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# MINUTES OF THE ORDINARY COUNCIL MEETING

Held on Monday 26 February 2024

Released to the public on 29 February 2024

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



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

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

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

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

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



### English

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

### Arabic

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

### Chinese

这些是市议会会议纪要。如需协助了解任何纪要项目，请致电8470 8888。

### Greek

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

### Hindi

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

### Italian

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

### Macedonian

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

### Nepali

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

### Punjabi

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

### Somali

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

### Spanish

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

### Urdu

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

### Vietnamese

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

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## MINUTES OF THE ORDINARY MEETING DAREBIN CITY COUNCIL ON MONDAY 26 FEBRUARY 2024

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### THE MEETING OPENED AT 6.03PM

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

## 1. OPENING OF MEETING AND MEMBERSHIP

### **Councillors**

Cr. Susanne Newton (Mayor) (Chairperson)  
Cr. Emily Dimitriadis  
Cr. Gaetano Greco  
Cr. Tom Hannan  
Cr. Trent McCarthy  
Cr. Susan Rennie

### **Council Officers**

Peter Smith - Chief Executive Officer  
Kylie Bennetts - General Manager Community  
Caroline Buisson - General Manager Customer and Corporate  
Rachel Ollivier - General Manager Operations and Capital  
Vanessa Petrie - General Manager City Sustainability and Strategy  
Enna Giampiccolo - Manager Governance and Communications  
Anthony Smith – Governance Advisor

## 2. ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

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

*I would like to start by acknowledging the Wurundjeri Woi-wurrung people, the Traditional Owners of this land and pay my respects to Elders past and present, and recognise their continuing connection to land, water and culture.*

## 3. APOLOGIES

Apologies were received from Cr Tim Laurence (Deputy Mayor) and Cr Lina Messina.

Cr Julie Williams is on approved leave of absence.

## 4. DISCLOSURES OF CONFLICTS OF INTEREST

Cr. Newton disclosed a conflict of interest in Item 9.9 – Response to Resolution: Housing for Darebin Community Member, due to a residential amenity impact.

## 5. CONFIRMATION OF THE MINUTES OF COUNCIL MEETINGS

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

**That** the Minutes of the Ordinary Meeting of Council held on 22 January 2024, the Special Meeting of Council held on 1 February 2024, the Special Meeting of Council held on 12 February 2024 and the Special Meeting of Council held on 19 February 2024 be confirmed as a correct record of business transacted.

The confirmation of the minutes of previous Council meetings was laid on the table until the meeting to be held on 26 March 2024

## 6. COUNCIL'S OCCUPATIONAL HEALTH AND SAFETY RESPONSIBILITIES

The Mayor made the following statement:

*Council has an occupational health and safety responsibility to ensure anyone attending tonight's meeting, feels safe both physical and emotionally.*

*I would like to remind everyone in attendance to be respectful of each other, and as outlined in our Governance Rules, please note that Councillors, or any other person, who addresses the Meeting must do so in a courteous and respectful manner and must take direction from the Chairperson whenever called on to do so.*

## 7. QUESTION AND SUBMISSION TIME

- **Manager of Governance and Communications**

The Manager of Governance and Communications advised that multiple questions were received about 'Your Streets Your Say', particularly about community safety. In line with the Governance Rules, the questions were grouped as 'like questions' and the General Manager, City Sustainability and Strategy provided an overall response.

### Response from General Manager City Sustainability & Strategy

**Thank you for the questions. Community engagement for this project will open this week. We will take all these questions on notice, and an officer will contact you this week to discuss your questions.**

**Thank you to the following people who asked questions on this matter: Sian Davies, Edward Hore, Rosie Hore, Ian Latimour, Liz Gupta, Christopher Wilkinson, Ruth Jelley and Karl Charikar.**

- **Terrence Richard Porter of Northcote**

1. Why was the service area where rubbish bins are stored not included in the plans when the centre was getting built.

2. Can Council erect some screening around the bin area so it cannot be seen from Clifton Street,
3. Can Council patrol the surrounding streets to the centre to enforce parking restriction

### **Response from General Manager Community**

Thank you for your questions, Terrence.

1. **Service areas of a facility are an important component of any significant build, and officers will take this on board for future projects of significance. This project was in the planning stages some years ago and I understand at the time, rubbish bin storage was not considered a main component of the centre's build, so their location was not included in the community consultation undertaken for NARC. Instead, the location of rubbish bin storage formed part of the design and construct contract and was resolved at a later stage of the project.**
2. **Council is currently exploring a number of screening options for the rubbish bin storage area to resolve this as soon as possible.**
3. **I have been advised that Council's traffic enforcement officers currently patrol the area regularly, and this practice is ongoing.**

- **Carmen Lahiff-Jenkins of Reservoir**

Could Darebin Council please provide a detailed budget breakdown, inclusive of staff overtime, extraordinary costs, and administrative expenditures, along with the total aggregate expenditure for the virtual Special Council Meetings held on January 8th, January 22nd, February 1st, and February 12th 2024?

### **Response from General Manager General Manager Customer & Corporate**

Thank you for your question Carmen.

**Aside from legal costs related to advice to assist Councillors with their motions, the direct costs associated with running Special Meetings were minimal.**

**Indirect costs included additional administrative effort to support the meetings, impacting on productivity on other items. No overtime was paid, as staff can opt to take Time in Lieu. This also has an impact on productivity.**

- **Lynton Martin of RESERVOIR**

What actions will Council take to stop the constant bike usage of the Edwardes Lake Park Athletics Track. This is becoming a hazard to members of the community using the track for its intended purpose (track and field) and damages the condition of the track which will mean the track will need to be resurfaced sooner than expected. As the only Track and Field facility in the Darebin Council area, Council should be taking steps to look after this facility. There are plenty of places in Darebin where cyclists can ride their bikes such as bike paths, the beautiful path around Edwardes Lake, and the velodrome next to Reservoir Leisure Centre.

**Response from General Manager Infrastructure Operations & Finance**

Thank you for your question Lynton.

Our officers will be in contact with you to understand more about this matter and consider what next steps are appropriate.

- **Ben Hjorth of Thornbury**

1. Can Council please provide the list and database of contractors with Darebin mentioned in the report for item 9.4, as we understand this is publicly available information following public tender processes?
2. Can Council explain the "safety concerns" cited as justification for this meeting occurring online, and explain what steps it is taking to guarantee its commitment that future ordinary meetings will occur in person as standard democratic practice dictates?
3. In this chamber, at the January 22 meeting, community organisers against the Palestinian genocide were characterised as a "mob." Will Council retract and apologise for these remarks about local rate-paying residents, and for their having been allowed to stand on the record when their discriminatory and derogatory nature was challenged during the debate?

**Response from Manager Governance and Communications**

1. Thank you for your question. Officers will take this on notice.
2. At a Special Meeting held on Monday 19 February 2024, Council considered a risk management approach to ensure the safety of community members, Councillors and staff at Council Meetings, particularly in instances where contentious issues are debated.

Council resolved, that moving forward, a risk assessment will be produced on a meeting-to-meeting basis to decide whether an online or in-person meeting is most appropriate. Council recognises the importance of transparency and the desire for our passionate community to participate in Council Meetings and will ensure community members continue to have the ability to watch meetings, ask public questions and make submissions on the issues that matter to them most whether they are discussed online or in person.

Council resolved that the February Ordinary Council Meeting on 26 February will be conducted online, while further controls are implemented for future meetings. It is Council's commitment to ensure face to face meetings, where possible, following the February meeting.

3. Thank you for your feedback. This is a matter for the Mayor and Councillors to consider.

- **Nadia Mouchaileh of Preston**

1. What other active steps does the Council plan to take to address the anguish and outrage in the community over the ongoing genocide in Gaza and illegal settlements in the West Bank perpetrated by the state of Israel?



2. Will Council respond and apologise to the various First Nations and LGBTQI+ organisations who wrote letters condemning Council's decision to lower the Palestinian flag using their struggles as an excuse?

#### **Response from Governance Adviser**

1. **Thank you for the question. Council will implement the 18 December resolution and any resolution Council passes at tonight's meeting.**
2. **Council discussed this matter at the Special Council meeting on 12 February 2024. At this meeting the Mayor advised that letters had been sent to various groups in relation to this matter. At this meeting Council resolved that with the permission of various parties Council would make available the letters. If permission is received from various parties, the letters will be added to Council's website.**

#### **• Mark Tregonning of Thornbury**

1. Given the probability that a company which this Council has a contract with is aiding, assisting and supporting the illegal occupation of Palestine and genocide against Palestinian people, will Councillors or Council officers reveal the name of that company to Darebin residents?
2. Will Councillors or Council staff make public emails between Council officers and the company mentioned above, and the legal advice that Council staff claim made it necessary to ask the company mentioned above whether or not it was involved in the illegal occupation of Palestine or had a relationship with the Israeli Defence Force or met the other December 18 criteria for divestment?
3. Given the level of secrecy the Council is currently maintaining around the company mentioned in the procurement report and all dealings with it, do Councillors agree that the safest course of conduct would be for the Council to end all ties with the unnamed company in the procurement report, to avoid the risk that the Council continues to be complicit in war crimes against, and the genocide and ethnic cleansing of, the Palestinian people?

#### **Response from Governance Adviser**

**1 & 2 Not at this time for the reasons outlined in the Council report.**

3. **Council will be considering this item this evening at Item 9.4 - Procurement Options**

#### **• Serena O'Meley of Reservoir**

1. The Darebin Council livestream provides a very poor experience for residents who are watching meetings online. Many other Victorian Councils use inexpensive Webcasting applications that a) show a motion and the councillors debating it simultaneously; b) create a linked table of contents which enable residents to skip ahead in the recording to the agenda item they are interested in; and c) enable the meeting to be recorded on council's own website (a statutory requirement) rather than on third party sites such as YouTube. (See, for example, the recordings of City of Yarra meetings.) Will Darebin Council investigate the costs and benefits of using Interstream, and similar high-performing Webcasting services, for its future meetings?

2. The Agenda of the Darebin Council meeting on 26 September 2022 contained a report which stated that, "...the EPA has advised that it has no objections to Council's proposed contamination management plan or remediation methodology" [for Clements Reserve]. The report went on to discuss two remediation options, one of which was chosen by a narrow majority of councillors. The EPA has now issued an Environmental Action Notice to the Department of Transport and Planning with a requirement for a new detailed site investigation to assess the extent and concentration levels of contamination within Clements Reserve (see the Council Agenda 25-2-24, p.45 and p.107). Can you explain why councillors were apparently misled regarding the EPA's endorsement of the two options put to them in September 2022?
3. Can Darebin Council explain why the contamination reports prepared for it by a) Prensa, and b) Aurecon, and c) later water studies, were not regarded as sufficient to satisfy the EPA's requirement for a detailed site investigation?

