RECYCLE SHOP
- SPEND MONEY ON MORE RESOURCES TO INSPECT AND ENFORCE CONTRACTORS AND PERMITS FOR WAREHOUSE OWNERS AND WRITE NEW STRICTER CONTRACTS
- SPEND MONEY ON EDUCATING THE COMMUNITY – I.E. THIS COULD TAKE THE FORM OF RANDOM HOUSE VISITS& PHONE CALLS , POPS UP AND ALSO DISTRIBUTING THE RECYCLE LEAFLET TO ALL RESIDENTS
- RUN A REAL CAMPAIGN TO FORCE THE STATE AND FEDERAL GOVERNMENTS TAKE ACTION, GET THE COMMUNITY INVOLVED AND ON-BOARD
- PROVIDE TRAINED RESOURCES TO COMBINE WITH THE EPA AND WORKSAFE TO INSPECT WAREHOUSES REGULARLY AND CREATE A MANDATORY REGISTER OF HAZARDOUS WASTE STORAGE.

THE DAREBIN COUNCIL SAY THEY ARE THE MOST PROGRESSIVE COUNCIL IN AUSTRALIA AND DARE TO LEAD WHERE OTHERS FEAR TO TREAD

THEREFORE MY QUESTION TO THE DAREBIN COUNCIL IS:

WILL THE DAREBIN COUNCIL INVEST MONEY INTO REAL WASTE MANAGEMENT SOLUTIONS FOR THE COMMUNITY?'

WRITTEN RESPONSE DATED 11 APRIL 2019, PROVIDED TO ANNE LAVER BY SALLY MOXHAM, MANAGER ENVIRONMENT & SUSTAINABLE TRANSPORT.

COUNCIL IS CURRENTLY UNDERTAKING A RECYCLING AND WASTE REVIEW AND WILL BE CONSIDERING YOUR SUGGESTIONS WHICH YOU PUT TO COUNCIL ON MONDAY 8TH APRIL AS PART OF THIS INTERNAL REVIEW. WE EXPECT THE REVIEW TO LOOK FOR INVENTIVE AND SOLUTION FOCUSSED OUTCOMES, THROUGH A LENS OF URGENT CLIMATE ACTION TO;

- ANALYSE AND ASSESS THE CURRENT END DESTINATIONS FOR COUNCIL'S WASTE AND RECYCLABLE MATERIALS AND HOW THEY ARE PROCESSED AND TREATED

- INVESTIGATE AND ANALYSE END DESTINATION OPTIONS WHICH PROVIDE THE BEST CLIMATE AND CIRCULAR ECONOMY OUTCOMES CONSIDERING:
 - WASTE TO ENERGY AND DRAWDOWN CONSIDERATIONS (E.G. BIOCHAR, BIODIGESTION AND OTHER ALTERNATIVE WASTE TREATMENTS)
 - OPPORTUNITIES FOR LOCAL RECYCLING MARKET SOLUTIONS
 - VALUE FOR MONEY
- ANALYSE AN EVALUATION METHODOLOGY WHICH CLEARLY WEIGHTS THE CLIMATE EMERGENCY IMPACT OF THE OPTIONS, ALONGSIDE OTHER CONSIDERATIONS.
- IDENTIFY OPPORTUNITIES TO DEMONSTRATE LEADERSHIP AND PILOT/TRIAL INNOVATIVE PROJECTS.
- HELP COUNCIL TO CONTINUE ITS ADVOCACY TO ALL LEVELS OF GOVERNMENT.

COUNCIL WILL CONSIDER THE OUTPUTS OF THE REVIEW LATER IN 2019.

AS YOU ARE AWARE THERE ARE SYSTEMIC ISSUES IN THE WASTE INDUSTRY THAT MEAN THAT CONTRACTING ARRANGEMENTS IN AND OF THEMSELVES WILL NOT SOLVE THE LACK OF RECYCLING IN AUSTRALIA, HOWEVER THERE ARE REAL OPPORTUNITIES TO START WITH PARTS/PARTICULAR STREAMS WITHIN THE INDUSTRY – FOR EXAMPLE I.E. TEXTILE RECYCLING – WE UNDERSTAND THAT THERE ARE NEW INDUSTRY PLAYERS AND BUSINESSES MODELS THAT RECYCLE TEXTILES MADE FROM NATURAL FIBRES. TEXTILES ARE ONE OF THE LARGEST WASTE STREAMS GOING TO LANDFILL. COUNCIL WILL BE LOOKING CLOSELY AT THESE AND OTHER DEVELOPMENTS AND TAKE ON BOARD YOUR SUGGESTION TO EXAMINE WAYS IN WHICH THE RESOURCE CENTRE COULD EXPAND.

COUNCIL – IN ITS DRAFT BUDGET PUBLISHED LAST WEEK – IS ALSO UNDERTAKING ANOTHER RECYCLING CAMPAIGN AND A NEW GREEN WASTE EDUCATION CAMPAIGN IN 2019/2020 AS IT MOVES TO ALLOW FOOD WASTE TO BE COLLECTED THROUGH THE GREEN WASTE BIN. COUNCIL (AT ITS MARCH MEETING) HAS ALSO RECENTLY MOVED A NUMBER OF RESOLUTIONS STEPPING UP ITS ADVOCACY CAMPAIGN THROUGH CALLING ON BOTH THE AUSTRALIAN LOCAL GOVERNANCE ASSOCIATION AND THE MAV TO ADVOCATE TO BOTH LEVELS OF GOVERNMENT TO DO MORE TO SUPPORT RECYCLING IN AUSTRALIA.

6. PETITIONS

Nil

7. URGENT BUSINESS

Nil

8. CONSIDERATION OF REPORTS

8.1 PRESTON MOSQUE & DAREBIN CITY COUNCIL MEMORANDUM OF UNDERSTANDING 2018-2022

Author: Manager Equity and Wellbeing

Reviewed By: General Manager Community

PURPOSE

This report seeks Council's endorsement of an updated Memorandum of Understanding (MOU) with Omar bin Al-Khattab Mosque (Islamic Society of Victoria - Preston Mosque) for the period of 2018-2022.

