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# MINUTES OF THE ORDINARY COUNCIL MEETING

Held on Wednesday 15 December 2021

Released to the public on 24 December 2021

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



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

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

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

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

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



### English

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

### Arabic

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

### Chinese

这些是市议会会议纪要。如需协助了解任何纪要项目，请致电8470 8888。

### Greek

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

### Hindi

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

### Italian

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

### Macedonian

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

### Nepali

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

### Punjabi

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

### Somali

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

### Spanish

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

### Urdu

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

### Vietnamese

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

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**MINUTES OF THE ORDINARY MEETING OF THE  
DAREBIN CITY COUNCIL HELD ON WEDNESDAY 15 DECEMBER 2021  
IN THE PRESTON TOWN HALL 284 GOWER STREET, PRESTON**

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**THE MEETING OPENED AT 6.02 PM**

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

## **1. OPENING OF MEETING AND MEMBERSHIP**

### ***Councillors***

Cr. Lina Messina (Mayor) (Chairperson)  
Cr. Trent McCarthy (Deputy Mayor)  
Cr. Emily Dimitriadis  
Cr. Gaetano Greco  
Cr. Tom Hannan  
Cr. Tim Laurence  
Cr. Susanne Newton  
Cr. Susan Rennie  
Cr. Julie Williams (*arrived at 7.22pm*)

### ***Council Officers***

Sue Wilkinson - Chief Executive Officer  
Sam Hewett - General Manager Operations and Capital  
Kerry McGrath - General Manager Communities  
Rachel Ollivier - General Manager City Sustainability and Strategy  
Jodie Watson - General Manager Governance and Engagement  
Sarah Noel – Manager People and Culture  
Anita Craven – Manager Governance and Corporate Strategy  
Murray Kent – Coordinator Urban Works  
Stephen Mahon - Coordinator Council Business  
Rachna Gupta Singh - Senior Council Business Officer  
Georgina Steele – Council Business Officer

## **2. ACKNOWLEDGEMENT OF TRADITIONAL OWNERS**

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

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

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

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

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

## **3. APOLOGIES**

Nil

## **4. DISCLOSURES OF CONFLICTS OF INTEREST**

THE CHIEF EXECUTIVE OFFICER DECLARED A GENERAL CONFLICT OF INTEREST IN ITEM 8.2, GOVERNANCE REPORT – DECEMBER 2021, SPECIFICALLY THE MATTER DEALING WITH THE APPOINTMENT OF COUNCILLOR REPRESENTATIVES TO THE CEO EMPLOYMENT MATTERS COMMITTEE AND IN ITEM 8.3, CEO EMPLOYMENT AND REMUNERATION POLICY.

## **5. CONFIRMATION OF THE MINUTES OF COUNCIL MEETINGS**

### Clarification to the Minutes of the Ordinary Council Meeting on 22 November 2021

A public question was submitted online for the Ordinary Council Meeting on the 22 November 2021 from Ms Di Woodcroft of Northcote.

Ms Woodcroft's question was as follows;

'Is it possible to make an appointment to meet with the General Manager that City Works reports to regarding systemic service problems in this area?'

Prior to the Council Meeting the General Manager Operations & Capital contacted Ms Woodcroft and on the basis of this advice the Coordinator Council Business made the judgement that the presentation of the question to the Council Meeting was not necessary. Ms Woodcroft has request that the Minutes of the 22nd November 2021 reflect her submitted question and in the interests of transparency it is recommended that this clarification be made.

**Officer Recommendation**

**That** the Minutes of the Ordinary Meeting of Council held on 22 November 2021 as amended above and the Special Council Meetings held on the 24 and 25 November 2021 be confirmed as a correct record of business transacted.

**Council Resolution****MINUTE NO. 21-159**

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

**That** the Minutes of the Ordinary Meeting of Council held on 22 November 2021 as amended above and the Special Council Meetings held on the 24 and 25 November 2021 be confirmed as a correct record of business transacted.

**CARRIED UNANIMOUSLY****6. QUESTION AND SUBMISSION TIME**

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

- **Carolyn Lunt of Northcote**

Since the introduction of the cat curfew 7pm until 7am. How many residents in the City of Darebin have been fined / prosecuted? I ask this question as I see cats roaming between these hours quite close to the Merri Creek

**Response**

**Since the curfew was introduced in early 2021 we have responded to reports of stray animals by containing and collecting them. We have not issued any fines in this period.**

**The main reason for this is that the first time we collect an animal, we educate the owner and give them a chance to change their behaviour. We would consider enforcement action if the issue reoccurs.**

**Since the cat curfew was introduced 285 cats were contained and collected by Council including 49 collected out of hours. Many caught are not microchipped and are either community cats without one owner, or feral. We responded to a further 221 reports of cat nuisance and requests for cat cages to trap animals.**

- **Hayden Jones of Reservoir**

Question 1

In early 2020, the City of Darebin constructed a re-alignment of the intersection between Cheddar Road and Carrol Street, Reservoir to prevent westbound traffic from crossing

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Cheddar Road to turn right onto Cheddar Road. Since this was completed, vehicles exiting Carrol Street now routinely turn right and drive towards oncoming traffic for the purposes of crossing Cheddar Road and turning right. How will council address this dangerous behaviour before a serious injury or fatality occurs?

Question 2

In addition to this, the City of Darebin advised me in early 2021 (C/21/6921) that the speed limit of Cheddar Road would be decreased to 50km/h in the next 3-4 months. This has not occurred. Does Council still intend to reduce the speed limit for the benefit and safety of residents? When will this occur?

**Response**

**Officers have been working closely and in an ongoing capacity with Victoria Police to monitor and enforce correct driver behaviour on Cheddar Road. Victoria Police have issued over 25 infringement notices since the start of September for motorists driving illegally at this intersection.**

**I can confirm that Council is working to reduce the speed limit on Cheddar Road. The applications require detailed analysis and take some time. The next steps are to submit an application to the Department of Transport with the proposed changes; however, DoT are currently not taking applications while a system upgrade is being undertaken. We anticipate this may delay implementation until late 2022. I am sorry this is longer than you were initially advised**

- **Elif Cetiner of Thornbury**

Can the Council please update us on what progress has been made on the Mayer Park Masterplan since it was approved by Council in August 2020?

**Response**

**Council recently upgraded the sports field lighting at Mayer Park and works will soon start on kitchen and electrical renewal works to the pavilion.**

**Other elements of the Masterplan will be considered by Council when it considers future budgets.**

- **Diane Woodcroft of Northcote**

Could I please meet with Darebin CEO, in person, regarding systemic bin service and street sweeping issues? I would be happy to come to Council or meet at my residence, on an agreed date and time. This issue has been occurring for 4 to 5 months and liaising with each level of management has not been successful. I will be attending the meeting to hear this question read and am not seeking telephone calls as what occurred previously, and my question was not read out on the November 22nd's Council meeting—making last month's meeting minutes inaccurate. My preferred method of contact to arrange a meeting with the Darebin Council CEO is by telephone.

In desperation of trying to have a face to face meeting originally with the General Manager and now the Darebin CEO to try and have consistent bin service and effective Street sweeping for my Street, I've come to the realisation that letter dropping council residents to try for a reduction of services rather than put an extra burden on some of our rate payers



should be done. I'm astonished that ratepayers are being asked to pay more for a service that has been so problematic recently, when during our pandemic it was so excellent. Personally, I am in despair in trying to get this service to work and truly want to have a face-to-face meeting with the CEO to fix the service that we pay so dearly for at this end of town. Can this person please meet with me so that I may outline the problems that have occurred and CCTV footage showing it. This includes just this week. I would greatly appreciate being contacted by phone to arrange an appointment.