#### **Response from General Manager Customer & Corporate**

1. Thank you for your question.

**We appreciate your feedback and as an organisation we are committed to continuous improvement. We will take this feedback on board and investigate what improvements can be made for future meetings.**

#### **Response from General Manager Infrastructure Operations & Finance**

2. Thank you for the questions.

**Council is working towards purchasing several parcels of land at Clements reserve to ensure the whole reserve is held as public parkland for the long term.**

**The land covered by the Environmental action notice is approximately 20% owned by Council and 80% by the Department of Transport and Planning (DTP). Council is working with the DTP to achieve a 'whole of government' approach. This is going well.**

**Regarding your specific question, at the time of writing the September 2022 report officers had sought EPA Victoria feedback and were aware of no objections. Further investigation is now underway and neither option discussed in the 2022 report has been ruled out.**

3. The reports have provided a good basis of data at the site and I would like to be clear that none of these is considered deficient. The main further information being sought is more detailed understanding of the location and extent of the contamination within the soil profile including the various depths. This will be used to consider options for the next steps.

- **Ruth Jelley of Northcote**

1. *Ruth's first question related to 'Your Street, your Say' and was answered as a 'like question' with similar questions on this matter.*
2. Northcote Rise festival last weekend saw a large number of visitors to High Street, Northcote, many of whom chose to ride their bikes there, yet were faced with no additional bicycle parking.

Did Council consider (or recommend to the festival organisers) providing a bike valet parking service, similar to what was offered at St Kilda festival which was on at the same time?

3. Given the success of the Northcote Rise Festival, which saw High Street pedestrianised for a day, will Council consider providing more parklets for on-street dining to allow more footpath space for pedestrians along High Street?

### **Response from General Manager Community**

2. **I understand that as the tram route was closed for the event Council officers requested that cycle parking racks be increased. I am advised that event organisers provided this in the form of an additional large cycle rack in Civic Square for community use. We appreciate your feedback and idea and bicycling parking will be considered as part of the event debrief. Council officers will also continue to advocate for increased cycle parking at future festivals of this scale.**
3. **Thank you for your question, Ruth. Outdoor dining and parklets have become a great part of Darebin life.**

**Council wants to make sure it has the best approach to managing this into the future, so it is equitable and accessible for everyone.**

**Council recently consulted the Darebin community on a draft policy to support greater activation and use of outdoor dining and parklets in Darebin, including High Street. Council will be considering the outcomes of this consultation in the next few months.**

- **Marion Attwater of Pascoe Vale**

1. The 10 big actions for the Council Plan are on page 77 of the Agenda, and big action number 8 includes a review of the Darebin planning scheme. I have searched the Council's website and cannot find the previous planning scheme review. When was the last review of the planning scheme and is it in one of the past council agenda that is on the website please?
2. The Local Government Mayoral Taskforce for people seeking asylum includes a Back Your Neighbour campaign, and in the 2019 and 2022 Federal elections the Back Your Neighbour campaign created an election scorecard which encouraged people to vote for certain political parties over others (references: 2022: <https://backyourneighbour.com.au/election/2019>; <https://backyourneighbour.com.au/election/federal-electionscorecard-srсс-support-for-asylum-seekers/> ) The Taskforce introduced an annual \$5,000 membership fee for executive-member councils in early 2023, of which Darebin Council is an executive member, and approved a new terms of reference without seeking resolutions from member councils. Is it appropriate for Darebin Council to be funding an election campaign where the funding is not requested via the community grants program but by a taskforce that writes and approves it's own terms of references?
3. When a Councillor is suspended via an arbitration decision, is the Councillor required to change their social media profiles to remove references to being a councillor for the period of suspension?

**EXTENSION OF PUBLIC QUESTION TIME**

<b>Council Resolution</b>
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**MOVED:** Cr. T McCarthy

**SECONDED:** Cr. S Rennie

**That** Public Questions Time be extended by 30 minutes.

**CARRIED UNANIMOUSLY**

**Response from General Manager City Sustainability & Strategy**

1. Thank you for your question. An Officer will contact you.

An audit of the Darebin Planning Scheme was undertaken in in 2020/21. Around the same time, the State Government required all councils to first translate their planning schemes into a new policy framework which has recently come into effect on 11 January 2024.

A number of amendments and projects in train have arisen from the review, including Elevating ESD, reviewing the Housing Strategy, responding to Breathing Space: Darebin Open Space Strategy and progressively undertaking Activity Centre Structure planning.

**Response from General Manager Community**

2. Thank you for the question Marion.

I understand that Council endorsed its membership as an executive member of the Local Government Mayoral Taskforce for people seeking asylum in September 2018.

**Response from General Manager Customer & Corporate**

3. Thank you for the question, Marion.

Yes, under the Local Government Act a Councillor who is suspended ceases to be a Councillor for the duration of their suspension. This means a reference to the title of Cr must not be used during this time.

- **John Nugent of Epping**

1. Mayor, could you please advise why is this Council killing off democracy and transparency in Darebin? Council used to meet fortnightly then every 3 weeks and now monthly. A residents/ ratepayers could ask as many questions as you like, now only 3 questions. Resident/ratepayers could talk to the Councillors after the meeting (with a cup of tea). Questions are vetted before they can be asked at the Council meetings. By changing Council Meetings without the public advised.

Mayor what are you going to do to bring back transparency and democracy back to Darebin?

2. Mayor, could you please advise why is this Council charges for 2 junior teams \$2500 for the use of a pavillon? Will Council introduce its new Darebin Club performances subsidy which at present discriminate against boys and men's clubs before 24 winter season?

#### **Response from General Manager Customer & Corporate**

1. Thanks for the question Mr Nugent.

Each year, Council resolves to confirm its meeting schedule for the year ahead. Our Ordinary Meetings of Council are held each month, except in January. This is standard practice across the sector.

In recent times, there have been a range of Special Council Meetings, which are notified with a short lead time by their nature.

#### **Response from General Manager Community**

2. Thank you for your questions, John.

Council's Sporting Fees, Charges and Occupancy Agreement Policy sets out the applicable fees for the use of all sports pavilions and ovals within the City of Darebin.

The pavilion access charge set by Council through the above policy is 0.15 per cent of the building's insurable value. Clubs are charged for pavilion access and the relevant ground fee (based on the ground rating e.g. regional or local neighbourhood). All clubs are then eligible to apply for a performance subsidy which Council has set to encourage inclusive participation and growth, good governance, and community and Council engagement. Gender-inclusion is one of the Council program's current criteria, which also focuses on encouraging participants who are multicultural, Aboriginal and/or Torres Strait Islander, LGBTIQ, and/or low income.

Council is reviewing its performance subsidy program this year. Officers will consider your feedback as part of the review. The review will be presented to Council for consideration later in 2024

## **SUBMISSIONS**

The following people each made a 2-minute submission to items listed on the Agenda.

### **9.4 Options for Procurement**

- Ben Hjorth of Thornbury
- Lachlan Challis of Reservoir
- Nadia Mouchaileh of Preston
- Mohammad Helmy of Reservoir
- Mark Tregonning of Thornbury

### **9.5 Climate Emergency Plan and Stage 2 Community Engagement**

- Karen Large of Northcote

## 8. PETITIONS

Nil

### PROCEDURAL MOTION

<b>MOTION</b>
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**MOVED:** Cr. G Greco  
**SECONDED:** Cr. E Dimitriadis

That the order of business be amended to consider item 9.4 – Options for Procurement, followed by the remainder of the agenda.

**LOST**

For: Crs Dimitriadis and Greco  
Against: Crs Newton, Rennie and Hannan  
Abstained: Cr McCarthy

### Apology from Cr Dimitriadis

With leave of the Chairperson, and pursuant to the requirements of the Arbiter's decision and statement of reasons as tabled at the Special Council meeting held on 1 February 2024, Cr Dimitriadis made a public apology in relation to the Arbiters finding of misconduct.

## 9. CONSIDERATION OF REPORTS

### 9.1 GOVERNANCE REPORT - FEBRUARY 2024

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#### EXECUTIVE SUMMARY

- Summary of attendance at Advisory Committees Meetings, Councillor Briefings and other informal meetings of Councillors (**Appendix A**)
- Reports by Mayor and Councillors
- Responses to public questions taken on notice at the Council Meeting held on 18 December 2023 (**Appendix B**)
- Councillor Expenses Report for the quarter from 1 October to 31 December 2023 (**Appendix C**) to this report.
- Bi-annual CEO Credit Card transactions report (1 July 2023 to 31 December 2023)
- Quarterly Freedom of Information (FOI) statistics (1 October to 31 December 2023);
- Community Advisory Committee Annual Progress Reports for 2023 (**Appendix D**)
- The Local Government Mayoral Taskforce Supporting People Seeking Asylum, which is made up of more than 40 Local Governments, requires Council to endorse the Palm Sunday Walk for Justice for Refugees and a subsequent statement.

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

#### That Council:

- (1) Notes the Governance Report – February 2024.
- (2) Notes the Summary of attendance at Advisory Committees Meetings, Councillor Briefings, and other informal meetings of Councillors at **Appendix A** to this report, for incorporation in the minutes of this meeting.
- (3) Notes that reports by Mayors and Councillors submitted prior to the meeting and circulated to Councillors, will be incorporated in the minutes of this meeting.
- (4) Notes the responses to the public questions taken on notice at the Council Meeting on 27 November 2023 (**Appendix B**).
- (5) Notes the Councillor Expenses Report for the quarter from 1 October 2023 to 31 December 2023 (**Appendix C**) to this report.
- (6) Notes that there have been no CEO Credit Card transactions for the period 1 July 2023 to 31 December 2023.
- (7) Notes the quarterly Freedom of Information (FOI) statistics 1 October 2023 to 31 December 2023.
- (8) Notes the Community Advisory Committee Annual Progress Reports (**Appendix D**)
- (9) Endorses the Palm Sunday Walk for Justice for Refugees and subsequent statement, to ensure people seeking protection in our community are treated fairly and supported to rebuild their lives, and calls on the Federal Government to:
  - (a) Provide everyone with a valid visa with work, travel and study rights.