Council has worked closely with Preston Mosque following the Christchurch mosque shooting. This report includes information on the work and support provided since that date and going forward.

EXECUTIVE SUMMARY

Council has a long standing relationship the Omar Bin Al-Khattab Mosque in Cramer Street, Preston, which was first formalised in a Memorandum of Understanding in 2009 and renewed in 2014.

In 2018 Council, with representatives of the Mosque and Victoria Police, undertook a process to review and establish a new MOU for the period of 2018-2022. The renewed MOU articulates a shared vision, values, and commitment in relation to promoting a respectful and constructive relationship between the Mosque and Council. The document continues to provide Council with opportunities to deliver positive outcomes for the community and extend interfaith dialogue and ensures that a number of actions and activities are jointly planned, managed, implemented and evaluated.

The updated MOU includes a discrete action plan (**Appendix B**) that lists new actions that reflect the three priority areas outlined in the MOU. The action plan will be reviewed on an annual basis by the existing Preston Mosque and Council Committee.

Council Resolution

MINUTE NO. 19-046

MOVED: Cr. G Greco
SECONDED: Cr. J Williams

That Council endorses the revised and updated Memorandum of Understanding with Omar bin Al-Khattab Mosque (Islamic Society of Victoria - Preston Mosque) for the period of 2018-2022 and authorises its signature by the Mayor.

CARRIED UNANIMOUSLY

8.2 FAIRFIELD RAIL SPUR - FUTURE OPPORTUNITIES**Author:** Coordinator Strategic Planning**Reviewed By:** General Manager City Sustainability and Strategy

PURPOSE

To consider the opportunity for advocacy on the future of the Fairfield Rail Spur site, now that the level crossing removal project has been completed and therefore it is likely that it will not be needed by the state government for level crossing removal work.

EXECUTIVE SUMMARY

The 'Fairfield Rail Spur' is a historical rail site (1.44ha) that runs north-south between Heidelberg Road and Railway Place. The land is owned by the State Government and managed by VicTrack. The site is also sometimes referred to as the 'Alphington Rail Spur'.

The site is currently being managed by the Level Crossing Removal Project and is being used for storage. Now that the Grange Road Level Crossing Removal is complete officers are expecting that the state government will be able to consider other uses for the site.

There is an opportunity for Council to advocate for how the land might be repurposed to deliver a positive community outcome.

Analysis of the site confirms Council's long held view that the land should accommodate a direct cycling and pedestrian link between Fairfield Village and Heidelberg Road, along with high-quality open space to address an existing deficit and enhance the liveability of the area.

Formalising this link will connect regional cycling routes and provide 5,000 future residents of the Alphington Paper Mill precinct with a convenient connection into Fairfield Village and the Fairfield Train Station, reducing pressure of traffic on local roads and providing an economic boost to Fairfield Village.

The site is geographically constrained and only deemed suitable for linear and pocket parks, with informal recreation facilities. However, this would address a local open space deficit and link a broader network of public spaces. The entire site is not required to achieve these priority open space needs.

Portions of the site could be suitable for housing, provided any such development is sited, scaled and designed to respect existing residential interfaces and is complementary to the open space priorities. This site presents a good opportunity for delivery of affordable housing. It is located near public transport and services, which is a good strategic location for affordable housing.

This report recommends that Council establish an advocacy position that sets out uses for the land. Officers would advocate for councils position to relevant state government agencies including TFV, VicTrack and relevant Ministers.

Recommendation**That Council:**

- (1) Notes that the State Government's current use of the Fairfield Rail Spur site for Level Crossing Removal Project purposes is temporary and the site is likely to become available for other uses.
- (2) Advocates to the State Government to ensure that the Fairfield Rail Spur:
 - a) Has a direct shared user path and linear park through the length of the site,
 - b) Provides open space to serve the local community and
 - c) Provides a range of affordable housing on the Fairfield Rail Spur site.
- (3) Advocates to the State Government to retain the Fairfield Rail Spur site as public land.
- (4) Advocates to the State Government to consult with Council and the community about any future uses or development of the Fairfield Rail Spur site, to inform any decision about its future use.

Motion

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

That Council:

- 1) Notes that the State Government's current use of the Fairfield Rail Spur site for Level Crossing Removal Project purposes is temporary and the site is likely to become available for other uses.
- 2) Notes that the Fairfield Rail Spur site has been used and maintained by the local community for over a century and that it has always been understood that the site will return to community use following completion of the Grange Road level crossing removal project.
- 3) Advocates to the State Government to ensure that the Fairfield Rail Spur:
 - a) Has a direct shared user path and linear park through the length of the site,
 - b) Provides open space to serve the local community, such as skate facilities and basketball/netball half court; and
 - c) Provides public or social housing at accessible locations on the site.
- 4) Advocates to the State Government to retain the Fairfield Rail Spur site as public land.
- 5) Advocates to the State Government to consult with Council and the community about any future uses or development of the Fairfield Rail Spur site, to inform any decision about its future use.

Cr. Greco proposed to the mover and seconder the following amendment to point 3)c):

- c) Maximises public or social housing at accessible locations on the site.

This was not accepted by the mover and seconder.

Amendment

MOVED: Cr. G Greco
SECONDED: Cr. J Williams

That Council:

- 3) Advocates to the State Government to ensure that the Fairfield Rail Spur:
- a) Has a direct shared user path and linear park through the length of the site,
 - b) Provides open space to serve the local community, such as skate facilities and basketball/netball half court; and
 - c) **Maximises** public or social housing at accessible locations on the site.

THE AMENDMENT WAS PUT TO THE VOTE AND WAS LOST.

Cr. Williams proposed to the mover and seconder the following amendment to point 3)c):

- c) Provides affordable, public and/or social housing at accessible locations on the site.

This was not accepted by the mover and seconder.

Amendment

MOVED: Cr. J Williams
SECONDED: Cr. G Greco

That Council:

- 3) Advocates to the State Government to ensure that the Fairfield Rail Spur:
- a) Has a direct shared user path and linear park through the length of the site,
 - b) Provides open space to serve the local community, such as skate facilities and basketball/netball half court; and
 - c) Provides **affordable**, public **and/or** social housing at accessible locations on the site.