**Response from CEO, Sue Wilkinson**

**Thanks Ms Woodcroft, I am happy to meet with you, I have asked my office to contact you today to set up a time possibly early in the New Year and we will continue to pursue this matter.**

- **Penelope Bennett of Kew**

The popup cycle lane on Victoria Rd has been completed for some time now but painting yellow lines and sometimes even removing the bike lane, and not removing short lengths of car parking or limiting car turns means people cycling are faced with just as much, if not more danger, with narrow/non-existent lanes and high car traffic volumes and poor motorist behaviour. Drivers are driving over the rumble strips and in the cycle lanes. What monitoring and evaluation has/is taking place and how will outcomes be made public? It is a council road (not a declared road) and with ongoing construction traffic, truck and dogs, etc, when will Council work with DoT for a better, safer outcome, including a safer speed limit, which will make it safer for all, including children crossing to the various schools nearby?

**Response**

**Council is seeking lower speeds in this area. DoT have told us they need a detailed study of the whole area to consider a speed limit reduction. The reason for this is to be confident that the change won't create more rat running and higher speeds on nearby local roads. Council has scheduled a detailed study of this area next financial year and will also formally apply for a speed limit reduction.**

- **Ruth Jelley of Northcote**

Question 1

In October I asked about the Octopus Schools program, which you informed us was no longer receiving funding. You noted that "Council is using a new approach to working with schools on safe travel this year". What is that new approach, and does it involve any active steps other than community consultation under the Local Area Place Management (LAPM) approach to the north-west third of Darebin?

Question 2

What action is being taken in the rest of Darebin to ensure school children have access to safe infrastructure to walk, ride, scoot or skate to school?

Question 3

Is Council considering rolling out 30 km/hr zones close to schools in Darebin?

**Response**

1. Councils new approach to treating traffic is called **Your Street Your Say**. This approach allows us to look at issues around schools in conjunction with broader travel issues in neighbourhoods.
2. The rest of Darebin will be investigated over the next 2 financial years. 30 Darebin primary schools have undertaken audits as part of our **Safe Travel to School** program resulting in improvements to safety, walking and cycling over the last 10 years.
3. There are no plans to roll out 30km/h speed zones. Council is continuing to work with the Department of Transport to implement 40km/h area-wide speed zones.

- **Matt Courtney of Thornbury**

Given that Golf Australia's CEO James Sutherland recently emailed golfers around Australia and overseas asking them to respond to Darebin Council's survey on Northcote Golf Course even if they'd 'never been to Northcote or seen the course', what actions will Council take to ensure that the voice of local residents and particularly young people is not lost because of the survey-flooding behaviour of those with no stake in our community?

How many people responded to the survey, what percentage were from Darebin and neighbouring councils and what percentage were from children and young people?

How is the Council able to determine whether those claiming to be from Darebin and neighbouring councils are being truthful and not misrepresenting themselves, as Golf Australia have encouraged them to do?

**Response**

**The survey platform captures location data including IP address which allows Council to understand where the survey was completed.**

**Council will receive all the data from the survey including the views of those from Darebin and those from other locations.**

**We know that approximately 11,000 survey responses have been received.**

**It's too soon to provide any breakdown or further information on the survey responses as there is a lot to analyse but we hope to have a summary available to the community in early 2022.**

- **Linda Green of Coburg**

At a community information session last week (6th December 2021) at the Aboriginal Advancement League a fellow member of the Normanby Park Golf Club made a presentation at which 5 Darebin Councillors and a Council Officer were present. I would like to enquire as to whether the written submission that accompanied that presentation could be tabled, minuted and presented as a hard copy this evening to the CEO, Mayor, all Councillors and the Officer responsible for the consultation process on the Northcote Public Golf Course?

- **Bill Jennings of West Preston**

I am a representative of the Northcote Community and Golf Hub and we are very grateful to the five Councillors who attended and the Council Officer who attended the Aboriginal Advancement League, last Monday night with over 120 people in attendance.

## Question 1

I would like to enquire as to whether the written submission that accompanied that presentation could be tabled and minuted and presented as a hard copy this evening to the CEO, the Mayor, all Councillors and the Officer responsible for the Consultation process on the Northcote Public Golf Course?

## Question 2

The Northcote Community and Golf Hub along with the Normanby Park Golf Club, the Northcote Golf Club and the Save Northcote Golf Course group are some of the groups listed as a stakeholder in the consultation process exploring shared use of the Northcote Public Golf Course. Our group has struggled to receive a clear answer from Council officers as to how the voices of these listed stakeholders will be heard in the upcoming submission phase in February 2022. Can Council assure all listed stakeholders that they will be given an opportunity to make public submissions?

## Question 3

In the online Q&A conducted by Darebin Council on Tuesday 7 December, the Manager of Recreation and Libraries, Felicity Leahy, responded to a question I asked about the list of Council principles guiding the current consultation process on the future shared use of the Northcote Public Golf Course. These were displayed on a slide in the online meeting. I was grateful that Felicity Leahy indicated that residents' participation in community sport is a guiding principle of Darebin Council and that the omission of such a principle on the list might have been an oversight. Can Council please add that principle to the list of guiding principles for the remainder of this consultation period on the Your Say page?

- **Clive Enos of Thornbury**

At a community information meeting last Monday night the 6th of December 2021 at the Aboriginal Advancement League, as a representative of the Northcote Golf Club, I made a presentation with five Darebin Councillors and a Council officer present at that meeting. I would like to enquire as to whether the written submission that accompanied that presentation could be tabled and minuted and presented as a hard copy this evening to the CEO, the Mayor, all Councillors and the Officer responsible for the consultation process on the Northcote Public Golf Course?

**Response from Sam Hewitt, General Manager, Operations and Capital to Linda Green, Bill Jennings and Clive Enos questions**

**Given the size of the response we have had to the consultation, over 11,000 responses. Officers are designing the next stage and we have committed to conducting a Hearing of Submissions type process. As it is a logistical challenge, we are trying to design it now. We can assure stakeholders they will be given an opportunity to be heard.**

**Officers have a hard copy of the submission from the community meeting and this will form part of Council's consultation process for the golf course. Councillors will consider this submission along with all other submissions sometime in the new year.**

**Thank you for the advice regarding the Council principles issue. This will be rectified on Councils website**

**A STATEMENT FROM THE MAYOR**

As I mentioned at the start of public question time we have received a number of questions regarding the Separate Waste Charge issue and Preston Market, both of which are the subject of Notices of Motion before this evenings meeting. I wish to inform those persons who have lodged these questions that whilst our Governance Rules disallow questions on Notices of Motion – our Officers will respond to your questions in writing after this meeting.

- **John Nugent**

Question 1

Could you please advise if the mean-spirited instructions delivered by your General Manager that there will be no photo copying of anything for the customers who come to front desk in Customer Service. Will this policy change in 2022?

Question 2

Could you please advise when will the Preston Market parking and leasing out the City Oval to NFNL in September be finalised? Mayor Messina this is your ward and you also know that the shopkeepers lose between 10 and 20% of their income on match days. Mayor Messina isn't about time that that this Council finally looked out for the shopkeepers? There is a win/win situation (available) but it's not up to me to tell highly paid executives what is the resolution?

Question 3

Could you please advise if our Managers are responsible for checking that the work force start work on time then Mayor Messina who checks that the Executive staff start work on time?

**Response**

**Thank you Mr Nugent, your questions will be taken on notice and the relevant General Manager will get back to you.**

- **Kate Jost of Reservoir**

Friends of Edwardes Lake are looking forward to the Edwardes water quality task force commencing.

We are committed to the hard work ahead along with those who are already actively involved in improving the water quality in the catchment.

We look forward to continuing working with the group and Council collaboratively to develop the terms of reference for the task force.

**Mayor Messina thanked Ms Jost for her statement.**

- **Carolyn Lunt of Northcote**

Councillors you may not be aware that the green material used to make the bike lanes is coming away from the surface of the road and is collecting in the gutters. This material seems to be glass or plastic and will end up in our waterways.

## Question 1

What is Council doing to prevent this litter from entering our waterways?

On Friday 3 December I noticed slurry flowing onto the Merri Creek bank, the slurry had come from 8 Ross Street. They were having their roof done and the roofing company washed the slurry down the stormwater drain. For 35 years of my 40 years living there I have been trying to get Council to look at the illegal stormwater flow.