- (b) Expand the Status Resolution Support Services eligibility criteria and simplify the application process so that people in need can access health care, disability, housing support and other essential services.
- (c) Ensure an independent, timely and fair application and merits review process for all humanitarian applications.
- (d) Provide people who have received a negative refugee determination under the 'Fast Track' system with a fair review process.
- (e) Continue to invest resources to urgently clear the backlog of asylum applications and appeals.
- (f) Abolish temporary visas and replace them with permanent protection visas and pathways to citizenship for all humanitarian arrivals.

<b>Motion</b>
---------------

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

**That Council:**

- (1) Notes the Governance Report – February 2024.
- (2) Notes the Summary of attendance at Advisory Committees Meetings, Councillor Briefings, and other informal meetings of Councillors at **Appendix A** to this report, for incorporation in the minutes of this meeting.
- (3) Notes that reports by Mayors and Councillors submitted prior to the meeting and circulated to Councillors, will be incorporated in the minutes of this meeting.
- (4) Notes the responses to the public questions taken on notice at the Council Meeting on 27 November 2023 (**Appendix B**).
- (5) Notes the Councillor Expenses Report for the quarter from 1 October 2023 to 31 December 2023 (**Appendix C**) to this report **and that the Mayoral Vehicle will be reassigned with the costs to be reallocated, given that the current Mayor has declined the use of a Mayoral vehicle.**
- (6) Notes that there have been no CEO Credit Card transactions for the period 1 July 2023 to 31 December 2023.
- (7) Notes the quarterly Freedom of Information (FOI) statistics 1 October 2023 to 31 December 2023.
- (8) Notes the Community Advisory Committee Annual Progress Reports (**Appendix D**)
- (9) Endorses the Palm Sunday Walk for Justice for Refugees and subsequent statement, to ensure people seeking protection in our community are treated fairly and supported to rebuild their lives, and calls on the Federal Government to:
  - (a) Provide everyone with a valid visa with work, travel and study rights.
  - (b) Expand the Status Resolution Support Services eligibility criteria and simplify the application process so that people in need can access health care, disability, housing support and other essential services.
  - (c) Ensure an independent, timely and fair application and merits review process for all humanitarian applications.
  - (d) Provide people who have received a negative refugee determination under the 'Fast Track' system with a fair review process.



- (e) Continue to invest resources to urgently clear the backlog of asylum applications and appeals.
  - (f) Abolish temporary visas and replace them with permanent protection visas and pathways to citizenship for all humanitarian arrivals
- (10) Endorses the following motion for submission to the Australian Local Government Association National General Assembly to be held 2-4 July 2024:**
- a) **“This National General Assembly calls on the Australian Government to introduce anti-vilification laws to protect the community from hate and ensure that every individual in Australia feels safe and protected under law irrespective of their age, disability, gender identity, intersex status, race, religion, sex, or sexual orientation”.**
- (11) Endorses the following motion for submission to the Municipal Association of Victoria State Council to be held 17 May 2024:**
- a) **“That the municipal Association of Victoria establish a Rainbow Alliance Network for local councils”.**

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

<b>Council Resolution</b>
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**MINUTE NO. 24-021**

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

**That Council:**

- (1) Notes the Governance Report – February 2024.
- (2) Notes the Summary of attendance at Advisory Committees Meetings, Councillor Briefings, and other informal meetings of Councillors at **Appendix A** to this report, for incorporation in the minutes of this meeting.
- (3) Notes that reports by Mayors and Councillors submitted prior to the meeting and circulated to Councillors, will be incorporated in the minutes of this meeting.
- (4) Notes the responses to the public questions taken on notice at the Council Meeting on 27 November 2023 (**Appendix B**).
- (5) Notes the Councillor Expenses Report for the quarter from 1 October 2023 to 31 December 2023 (**Appendix C**) to this report and that the Mayoral Vehicle will be reassigned with the costs to be reallocated, given that the current Mayor has declined the use of a Mayoral vehicle.
- (6) Notes that there have been no CEO Credit Card transactions for the period 1 July 2023 to 31 December 2023.
- (7) Notes the quarterly Freedom of Information (FOI) statistics 1 October 2023 to 31 December 2023.
- (8) Notes the Community Advisory Committee Annual Progress Reports (**Appendix D**)
- (9) Endorses the Palm Sunday Walk for Justice for Refugees and subsequent statement, to ensure people seeking protection in our community are treated fairly and supported to rebuild their lives, and calls on the Federal Government to:
  - (a) Provide everyone with a valid visa with work, travel and study rights.

- (b) Expand the Status Resolution Support Services eligibility criteria and simplify the application process so that people in need can access health care, disability, housing support and other essential services.
  - (c) Ensure an independent, timely and fair application and merits review process for all humanitarian applications.
  - (d) Provide people who have received a negative refugee determination under the 'Fast Track' system with a fair review process.
  - (e) Continue to invest resources to urgently clear the backlog of asylum applications and appeals.
  - (f) Abolish temporary visas and replace them with permanent protection visas and pathways to citizenship for all humanitarian arrivals
- (10) Endorses the following motion for submission to the Australian Local Government Association National General Assembly to be held 2-4 July 2024:
- a) "This National General Assembly calls on the Australian Government to introduce anti-vilification laws to protect the community from hate and ensure that every individual in Australia feels safe and protected under law irrespective of their age, disability, gender identity, intersex status, race, religion, sex, or sexual orientation".
- (11) Endorses the following motion for submission to the Municipal Association of Victoria State Council to be held 17 May 2024:
- a) "That the municipal Association of Victoria establish a Rainbow Alliance Network for local councils".

**CARRIED UNANIMOUSLY**

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## 9.2 2023-24 Q2 PERFORMANCE REPORT (FINANCIAL AND NON-FINANCIAL) ENDING 31 DECEMBER 2023

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### EXECUTIVE SUMMARY

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

The 2023-24 Quarter Two (Q2) ending 31 December 2023 Performance Report includes progress of the Council Plan Action Plan (CPAP), Capital Works Program, Council Resolutions, Procurement (**Appendix A**), and Financial Performance (**Appendix B**). The 2023-24 Council Plan Action Plan provides an overview of Council's performance in delivering the year three actions that will contribute to the completion of the four-year strategic actions in the (revised) Council Plan 2021-25.

Overall, the Q2 results indicate that delivery of the 2023-24 Council Plan Action Plan is progressing well, with 78.8% (63 actions) were On Track, 7.5% (6 actions) were Delayed, 5% (4 actions) were Off Track, 7.5% (6 actions) were Completed, and 1.3% (1) action was Not Started., as detailed in **Appendix A**.

The 2023-24 Quarter Two Financial Report in **Appendix B** provides an update of the financial results ending 31 December 2023.

To comply with *the Act*, the report includes the following comparisons for the six months ended 31 December 2023:

- A comparison of actual and budgeted results to date (s.97(2)(a))
- An explanation of any material variations (s.97(2)(b))
- Any other matters prescribed by the regulations (s.97(2)(c))
- A statement by the Chief Executive Officer as to whether a revised budget is, or may be, required (s 97(3))

For the six months ended 31 December 2023, Council has recorded an operating surplus of \$81.11M, which is \$7.33M ahead of the year-to-date budget. After eliminating capital and other items, the adjusted underlying surplus is \$80.73M, which is \$6.98M more than the year-to-date budget.

The forecast operating result for the year ending 30 June 2024 is an operating surplus of \$7.64M, which is \$2.03M less than budget. The forecast adjusted underlying deficit is \$5.96M, which is \$2.41M less than the budget surplus of \$8.37M. An underlying surplus is the net surplus for the year adjusted for non-recurrent capital grants and contributions. It is an accepted measure of financial sustainability as it is not impacted by non-recurring or once-off items of revenue and expenses that can often mask the operating results.

Total expenditure year-to-date is favourable by \$4.84M and total revenue year-to-date is favourable by \$2.49M. The main items contributing to this favourable variance are lower expenditure for materials and services and higher income than budgeted from operating grants.

For the six months ended 31 December 2023, Council has expended \$10.65M on the capital works program, which is \$3.83M behind of the year-to-date budget. The variance is due mainly to delays in plant and equipment and infrastructure works. The forecast capital performance for the year ending 30 June 2024 is expenditure of \$33.37M, which is \$3.34M more than budget.

Additional carry forwards from 2022-23 and minor changes between projects has increased the adopted capital budget by \$1.77M to \$31.8M

The financial position as at 31 December 2023 shows a cash (\$45.83M) and investment balance (\$18.15M) of \$63.97M, which is \$11.15M ahead of budget. The variance is due mainly to timing differences in receipt of rates, fees and charges, capital grants, payments to employees and suppliers and a higher opening cash and investment position compared with budget.

<b>Council Resolution</b>
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**MINUTE NO. 24-022**

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

**That Council:**

- (1) Endorses the quarter two Performance Report 2023-24 including Council Plan Action Plan Progress at **Appendix A**.
- (2) Notes the quarter two update of the Capital Works program at **Appendix A**.
- (3) Notes the quarter two update on Council Resolutions contained within this report for the current financial year 2023-24.
- (4) Notes the Financial Report for the six months ended 31 December 2023 at **Appendix B**
- (5) Notes the quarter two Procurement update contained within this report.
- (6) Notes the Chief Executive Officer, as required under Section 97(3) of the Local Government Act 2020 is of the opinion a revised budget is not required.

**CARRIED UNANIMOUSLY**

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**9.3 2022-23 ANNUAL OUTCOMES REPORT - LEISURE CONTRACTS**

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**EXECUTIVE SUMMARY**

When Council awarded the following management and operations contracts to Clublinks Management, Council Reports included that contract key performance indicators (KPIs) and performance outcomes would be reported annually to Council:

- Narrandjeri Stadium and Darebin Community Sports Stadium [CT2021163 – 22 November 2021]
- Bundoora Park Public Golf Course [CT2021156 – 26 April 2022]
- Northcote Public Golf Course [CT202243 – 14 November 2022]

The change to Clublinks for all four operation and management contracts has taken time to establish and embed operations, particularly in a new additional facility (Narrandjeri Stadium). All four contracted facilities are showing positive improvements to performance, including financial, participation and diversity targets. The post-pandemic recovery has also affected performance with a national decline in sports participation alongside other economic and social challenges now impacting recovery.

Clublinks have established local partnerships and relationships within the first year of their contracts which has created opportunities to further develop programs that will lead to increased participation in 2023-24.