THIS AMENDMENT WAS PUT TO THE VOTE AT LOST.

Cr. Messina proposed to the mover and seconder the following amendment to point 3)c):

- c) Provides that any residential use should be exclusively for public or social housing at accessible locations on the site.

This was accepted by the mover and seconder.

THE AMENDED MOTION THEN READ AS FOLLOWS:

Amended Motion

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

That Council:

- 1) Notes that the State Government’s current use of the Fairfield Rail Spur site for Level Crossing Removal Project purposes is temporary and the site is likely to become available for other uses.
- 2) Notes that the Fairfield Rail Spur site has been used and maintained by the local community for over a century and that it has always been understood that the site will return to community use following completion of the Grange Road level crossing removal project.
- 3) Advocates to the State Government to ensure that the Fairfield Rail Spur:
 - a) Has a direct shared user path and linear park through the length of the site,
 - b) Provides open space to serve the local community, such as skate facilities and basketball/netball half court; and
 - c) Provides that any residential use should be exclusively for public or social housing at accessible locations on the site.
- 4) Advocates to the State Government to retain the Fairfield Rail Spur site as public land.
- 5) Advocates to the State Government to consult with Council and the community about any future uses or development of the Fairfield Rail Spur site, to inform any decision about its future use.

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

Council Resolution

MINUTE NO. 19-047

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

That Council:

- 1) Notes that the State Government’s current use of the Fairfield Rail Spur site for Level Crossing Removal Project purposes is temporary and the site is likely to become available for other uses.
- 2) Notes that the Fairfield Rail Spur site has been used and maintained by the local community for over a century and that it has always been understood that the site will return to community use following completion of the Grange Road level crossing removal project.
- 3) Advocates to the State Government to ensure that the Fairfield Rail Spur:
 - a) Has a direct shared user path and linear park through the length of the site,
 - b) Provides open space to serve the local community, such as skate facilities and basketball/netball half court; and
 - c) Provides that any residential use should be exclusively for public or social housing at accessible locations on the site.

- 4) Advocates to the State Government to retain the Fairfield Rail Spur site as public land.
- 5) Advocates to the State Government to consult with Council and the community about any future uses or development of the Fairfield Rail Spur site, to inform any decision about its future use.

CARRIED UNANIMOUSLY

8.3 SOLAR SAVER SPECIAL CHARGE SCHEME DECLARATION (BATCH 2)

Author: Climate Action Officer

Reviewed By: General Manager City Sustainability and Strategy

PURPOSE

To consider the declaration of a Special Charge in relation to the Solar Saver program.

EXECUTIVE SUMMARY

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

- The program is open to all residential rate payers for solar systems up to 10kW
- Council undertakes procurement of good value solar systems and installation with 10 year warranties
- Council declares a Special Charge and pays the upfront cost of the solar system and installation for participants when the solar systems are installed
- Solar Saver participants pay the Special Charge over a 10 year period to reimburse Council's upfront payment – which is more than offset by savings on their energy bills.

The proposed Special Charge Scheme includes 232 properties and would add approximately 1,345kW of solar capacity to Darebin, doubling the total of Council's previous similar programs. The program was open to all residents. Low income residents, pensioners and residents with low proficiency in English have been prioritised.

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.

Five households have withdrawn from this Special Charge, which has slightly reduced the overall cost (now \$1,584,165.96) and amount of panels to be installed.

Council Resolution

MINUTE NO. 19-048

MOVED: Cr. T McCarthy

SECONDED: Cr. S Amir

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 residential properties participating in the Solar Saver scheme, which project:
- 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 be recorded as \$1,584,165.96;
 - ii. Amount for the Special Charge to be levied be recorded as \$1,584,165.96, 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 **Appendix A** 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 a Householder Agreement has been executed, totalling \$1,584,165.96, 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 the persons required to pay the Special Charge because there will be a benefit to those persons that is over and above, or greater than, the benefit that is available to persons 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 the persons 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 persons 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.
- (5) Where a Householder wishes to withdraw from the Scheme, agrees to such withdrawal where the Householder has given written notice of their desire to withdraw from the Scheme before Council has incurred any expenditure in relation to the Householder's solar system.

CARRIED UNANIMOUSLY

**8.4 INTENTION TO DECLARE A SPECIAL RATE LEVY FOR
PRESTON CENTRAL BUSINESS PRECINCT**

Author: Coordinator Economic Development

Reviewed By: General Manager City Sustainability and Strategy

With the leave of the Chairperson, the Chief Executive Officer advised that due to an administrative error, the report for Item 8.4 would be withdrawn and relisted for the next Council meeting.

The following person verbally addressed the meeting and was thanked for his presentation by the Chairperson, Mayor Rennie:

- Alan Turner

8.5 MONUMENTS AND MEMORIALS POLICY - PROPOSAL TO ERECT A MEMORIAL TO WILLIAM RUTHVEN VC AT RUTHVEN RESERVE

Author: Planning Landscape Architect

Reviewed By: General Manager City Sustainability and Strategy

PURPOSE

To recommend that Council support a proposal submitted by Darebin RSL, to erect a memorial stone and plaque commemorating William Ruthven Victoria Cross (VC) and his contributions to the community, at the Ruthven Reserve.

EXECUTIVE SUMMARY

On 16 May 2016, Council endorsed in principle a proposal by the Darebin RSL to erect a memorial stone and plaque of William Ruthven VC at the Ruthven Reserve, subject to further details being provided including design details, engineering certificates and insurances. The Darebin RSL have submitted to Council the final requirements and now seek final endorsement to proceed with implementation of the memorial stone and plaque.

The memorial is intended to commemorate William Ruthven's VC actions leading to his award of the Victoria Cross medal, as well as his political contributions for the City of Preston and Reservoir as a local member of State Parliament, following his return from service. The Darebin RSL propose the memorial stone and plaque be installed near the recently refurbished pavilion, at Ruthven Reserve, in an existing garden bed. The proposal meets the physical requirements of the existing *Civic Recognition (Memorials and Monuments) Policy 2011* and would be fully funded and maintained by the RSL.