I rang the Council on 3 December, and they said to ring the EPA. I rang the EPA who emailed me and stated it was a Council responsibility. Council is looking at it but it took 8 days. This shows that the Council and the EPA, nobody is really concerned about our water ways.

## Question 2

What is the Council doing to address the issue of an illegal stormwater drain and to remove the slurry in a careful manner.

**Response from Sue Wilkinson, Chief Executive Officer**

**In relation to the green material used in the bike lanes, thank you for bringing that to my attention and I will take the sample. We will have to investigate your question and get back to you.**

**In relation to slurry and the discharge into Merri Creek, I can't answer that right now as I wasn't aware of it. What I will do is speak to the relevant General Manager and I will ensure that they give you a call tomorrow.**

- **Chris Erlandsen of Preston**

The future Advisory Standing Committee which will sit mid next year in their hearing to determine the future of Preston Market. They will be informed by all relevant Council documentation that has been produced.

Which documents will most inform the hearing? There is Preston Central Structure Plan 2006, Preston Central Structure Plan 2021 Draft & Preston Central Structure Plan 2020-2050,

Preston Central Incorporated Plan 2007 & 2014, Heart of Preston and/or alternatively the Councils recent submission to the VPA.

Which one of these would be most relevant?

**Response from Sue Wilkinson, Chief Executive Officer**

**It's difficult to describe a hierarchy but Council's submission to the VPA clearly states Councils adopted and current position. I will seek advice and clarification from Officers for you but I would think we would provide all of those documents if requested by the panel and we would put the most emphasis on Council position in the Heart of Preston document**

## 7. PETITIONS

### 7.1 DOG OFF LEASH AREAS - OLDIS GARDENS AND BILL LAWRY PRECINCT

Cr. Hannan sought leave of Council to present a petition seeking to have Council engage with the community in the vicinity of Oldis Gardens and Bill Lawry Oval to discuss the use and access to these open spaces for dog off-leash areas.

Leave was granted.

<b>Council Resolution</b>
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**MINUTE NO. 21-160**

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

That the petition signed by approx. 163 persons stating

I write to you on behalf of a lot of dog owners and their children (mostly under 12 years of age) who live within 1 km radius of the above precincts.

Bill Lawry Oval was a blessing for all of us over the last 2 years, when Melbourne was predominantly in lockdown, as we could take our dogs and enjoy some freedom by watching them run and play with other dogs whilst the owners maintained respectful COVID safe distances. The kids would often come with their dogs and run along with them and have a play. This space has formed good friendships and helped support the mental health and wellbeing of nearly 20-30 dogs, their owners and families, it is reflected in the number of signatories to this letter.

We have, with admiration and concern, seen a recent proposal of upgrading the Oval. We are thrilled to have a first-class sports precinct close to our homes but are concerned about access for us, our children and dogs to this public precinct; and are extremely worried about it's impact on the traffic, parking and on the environment.

Most of us are families with young children and with essential (healthcare) workers who have always strived to support local community and make Darebin a nice place to call home. We would, respectfully, like the Council to engage with us to hear our concerns and discuss possible solutions to address them.

Our appeal is for Council to designate an adequate space in these precincts that is fenced and safe for our dogs and children to run around without the fear of being hit by a cricket ball or bump into a player.

be received and referred to the Chief Executive Officer for action.

**CARRIED UNANIMOUSLY**

**7.2 CONTAMINATION AT CLEMENTS RESERVE RESERVOIR**

Cr. Laurence sought leave of Council to present a petition regarding contamination at Clements Reserve Reservoir

Leave was granted.

<b>Council Resolution</b>
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**MINUTE NO. 21-161**

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

**That** the petition signed by approx. 20 persons stating

Contamination at Clements Reserve , Reservoir

We call on Darebin Council to make the Prensa Asbestos and Lead Contamination Report publicly available to both local residents and council workers - locals are alarmed that Council allowed a rifle club to operate in a park for many years. We remind the Council that it has a duty of care for both current and past employees who worked on this parkland and a duty of care for current and past local children who grew up playing on this contaminated reserve.

be received and referred to the Chief Executive Officer for action.

**CARRIED UNANIMOUSLY**

## 8. CONSIDERATION OF REPORTS

### 8.1 CONTRACT AWARD CT202171 - VICTORIA ST PRESTON, ROAD REHABILITATION

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#### EXECUTIVE SUMMARY

Council has an ongoing road rehabilitation program to improve the condition, safety and appearance of its network of roads. Victoria Street Preston, between Neale Street and Raglan Street, was identified for rehabilitation in the 2021/2022 capital works program, due to its aging condition and high traffic count.

Interest was sought from experienced contractors for the rehabilitation of Victoria Street, between Neale Street and Raglan Street, via an open public tender. Works include the reconstruction of the road pavement, improvements to kerb and channel, footpaths, vehicle crossings, nature strips and underground drainage.

A tender evaluation panel has completed a detailed evaluation process and recommends awarding the Contract to the preferred tenderer.

The proposed Contract arrangement is a lump sum contract and works are expected to be completed by the end of April 2022.

<b>Officer Recommendation</b>
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**That Council:**

- (1) Awards Contract No. CT202171 Victoria Street Preston, Road Rehabilitation to \_\_\_\_\_ for the contract sum of \$\_\_\_\_\_.
- (2) Approves a contingency amount of \$\_\_\_\_\_ (inclusive of GST), being approximately \_\_\_% of the contract sum, to be used if required for variations and other unforeseen items, as part of Contract No. CT202171 and authorise the Chief Executive Officer to vary the contract;
- (3) Authorises the Chief Executive Officer to finalise and execute the contract documentation.



**Motion**

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

**That Council:**

- (1) Awards Contract No. CT202171 Victoria Street Preston, Road Rehabilitation to Petrolo Construction Pty Ltd for the contract sum of \$945,700.82 (inclusive GST).
- (2) Approves a contingency amount of \$144,567 (inclusive GST) (inclusive of GST), being approximately 15% of the contract sum, to be used if required for variations and other unforeseen items, as part of Contract No. CT202171 and authorise the Chief Executive Officer to vary the contract;
- (3) Authorises the Chief Executive Officer to finalise and execute the contract documentation.

The motion was put and carried.

**Council Resolution****MINUTE NO. 21-162**

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

**That Council:**

- (1) Awards Contract No. CT202171 Victoria Street Preston, Road Rehabilitation to Petrolo Construction Pty Ltd for the contract sum of \$945,700.82 (inclusive GST).
- (2) Approves a contingency amount of \$144,567 (inclusive GST) (inclusive of GST), being approximately 15% of the contract sum, to be used if required for variations and other unforeseen items, as part of Contract No. CT202171 and authorise the Chief Executive Officer to vary the contract;
- (3) Authorises the Chief Executive Officer to finalise and execute the contract documentation.

**CARRIED UNANIMOUSLY**

**Declaration of Conflict of Interest**

**6.44 pm** The Chief Executive Officer declared a general conflict of interest in item 8.2, Governance Report – December 2021, specifically the matter dealing with the appointment of Councillor representatives to the CEO Employment Matters Committee and in item 8.3, CEO Employment and Remuneration Policy and left the meeting prior to Council commencing its determination of these matters.