<b>Council Resolution</b>
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**MINUTE NO. 24-023**

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

**That Council notes the Darebin Leisure Contracts 2022-23 Outcomes Report.**

**CARRIED UNANIMOUSLY**

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**9.4 PROCUREMENT OPTIONS**

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**EXECUTIVE SUMMARY**

This report responds to the resolution at the Council Meeting on 18 December 2023 for a report at the next Ordinary meeting to 'explore options for Council to consider ending contracts with companies and suppliers that support the illegal occupation of Palestine or profit from it, especially companies which supply equipment to the Israeli Defence Force'.

At the December 2023 meeting, Council amongst other things also resolved:

- 'Boycotts, divestment, and sanctions are legitimate non-violent tactics used by individuals, organisations, and governments to pressure foreign governments over human rights abuses and war crimes, including the illegal occupation of Palestinian territories'.
- 'As a diverse, multi-cultural, and multi-faith community, Darebin City Council deplores and actively stands against all forms of racism, including Islamophobia and Anti-Semitism'.

This report responds to the requirements of the 18 December 2023 Council meeting.

**Officer Recommendation**

**That** Council Receives and notes the response to the Urgent Business Item from the Ordinary Council Meeting held on 18 December 2023 to explore options for Council to consider ending contracts with companies and suppliers that support the illegal occupation of Palestine or profit from it, especially companies which supply equipment to the Israeli Defence Force.

**Motion**

**MOVED:** Cr. G Greco  
**SECONDED:** Cr. E Dimitriadis

**That** Council defer item 9.4 to the April 2024 Ordinary Council meeting.

**LOST**

For: Crs Greco and Dimitriadis  
Against: Crs Newton, McCarthy, Rennie and Hannan

*7.49pm - The Chairperson, Mayor Newton called for a 5 minute adjournment prior to the vote on the above motion.*

*7.58pm – The meeting resumed.*

<b>Motion</b>
---------------

**MOVED:** Cr. T Hannan

**SECONDED:** Cr. S Rennie

**That Council:**

- 1) Receives and notes the response to the Urgent Business Item from the Ordinary Council Meeting held on 18 December 2023 to explore options for Council to consider ending contracts with companies and suppliers that support the illegal occupation of Palestine or profit from it, especially companies which supply equipment to the Israeli Defence Force.
- 2) **Acknowledges Council does not have definitive data to determine if any current contracts support or profit from the occupation; however based on desktop research Council may have one contract with a company listed as possibly meeting this criteria.**
- 3) **Reviews and updates Council's Social and Sustainable Procurement Policy to provide detailed guidance on the process to operationalise the social outcome principle, which is currently contained in this policy, particularly in relation to companies that benefit from illegal occupations, international military forces (government or non-government) and human rights abuses.**
- 4) **As part of the review of the Social and Sustainable Procurement Policy, undertake significant consultation including with relevant Advisory Committees including the Darebin Interfaith Council.**
- 5) **Ends the contract at expiry.**
- 6) **Authorises the CEO to make any transitional arrangements necessary to meet business needs during procurement of new contracts and report back to Council on any risks or delays.**
- 7) **Notes Council's strategic objective to work towards a discrimination-free, and systemic racism-free Darebin, as part of the 2021-2025 Council Plan, and condemns any targeting of local people or businesses based on religious, cultural or ideological grounds.**
- 8) **Thanks the CEO, managers and staff for their work on this issue and acknowledges their professionalism and political neutrality in implementing Council's decision on this matter.**

*Cr Greco proposed the following amendments to the motion. This was not accepted by the mover.*

**That Council:**

- 1) Receives and notes the response to the Urgent Business Item from the Ordinary Council Meeting held on 18 December 2023 to explore options for Council to consider ending contracts with companies and suppliers that support the illegal occupation of Palestine or profit from it, especially companies which supply equipment to the Israeli Defence Force.
- ~~2. Acknowledges Council does not have definitive data to determine if any current contracts support or profit from the occupation; however~~
- 2) **Notes that based on desktop research Council may have one contract with a company listed as possibly meeting this criteria, and requests further work to be undertaken to determine if the contract in question and other contracts meet the criteria with**

**a further report to come to Council.**

- 3) Reviews and updates Council's Social and Sustainable Procurement Policy to provide detailed guidance on the process to operationalise the social outcome principle, which is currently contained in this policy, particularly in relation to companies that benefit from illegal occupations, international military forces (government or non-government) and human rights abuses.
- 4) As part of the review of the Social and Sustainable Procurement Policy, undertake significant **community** consultation **including consultations relevant human rights organisations and** including with relevant Advisory Committees including the Darebin Interfaith Council).
- 5) Ends the contract at expiry **and resolves not to enter into a new contract unless the supplier can show cause that they do not support the illegal occupation of Palestine or profit from it, especially companies which supply equipment to the Israeli Defence Force.**
- 6) Authorises the CEO to make any transitional arrangements necessary to meet business needs during procurement of new contracts and report back to Council on any risks or delays.
- 7) Notes Council's strategic objective to work towards a discrimination-free, and systemic racism-free Darebin, as part of the 2021-2025 Council Plan, and condemns any targeting of local people or businesses based on religious, cultural or ideological grounds.
- 8) Thanks the CEO, managers and staff for their work on this issue and acknowledges their professionalism and political neutrality in implementing Council's decision on this matter.

**Amended Motion**

**MOVED:** Cr. G Greco  
**SECONDED:** Cr. E Dimitriadis

**That Council:**

- 1) Receives and notes the response to the Urgent Business Item from the Ordinary Council Meeting held on 18 December 2023 to explore options for Council to consider ending contracts with companies and suppliers that support the illegal occupation of Palestine or profit from it, especially companies which supply equipment to the Israeli Defence Force.
- 2) Notes that based on desktop research Council may have one contract with a company listed as possibly meeting this criteria, and requests further work to be undertaken to determine if the contract in question and other contracts meet the criteria with a further report to come to Council.
- 3) Reviews and updates Council's Social and Sustainable Procurement Policy to provide detailed guidance on the process to operationalise the social outcome principle, which is currently contained in this policy, particularly in relation to companies that benefit from illegal occupations, international military forces (government or non-government) and human rights abuses.
- 4) As part of the review of the Social and Sustainable Procurement Policy, undertake significant community consultation including consultations relevant human rights organisations and including with relevant Advisory Committees including the Darebin Interfaith Council).



- 5) Ends the contract at expiry and resolves not to enter into a new contract unless the supplier can show cause that they do not support the illegal occupation of Palestine or profit from it, especially companies which supply equipment to the Israeli Defence Force.
- 6) Authorises the CEO to make any transitional arrangements necessary to meet business needs during procurement of new contracts and report back to Council on any risks or delays.
- 7) Notes Council's strategic objective to work towards a discrimination-free, and systemic racism-free Darebin, as part of the 2021-2025 Council Plan, and condemns any targeting of local people or businesses based on religious, cultural or ideological grounds.
- 8) Thanks the CEO, managers and staff for their work on this issue and acknowledges their professionalism and political neutrality in implementing Council's decision on this matter.

**LOST**

For: Crs Greco and Dimitriadis

Against: Crs McCarthy, Newton, Rennie and Hannan

THE AMENDED MOTION WAS PUT AND LOST. THE SUBSTANTIVE MOTION BEFORE THE CHAIR IS AS FOLLOWS:

<b>Motion</b>
---------------

**MOVED:** Cr. T Hannan

**SECONDED:** Cr. S Rennie

**That Council:**

- 1) Receives and notes the response to the Urgent Business Item from the Ordinary Council Meeting held on 18 December 2023 to explore options for Council to consider ending contracts with companies and suppliers that support the illegal occupation of Palestine or profit from it, especially companies which supply equipment to the Israeli Defence Force.
- 2) Acknowledges Council does not have definitive data to determine if any current contracts support or profit from the occupation; however based on desktop research Council may have one contract with a company listed as possibly meeting this criteria.
- 3) Reviews and updates Council's Social and Sustainable Procurement Policy to provide detailed guidance on the process to operationalise the social outcome principle, which is currently contained in this policy, particularly in relation to companies that benefit from illegal occupations, international military forces (government or non-government) and human rights abuses.
- 4) As part of the review of the Social and Sustainable Procurement Policy, undertake significant consultation including with relevant Advisory Committees including the Darebin Interfaith Council.
- 5) Ends the contract at expiry.
- 6) Authorises the CEO to make any transitional arrangements necessary to meet business needs during procurement of new contracts and report back to Council on any risks or delays.

- 7) Notes Council's strategic objective to work towards a discrimination-free, and systemic racism-free Darebin, as part of the 2021-2025 Council Plan, and condemns any targeting of local people or businesses based on religious, cultural or ideological grounds.
- 8) Thanks the CEO, managers and staff for their work on this issue and acknowledges their professionalism and political neutrality in implementing Council's decision on this matter.

*Cr Greco proposed the addition of point 9) to the motion as follows. This was not accepted by the mover, Cr Hannan.*

- 9) Council invites Mr Nasser Mashri, President of APAN, to meet and to discuss the issues raised in this motion.

<b>Amended Motion</b>
-----------------------

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

**That Council:**

- 1) Receives and notes the response to the Urgent Business Item from the Ordinary Council Meeting held on 18 December 2023 to explore options for Council to consider ending contracts with companies and suppliers that support the illegal occupation of Palestine or profit from it, especially companies which supply equipment to the Israeli Defence Force.
- 2) Acknowledges Council does not have definitive data to determine if any current contracts support or profit from the occupation; however based on desktop research Council may have one contract with a company listed as possibly meeting this criteria.
- 3) Reviews and updates Council's Social and Sustainable Procurement Policy to provide detailed guidance on the process to operationalise the social outcome principle, which is currently contained in this policy, particularly in relation to companies that benefit from illegal occupations, international military forces (government or non-government) and human rights abuses.
- 4) As part of the review of the Social and Sustainable Procurement Policy, undertake significant consultation including with relevant Advisory Committees including the Darebin Interfaith Council.
- 5) Ends the contract at expiry.
- 6) Authorises the CEO to make any transitional arrangements necessary to meet business needs during procurement of new contracts and report back to Council on any risks or delays.
- 7) Notes Council's strategic objective to work towards a discrimination-free, and systemic racism-free Darebin, as part of the 2021-2025 Council Plan, and condemns any targeting of local people or businesses based on religious, cultural or ideological grounds.
- 8) Thanks the CEO, managers and staff for their work on this issue and acknowledges their professionalism and political neutrality in implementing Council's decision on this matter.