This report recommends support for the proposal. The proposal has been assessed against Council's *Civic Recognition (Memorials and Monuments) Policy 2011*. In this location, the proposed memorial stone and plaque would play an interpretive function in Ruthven Reserve.

Recommendation

That Council:

- (1) Approves the proposal from Darebin RSL to erect a memorial to William Ruthven VC at Ruthven Reserve on the basis that:
 - a) It is located on the northern side of the pavilion in the adjacent garden bed
 - b) That the image and wording are as proposed by Darebin RSL in Option 2 of their proposal (**Appendix A**)
 - c) All necessary funding for the implementation and ongoing maintenance of the proposed monument, including decommission at such time in the future, will be borne by the Darebin RSL.
-

- d) Decommissioning at a future time is at the discretion of Council.
- (2) Authorises Council's CEO (or delegate) to finalise an agreement with Darebin RSL.

Motion

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

That Council:

- (1) Approves the proposal from Darebin RSL to erect a memorial to William Ruthven VC at Ruthven Reserve on the basis that:
- a) It is located on the northern side of the pavilion in the adjacent garden bed
 - b) That the image and wording are as proposed by Darebin RSL in Option 2 of their proposal (**Appendix A**)
 - c) All necessary funding for the implementation and ongoing maintenance of the proposed monument, including decommission at such time in the future, will be borne by the Darebin RSL.
 - d) Decommissioning at a future time is at the discretion of Council.
- (2) Authorises Council's CEO (or delegate) to finalise an agreement with Darebin RSL.

Cr. Greco proposed to the mover and seconder the additional of the following point:

- (3) Thanks the Darebin RSL for their initiative in both proposing and supporting the memorial to William Ruthven.

This was accepted by the mover and seconder.

THE AMENDED MOTION THEN READ AS FOLLOWS:

Amended Motion

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

That Council:

- (1) Approves the proposal from Darebin RSL to erect a memorial to William Ruthven VC at Ruthven Reserve on the basis that:
- a) It is located on the northern side of the pavilion in the adjacent garden bed.
 - b) That the image and wording are as proposed by Darebin RSL in Option 2 of their proposal (**Appendix A**).
 - c) All necessary funding for the implementation and ongoing maintenance of the proposed monument, including decommission at such time in the future, will be borne by the Darebin RSL.
 - d) Decommissioning at a future time is at the discretion of Council.
- (2) Authorises Council's CEO (or delegate) to finalise an agreement with Darebin RSL.

- (3) Thanks the Darebin RSL for their initiative in both proposing and supporting the memorial to William Ruthven.

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

Council Resolution

MINUTE NO. 19-049

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

That Council:

- (1) Approves the proposal from Darebin RSL to erect a memorial to William Ruthven VC at Ruthven Reserve on the basis that:
 - a) It is located on the northern side of the pavilion in the adjacent garden bed.
 - b) That the image and wording are as proposed by Darebin RSL in Option 2 of their proposal (**Appendix A**).
 - c) All necessary funding for the implementation and ongoing maintenance of the proposed monument, including decommission at such time in the future, will be borne by the Darebin RSL.
 - d) Decommissioning at a future time is at the discretion of Council.
- (2) Authorises Council's CEO (or delegate) to finalise an agreement with Darebin RSL.
- (3) Thanks the Darebin RSL for their initiative in both proposing and supporting the memorial to William Ruthven.

CARRIED UNANIMOUSLY

8.6 APPOINTMENT OF DAREBIN WOMEN'S ADVISORY COMMITTEE MEMBERS**Author:** Acting Coordinator Community Wellbeing**Reviewed By:** General Manager Community

PURPOSE

To seek Council's endorsement of the successful applicants for the Darebin Women's Advisory Committee as recommended by the expression of interest (EOI) panel.

EXECUTIVE SUMMARY

This report details the EOI process undertaken to recruit committee members for the 2019-2021 two year term of the Darebin Women's Advisory Committee (DWAC).

Following an extensive promotion process between the 1 – 25 February 2019, 11 applications were received for the 10 community member positions. An internal assessment panel convened on 4 March 2019 to consider the EOIs with recommendations attached in **Appendix A**.

This recruitment process has been undertaken as the current two year membership period for DWAC ceased in February 2019.

The Darebin Women's Advisory Committee will be reviewed as part of the broader review of Council advisory committees which will take place in 2019. However, it is recommended that members be appointed to this Committee in the meantime. The Terms of Reference require a term of two years' membership.

Recommendation**That Council:**

- (1) Endorses the following people as the 10 community members in the Darebin Women's Advisory Committee: _____.

Motion**MOVED:** Cr. L Messina
SECONDED: Cr. S Amir**That Council:**

- (1) Endorses the following people as the 10 community members in the Darebin Women's Advisory Committee: Bianca Johnston, Emet Degirmenci, Fiona Long, Misbah Wolf, Ruth Buckmaster, Shelley Dunk, Judeline Wadhvani, Leanne Miller, Tamatha Harding and Rachel Brisbane.

Cr. Williams proposed to the mover and seconder the following amendment:

Endorses the following people as the **11** community members in the Darebin Women's Advisory Committee: Bianca Johnston, Emet Degirmenci, Fiona Long, Misbah Wolf, Ruth Buckmaster, Shelley Dunk, Judeline Wadhwani, Leanne Miller, Tamatha Harding, Rachel Brisbane **and Farzaneh Dehghan.**

This was not accepted by the mover and seconder.

Amendment

MOVED: Cr. J Williams
SECONDED: Cr. G Greco

That Council:

- (1) Endorses the following people as the **11** community members in the Darebin Women's Advisory Committee: Bianca Johnston, Emet Degirmenci, Fiona Long, Misbah Wolf, Ruth Buckmaster, Shelley Dunk, Judeline Wadhwani, Leanne Miller, Tamatha Harding, Rachel Brisbane **and Farzaneh Dehghan.**

THE AMENDMENT WAS PUT TO THE VOTE AND WAS CARRIED.