**8.2 GOVERNANCE REPORT - DECEMBER 2021**

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**EXECUTIVE SUMMARY**

The matters covered under the Governance Report for the month of December 2021 are:

- Summary of Advisory Committees, Councillor Briefing and other informal meetings of Councillors;
- Reports by Mayor and Councillors;
- Responses to the questions taken on notice during Public Question Time at the Council Meeting held on 22 November 2021;
- Update on the publication of past Council Meeting/Planning Meeting/Hearing of Submissions Committee Meeting Agendas and Minutes on the Website;
- Audit and Risk Committee Bi-annual Report;
- Appointment of Councillor Delegates to:
  - State-wide, Metropolitan, Regional and Darebin-based Organisations;
  - Council Advisory Committees and Community Reference Groups;
  - Audit and Risk Committee and CEO Employment Matters Committee

*The following person made submission in relation to this item*

- *Bill Jennings*

**Officer Recommendation****That Council:**

- (1) Notes the Governance Report – December 2021.
- (2) Notes the Summary of Advisory Committees, Councillor Briefings and other Informal Meetings of Councillors at **Appendix A** to this report, for incorporation in the minutes of this meeting.
- (3) Notes that reports by Mayors and Councillors submitted prior to the meeting and circulated to Councillors, will be incorporated in the minutes of this meeting.
- (4) Notes the responses to the questions taken on notice during Public Question Time at the Council meeting held on 22 November 2021, at **Appendix B** to this report.
- (5) Notes that the past agendas and minutes of the Council Meeting, Planning Committee Meeting, Hearing of Submissions Committee Meeting from 2016 have now been published to the new Website.
- (6) Notes and receives the Audit and Risk Committee Biannual Report for the period from June 2021 to November 2021 at **Appendix C** to this Report.
- (7) Appoints Councillor representatives to the State-wide, Metropolitan, Regional and Darebin-based Organisations and entities as listed in the report at **Table A** for a period of 12 months, or until such time as Council makes a further resolution on the matter.
- (8) Appoints Councillor representatives to the Council Advisory Committees and Community Reference Groups as listed in the report at **Table B** for a period of 12 months, or until such time as Council makes a further resolution on the matter.
- (9) Appoints Councillor representatives to the Audit and Risk Committee and CEO Employment Matters Committee as listed in the report at **Table C** below in the Report for a period of 12 months, or until such time as Council makes a further resolution on the matter.

**Motion**

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

**That Council:**

- 1) Notes the Governance Report – December 2021.
- 2) Notes the Summary of Advisory Committees, Councillor Briefings and other Informal Meetings of Councillors at Appendix A to this report, for incorporation in the minutes of this meeting.
- 3) Notes that reports by Mayors and Councillors submitted prior to the meeting and circulated to Councillors, will be incorporated in the minutes of this meeting.
- 4) Notes the responses to the questions taken on notice during Public Question Time at the Council meeting held on 22 November 2021, at Appendix B to this report.
- 5) Notes that the past agendas and minutes of the Council Meeting, Planning Committee Meeting, Hearing of Submissions Committee Meeting from 2016 have now been published to the new Website.
- 6) Notes and receives the Audit and Risk Committee Biannual Report for the period from June 2021 to November 2021 at Appendix C to this Report.

- 7) Appoints Councillor representatives to the State-wide, Metropolitan, Regional and Darebin-based Organisations and entities as listed in the report at Table A for a period of 12 months, or until such time as Council makes a further resolution on the matter.
- 8) Appoints Councillor representatives to the Council Advisory Committees and Community Reference Groups as listed in the report at **Table B** for a period of 12 months, or until such time as Council makes a further resolution on the matter.
- 9) Appoints Councillor representatives to the Audit and Risk Committee and CEO Employment Matters Committee as listed in the report at **Table C** below in the Report for a period of 12 months, or until such time as Council makes a further resolution on the matter.
- 10) Make an administrative change to the CEO Employment Matters Committee Charter to reflect these new appointments, in the 'composition' section that the Committee will be constituted by an independent chairperson and four Councillors, and in both the 'composition' and 'meetings' sections reflect a quorum of four members will be necessary to transact business of the Committee.

**Table A**

<b>State-wide, metropolitan or regional organisation</b>	<b>Nominees required</b>	<b>Appointments 2021/22</b>
Municipal Association of Victoria	One Councillor and one proxy	Cr Rennie Cr Messina (Proxy)
Metropolitan Local Government Waste Forum	One Councillor (This appointment is only required until the 1 <sup>st</sup> July 2022)	Cr Messina
Friends of Baucau Inc.	One Councillor	Cr Newton
Metropolitan Transport Forum	One Councillor	Cr Newton Ce Dimitriadis (proxy)
Northern Alliance for Greenhouse Action	One Councillor	Cr McCarthy Cr Greco (proxy)
Global Covenant of Mayors for Climate and Energy	Mayor of the Day	Cr Messina
Northern Council Alliance New organisation established in Sept 2019	One Councillor And Chief Executive Officer	Cr Messina
<b>Darebin-based organisation</b>	<b>Nominees required</b>	<b>Suggested 'in principle' Appointments 2021/22</b>
Melbourne Innovation Centre	Two Councillors	Cr McCarthy Cr Messina
Darebin Ethnic Communities Council	Two Councillors	
Darebin Creek Management Committee Inc.	One Councillor	Cr Dimitriadis
Merri Creek Management Committee Inc.	One Councillor	Cr Hannan Cr Greco (proxy)

Table B

<b>Community Advisory Committee</b>	<b>Nominees required (Based on adopted Terms of Reference)</b>	<b>Appointments 2021/22</b>
Active and Healthy Ageing Advisory Committee	<i>One Councillor nominated as Chair of the Committee and one as a proxy</i>	Cr Greco (Chair) Cr Williams (Proxy)
Climate Emergency Darebin Advisory Committee	<i>Two Councillors one nominated as Chair of the Committee, one as a member and one as a proxy</i>	Cr McCarthy (Chair) Cr Rennie
Darebin Aboriginal Advisory Committee	<i>One Councillor nominated as Co Chair of the Committee and one as a proxy</i>	Cr Messina (Co-Chair) Cr McCarthy Cr Greco Cr Rennie Cr Newton Cr Laurence
Darebin Community Awards Advisory Committee	<i>The current Mayor nominated as the Chair of the Committee and one as a proxy</i>	Cr Messina (Mayor and Chair) Cr Rennie (Proxy)
Darebin Disability Advisory Committee	<i>One Councillor nominated as Chair of the Committee and one as a proxy</i>	Cr Williams (Chair) Cr Laurence (Proxy)
Darebin Domestic Animal Management Reference Group	<i>One Councillor nominated as Chair of the Committee and one as a proxy</i>	Cr. Williams (Chair) Cr. Laurence (Proxy)
Darebin Education Network	<i>One Councillor nominated as Chair of the Committee and one as a proxy</i>	Cr Rennie (Chair) Cr Dimitriadis (Proxy)
Darebin Interfaith Council	<i>One Councillor nominated as Co Chair of the Committee and one as a proxy</i>	Cr Greco (Co Chair) Cr Dimitriadis (Proxy)
Darebin Nature Trust	<i>Three Councillors, one nominated as Co-Chair of the Committee, two as members and one as a proxy</i>	Cr Lina Messina (Co-Chair) Cr Trent McCarthy Cr Tom Hannan
Darebin Women's Advisory Committee	<i>One female Councillor nominated as Chair of the Committee and one as a proxy</i>	Cr Dimitriadis Cr Rennie (Proxy)
Sexuality, Sex and Gender Diversity Advisory Committee	<i>One Councillor nominated as Chair of the Committee and one as a proxy</i>	Cr Newton (Chair) Cr Rennie (Proxy)

Welcoming Cities Community Reference Group	<i>One Councillor nominated as Chair of the Committee and one as a proxy</i>	Cr Greco Chair) Cr Dimitriadis (Proxy)
Arts & Heritage Advisory Committee Established April 2020	<i>One Councillor nominated as Co-Chair of the Committee and one as a proxy</i>	Cr Newton Co-Chair) Cr Greco (Proxy)
Edwardes Lake Water Quality Task Force	<i>One Councillor nominated as Chair of the Committee and one as a proxy</i>	Cr Greco  Cr Newton ( Proxy )

**Table C**

<b>Standing Advisory Committees</b>	<b>Nominees required (Based on adopted Charter and the Local Government Act)</b>	<b>Appointments 2021/22</b>
Audit and Risk Committee	Two Councillors	Cr Messina Cr Hannan
CEO Employment Matters Committee	Mayor and All Councillors	Cr Messina Cr McCarthy Cr Rennie Cr Williams

Cr Laurence raised a point of order which the Mayor ruled against.

Cr Laurence moved a motion of dissent in the Mayors ruling .