- 9) Invites Mr Nasser Mashri, President of APAN, to meet and to discuss the issues raised in this motion.

**CARRIED**

For: Crs Greco, McCarthy, Newton and Dimitriadis

Against: -

Abstained: Crs Rennie and Hannan

THE AMENDED MOTION WAS PUT AND CARRIED AND BECAME THE SUBSTANTIVE MOTION AS FOLLOWS:

<b>Motion</b>
---------------

**MOVED: Cr. T Hannan**

**SECONDED: Cr. S Rennie**

**That Council:**

- 1) Receives and notes the response to the Urgent Business Item from the Ordinary Council Meeting held on 18 December 2023 to explore options for Council to consider ending contracts with companies and suppliers that support the illegal occupation of Palestine or profit from it, especially companies which supply equipment to the Israeli Defence Force.
- 2) Acknowledges Council does not have definitive data to determine if any current contracts support or profit from the occupation; however based on desktop research Council may have one contract with a company listed as possibly meeting this criteria.
- 3) Reviews and updates Council's Social and Sustainable Procurement Policy to provide detailed guidance on the process to operationalise the social outcome principle, which is currently contained in this policy, particularly in relation to companies that benefit from illegal occupations, international military forces (government or non-government) and human rights abuses.
- 4) As part of the review of the Social and Sustainable Procurement Policy, undertake significant consultation including with relevant Advisory Committees including the Darebin Interfaith Council.
- 5) Ends the contract at expiry.
- 6) Authorises the CEO to make any transitional arrangements necessary to meet business needs during procurement of new contracts and report back to Council on any risks or delays.
- 7) Notes Council's strategic objective to work towards a discrimination-free, and systemic racism-free Darebin, as part of the 2021-2025 Council Plan, and condemns any targeting of local people or businesses based on religious, cultural or ideological grounds.
- 8) Thanks the CEO, managers and staff for their work on this issue and acknowledges their professionalism and political neutrality in implementing Council's decision on this matter.
- 9) Invites Mr Nasser Mashri, President of APAN, to meet and to discuss the issues raised in this motion.

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

**Council Resolution****MINUTE NO. 24-024****MOVED: Cr. T Hannan****SECONDED: Cr. S Rennie****That Council:**

- 1) Receives and notes the response to the Urgent Business Item from the Ordinary Council Meeting held on 18 December 2023 to explore options for Council to consider ending contracts with companies and suppliers that support the illegal occupation of Palestine or profit from it, especially companies which supply equipment to the Israeli Defence Force.
- 2) Acknowledges Council does not have definitive data to determine if any current contracts support or profit from the occupation; however based on desktop research Council may have one contract with a company listed as possibly meeting this criteria.
- 3) Reviews and updates Council's Social and Sustainable Procurement Policy to provide detailed guidance on the process to operationalise the social outcome principle, which is currently contained in this policy, particularly in relation to companies that benefit from illegal occupations, international military forces (government or non-government) and human rights abuses.
- 4) As part of the review of the Social and Sustainable Procurement Policy, undertake significant consultation including with relevant Advisory Committees including the Darebin Interfaith Council.
- 5) Ends the contract at expiry.
- 6) Authorises the CEO to make any transitional arrangements necessary to meet business needs during procurement of new contracts and report back to Council on any risks or delays.
- 7) Notes Council's strategic objective to work towards a discrimination-free, and systemic racism-free Darebin, as part of the 2021-2025 Council Plan, and condemns any targeting of local people or businesses based on religious, cultural or ideological grounds.
- 8) Thanks the CEO, managers and staff for their work on this issue and acknowledges their professionalism and political neutrality in implementing Council's decision on this matter.
- 9) Invites Mr Nasser Mashri, President of APAN, to meet and to discuss the issues raised in this motion.

**CARRIED UNANIMOUSLY**

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## 9.5 CLIMATE EMERGENCY PLAN AND STAGE 2 COMMUNITY ENGAGEMENT

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### EXECUTIVE SUMMARY

This report:

- Presents Council with the results of the first round of community engagement for the new Climate Emergency Plan, and
- Recommends that Council endorses the draft Climate Emergency Plan 2024 – 2030 for the second round of community engagement.

Darebin was the first jurisdiction globally to declare a climate emergency in 2016, and the first council to develop a Climate Emergency Plan in 2017. Since then, over 2,349 entities have declared a climate emergency around the world, leading to increased action on climate change. Despite this, not enough has been done to reduce global emissions to a safe level, and the need to take urgent action remains.

The Council Plan 2021-2025 commits to developing a new Climate Emergency Plan (the Plan).

The first round of community engagement was undertaken between August to October 2022 to understand the community's views, ideas and aspirations about climate change. There was a strong emphasis on supporting diverse community participation. Over 1,000 people showed support for Council taking strong action.

Feedback from the community and advice from internal and external specialists has been used to inform and develop the draft Plan. There was a focus on developing strategic, value-driven actions that can achieve the biggest impact over the next three years.

There are some actions in the draft Plan that will require funding support to deliver. There are also goals and actions that Council has no direct control over or cannot do alone, and so partnerships and advocacy will be essential for success.

The draft Plan aims to directly tackle challenges and provide opportunities for addressing the climate emergency. The proposed goals and actions in the draft Plan aim to:

- Demonstrate the ambition and action that local governments can take to address climate change and its impacts
- Centres first nations people through self-determination and caring for country
- Supports the resilience of the community
- Identifies opportunities to transition to a new zero carbon economy
- Focuses on a continued integration of climate mitigation and climate risk management across all council functions.

If the draft Plan is endorsed by Council, stage 2 community engagement will commence in March for 5 weeks. Community feedback on the draft Plan will be considered and will inform the proposed Climate Emergency Plan 2024-2030 for Council consideration in June 2024.

**Officer Recommendation**

**That Council:**

- 1) Endorses community engagement on the draft Climate Emergency Plan at **Appendix A**.
- 2) Approves release of the Stage 1 Community Engagement Summary at **Appendix B**.
- 3) Thanks the community and stakeholders for providing valuable feedback during Stage 1 community engagement.

**Motion**

**MOVED: Cr. T McCarthy**

**SECONDED: Cr. S Rennie**

**That Council:**

- 1) Endorses community engagement on the draft Climate Emergency Plan at **Appendix A**.
- 2) Approves release of the Stage 1 Community Engagement Summary at **Appendix B**.
- 3) Thanks the **Climate Emergency Darebin Advisory Committee**, community and stakeholders for providing valuable feedback during Stage 1 community engagement.
- 4) **Commits to prioritising funding for the delivery of the Climate Emergency Plan in the 2024/25 budget and in subsequent years, commensurate with an emergency level response.**

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

**Council Resolution**

**MINUTE NO. 24-025**

**MOVED: Cr. T McCarthy**

**SECONDED: Cr. S Rennie**

**That Council:**

- 1) Endorses community engagement on the draft Climate Emergency Plan at **Appendix A**.
- 2) Approves release of the Stage 1 Community Engagement Summary at **Appendix B**.
- 3) Thanks the Climate Emergency Darebin Advisory Committee, community and stakeholders for providing valuable feedback during Stage 1 community engagement.
- 4) Commits to prioritising funding for the delivery of the Climate Emergency Plan in the 2024/25 budget and in subsequent years, commensurate with an emergency level response.

**CARRIED UNANIMOUSLY**

**9.6 HARD RUBBISH SERVICE**

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**EXECUTIVE SUMMARY**

This purpose of this report is to:

- Present the findings of the hard waste service review, including community engagement results, and
- Seek council's endorsement to proceed with a two-year trial of a booked hard waste collection.

The hard waste service is being reviewed, along with other kerbside waste services, to consider and recommend services that can meet legislative requirements, environmental outcomes and customer experience.

The hard waste component of the review was accelerated to support procurement for the hard waste service.

Three hard waste service options were identified through the review:

- **A. Business-as-usual:**
  - *1 annual blanket collection, with an additional limited booked service for people meeting financial hardship eligibility criteria*
- **B. Booked collection:**
  - *1 booked collection per year, with extra collections available (at cost or 1 free additional collection for people meeting financial hardship eligibility criteria)*
- **C. Transition option:**
  - *1 final blanket collection offered in 2024*
  - *then a 2-year trial of Option B*
  - *long-term service decided after trial evaluation.*

Officers are recommending Option C. On balance, officers consider that moving to a booked collection will result in:

- improved recycling/recovery rates, supporting Council to achieve the State Government's 80% waste diversion target by 2030
- improved customer experience, letting eligible households book a service when they need it, and providing tailored education for households
- improved neighbourhood safety and amenity by reducing excess volumes of waste from the road environment.

.Officers are recommending the transition option because it provides Council and community time to adjust and to experience the new service before Council considers the ongoing service.

At the March Ordinary Council meeting, officers will recommend a preferred hard waste contractor that will operationalise Council's service decision.

**EXTENSION OF TIME – 8.58PM****Council Resolution**

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

**That** the Council meeting continue after 9pm for 30 minutes.

**CARRIED UNANIMOUSLY**

**Officer Recommendation**

**That** Council:

- (1) Thanks the community for providing valuable feedback that has supported the hard waste service review.
- (2) Endorses releasing an excerpt of the 2023 kerbside waste services consultation that describes who participated, and hard waste results and feedback (Attachment C).
- (3) Endorses a 2-year trial booked hard waste collection for residents that receive Council's kerbside waste service, which will comprise of:
  - a. 1 blanket collection service in 2024
  - b. 1 booked collection of 2m<sup>3</sup> per year, with 1 additional booked collection of 2m<sup>3</sup> for people experiencing financial hardship, and extra collections available for all other residents at cost.
- (4) Requests that a report be brought to Council, within 8 months of the 2-year trial finishing, that presents a service evaluation and recommendations for the ongoing hard waste service.

**Motion**

**MOVED:** Cr. G Greco  
**SECONDED:** Cr. E Dimitriadis

**That** Council:

- (1) Thanks, the community for providing valuable feedback that has supported the hard waste service review **and notes that consultation (amongst other suggestions) showed that:**
  - a. **Two booked services per year to be the community preferred option at 54.7%.**
  - b. **Respondents expressed concerns about the timing and frequency of collections, including items getting damaged by rain during the council wide collections and suggested scheduling collections in better weather conditions.**
  - c. **There may be some dissatisfaction with the 2nd and subsequent collections being at cost for people who are not experiencing financial hardship.**



(2) Notes that an Equity Impact Assessment and a Gender Impact Assessment highlighted that having one booked and one blanket hard waste is closer to a Universal Design approach as it is more accessible for a range of different groups. However, the booked collection must be across the entire year and accessible to everyone. It cannot be limited, as it is now.