THE AMENDED MOTION THEN READ AS FOLLOWS:

Amended Motion

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

That Council:

- (1) Endorses the following people as the 11 community members in the Darebin Women's Advisory Committee: Bianca Johnston, Emet Degirmenci, Fiona Long, Misbah Wolf, Ruth Buckmaster, Shelley Dunk, Judeline Wadhwani, Leanne Miller, Tamatha Harding, Rachel Brisbane and Farzaneh Dehghan.

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

Council Resolution

MINUTE NO. 19-050

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

That Council:

- (1) Endorses the following people as the 11 community members in the Darebin Women's Advisory Committee: Bianca Johnston, Emet Degirmenci, Fiona Long, Misbah Wolf, Ruth Buckmaster, Shelley Dunk, Judeline Wadhwani, Leanne Miller, Tamatha Harding, Rachel Brisbane and Farzaneh Dehghan.

CARRIED

8.7 COUNCIL DAYTIME MEETING - 20 MAY 2019

Author: Coordinator Governance, Council Business and Civic Services
Coordinator Youth Services

Reviewed By: General Manager Governance and Engagement

PURPOSE

The purpose of this report is to provide an overview of the engagement with schools in preparation for the 20 May 2019 daytime Council meeting and to seek Council's endorsement to amend the deadline for the submission of public questions for daytime meetings from 3.00pm to 10.00am on the day of the meeting.

EXECUTIVE SUMMARY

Children and young people play an important part of the social and cultural makeup of Darebin. Their voices and opinions are at times forgotten due to the traditional structures in place that disempower and inhibit children's and young people's rights and responsibilities to be active community members.

We know children and young people are passionate change makers who are at the forefront of progressive thinking and policy ideas, and can provide positive contributions to local conversation on key issues that affect them and their local community through the democratic process.

This report outlines the work that has been undertaken to engage children and young people for the Council meeting on 20 May 2019.

Council Resolution

MINUTE NO. 19-051

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

That Council:

- (1) Notes the engagement process with schools for the 20 May Council daytime meeting.
- (2) Endorses a 10.00am deadline on the day of the meeting for public questions to be submitted for the Council daytime meetings scheduled for 2019.

CARRIED

8.8 DELIVERED MEALS SERVICE CONTRACT**Author:** Manager Aged and Disability**Reviewed By:** General Manager Community

PURPOSE

To seek Council endorsement for the extension of the current contract with Regional Food Kitchen (RFK) to 30 June 2020, with a further option to extend for two additional years until 30 June 2022.

EXECUTIVE SUMMARY

Darebin Council offers delivered meals service to clients eligible for Commonwealth Home Support Programme (CHSP) and Home and Community Care Program for Young People (HACC PYP). Council sources the meals from an external supplier and Council staff deliver the meals locally.

For the following reasons it is recommended the current contract be extended to 30 June 2020 (with a further two year option to June 2022) is agreed with the current supplier of the meals for the Delivered Meals program:

- The contract with the current supplier of meals expires on 31 May 2019 and should be extended to ensure continuity of services to the community.
- Council has previously resolved to continue existing Commonwealth Home Support Program aged care services while block funding from the Commonwealth continues.
- It's expected that Commonwealth Home Support Program block funding will be extended until 30 June 2022, and perhaps beyond.

The estimated cost of the meals contract for the additional 2019-20 financial year is \$389,340, but the actual cost depends upon the number of meals purchased.

At the time of writing the Delivered Meals program is assisting 170 individuals.

Council Resolution

MINUTE NO. 19-052**MOVED:** Cr. G Greco
SECONDED: Cr. L Messina**That Council:**

- (1) Extends the current contract with Regional Food Kitchen (RFK) to 30 June 2020, with the option to extend for an additional two years to 30 June 2022, for the supply of delivered meals.
- (2) Authorises the CEO to approve the extension of the current contract to 30 June 2020 with Regional Food Kitchen (RFK).
- (3) Authorises the CEO to exercise further options for extensions if and when required.

CARRIED

**8.9 NORTHERN COUNCILS COLLABORATIVE SECURITY
TENDER FOR DAREBIN - CONTRACT NO. CT 201885****Author:** Building Strategy Advisor**Reviewed By:** General Manager Operations and Capital

PURPOSE

To seek Darebin City Council's approval to award Contract CT201885 for the provision of Security Services for Darebin's facilities.

EXECUTIVE SUMMARY

Currently the Security Services to Darebin Council contract is due to expire on 30 June 2019 and there are no extension options.

In October 2017, the Northern Region (Melbourne's north) Group of Councils entered into a collaboration to deliver economic, social and value for money benefits for the residents and businesses in the region. As part of this joint effort, a Request for Tender (RFT) for the Provision of Security Services was developed collaboratively by five of the (seven) Northern Region Councils:

- Banyule City Council;
- City of Darebin;
- Mitchell Shire Council;
- Moreland City Council; and
- City of Whittlesea.

Tenderers were also requested to submit a response that delivers social and economic initiatives to the Northern Region Community. To this end the Brotherhood of St Laurence (BSOL) and MEGT were invited to present at the Industry Briefing on the available programs in the market to increase employment for disadvantaged groups.

The Contract term sought is a seven year term, with an initial period of three years with the option to extend for further periods of any duration up to a maximum period of four years.

Banyule was appointed to act as tendering agent on behalf of Darebin, Mitchell, Moreland and Whittlesea for the purpose of seeking tenders for the Contracts.

A publicly advertised Request for Tender (RFT) was released on 18 August 2018 for the Contracts. The RFT closed on 25 September 2018 with submissions from 15 companies being received. Subsequently one tenderer withdrew leaving 14 tenders for consideration.

All tenders were evaluated by the Tender Evaluation Panel (TEP) comprising officers from each participating Council's Business and Procurement Units. During the detailed tender evaluation process, multiple shortlisting rounds and clarifications to obtain further information about the tender submissions were undertaken. Negotiations were held with shortlisted tenderers who were requested to review their submitted prices and submit their best and final offer. The TEP has finalised the evaluation and recommended awarding the contract (CT201885) to a suitable contractor for each Council.