**Motion of Dissent****MOVED: Cr. T Laurence****SECONDED: Cr. G Greco**

That the Chairpersons ruling be dissented from.

**7.10 pm** – In accordance with clause 10.5 of the Governance Rules 2020, Mayor Messina left the Chair and Deputy Mayor Councillor McCarthy assumed the Chair.

Cr. Laurence was provided the opportunity to state the reasons for the dissent motion and the Mayor was invited to respond.

The motion was put and lost.

**LOST**

**For:** Cr's. Dimitriadis, Greco and Laurence (3)

**Against:** Cr's. Hannan, McCarthy, Messina, Newton and Rennie (5)

**7.15 pm** – Mayor Messina resumed the Chair

Cr Greco raised a point of order which the Mayor ruled against.

Cr Greco moved a motion of dissent in the Mayors ruling .

**Motion of Dissent****MOVED: Cr. G Greco****SECONDED: Cr. T Laurence**

That the Chairpersons ruling be dissented from.

**7.22 pm** – In accordance with clause 10.5 of the Governance Rules 2020, Mayor Messina left the Chair and Deputy Mayor Councillor McCarthy assumed the Chair.

7.22 pm Cr Williams arrived at the meeting

Cr. Greco was provided the opportunity to state the reasons for the dissent motion and the Mayor was invited to respond.

The motion was put and lost.

**LOST**

**For:** Cr's. Dimitriadis, Greco, Laurence and Williams (4)

**Against:** Cr's. Hannan, McCarthy, Messina, Newton and Rennie (5)

7.24 pm – Mayor Messina resumed the Chair

**Amendment**

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

That Table C of the motion be amended to include Councillor Greco in place of Councillor Williams in the 'CEO Employment Matters Committee'.

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

The amendment was put and lost.

**LOST**

**For:** Cr's. Dimitriadis, Greco, Laurence and Williams (4)

**Against:** Cr's. Hannan, McCarthy, Messina, Newton and Rennie (5)

**Further Amendment**

**MOVED:** Cr. E Dimitriadis  
**SECONDED:** Cr. T Laurence

**That** Tables A, B & C of the motion be amended to include Councillor Dimitriadis in the following Committees:

- Darebin Ethnic Communities Council (DECC)
- Darebin Aboriginal Advisory Committee (DAAC)
- CEO Employment Matters Committee

The mover of the motion consented to the parts of the above amendment relating to Councillor Dimitriadis's appointment to the Darebin Ethnic Communities Council (DECC) and Darebin Aboriginal Advisory Committee (DAAC) and this was included in the motion before the Council.

The mover of the motion did not consent to the part of the amendment relating to the proposed appointment of Cr Dimitriadis on the CEO Employment Matters Committee.

The amendment, as below, relating to Councillor Dimitriadis's appointment to CEO Employment Matters Committee was put and lost.

**That** Table C of the motion be amended to include Councillor Dimitriadis on the CEO Employment Matters Committee

**LOST**

**For:** Cr's. Dimitriadis, Greco, Laurence and Williams (4)

**Against:** Cr's. Hannan, McCarthy, Messina, Newton and Rennie (5)



**Further Amendment****MOVED:** Cr. T Hannan**SECONDED:** Cr. S Newton

That Table C of the motion be amended to include Councillor Newton in place of Councillor Williams in the 'CEO Employment Matters Committee'.

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

The amendment was put and lost.

**LOST****For:** Cr. Newton (1)**Against:** Cr's. Dimitriadis, Greco, Laurence, McCarthy, Messina, Rennie and Williams (7)**Abstained:** Cr. Hannan (1)

*The Mayor adjourned the meeting for a brief break at 8.01 pm.*

*The Meeting recommenced at 8.11 pm*

**Further Amendment****MOVED:** Cr. T Laurence**SECONDED:** Cr. G Greco

That Table C of the motion be amended to include all Councillors in the 'CEO Employment Matters Committee'.

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

The amendment was put and lost.

**LOST****For:** Cr. Dimitriadis, Greco, Laurence and Williams (4)**Against:** Cr's. Hannan, McCarthy, Messina, Newton and Rennie (5)

**Further Amendment**

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

That Table A of the motion be amended to include Councillor Laurence in place of Councillor Rennie on the 'Municipal Association of Victoria'.

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

The amendment was put and lost.

**LOST**

**For:** Cr. Dimitriadis, Greco, Laurence and Williams (4)

**Against:** Cr's. Hannan, McCarthy, Messina, Newton and Rennie (5)

**Further Amendment**

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

That Table B of the motion be amended to include Councillors Laurence and Greco on the 'Darebin Nature Trust'.

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

The amendment was put and lost.

**LOST**

**For:** Cr. Dimitriadis, Greco, Laurence and Williams (4)

**Against:** Cr's. Hannan, McCarthy, Messina, Newton and Rennie (5)

**Further Amendment****MOVED: Cr. E Dimitriadis****SECONDED: Cr. T Laurence**

**That** Tables B & C of the motion be amended to include Councillor Dimitriadis in the following Committees:

- Climate Emergency Darebin Advisory Committee
- Audit and Risk Committee

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

The amendment was put and lost.

**LOST**

**For:** Cr. Dimitriadis, Greco, Laurence and Williams (4)

**Against:** Cr's. Hannan, McCarthy, Messina, Newton and Rennie (5)

There being no further amendments, the substantive motion was put and carried.

Cr Laurence raised a point of order which the Mayor ruled against.

Cr Laurence moved a motion of dissent in the Mayors ruling .

**Motion of Dissent****MOVED: Cr. T Laurence****SECONDED: Cr. G Greco**

That the Chairpersons ruling be dissented from.

**8.48 pm** – In accordance with clause 10.5 of the Governance Rules 2020, Mayor Messina left the Chair and Deputy Mayor Councillor McCarthy assumed the Chair.

Cr. Laurence was provided the opportunity to state the reasons for the dissent motion and the Mayor was invited to respond.

The motion was put and lost.

**LOST**

**For:** Cr's. Dimitriadis, Greco, Laurence and Williams (4)

**Against:** Cr's. Hannan, McCarthy, Messina, Newton and Rennie (5)

**8.51 pm** – Mayor Messina resumed the Chair

**Procedural Motion**

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

**That** the motion be put.

**CARRIED**

**For:** Cr's. Hannan, McCarthy, Messina, Newton and Rennie (5)

**Against:** Cr's. Dimitriadis, Greco, Laurence and Williams (4)

**Council Resolution**

**MINUTE NO. 21-163**

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

**That** Council:

- 1) Notes the Governance Report – December 2021.
- 2) Notes the Summary of Advisory Committees, Councillor Briefings and other Informal Meetings of Councillors at Appendix A to this report, for incorporation in the minutes of this meeting.
- 3) Notes that reports by Mayors and Councillors submitted prior to the meeting and circulated to Councillors, will be incorporated in the minutes of this meeting.
- 4) Notes the responses to the questions taken on notice during Public Question Time at the Council meeting held on 22 November 2021, at Appendix B to this report.
- 5) Notes that the past agendas and minutes of the Council Meeting, Planning Committee Meeting, Hearing of Submissions Committee Meeting from 2016 have now been published to the new Website.
- 6) Notes and receives the Audit and Risk Committee Biannual Report for the period from June 2021 to November 2021 at Appendix C to this Report.
- 7) Appoints Councillor representatives to the State-wide, Metropolitan, Regional and Darebin-based Organisations and entities as listed in the report at **Table A** below as amended as amended to include Cr Dimitriadis on the Darebin Ethnic Communities Council (DECC) for a period of 12 months, or until such time as Council makes a further resolution on the matter.
- 8) Appoints Councillor representatives to the Council Advisory Committees and Community Reference Groups as listed in the report at **Table B** below as amended to include Cr Dimitriadis on Darebin Aboriginal Advisory Committee (DAAC) for a period of 12 months, or until such time as Council makes a further resolution on the matter.
- 9) Appoints Councillor representatives to the Audit and Risk Committee and CEO Employment Matters Committee as listed in the report at **Table C** below in the Report for a period of 12 months, or until such time as Council makes a further resolution on the matter.
- 10) Make an administrative change to the CEO Employment Matters Committee Charter to reflect these new appointments, in the 'composition' section that the Committee will be

constituted by an independent chairperson and four Councillors, and in both the 'composition' and 'meetings' sections reflect a quorum of four members will be necessary to transact business of the Committee.