~~(2)~~ (3) Endorses releasing an excerpt of the 2023 kerbside waste services consultation that describes who participated, and hard waste results and feedback (Attachment C).

~~(3)~~ (4) Endorses a 2-year trial **of having one booked and one blanket** ~~booked~~ **future annual** hard waste collection for residents that receive Council's kerbside waste service, which will comprise of:

**a. one final winter blanket collection service for eligible properties delivered in June and July 2024**

~~a.~~ **b. annual** blanket collection service **per year in the warmer months of the year where it is less likely to rain to avoid items being damaged for the duration of the trial and evaluation period** ~~in 2024~~

~~b.~~ **c generally available** booked collection of 2m<sup>3</sup> per year **for the duration of the trial and evaluation period** ~~with 1 additional booked collection of 2m<sup>3</sup> for people experiencing financial hardship, and extra collections available for all other residents at cost.~~

~~(4)~~ (5) Requests that a report be brought to Council, within 8 months of the 2-year trial finishing, that presents a service evaluation and recommendations for the ongoing hard waste service

**LOST**

For: Crs Greco and Dimitriadis

Against: Crs McCarthy, Newton, Rennie and Hannan

THE MOTION WAS PUT AND LOST.

<b>Motion</b>
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**MOVED: Cr. S Rennie**

**SECONDED: Cr. T Hannan**

**That Council:**

- (1) Thanks the community for providing valuable feedback that has supported the hard waste service review.
- (2) Endorses releasing an excerpt of the 2023 kerbside waste services consultation that describes who participated, and hard waste results and feedback (Attachment C).
- (3) Endorses a 2-year trial booked hard waste collection for residents that receive Council's kerbside waste service, which will comprise of:
  - a. 1 blanket collection service in 2024
  - b. 1 booked collection of 2m<sup>3</sup> per year, with 1 additional booked collection of 2m<sup>3</sup> for people experiencing financial hardship, and extra collections available for all other residents at cost.
- (4) Requests that a report be brought to Council, within 8 months of the 2-year trial finishing, that presents a service evaluation and recommendations for the ongoing hard waste service.

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

<b>Council Resolution</b>
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**MINUTE NO. 24-026**

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

**That Council:**

- (1) Thanks the community for providing valuable feedback that has supported the hard waste service review.
- (2) Endorses releasing an excerpt of the 2023 kerbside waste services consultation that describes who participated, and hard waste results and feedback (Attachment C).
- (3) Endorses a 2-year trial booked hard waste collection for residents that receive Council's kerbside waste service, which will comprise of:
  - a. 1 blanket collection service in 2024
  - b. 1 booked collection of 2m<sup>3</sup> per year, with 1 additional booked collection of 2m<sup>3</sup> for people experiencing financial hardship, and extra collections available for all other residents at cost.
- (4) Requests that a report be brought to Council, within 8 months of the 2-year trial finishing, that presents a service evaluation and recommendations for the ongoing hard waste service.

**CARRIED**

For: Crs McCarthy, Newton, Rennie and Hannan  
Against: Crs Greco and Dimitriadis



- 
- ii. Arises out of Council's functions of advocating and promoting proposals which are in the best interests of the community and ensuring the peace, order and good government of Council's municipal district.
    - c. The total:
      - i. Cost of performing the function described in paragraph 1(b) of this resolution is \$183,579.29 excl. GST; and
      - ii. Amount for the Special Charge to be levied is \$183,579.29 excl. GST, or such other amount as is lawfully levied as a consequence of this resolution.
    - d. The Special Charge is declared in relation to all rateable land described in the table included as confidential Appendix B to this report, in the amount specified in the table as applying to each piece of rateable land.
    - e. The following list is specified as the criteria that form the basis of the Special Charge so declared:
      - Ownership of any land described in paragraph 1(d) of this resolution.
    - f. The following is specified as the manner in which the Special Charge so declared will be assessed and levied:
      - i. A Special Charge calculated by reference to the size of the solar energy system being installed and the particular costs of installation at each property participating in the Solar Saver scheme, in respect of which an Agreement has been executed, totalling \$183,579.29 excl. GST for the residential batch, being the total cost of the scheme to Council
      - ii. To be levied each year for a period of 10 years.
    - g. Having regard to the preceding paragraphs of this resolution and subject to section 166(1) of the Act, let it be recorded that the owners of the land described in paragraph 1(d) of this resolution will pay the Special Charge in the amount set out in paragraph 1(f) of this resolution in the following manner:
      - i. Payment annually by a lump sum on or before one month following the issue by Council of a notice levying payment under section 163(4) of the Act; or
      - ii. Payment annually by four instalments to be paid by the dates which are fixed by Council in a notice levying payment under section 163(4) of the Act.
  - (2) Considers that there will be a special benefit to those required to pay the Special Charge *because* there will be a benefit to them that is over and above, or greater than, the benefit that is available to those who are not subject to the proposed Special Charge, as a result of the expenditure proposed by the Special Charge, in that the properties will have the benefit of a solar energy system being installed.
  - (3) For the *purposes* of having determined the total amount of the Special Charge to be levied:
    - a. Considers and formally records that only those rateable properties included in the Solar Saver scheme as proposed will derive a special benefit from the imposition of the Special Charge, and there are no community benefits to be paid by Council; and
    - b. Formally determines for the purposes of section 163(2)(a), (2A) and (2B) of the Act that the estimated proportion of the total benefits of the Special Charge to which the performance of the function or the exercise of the power relates (including all special benefits and community benefits) that will accrue as special benefits to those who are liable to pay the Special Charge is 100%.
-

- (4) Directs that notice be given to all owners and occupiers of properties included in the Scheme in writing of the decision of Council to declare and levy the Special Charge, and the reasons for the decision. For the purposes of this paragraph, the reasons for the decision of Council to declare the Special Charge are that:
- a. There is no objection to the Scheme, and it is otherwise considered that there is a broad level of support for the Special Charge from all property owners and occupiers.
  - b. Council considers that it is acting in accordance with the functions and powers conferred on it under the Local Government Act 1989, having regard to its role, purposes and objectives under the Act, particularly in relation to its functions of advocating and promoting proposals which are in the best interests of the community and ensuring the peace, order and good government of Council's municipal district.
  - c. All those who are liable or required to pay the Special Charge and the properties respectively owned or occupied by them will receive a special benefit of a solar energy system being installed at the property.
  - d. Where a participant wishes to withdraw from the Scheme, agrees to such withdrawal where the participant has given written notice of their desire to withdraw from the Scheme before Council has incurred any expenditure in relation to the participant's solar system.

**CARRIED UNANIMOUSLY**

**9.8 UPDATES ON RESPONSIBLE PET OWNERSHIP AT EDWARDES LAKE PARK**

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**EXECUTIVE SUMMARY**

This report provides a progress update on responsible pet ownership at Edwardes Lake Park.

Council has introduced a suite of initiatives to increase safety for Darebin's wildlife, pets, and community in the wake of two dog attacks resulting in the loss of resident Black Swans.

A petition supported by 1,333 community members, submitted by Friends of Edwardes Lake (FoEL), emphasised the need for clear off-leash rules, improved signage, heightened patrolling and enforcement, responsible pet ownership events, and strengthened collaboration between Council and FoEL.

<b>Council Resolution</b>
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**MINUTE NO. 24-028**

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

**That Council:**

- (1) Notes the initiatives that have been introduced to support and promote responsible pet ownership at Edwardes Lake Park.
- (2) Thanks the Friends of Edwardes Lake Park, the Darebin Domestic Animal Management Reference Group and the community for raising responsible pet ownership with Council and for supporting a strengthened approach.

**CARRIED UNANIMOUSLY**

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**9.9 HOUSING FOR DAREBIN COMMUNITY MEMBER**

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*Mayor Newton declared a conflict of interest in relation to Item 9.9 Housing for Darebin Community Member.*

*9:23pm – Mayor Newton left the meeting.*

*In the absence of the Deputy Mayor, Cr. Laurence, the CEO assumed the Chair and called for nominations to elect a temporary Chairperson.*

*Cr. Rennie nominated Cr. McCarthy to be temporary Chairperson, who assumed the Chair at 9.24pm.*

**EXECUTIVE SUMMARY**

This report responds to the resolution of Council of 1 February 2024 in relation to 'Housing for Darebin community member'.

This matter refers to the eviction of a long-standing Darebin Resident - who was a pioneer of cooperative housing - from their home of 29 years by their then landlord Common Equity Housing Limited (CEHL). Following their eviction in February 2021, the property was transferred/purchased by a new owner, and this was recorded on title.

The Resident subsequently lodged a successful application for a caveat on the property, although this was later removed following an application to do so by the New Owner of the property.

Since mid-2022 the New Owner has sought and received several building permissions for the property, and commenced demolition works, presumably as a first step towards redevelopment.

Following a review of the legal framework governing land transfer and titles:

- The sale/transfer of the property from CEHL to the New Owner is recognised within Victoria's title system and on the basis of the principles that underpin Victoria's Torrens title system, this new ownership cannot be reversed.
- Council has no interest, legal or equitable, in the property and consequently has no legal standing to take steps to restore the Resident's caveat, or to require the new owner to re-instate the Resident's lease of the site.
- The Resident did not take action to substantiate their interest claimed in the original caveat, and so it is doubtful that a further caveat with the same claim would be accepted by Land Use Victoria.

While there are a limited number of provisions within the planning scheme that require a permit for demolition, none of them prohibit demolition. The likelihood of successfully introducing these controls for the subject property is very low given the lack of strategic justification.

Even if successful, the matters that Council can rely on to make planning decisions are not sufficiently broad to include a desire to re-instate the Resident's tenancy of the property. Should Council attempt to do so, it is likely such a decision would be overturned at VCAT and expose Council to potential costs and reimbursement of fees, as it could be argued Council has breached its duties.

In summary, there is no foreseeable way via the planning or land titles systems for the Resident to be reinstated in her former home.

The best alternative approach to achieving a just outcome for the Resident involves advocacy on their behalf to address their urgent and long-term need to secure appropriate housing.

Over several years Council has undertaken a range of advocacy actions to this end, and is currently seeking to facilitate an introduction between the Resident and an advocacy support agency.