Recommendation

That Council:

- 1) Enters into a contract with _____ for the Provision of Security Services (CT201885) for a ___ year fixed term with options for further periods (up to a maximum of ___ years) bringing the total contract to ___ years at an estimated cumulative amount of \$ _____. This amount includes GST and includes CPI (no CPI for initial term). The contract is to commence on _____ and expire on _____ if all options are exercised.
- 2) Authorises the Chief Executive Officer to finalise and execute the contract documentation on behalf of Darebin Council.
- 3) Authorises the Chief Executive Officer to exercise the extension options if and when required.

Council Resolution**MINUTE NO. 19-053**

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

That Council:

- 1) Enters into a contract with Advent Security Electronics Group Pty Ltd for the Provision of Security Services (CT201885) for a 3 year fixed term with options for further periods (up to a maximum of 4 years) bringing the total contract to 7 years at an estimated cumulative amount of \$1,627,182.70. This amount includes GST and includes CPI (no CPI for initial term). The contract to commence on 1 July 2019 and expire on 30 June 2026 if all options are exercised.
- 2) Authorises the Chief Executive Officer to finalise and execute the contract documentation on behalf of Darebin Council.
- 3) Authorises the Chief Executive Officer to exercise options for extensions if and when required.

CARRIED

Cr. Amir temporarily left the meeting during discussion of the above item at 7.23pm

8.10 CONTRACT AWARD CT201873 - DAREBIN MULTI-SPORTS STADIUM PRINCIPLE DESIGN CONSULTANT**Author:** Project Manager**Reviewed By:** Manager City Works

PURPOSE

To seek approval to award Contract CT201873 for the Darebin Multi-Sports Stadium Principle Consultant Services.

EXECUTIVE SUMMARY

Council is seeking to appoint a qualified and experienced principle consultant to prepare the architectural and engineering designs for the Darebin Multi-Sports Stadium (MSS) Project. The scope of the design services includes but not limited to architectural, engineering (structural, civil, traffic, services etc.), environment and sustainable design services.

The Principle Design Consultant will be required to prepare the design and contract documentation for the MSS project.

Council sought tenders from a select group of Consultants registered on the Construction Supply Register (CSR). The CSR is a pre-qualification scheme for construction works and services established by the Department of Treasury and Finance. Local Governments and other State Departments can access this scheme for the purpose of procuring works and services. The CSR operates in accordance with the Ministerial Directions and Instructions for Public Construction Procurement in Victoria.

The Request for Tender (RFT) was advertised on 24 of December 2018 and closed on 31 January 2019. The Evaluation Panel has evaluated the tenders and recommends awarding the contract to the preferred tenderer.

The proposed contract arrangement is a lump sum contract with the services to be completed by March 2020.

Recommendation

That Council:

- (1) Awards Contract No. CT201873 for the Darebin Multi-Sports Stadium Principle Design Consultant Services to _____ for the contract sum of \$_____ (Incl. GST).
- (2) Approves a contingency amount of \$_____ (incl. GST), being approximately ___% of the Contract amount, to be used if required for variations and other unforeseen items as part of Contract No. CT201873.
- (3) Authorises the Chief Executive Officer to finalise and execute the contract documentation on behalf of Council.

Council Resolution

MINUTE NO. 19-054

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

That Council:

- 1) Council award Contract No. CT201873 for the Darebin Multi-Sports Stadium Principle Design Consultant Services to Brand Architects for the contract sum of \$1,164,944 (Incl. GST);
- 2) Approves a contingency amount of \$232,988.80 (Incl. GST), being approximately 20% of the Contract amount, to be used if required for variations and other unforeseen items as part of Contract No. CT201873; and
- 3) Authorises the Chief Executive Officer to finalise and execute the contract documentation on behalf of Council.

CARRIED

Cr. Williams temporarily left the meeting during discussion of the above item at 7.26pm and returned at 7.27pm.

Sue Wilkinson, Chief Executive Officer temporarily left the meeting during discussion of the above item at 7.27pm.

Cr. Amir returned to the meeting during discussion of the following item at 7.27pm.

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

9.1 PROTECT DAREBIN'S LOCAL QUIET LIFE PETITION

Author: Manager Creative Culture and Events

Reviewed By: General Manager Community

PURPOSE

The purpose of this report is for Council to review a petition to Protect Darebin's Local Quiet Life, calling on Council to remove the light installation in the seventeen trees that line High Street between Walker and Westgarth Streets Northcote and to consider this report from Council officers in response to the petition.

EXECUTIVE SUMMARY

A petition from 18 local residents was received requesting Council to remove the light installation in the seventeen trees that line High Street between Walker and Westgarth Streets Northcote. The petition says that the dynamic display emits light and noise pollution that is viewed as harmful and disruptive to wildlife who use the trees as habitat.

The petition refers to the public artwork '*Call and Response*' commissioned by Council in 2015 and created by local artist Pierre Proske. This is a computer choreographed light installation designed for the corridor of trees on High Street in Westgarth, between Walker to Westgarth Streets. It was installed in 2015, replacing existing decorative lights in the trees.

The artwork is solar powered and employs LED lighting strips and audio speakers suspended in the trees. These elements play out a complex choreography of visual and audio calls and responses.

Prior to installation of the Call and Response art installation, a risk assessment was carried out in relation to the trees and roots, however, a fauna assessment was not done at the time.

A fauna impact assessment has now been completed by consultants (see **Appendix A**). The study finds that at this point in time, and considering the highly urban setting:

- The art installation appears not to impact the movement of fauna through the area;
- The avenue of trees incorporating the art installation is comprised of non-native, introduced tree species;
- The trees provide (limited) foraging and roosting habitat; and
- The trees do not provide prime habitat for native fauna, particularly due to the proximity of a more suitable habitat within the nearby Merri Creek corridor.

The report therefore recommends that the artwork be retained until its scheduled decommissioning in 2026-27.