Table A

<b>State-wide, metropolitan or regional organisation</b>	<b>Nominees required</b>	<b>Appointments 2021/22</b>
Municipal Association of Victoria	One Councillor and one proxy	Cr Rennie Cr Messina (Proxy)
Metropolitan Local Government Waste Forum	One Councillor (This appointment is only required until the 1 <sup>st</sup> July 2022)	Cr Messina
Friends of Baucau Inc.	One Councillor	Cr Newton
Metropolitan Transport Forum	One Councillor	Cr Newton Ce Dimitriadis (proxy)
Northern Alliance for Greenhouse Action	One Councillor	Cr McCarthy Cr Greco (proxy)
Global Covenant of Mayors for Climate and Energy	Mayor of the Day	Cr Messina
Northern Council Alliance New organisation established in Sept 2019	One Councillor And Chief Executive Officer	Cr Messina
<b>Darebin-based organisation</b>	<b>Nominees required</b>	<b>Appointments 2021/22</b>
Melbourne Innovation Centre	Two Councillors	Cr McCarthy Cr Messina
Darebin Ethnic Communities Council	Two Councillors	Cr. Dimitriadis
Darebin Creek Management Committee Inc.	One Councillor	Cr Dimitriadis
Merri Creek Management Committee Inc.	One Councillor	Cr Hannan Cr Greco (proxy)

Table B

<b>Community Advisory Committee</b>	<b>Nominees required (Based on adopted Terms of Reference)</b>	<b>Appointments 2021/22</b>
Active and Healthy Ageing Advisory Committee	<i>One Councillor nominated as Chair of the Committee and one as a proxy</i>	Cr Greco (Chair) Cr Williams (Proxy)

Climate Emergency Darebin Advisory Committee	<i>Two Councillors one nominated as Chair of the Committee, one as a member and one as a proxy</i>	Cr McCarthy (Chair) Cr Rennie
Darebin Aboriginal Advisory Committee	<i>One Councillor nominated as Co Chair of the Committee and one as a proxy</i>	Cr Messina (Co-Chair) Cr McCarthy Cr Greco Cr Rennie Cr Newton Cr Laurence Cr. Dimitriadis
Darebin Community Awards Advisory Committee	<i>The current Mayor nominated as the Chair of the Committee and one as a proxy</i>	Cr Messina (Mayor and Chair) Cr Rennie (Proxy)
Darebin Disability Advisory Committee	<i>One Councillor nominated as Chair of the Committee and one as a proxy</i>	Cr Williams (Chair) Cr Laurence (Proxy)
Darebin Domestic Animal Management Reference Group	<i>One Councillor nominated as Chair of the Committee and one as a proxy</i>	Cr. Williams (Chair) Cr. Laurence (Proxy)
Darebin Education Network	<i>One Councillor nominated as Chair of the Committee and one as a proxy</i>	Cr Rennie (Chair) Cr Dimitriadis (Proxy)
Darebin Interfaith Council	<i>One Councillor nominated as Co Chair of the Committee and one as a proxy</i>	Cr Greco (Co Chair) Cr Dimitriadis (Proxy)
Darebin Nature Trust	<i>Three Councillors, one nominated as Co-Chair of the Committee, two as members and one as a proxy</i>	Cr Lina Messina (Co-Chair) Cr Trent McCarthy Cr Tom Hannan
Darebin Women's Advisory Committee	<i>One female Councillor nominated as Chair of the Committee and one as a proxy</i>	Cr Dimitriadis Cr Rennie (Proxy)
Sexuality, Sex and Gender Diversity Advisory Committee	<i>One Councillor nominated as Chair of the Committee and one as a proxy</i>	Cr Newton (Chair) Cr Rennie (Proxy)
Welcoming Cities Community Reference Group	<i>One Councillor nominated as Chair of the Committee and one as a proxy</i>	Cr Greco Chair Cr Dimitriadis (Proxy)

Arts & Heritage Advisory Committee Established April 2020	<i>One Councillor nominated as Co-Chair of the Committee and one as a proxy</i>	Cr Newton Co-Chair) Cr Greco (Proxy)
Edwardes Lake Water Quality Task Force	<i>One Councillor nominated as Chair of the Committee and one as a proxy</i>	Cr Greco Cr Newton ( Proxy )

**Table C**

<b>Standing Advisory Committees</b>	<b>Nominees required (Based on adopted Charter and the Local Government Act)</b>	<b>Appointments 2021/22</b>
Audit and Risk Committee	Two Councillors	Cr Messina Cr Hannan
CEO Employment Matters Committee	Mayor and All Councillors	Cr Messina Cr McCarthy Cr Rennie Cr Williams

**CARRIED****For:** Cr's. Hannan, McCarthy, Messina, Newton and Rennie (5)**Against:** Cr's. Dimitriadis, Greco and Laurence (3)**Abstained:** Cr. Williams (1)**REPORTS FROM MAYOR AND COUNCILLORS****REPORT OF CR. LINA MESSINA, MAYOR**

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

- Council meeting
- Event with Matthew Guy MP
- Statutory meeting
- Special Council meeting
- Strategies and Policy Advisory Group
- Walk Against Family Violence
- Waste Forum Meeting
- M9 Mayors and CEO's meeting

- Councillor Briefings
- Northern Business Achievements Awards grand finale Breakfast
- State Wide Local Government Waste Forum meeting
- Metropolitan Local Government Waste Forum
- Planning Committee meeting
- Meeting with constituents
- Breakfast forum with Preston Lions
- Training Event
- Weekly Councillor Meetings
- One on One Cr Rennie
- Regular group councillors meetings
- Project Roll Up Presentation to Panel
- Invitation to Momentum Home Loans
- DACC Meeting
- Phone call with Uncle Alan
- Opening of Oakover Pocket Park
- Phone Calls with Robin Scott
- Phone Calls with Kat Theophanous

**REPORT OF CR. GAETANO GRECO**

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

- Statutory meeting
- Photo session
- Special meeting
- Darebin interfaith meeting
- Briefings x3
- Preston Market - Our Songs
- CEO Employment Matters Committee
- Residents Parking Permit Review
- AHAAC meeting
- Corals in the Park
- DECC UN Genocide commemoration
- Planning committee



**REPORT OF CR. JULIE WILLIAMS**

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

- Councillor briefing x3
- Council Meeting
- Special Briefing waste charges
- Weekly Councillors catch up
- Darebin Disability Advisory Committee Inductions
- Active and Healthy Ageing Advisory Committee Inductions
- Northern Business Achievement Awards grand finale
- Our songs project
- CEO Employment Matters Committee
- Hearing of Submissions
- Statutory Meeting
- Planning Committee Meeting

Spoken to residents regarding issues on Graffiti, Waste management, Thornbury Heritage overlay, Cheddar road, love local supporting businesses, council rates, Northcote Golf Course.

**REPORT OF CR. TIM LAURENCE**

Cr. Laurence did not submit the report.