#### **EXTENSION OF TIME – 9.26PM**

<b>Council Resolution</b>
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**MOVED:** Cr. S Rennie  
**SECONDED:** Cr. T Hannan

**That** the Council meeting continue after 9.30pm for 30 minutes.

**CARRIED UNANIMOUSLY**

<b>Council Resolution</b>
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**MINUTE NO. 24-029**

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

**That** Council:

- (1) Notes the situation faced by many Victorians regarding homelessness, the housing affordability and rental crisis, and the intersection of these issues contributing to the precarious situation that vulnerable older women face in securing affordable and appropriate housing.
- (2) Notes the content and conclusions of this report.
- (3) Notes recent advocacy on behalf of this Darebin community member in line with Council's resolution of 1 February 2024.
- (4) Notes that advocacy support has been sought and once confirmed an introduction between the resident and the agency will be arranged.

**CARRIED UNANIMOUSLY**

*9.31pm – Mayor Newton returned to the meeting and resumed the Chair.*



## 9.10

## PROPERTY MATTERS - SALE OF MINOR ASSETS

**EXECUTIVE SUMMARY**

This report proposes the sale of two right of ways because they are no longer needed for community use and are not expected to be required in future. The road detailed in Item 1 is currently on the road register and it is proposed that it be discontinued before sale. The road detailed in Item 2 was formerly a road which has previously been discontinued and is now available for sale.

This report recommends proceeding to consult with community on each of the proposals in line with the statutory processes for considering the discontinuance and sale of roads, noting that these procedures are slightly different for each of the two items.

If community submissions are received, a hearing of submissions meeting would take place and then a further report would be put to a Council meeting for final decision. If no community submissions are received, Item 1 will be reported to a Council meeting for decision and Item 2 would be referred to the CEO who will formalise the sale of the discontinued road under delegation.

Item 1: Proposed discontinuance and sale of road between 252 and 254 Tyler Street, Preston

This report relates to the commencement of the statutory procedures for the proposed discontinuance and sale of road, between 252 and 254 Tyler Street, Preston, shown outlined in green in **Figure 1** in **Appendix A**. A further report will be presented to Council to complete the statutory process on the community engagement which at that time, Council will decide whether to endorse the proposed sale to the owners of 254 Tyler Street, Preston.

Item 2: Sale of discontinued road adjoining 102 Hughes Parade and 2 Wellman Street, Reservoir

Item 2 of this report relates to the commencement of the statutory procedures for the sale of the discontinued road adjoining 102 Hughes Parade and 2 Wellman Street, Reservoir, shown in **Figure 3** in **Appendix B**. This report recommends that Council endorse the proposed sale of the discontinued road to the owners of 102 Hughes Parade noting that a further community engagement process will be undertaken by officers and that any objection or submission received will be dealt with at a scheduled Hearing of Submissions Committee meeting.

<b>Council Resolution</b>
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**MINUTE NO. 24-030**

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

Item 1: Proposed discontinuance and sale of road between 252 and 254 Tyler Street, Preston

**That Council:**

- (1) Commences the statutory procedures under section 206 and clause 3 of Schedule 10 to the Local Government Act 1989, to discontinue and intend to sell the road between 252 and 254 Tyler Street, Preston, shown outlined in green in Figure 1 in Appendix A, and section 114 of the Local Government Act 2020 to facilitate the sale of the Road.

- (2) Gives public notice under section 223 of the Local Government Act 1989 and section 114 of the Local Government Act 2020 in the appropriate newspaper and on Council's website, of the intention to discontinue the road and sell that parcel of land to the owners of 254 Tyler Street, Preston, by private treaty and transfer to itself any part of the discontinued road not sold in accordance with Council's Sale of Minor Assets Policy May 2022.
- (3) Invites both written and verbal submissions on the proposed sale, as part of its community engagement process and deals with any submissions received in line with the principles set out in section 223 of the Local Government Act 1989.
- (4) Notes that any submissions will be considered by Council's Hearing of Submissions Committee at a meeting to be held in the Council Chamber on 13 May 2024 at 7.30pm.
- (5) Notes, if no submissions are received, a further report will be presented to Council to consider completion of the statutory procedures, for the discontinuance and sale of the road to the owners of 254 Tyler Street, Preston.
- (6) Notes, that notwithstanding the present intention to sell the land to the owners of 254 Tyler Street, Preston, in the event that submissions are received from other adjoining property owners or interested parties, Council reserves the right to reallocate the manner in which the land is to be sold in accordance with the Sale of Minor Asset Policy 2022.

Item 2: Sale of discontinued road adjoining 102 Hughes Parade and 2 Wellman Street, Reservoir

**That Council:**

- (1) Commences the statutory procedures under section 114 of the Local Government Act 2020 to sell the land from the discontinued road adjoining 102 Hughes Parade and 2 Wellman Street, Reservoir, shown hatched on the site plan in Figure 1, Appendix B and shown as Lot 1 on Title Plan TP96791L in Figure 2, Appendix B to the owners of 102 Hughes Parade, Reservoir, by private treaty in accordance with Council's Sale of Minor Assets Policy May 2022.
- (2) Gives notice of its intention to sell the land on Council's website and in such notice, states, that Council proposes to sell the land from the former road to the owners of 102 Hughes Parade, Reservoir, by private treaty, in accordance with Council policy.
- (3) Invites both written and verbal submissions on the proposed sale and deal with any submissions received in line with the principles set out in section 223 of the Local Government Act 1989.
- (4) Notes that any submissions received be considered by Council's Hearing of Submissions Committee on 13 May 2024 at 7.30pm.
- (5) Notes that where any submissions are heard by the Hearing of Submissions Committee, a further report will be presented to Council to consider the findings from that Hearing and advise its decision on the sale of the discontinued road to the adjoining land owner.
- (6) Notes that if no submissions are received, a further report will be presented to the Chief Executive Officer, to complete of the statutory procedures for the sale of the land to the owners of 102 Hughes Parade, Reservoir, and sign all necessary documentation for the sale of the land under delegation.
- (7) Notes that the outcome of this matter will be reported to Council through the Property Matters report, following any decision under delegation, should there be no submissions received.

- (8) Notes that in the event that submissions are received from other adjoining property owners or interested parties, Council reserves the right to reallocate the manner in which the land is to be sold in accordance with Council's Sale of Minor Assets Policy May 2022.

**CARRIED UNANIMOUSLY**

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**9.11 CONTAINER DEPOSIT SCHEME - LEASING  
ARRANGEMENTS AT RAY BRAMHAM GARDENS  
CARPARK**

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**EXECUTIVE SUMMARY**

This report recommends that Council establish a lease with Visy for the installation and operation of a Deposit Collection Station ('DCS') within Council's land located at Ray Bramham Garden's Carpark, 50 St. George's Road Preston (**refer to Figure 1 – 5, Ray Bramham Gardens DCS, 'Installation Details' below**). Council resolved in October 2023 to investigate the Darebin Arts Centre as a potential location and this investigation has identified that it is suitable subject to a power supply being secured.

Visy is seeking a full commercial lease for a period of 5 years, with a further term of 3 years. Both parties have agreed to a break clause being inserted into the agreement should the land at 50 St. George's Road Preston be required for an alternate purpose. The break clause will specify that in the event that Council exercises this break clause, Council will not be liable for any claim for compensation, nor would Council be required to find an alternative location for the DCS.

<b>Council Resolution</b>
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**MINUTE NO. 24-031**

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

**That Council:**

- (1) Supports the installation of a Visy Deposit Collection Station at Ray Bramham Garden's Carpark.
- (2) Grants a new lease with Visy to occupy part of Council's land located at 50 St, George's Road, Preston, for the installation and operation of a Deposit Collection Station. The lease will be drafted to include the following proposed terms and conditions:
  - a) Initial Lease term of 5 years with an option for a further term of 3 years
  - b) A commencement date rental in accordance with the confidential **Appendix A** and in accordance with comparable CDS facilities established in other municipalities.
  - c) Rent increases: in line with increases to the Consumer Price Index (CPI).
  - d) Lease Area – five (5) car bays.
  - e) Break Date – Council will have the right to terminate the lease at anytime after three years from the commencement date of the lease at no penalty to Council, providing at least 12 months written notice to Visy.
  - f) Risk mitigations that adequately address pedestrian safety concerns in relation to nearby school.
  - g) Community benefit reporting – Visy to provide Council with annual reports on the benefit this CDS installation is providing to the community and the environment.

- (3) Notes there is no requirement for community consultation to establish a lease for Council property in accordance with *Section 115 of the Local Government Act 2020*
- (4) Authorises the Chief Executive Officer (or their delegate) to negotiate and finalise the terms and conditions of the lease.

**CARRIED UNANIMOUSLY**

**10. ITEMS TO BE TABLED**

Nil

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## 11. NOTICES OF MOTION

### 11.1 NORTHCOTE AQUATIC AND RECREATION CENTRE

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Take notice that at the Council Meeting to be held on 26 February 2024, it is my intention to move:

**That Council:**

(1) Notes:

- a. *The redevelopment of the Northcote Aquatic and Recreation Centre was completed by Darebin Council on time and on budget with expenditure of \$63.5 million.*
- b. *Darebin Council delivered and funded this project including through borrowings of \$49M in total from the Victorian Government of which \$10 million is a low interest Community Sports Infrastructure loan.*
- c. *At the official opening of the facility, the Minister for Community Sport spoke of Council's \$53 million investment in the facility.*
- d. *In the state government media release following the opening, the Member for Northcote Kat Theophanous said "The Victorian Government is giving communities the facilities they need so more locals can boost their health and participate in the activities they love."*
- e. *These comments understate Council's investment and overstate the State Government's contribution to the redevelopment of NARC as the State Government had no role in the planning, design and construction of the redevelopment, and made no financial contribution other than via a low interest loan and a Changing Places grant to the value circa \$26K.*
- f. *Despite minimal investment in the facility, the State Government Community Sports Infrastructure Acknowledgement and Publicity Guidelines stipulated that the Minister was entitled to open the facility and be named in first place on the plaque.*

(2) *Resolves to write to the Minister and the local member and invite the State Government to convert the loan to a grant so that the above statements are true and accurate representations to our community of the funding and commitment to the redevelopment of the NARC.*

(3) *In the event that the loan is transitioned to a grant, refers consideration of using the entirety of the sum on the redevelopment of Bill Lawry Oval pavilion redevelopment project to the 24/25 Council Plan and Budget development process.*

(4) *Requests that officers prepare a brief report for Council consideration at the earliest possible opportunity on criteria that Council can use going forward to consider applying for and accepting grants including acknowledgement and publicity guidelines.*

(5) *Formally thanks all council staff and contractors who contributed to the delivery of the NARC project on time and on budget.*

**Notice Received:** 4 December 2023

**Notice Given to Councillors** 4 December 2023

**Date of Meeting:** 26 February 2024

**Motion**

**That Council:**

(1) Notes:

- a. The redevelopment of the Northcote Aquatic and Recreation Centre was completed by Darebin Council on time and on budget with expenditure of \$63.5 million.
- b. Darebin Council delivered and funded this project including through borrowings of \$49M in total from the Victorian Government of which \$10 million is a low interest Community Sports Infrastructure loan.
- c. At the official opening of the facility, the Minister for Community Sport spoke of Council's \$53 million investment in the facility.
- d. In the state government media release following the opening, the Member for Northcote Kat Theophanous said "The Victorian Government is giving communities the facilities they need so more locals can boost their health and participate in the activities they love."
- e. These comments understate Council's investment and overstate the State Government's contribution to the redevelopment of NARC as the State Government had no role in the planning, design and construction of the redevelopment, and made no financial contribution other than via a low interest loan and a Changing Places grant to the value circa \$26K.
- f. Despite minimal investment in the facility, the State Government Community Sports Infrastructure Acknowledgement and Publicity Guidelines stipulated that the Minister was entitled to open the facility and be named in first place on the plaque.