Council Resolution

MINUTE NO. 19-055

MOVED: Cr. S Newton

SECONDED: Cr. S Amir

That Council:

- (1) Thanks petitioners for the petition.
- (2) Notes the Fauna Assessment Report, which states that the artwork *Call and Response* appears not to impact the movement of fauna through the area.
- (3) Continues to monitor and maintain the artwork *Call and Response*.

CARRIED UNANIMOUSLY

Cr. Messina temporarily left the meeting during discussion of the above item at 7.30pm.

10. NOTICES OF MOTION

10.1 PROTECTING PRESTON MARKET

Councillor: Gaetano GRECO

NoM No.: 424

Take notice that at the Council Meeting to be held on 29 April 2019, it is my intention to move:

That Council:

- (1) *Notes that the first of the five guiding principles endorsed by the Minister for Planning which will inform the development of new planning control refers to “A thriving fresh food market” and not specifically to preserving and improving the existing Preston Market as a thriving fresh food market.*
- (2) *Writes to the Minister for Planning requesting that the guiding principles he has endorsed be amended to specifically make reference to preserving and improving the existing Preston Market establishment as a thriving fresh food market.*

Notice Received: 16 April 2019

Notice Given to Councillors 23 April 2019

Date of Meeting: 29 April 2019

Motion

MOVED: Cr. G Greco
SECONDED: Cr. J Williams

That Council:

- (1) Notes that the first of the five guiding principles endorsed by the Minister for Planning which will inform the development of new planning control refers to “A thriving fresh food market” and not specifically to preserving and improving the existing Preston Market as a thriving fresh food market.
- (2) Writes to the Minister for Planning requesting that the guiding principles he has endorsed be amended to specifically make reference to preserving and improving the existing Preston Market establishment as a thriving fresh food market.

THE MOTION WAS PUT TO THE VOTE AND WAS LOST

Ingrid Bishop, General Manager Governance and Engagement temporarily left the meeting during discussion of the above item at 7.34pm and returned at 7.35pm.

Cr. Messina returned during discussion of the above item at 7.35pm.

10.2 IMPROVING WATER QUALITY AT EDWARDES PARK LAKE**Councillor: Gaetano GRECO****NoM No.: 425**

Take notice that at the Council Meeting to be held on 29 April 2019, it is my intention to move:

That Council:

- (1) *Notes the contaminated water quality of Edwardes Lake, which continues to persist making it environmentally unsustainable and consequently unsuitable for broader recreational use by the community.*
- (2) *Notes that unlike Albert Park Lake, Edwardes Lake does not receive funding for its maintenance as part of the State Government's water levy.*
- (3) *Resolves to receive a Council report in August 2019 addressing comprehensive financial and technical options to improve the water quality of the Edwardes Park Lake.*
- (4) *Writes to the relevant state minister and water authority requesting that Edwardes Park Lake be eligible to receive appropriate funding for ongoing improvements to the water quality of the lake.*

Notice Received: 16 April 2019**Notice Given to Councillors 23 April 2019****Date of Meeting: 29 April 2019**

Motion

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

That Council:

- 1) Notes the contaminated water quality of Edwardes Lake, which continues to persist making it environmentally unsustainable and consequently unsuitable for broader recreational use by the community.
- 2) Notes that unlike Albert Park Lake, Edwardes Lake does not receive funding for its maintenance as part of the State Government's Environmental Contribution funds.
- 3) Writes to the Minister for Water, Lisa Neville and Melbourne Water requesting that Edwardes Park Lake, as Melbourne's second largest lake, receive funding for a feasibility study to understand what options there are for works to the lake to improve water quality and make it suitable for recreation.

Cr. Newton proposed to the mover and seconder the following amendment:

- 3) Writes to the Minister for Water, Lisa Neville and Melbourne Water requesting that Edwardes **Park** Lake, as Melbourne's second largest lake, receive funding for a feasibility study to understand what options there are for works to the lake to

improve water quality and make it suitable for recreation.

This was accepted by the mover and seconder.

THE AMENDED MOTION THEN READ AS FOLLOWS:

Amended Motion

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

That Council:

- 1) Notes the contaminated water quality of Edwardes Lake, which continues to persist making it environmentally unsustainable and consequently unsuitable for broader recreational use by the community.
- 2) Notes that unlike Albert Park Lake, Edwardes Lake does not receive funding for its maintenance as part of the State Government's Environmental Contribution funds.
- 3) Writes to the Minister for Water, Lisa Neville and Melbourne Water requesting that Edwardes Lake, as Melbourne's second largest lake, receive funding for a feasibility study to understand what options there are for works to the lake to improve water quality and make it suitable for recreation.

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

Council Resolution

MINUTE NO. 19-056

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

That Council:

- 1) Notes the contaminated water quality of Edwardes Lake, which continues to persist making it environmentally unsustainable and consequently unsuitable for broader recreational use by the community.
- 2) Notes that unlike Albert Park Lake, Edwardes Lake does not receive funding for its maintenance as part of the State Government's Environmental Contribution funds.
- 3) Writes to the Minister for Water, Lisa Neville and Melbourne Water requesting that Edwardes Lake, as Melbourne's second largest lake, receive funding for a feasibility study to understand what options there are for works to the lake to improve water quality and make it suitable for recreation.

CARRIED UNANIMOUSLY

Sue Wilkinson, Chief Executive Officer temporarily left the meeting during discussion of the above item at 7.52pm and returned at 7.53pm.

11. REPORTS OF STANDING COMMITTEES

Nil

12. RECORDS OF ASSEMBLIES OF COUNCILLORS

12.1 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 Disability Advisory Committee – 1 April 2019
- Councillor Briefing Session – 1 April 2019
- Climate Emergency Darebin Advisory Committee – 3 April 2019

Council Resolution

MINUTE NO. 19-057

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

That the record of the Assembly of Councillors held on 1 and 3 April, 2019 and attached as **Appendix A** to this report, be noted and incorporated in the minutes of this meeting.

CARRIED

13. REPORTS BY MAYOR AND COUNCILLORS

Council Resolution

MINUTE NO. 19-058

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

That Council note the Reports by the Mayor and Councillors.