**REPORT OF CR. SUSANNE NEWTON**

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

- Planning Committee Meeting
- Councillor Briefings
- Opening of Oakover Road Pocket Park
- Weekly Councillor Meetings
- Speech/opening remarks at Darebin Art Prize
- Cranlana Executive Colloquium
- CEO Employment Matters Committee Meeting
- Resident Parking Permit Review Meeting
- Community Meeting about Proposal for Northcote Community and Golf Hub
- The Rezzadent End of Year Celebration (at own cost)
- Preston Lions Football Club Preston in Business Breakfast
- Panellist on Chikang Bayi Live online event, Philippines: "A #VAWfreefuture is possible"

- Meeting with resident about James Street Pocket Park and Cramer Street traffic calming
- Meeting with resident about Domestic Animal Management Plan
- Sexuality, Sex and Gender Diversity Induction Meeting
- Christmas Event with the Greek and Cypriot Community
- Speech/opening remarks at Bundoora Homestead Art Centre Season 4 Launch - *Assemblage, 4am Flaming Arrows and Simultaneous Light*
- Special Council Meeting to elect the Mayor and Deputy Mayor
- Mentoring session with ALGWA mentee, Cr Alida McKern
- Walk against Family Violence with Mayor Messina, Councillors, Council Staff and Preston Police

### REPORT OF CR. SUSAN RENNIE

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

- Contact (phone / online) with residents about local issues
- Walk against family violence
- Northern Business Awards breakfast (online)
- Darebin Council e-bike induction
- Training on preventing Sexual Harassment
- CEO Employment Matters Committee meeting
- Councillor briefings
- Regular meeting with Councillors
- Planning committee meeting
- Statutory meeting to elect the Mayor
- Special Council meeting
- Monthly Council meeting
- Opening of Oakover pocket park
- Carols by Candlelight by Darebin Presbyterian Church
- MAV representatives and CEO forum
- Parking discussion with Movement and Place Consulting
- Climate Emergency Darebin Advisory meeting
- Reopening Darebin Chess Tournament
- Food Forest discussion at VASS
- Active Healthy and Ageing Advisory Committee
- Sylvester Hive Christmas Lunch
- Catch up with Mayor

**REPORT OF CR. TRENT MCCARTHY**

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

- Planning Committee Meeting
- Councillor Briefings
- Climate Emergency Darebin Advisory Committee Meeting
- Weekly Councillor Meetings
- CEO Employment Matters Committee Meeting
- Resident Parking Permit Review Meeting
- Special Council Meeting to elect the Mayor and Deputy Mayor
- Northern Business Achievement Awards

**REPORT OF CR. EMILY DIMITRIADIS**

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

- Attended Council briefing (online and in person)
- Attended Women's Advisory Committee meeting (online and in person)
- Attended CEO Employment Matters Committee meeting (online)
- Contact from residents regarding: Merri paddle project, parking permits, waste charge, bins not being picked up, flooding in Alphington, requests to repair Council roads & footpaths, and future use of the golf course space
- Attended official Council meeting (online)
- Attended Special Meeting to elect the Mayor and Deputy Mayor (in person)
- Attended the Northcote Hub Public engagement event
- Attended the Federation of Greek Elderly Citizen Clubs on behalf of Council.
- Attended Planning Meeting (in person)

**REPORT OF CR. TOM HANNAN**

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

- Contact (phone / online) with residents about their concerns, eg, organic waste collection, separate waste charge, storm damage, planning, Northcote Public Golf Course, public housing – Walker St development, McDonnell Oval works, parking restrictions.
- Walk against family violence
- MC at International Day of Commemoration and Dignity of the Victims of the Crime of Genocide and of the Prevention of this Crime, organised by Darebin Ethnic Communities Council
- Tossing the coin at a Northcote Cricket Club match
- Northern Business Awards breakfast (online)

- Darebin Council e-bike induction
- Training on preventing Sexual Harassment
- CEO Employment Matters Committee meeting
- Audit and Risk Committee meeting
- Councillor briefings
- Regular meeting with Councillors
- Planning committee meeting
- Statutory meeting to elect the Mayor
- Special Council meeting
- Monthly Council meeting

### 8.3 CEO EMPLOYMENT AND REMUNERATION POLICY

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#### EXECUTIVE SUMMARY

This report is for Council to consider the proposed CEO (Chief Executive Officer) Employment and Remuneration Policy.

The proposed Policy (shown at **Appendix A**) has been established to align with matters which Council is responsible for under the Local Government Act 2020 including:

- the recruitment and appointment of the Chief Executive Officer
- provisions to be included in the contract of employment
- the appointment of an Acting Chief Executive Officer
- the provision of independent professional advice in relation to the matters dealt within the Policy
- the monitoring of the Chief Executive Officer's performance
- an annual review of the Chief Executive Officer's performance
- any other matters prescribed by legislation
- determining the Chief Executive Officer's remuneration.

<b>Officer Recommendation</b>
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**That** Council:

- (1) Note that the draft CEO Employment and Remuneration Policy was considered by the CEO Employment Matters Committee at its meeting on 8 December 2021 and is recommended to Council for adoption by the Committee.
- (2) Adopt the CEO Employment and Remuneration Policy in **Appendix A** to come into effect on 31 December 2021 in accordance with the *Local Government Act 2020*.

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

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

**That** the Officer Recommendation be adopted.

<b>Amendment</b>
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**MOVED:** Cr. G Greco  
**SECONDED:** Cr. T Laurence

**That Council:**

- (1) Note that the draft CEO Employment and Remuneration Policy was considered by the CEO Employment Matters Committee at its meeting on 8 December 2021 and is recommended to Council for adoption by the Committee.
- (2) Adopt the CEO Employment and Remuneration Policy in Appendix A to come into effect on 31 December 2021 in accordance with the *Local Government Act 2020*, with the following inclusions and changes:
  - a. Page 1. under 'Purpose' – insert a new para : “This Policy will set out broad parameters on remuneration and the review process”.
  - b. Page 1. Under 'Scope' –
    - i. in the 3rd para insert the word “existing” before ‘CEO’s Contract .....’
    - ii. Include another para that states: “Any new CEO’s contract, subject to the Act, the provisions of the Contract of Employment will be consistent with this Policy”.
  - c. Page 1. Under 'Definitions and Abbreviations' in the Independent Chair' section insert after 'Committee and' the following words “in collaboration with the Committee”
  - d. Page 2. under 'mandatory Policy Criteria'
    - i. In the 'CEO Performance Review' section on the first line delete word “officer” and insert “committee”
    - ii. At page 3 in the 2<sup>nd</sup> para after words ‘Annual reviews will include’ insert “360 performance review and”
    - iii. At page 3 in the 'CEO Remuneration' section include additional dot points as follows:
      - No bonus payment provisions
      - Limiting the extent of pay rises to Council’s EBA pay increase to align the CEO’s pay increases with those of the organisation workforce
  - e. Page 5. under 'responsibilities':
    - i. In the 'How the general Manager ... section include a dot point as follow:
      - “Provide the committee and councillors when requested, any relevant contracts, documents and information to enable councillors to fulfil their duties”
    - ii. At Page 6 In the 'How is the Independent Chair responsible for the success of the policy' section - second dot point replace “undertaking” with “facilitating”
    - iii. At Page 6 in the 'Reporting' section appropriately insert after “Council’s Annual Report ” the words with the actual amount

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

Each part of the amendment was put separately.

- (2)a. Page 1. under 'Purpose' – insert a new para : “This Policy will set out broad parameters on remuneration and the review process”.

**LOST**

**For:** Cr's. Dimitriadis, Greco, Laurence and Williams (4)

**Against:** Cr's. Hannan, McCarthy, Messina, Newton and Rennie (5)

- (2)b. Page 1. Under 'Scope' –

- i. in the 3rd para insert the word “existing” before ‘CEO’s Contract .....
- ii. Include another para that states: “Any new CEO’s contract, subject to the Act, the provisions of the Contract of Employment will be consistent with this Policy”.

**LOST**

**For:** Cr's. Dimitriadis, Greco, Laurence and Williams (4)

**Against:** Cr's. Hannan, McCarthy, Messina, Newton and Rennie (5)

- (2)c. Page 1. Under 'Definitions and Abbreviations' in the Independent Chair' section insert after 'Committee and' the following words “in collaboration with the Committee”

**CARRIED**

**For:** Cr's. Dimitriadis, Greco, Laurence, Messina, Rennie and Williams (6)

**Against:** Cr's. McCarthy and Newton (2)

**Abstained:** Cr. Hannan (1)

- (2)d. Page 2. under 'mandatory Policy Criteria'

- i. In the 'CEO Performance Review' section on the first line delete word “officer” and insert “committee”
- ii. At page 3 in the 2<sup>nd</sup> para after words 'Annual reviews will include' insert “360 performance review and”
- iii. At page 3 in the 'CEO Remuneration' section include additional dot points as follows:
  - No bonus payment provisions
  - Limiting the extent of pay rises to Council's EBA pay increase to align the CEO's pay increases with those of the organisation workforce

**LOST**

**For:** Cr's. Dimitriadis, Greco, Laurence and Williams (4)

**Against:** Cr's. McCarthy, Messina, Newton and Rennie (4)

**Abstained:** Cr. Hannan (1)

The amendment was lost on the casting vote of Mayor Messina.