(2) Resolves to write to the Minister and the local member and invite the State Government to convert the loan to a grant so that the above statements are true and accurate representations to our community of the funding and commitment to the redevelopment of the NARC.

(3) In the event that the loan is transitioned to a grant, refers consideration of using the entirety of the sum on the redevelopment of Bill Lawry Oval pavilion redevelopment project to the 24/25 Council Plan and Budget development process.

(4) Requests that officers prepare a brief report for Council consideration at the earliest possible opportunity on criteria that Council can use going forward to consider applying for and accepting grants including acknowledgement and publicity guidelines.

(5) Formally thanks all council staff and contractors who contributed to the delivery of the NARC project on time and on budget.

*Cr Greco proposed the following amendments to the mover and seconder. This was not accepted.*

**That Council:**

(1) Notes:

- a) The redevelopment of the Northcote Aquatic and Recreation Centre was completed by Darebin Council on time and on budget with expenditure of \$63.5 million.
- b) Darebin Council delivered and funded this project including through borrowings of \$49M in total from the Victorian Government of which \$10 million is a low interest Community Sports Infrastructure loan.



- c) At the official opening of the facility, the Minister for Community Sport spoke of Council's \$53 million investment in the facility.
- d) In the state government media release following the opening, the Member for Northcote Kat Theophanous said "The Victorian Government is giving communities the facilities they need so more locals can boost their health and participate in the activities they love."
- e) ~~These comments understate Council's investment and overstate the State Government's contribution to the redevelopment of NARC as the State Government had no role in the planning, design and construction of the redevelopment, and made no financial contribution other than via a low interest loan and a Changing Places grant to the value circa \$26K.~~
- f) ~~Despite minimal investment in the facility, the State Government Community Sports Infrastructure Acknowledgement and Publicity Guidelines stipulated that the Minister was entitled to open the facility and be named in first place on the plaque.~~

And

**That** Council:

- (2) Resolves to write to the Minister and the local member and invite the State Government to convert the loan to a grant so that the above statements are true and accurate representations to our community of the funding and commitment to the redevelopment of the NARC.
- (3) In the event that the loan is transitioned to a grant, refers consideration of using the freed up borrowing capacity along with the **Future Fund for the redevelopment and rebuild of the Reservoir Leisure Centre in the near future.** ~~Bill Lawry Oval pavilion redevelopment project to the 24/25 Council Plan and Budget development process.~~
- (4) Requests that officers prepare a brief report for Council consideration at the earliest possible opportunity on criteria that Council can use going forward to consider applying for and accepting grants including acknowledgement and publicity guidelines.
- (5) Formally thanks all council staff and contractors who contributed to the delivery of the NARC project on time and on budget.

### Amended Motion

**MOVED:** Cr. G Greco  
**SECONDED:** Cr. E Dimitriadis

**That** Council:

- (1) Notes:
  - a) The redevelopment of the Northcote Aquatic and Recreation Centre was completed by Darebin Council on time and on budget with expenditure of \$63.5 million.
  - b) Darebin Council delivered and funded this project including through borrowings of \$49M in total from the Victorian Government of which \$10 million is a low interest Community Sports Infrastructure loan.
  - c) At the official opening of the facility, the Minister for Community Sport spoke of Council's \$53 million investment in the facility.

- d) In the state government media release following the opening, the Member for Northcote Kat Theophanous said "The Victorian Government is giving communities the facilities they need so more locals can boost their health and participate in the activities they love."
- e) ~~These comments understate Council's investment and overstate the State Government's contribution to the redevelopment of NARC as the State Government had no role in the planning, design and construction of the redevelopment, and made no financial contribution other than via a low interest loan and a Changing Places grant to the value circa \$26K.~~
- f) ~~Despite minimal investment in the facility, the State Government Community Sports Infrastructure Acknowledgement and Publicity Guidelines stipulated that the Minister was entitled to open the facility and be named in first place on the plaque.~~

And

**That Council:**

- (2) Resolves to write to the Minister and the local member and invite the State Government to convert the loan to a grant so that the above statements are true and accurate representations to our community of the funding and commitment to the redevelopment of the NARC.
- (3) In the event that the loan is transitioned to a grant, refers consideration of using the freed up borrowing capacity along with the **Future Fund for the redevelopment and rebuild of the Reservoir Leisure Centre in the near future.** ~~Bill Lawry Oval pavilion redevelopment project to the 24/25 Council Plan and Budget development process.~~
- (4) Requests that officers prepare a brief report for Council consideration at the earliest possible opportunity on criteria that Council can use going forward to consider applying for and accepting grants including acknowledgement and publicity guidelines.
- (5) Formally thanks all council staff and contractors who contributed to the delivery of the NARC project on time and on budget.

**LOST**

For: Crs Greco

Against: Crs McCarthy, Newton, Rennie and Hannan

Abstained: Cr Dimitriadis

THE AMENDED MOTION WAS PUT AND LOST. THE SUBSTANTIVE MOTION BEFORE THE CHAIR IS AS FOLLOWS:

<b>Motion</b>
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**MOVED:** Cr. S Rennie  
**SECONDED:** Cr. T McCarthy

**That Council:**

- (1) Notes:
  - a. The redevelopment of the Northcote Aquatic and Recreation Centre was completed by Darebin Council on time and on budget with expenditure of \$63.5 million.
  - b. Darebin Council delivered and funded this project including through borrowings of \$49M in total from the Victorian Government of which \$10 million is a low interest Community Sports Infrastructure loan.

- c. At the official opening of the facility, the Minister for Community Sport spoke of Council's \$53 million investment in the facility.
  - d. In the state government media release following the opening, the Member for Northcote Kat Theophanous said "The Victorian Government is giving communities the facilities they need so more locals can boost their health and participate in the activities they love."
  - e. These comments understate Council's investment and overstate the State Government's contribution to the redevelopment of NARC as the State Government had no role in the planning, design and construction of the redevelopment, and made no financial contribution other than via a low interest loan and a Changing Places grant to the value circa \$26K.
  - f. Despite minimal investment in the facility, the State Government Community Sports Infrastructure Acknowledgement and Publicity Guidelines stipulated that the Minister was entitled to open the facility and be named in first place on the plaque.
- (2) Resolves to write to the Minister and the local member and invite the State Government to convert the loan to a grant so that the above statements are true and accurate representations to our community of the funding and commitment to the redevelopment of the NARC.
  - (3) In the event that the loan is transitioned to a grant, refers consideration of using the entirety of the sum on the redevelopment of Bill Lawry Oval pavilion redevelopment project to the 24/25 Council Plan and Budget development process.
  - (4) Requests that officers prepare a brief report for Council consideration at the earliest possible opportunity on criteria that Council can use going forward to consider applying for and accepting grants including acknowledgement and publicity guidelines.
  - (5) Formally thanks all council staff and contractors who contributed to the delivery of the NARC project on time and on budget

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

<b>Council Resolution</b>
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**MINUTE NO. 24-032**

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

**That Council:**

- (1) Notes:
  - a. The redevelopment of the Northcote Aquatic and Recreation Centre was completed by Darebin Council on time and on budget with expenditure of \$63.5 million.
  - b. Darebin Council delivered and funded this project including through borrowings of \$49M in total from the Victorian Government of which \$10 million is a low interest Community Sports Infrastructure loan.
  - c. At the official opening of the facility, the Minister for Community Sport spoke of Council's \$53 million investment in the facility.
  - d. In the state government media release following the opening, the Member for Northcote Kat Theophanous said "The Victorian Government is giving communities the facilities they need so more locals can boost their health and participate in the activities they love."

- e. These comments understate Council's investment and overstate the State Government's contribution to the redevelopment of NARC as the State Government had no role in the planning, design and construction of the redevelopment, and made no financial contribution other than via a low interest loan and a Changing Places grant to the value circa \$26K.
  - f. Despite minimal investment in the facility, the State Government Community Sports Infrastructure Acknowledgement and Publicity Guidelines stipulated that the Minister was entitled to open the facility and be named in first place on the plaque.
- (2) Resolves to write to the Minister and the local member and invite the State Government to convert the loan to a grant so that the above statements are true and accurate representations to our community of the funding and commitment to the redevelopment of the NARC.
  - (3) In the event that the loan is transitioned to a grant, refers consideration of using the entirety of the sum on the redevelopment of Bill Lawry Oval pavilion redevelopment project to the 24/25 Council Plan and Budget development process.
  - (4) Requests that officers prepare a brief report for Council consideration at the earliest possible opportunity on criteria that Council can use going forward to consider applying for and accepting grants including acknowledgement and publicity guidelines.
  - (5) Formally thanks all council staff and contractors who contributed to the delivery of the NARC project on time and on budget.

**CARRIED**

For: Crs McCarthy, Newton, Rennie and Hannan

Against: -

Abstained: Crs Greco and Dimitriadis

**12. URGENT BUSINESS**

Nil

**13. CONSIDERATION OF REPORTS CONSIDERED CONFIDENTIAL**

Nil

**14. CLOSE OF MEETING**


The meeting closed at 10.05pm.

**CITY OF  
DAREBIN**

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