CARRIED

REPORT OF CR. SUSAN RENNIE, MAYOR

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

- Walk through of John Cain Memorial Park Site with Kat Theophanous Member for Northcote
- Quarterly Meeting between Darebin City Council & Kat Theophanous - Member for Northcote
- Photo opportunity for Route 11 tram line
- Interview - Cooper Name Change with Students from RMIT
- ICAN Mural Speech / School Speech notes briefing
- Companion Animal Management meeting briefing
- Companion Animal Management discussion meeting
- VLGA Leading the Agenda – moderated Activating Communities panel
- One on One with the Deputy Mayor
- Climate Emergency Darebin - Film story scripting
- Briefing - Adverse Possession discussion
- Interview with 3CR regarding Climate Emergency
- Climate Emergency Darebin on site review
- AHAAB with the Age Friendly Darebin Panel
- One on One with the CEO
- Planning Committee Meeting
- Special Council Meeting
- Councillor Briefing
- One on One with Executive Officer
- Photo Opportunity – Mayor’s office (re waste and office bins)
- Morning Tea - to Welcome the Lester Family & ICAN co-founders
- ICAN Commission Mural Launch
- LGWGOG - VLGA
- Local Government Mayoral Taskforce supporting People Seeking Asylum

- Preston Ambulance Station - Official Grand Opening
- Rucker Ward - Meet and Greet
- Bob Brown convoy send off
- Darebin Ethnic Communities Council
- Darebin Aboriginal Advisory Committee Briefing
- Council Briefing
- Briefing - Agenda AHAAB meeting
- Waste review workshop
- 3KnD radio interview
- Briefing - Darebin Arts Centre Open Day
- Dr Hass Dellal AO - Chairman Morning Tea Celebration at IMA
- Briefing - Colin Hunter and Batman Park meeting
- Dawn Service at the Anzac Memorial in All Nations Park
- One on One with the Chief Executive Officer
- Council Meeting

REPORT OF CR. STEPH AMIR

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

- Phone interview - Preston Market stakeholder consultations
- Meeting with Moreland and Yarra councillors regarding transport issues and initiatives
- Speaker at "Creating Queer-Friendly Workplaces" event, Northcote Town Hall
- Meeting with Adrian Whitehead regarding climate emergency
- Planning Committee meeting
- Special Council meeting
- Councillor briefing 15 April 2019
- Mural launch celebrating ICAN
- Darebin Nature Trust meeting
- Waste review workshop
- Councillor briefing 23 April 2019
- Cazaly Ward meeting
- Phone conversations with residents and officers about residential issues

REPORT OF CR. GAETANO GRECO

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

- Planning meeting
- Special council meeting

- Council Briefing
- Ruthven CRG Meeting
- La Trobe Ward Meet and Greet
- Meeting with residents regarding:
 - Sporting ground improvements
 - Parking issues
 - Planning issues
 - Traffic management

REPORT OF CR. KIM LE CERF

Cr. Le Cerf is currently on an approved leave of absence

REPORT OF CR. TRENT MCCARTHY

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

- Darebin Nature Trust Meetings
- Budget Briefings
- Darebin Community and Kite Festival
- Hearing of Submissions Committee
- Back Your Neighbour Campaign
- Interview for CED Council Resource
- Meeting re IndigiCon
- Open Space Strategy and Levy Briefing
- Council Briefings
- Darebin Business Leaders Lunch
- Climate Emergency Darebin Meetings
- Planning Committee Meetings
- Special Council Meeting
- Launch of ICAN Mural
- Rucker Ward Meeting
- Waste Review Workshop
- VCOSS Briefing on Victorian Budget
- Northern Alliance for Greenhouse Action Advocacy Working Group Meeting

REPORT OF CR. LINA MESSINA

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

- Council Briefings
- Budget Briefings
- Planning Committee Meeting
- Korean Consul General Event
- Preston Market Identity Study
- Preston Market discussions with Traders
- Special Council Meeting
- Ican Mural launch
- SPAG –Special Meeting
- Meeting with Racheal Olliver- Waste Strategy
- Cazaly ward Meeting
- Meeting with Tyler Street Traders
- Meeting with the Mayor
- Meeting with various business owners in Darebin

REPORT OF CR. SUSANNE NEWTON

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

- Meeting with representatives from Voice for Change - Young Women's Leadership Program from Jiwaka Province, Papua New Guinea
- Meet and greet with Tammy Crupi - event producer for inclusive event with Darebin Aboriginal Advisory Committee
- Preston Market Identity Study – phone interview
- Weekly meetings with Mayor Rennie
- Meeting with Nic Abbey and tour of Our Community House, North Melbourne
- Darebin RSL Anzac Day March and Lunch – laid a wreath on behalf of the Mayor and Darebin residents
- Palm Sunday Walk for Justice for Refugees
- Planning Committee Meeting
- Special Council Meeting
- Councillor Briefing x 2
- ICAN Mural Launch at Preston Library
- Ruthven Community Reference Group Meeting
- Darebin Nature Trust Meeting
- La Trobe Ward Meet and Greet at Keon Park Children's Hub

REPORT OF CR. JULIE WILLIAMS

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

- Council Meeting
- Council Briefing x 2
- Reservoir RSL ANZAC Dawn Service
- Special Council Meeting
- ICAN Commissioned Mural Nobel Peace Prize
- Cazaly ward Meeting
- Preston Bullants Footy Jumper Presentation Night
- ANZAC women's football clash Preston Bullants vs Oakleigh
- Attended to matters and discussions with residents regarding:
Playgrounds, pokies, community grants, graffiti, Reservoir level crossing, council budget, sporting fields, rubbish bins, recycling materials, small businesses

REPORT OF CR. TIM LAURENCE

Cr. Laurence is currently on an approved leave of absence.

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

Council Resolution

MINUTE NO. 19-059

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

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 7.58pm.

The Council considered and resolved on Item 14.1, which had been circulated to Councillors with the Council Agenda Paper.

RE-OPENING OF MEETING

Council Resolution

MINUTE NO. 19-060

MOVED: Cr. T McCarthy
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 8.05pm.

15. CLOSE OF MEETING

The meeting closed at 8.05pm.

**CITY OF
DAREBIN**

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