(2)e. Page 5. under 'responsibilities':

i. In the 'How the general Manager ... section include a dot point as follow:

- "Provide the committee and councillors when requested, any relevant contracts, documents and information to enable councillors to fulfil their duties"

**LOST**

**For:** Cr's. Dimitriadis, Greco, Laurence and Williams (4)

**Against:** Cr's. Hannan, McCarthy, Messina, Newton and Rennie (5)

(2)e. ii. At Page 6 In the 'How is the Independent Chair responsible for the success of the policy' section - second dot point replace "undertaking" with "facilitating"

**LOST**

**For:** Cr's. Dimitriadis, Greco, Laurence and Williams (4)

**Against:** Cr's. Hannan, McCarthy, Messina, Newton and Rennie (5)

(2)e. iii. At Page 6 in the 'Reporting' section appropriately insert after "Council's Annual Report" the words with the actual amount

**LOST**

**For:** Cr's. Dimitriadis, Greco, Laurence and Williams (4)

**Against:** Cr's. Hannan, McCarthy, Messina, Newton and Rennie (5)

Point (2) c. of the amendment as carried above was included in the motion and became substantive motion.

*The Mayor adjourned the meeting for a brief break at 9.46 pm.*

*The Meeting recommenced at 9.57 pm*

### **EXTENSION OF TIME**

**Council Resolution**

**MINUTE NO. 21-164**

**MOVED:** Cr. T McCarthy

**SECONDED:** Cr. G Greco

**9.58 pm** That the Council meeting continue after 10.00 pm for 30 minutes .

**CARRIED UNANIMOUSLY**



**Amendment****MOVED: Cr. E Dimitriadis****SECONDED: Cr. T Laurence****That Council:**

1. Notes that the CEO Employment Matters Committee cannot make decisions on behalf of Council and any advice must include the majority view as well as the minority view where there is not unanimous support. This must include recording the names of the Independent Chair and Councillors vote in the minutes, in-line with Council meetings, which has currently not been the practice.
2. Notes that Councillors have a right to view the CEO contract to ensure that it abides by the *Local Government Act 2020 (Vic)*.
3. Notes that in determining the CEO wages and bonuses, the Minister for Local Government has stated that the Council must have regard to the State Government wages policy and the Council shall report as to how that is the case.
4. Notes that in determining the CEO wages and bonuses, "the *Act* also requires to have regard to State Government wages policy, and determinations on remuneration band for VPS executive by the Vic Independent Remuneration Tribunal."
5. Writes a response to the Minister outlining what Council has done to achieve the above 4 points.

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

The amendment was put and lost.

**LOST****For:** Cr's. Dimitriadis, Greco, Laurence and Williams (4)**Against:** Cr's. Hannan, McCarthy, Messina, Newton and Rennie (5)**Procedural Motion****MOVED: Cr. T McCarthy****SECONDED: Cr. S Newton**

That the motion be put.

**CARRIED****For:** Cr's. Hannan, McCarthy, Messina, Newton and Rennie (5)**Against:** Cr's. Dimitriadis, Greco, Laurence and Williams (4)

The Substantive motion before the Council was put and carried.

**EXTENSION OF TIME**

<b>Council Resolution</b>
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**MINUTE NO. 21-165**

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

**10.27 pm** That the Council meeting continue after 10.30 pm for 30 minutes.

**CARRIED UNANIMOUSLY**

<b>Council Resolution</b>
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**MINUTE NO. 21-166**

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

**That Council:**

- (1) Note that the draft CEO Employment and Remuneration Policy was considered by the CEO Employment Matters Committee at its meeting on 8 December 2021 and is recommended to Council for adoption by the Committee.
- (2) Adopt the CEO Employment and Remuneration Policy in **Appendix A** to come into effect on 31 December 2021 in accordance with the *Local Government Act 2020*, with the following change:
  - a. Page 1. Under 'Definitions and Abbreviations' in the Independent Chair' section insert after 'Committee and' the following words "in collaboration with the Committee"

**CARRIED**

**For:** Cr's. Hannan, McCarthy, Messina, Newton and Rennie (5)

**Against:** Cr's. Dimitriadis, Laurence and Williams (3)

**Abstained:** Cr. Greco (1)

**10.29 pm** The Chief Executive Officer returned to the meeting.

**CHANGE OF ORDER OF BUSINESS**

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

**MOVED:** Cr. T McCarthy

**SECONDED:** Cr. S Newton

**That** the Order of the Business be amended as follows:

- item 9.1 be considered at this point in the meeting
- and that consideration of all items 8.4 to 8.7, items 9.2 to 9.9, 10 and 11 be deferred to an Ordinary Council meeting on 31 January 2022.

**CARRIED**

**For:** Cr's. Hannan, McCarthy, Messina, Newton and Rennie (5)

**Against:** Cr's. Dimitriadis, Greco, Laurence and Williams (4)

## 9. NOTICES OF MOTION

### 9.1 NOTICE OF AMENDMENT

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Take notice that at the Council Meeting to be held on 15 December 2021, it is my intention to move:

**That Council:**

- (1) *Amends the previous resolution of Item 8.2 - SEPARATION OF WASTE COLLECTION SERVICE FEES FROM GENERAL RATES AND INTRODUCTION OF UNIVERSAL FOOD ORGANIC AND GARDEN ORGANIC WASTE COLLECTION, decided at the Council meeting 22 November 2021 at 9:38pm by rescinding points (2), (4), (5), (6), (7) and (8).*

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

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

**That Council:**

- (1) Amends the previous resolution of Item 8.2 - SEPARATION OF WASTE COLLECTION SERVICE FEES FROM GENERAL RATES AND INTRODUCTION OF UNIVERSAL FOOD ORGANIC AND GARDEN ORGANIC WASTE COLLECTION, decided at the Council meeting 22 November 2021 at 9:38pm by rescinding points (2), (4), (5), (6), (7) and (8).

Cr Greco raised a point of order which the Mayor ruled against.

Cr Greco moved a motion of dissent in the Mayors ruling.

<b>Motion of Dissent</b>
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**MOVED:** Cr. G Greco  
**SECONDED:** Cr. T Laurence

That the Chairpersons ruling be dissented from.

**10.48 pm** – In accordance with clause 10.5 of the Governance Rules 2020, Mayor Messina left the Chair and Deputy Mayor Councillor McCarthy assumed the Chair.

Cr. Greco was provided the opportunity to state the reasons for the dissent motion and the Mayor was invited to respond.

The motion was put and lost.

**LOST**

**For:** Cr's. Dimitriadis, Greco, Laurence and Williams (4)

**Against:** Cr's. Hannan, McCarthy, Messina, Newton and Rennie (5)

**10.50 pm** – Mayor Messina resumed the Chair

The motion before Council viz

**That** Council:

- (1) Amends the previous resolution of Item 8.2 - SEPARATION OF WASTE COLLECTION SERVICE FEES FROM GENERAL RATES AND INTRODUCTION OF UNIVERSAL FOOD ORGANIC AND GARDEN ORGANIC WASTE COLLECTION, decided at the Council meeting 22 November 2021 at 9:38pm by rescinding points (2), (4), (5), (6), (7) and (8).

was put and lost.

**LOST**

**For:** Cr's. Dimitriadis, Greco, Laurence, and Williams (4)

**Against:** Cr's. Hannan, McCarthy, Messina, Newton and Rennie (5)

## **10. CLOSE OF MEETING**


The meeting closed at 11.01 pm .

**CITY OF  
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