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MINUTES OF THE SPECIAL COUNCIL MEETING

Held on Monday 18 July 2022

This meeting was held virtually

Released to the public on 21 July 2022

**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 SPECIAL MEETING OF THE DAREBIN CITY COUNCIL HELD VIRTUALLY ON MONDAY 18 JULY 2022

THE MEETING OPENED AT 6.06pm

1. PRESENT

Councillors

Cr. Lina Messina (Mayor) (Chairperson)
Cr. Trent McCarthy (Deputy Mayor) (Arrived 6.10pm)
Cr. Emily Dimitriadis
Cr. Gaetano Greco
Cr. Tom Hannan
Cr. Tim Laurence
Cr. Susanne Newton
Cr. Susan Rennie
Cr. Julie Williams

Council Officers

Rachel Ollivier – Interim Chief Executive Officer
Jodie Watson - General Manager Governance and Engagement
Vanessa Petrie – Acting General Manager City Sustainability and Strategy
Jacinta Stevens – Manager Corporate Governance
Georgina Steele – Acting Executive Officer to the CEO
Michelle Martin - Council Business Officer
Rebecca Papoulias - Council Business Officer

John Watson – Municipal Monitor

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.

2. APOLOGIES

Nil

3. DISCLOSURES OF CONFLICTS OF INTEREST

Nil

Cr. Newton requested that an additional agenda item be considered at tonight's Meeting.

Procedural Motion

That the CEO Employment Matters Committee Composition be added to tonight's Agenda.

The procedural motion was put and carried

Council Resolution

MINUTE NO. 22-046

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

That the CEO Employment Matters Committee Composition be added to tonight's Agenda.

CARRIED

For: Cr's. Newton, Greco, Hannan, Laurence, McCarthy, Messina, Rennie and Williams (8)

Against: Cr. Dimitriadis (1)

In accordance with Councils Governance Rules specifically Clause 1.1.3 (6), *Unless all Councillors are present and unanimously agree to deal with another matter, only the business specified in the notice or resolution is to be transacted.'*

The additional matter was not admitted to the meeting.

4. CONSIDERATION OF REPORTS

4.1 CONSIDERATION OF APPOINTMENT TO COUNCILLOR CONDUCT OFFICER FUNCTION

EXECUTIVE SUMMARY

The *Local Government Act 2020* sets out a framework to achieve good governance in the local government sector.

Section 150 of the *Local Government Act 2020 (the Act)* requires the CEO to appoint a Councillor Conduct Officer. A person may be appointed to be a Councillor Conduct Officer if the person is a member of staff or the Council resolves that the person is suitably qualified to perform the functions of the Councillor Conduct Officer. The function of the Councillor Conduct Officer is set out in section 151 of the *Act* and includes responsibility for assisting the Council to implement and conduct its Council's internal arbitration process.

This function requires specialist skills and operates in a largely autonomous way from Council the organisation, which is important for the nature of the governance function it performs. It requires specialist skills and the ability to operate independently, which requires a senior and experienced person to perform it.

The role of Councillor Conduct Officer was previously undertaken by the Integrity and Conduct Officer. This position has become vacant, creating a temporary and urgent need for an appointment for the next three months whilst recruitment is undertaken for the Chief Legal Counsel and Integrity position. During this period, the CEO and Councillors will assess the way in which this function operates through external resourcing to determine the ongoing model for the Councillor Conduct Officer.

To best provide for this function for the next three months, it is recommended that a qualified individual at a specialist independent organisation be appointed for a period of 3 months. This recommendation is for two main reasons:

- There is not a readily available and appropriately skilled officer currently on Council staff that could provide this function without putting at risk other critical work.
- There may be benefit in having the function performed by an independent organisation, and this engagement would allow Council to test whether it is a model it would like to continue for this function.

The decision before Council is not the procurement decision, but rather the decision about whether the recommended person is suitably qualified to perform the functions of the Councillor Conduct Officer. Should Council endorse this recommendation, the CEO (or delegate) would make the necessary decisions, including in relation to procurement, and to formally appoint the individual to the role.

Officer Recommendation**That Council:**

- (1) Confirm the qualifications and experience contained in the resume provided in **Appendix A** demonstrates the proposed Councillor Conduct Officer is suitably qualified to perform the functions of the Councillor Conduct Officer.
- (2) Appoint _____ as the Councillor Conduct Officer effective from 19 July 2022.
- (3) Note the appointment of the Councillor Conduct Officer is made with an exemption from the Social and Sustainable Procurement Policy due to urgency and the sensitive nature of requirements and matters in hand.
- (4) Directs and authorises the CEO (or delegate) to do all things necessary to appoint _____ as Councillor Conduct Officer

Council Resolution**MINUTE NO. 22-047**

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

That Council:

- (1) Confirm the qualifications and experience contained in the resume provided in **Appendix A** demonstrates the proposed Councillor Conduct Officer is suitably qualified to perform the functions of the Councillor Conduct Officer.
- (2) Appoint **Megan Lawton** as the Councillor Conduct Officer effective from 19 July 2022.
- (3) Note the appointment of the Councillor Conduct Officer is made with an exemption from the Social and Sustainable Procurement Policy due to urgency and the sensitive nature of requirements and matters in hand.
- (4) Directs and authorises the CEO (or delegate) to do all things necessary to appoint **Megan Lawton** as Councillor Conduct Officer

CARRIED UNANIMOUSLY

4.2

**APPOINTMENT OF COUNCILLOR TO RECYCLING
VICTORIA LOCAL GOVERNMENT ADVISORY COMMITTEE**

EXECUTIVE SUMMARY

On 28 June 2022 the Minister for Energy, Environment and Climate Change wrote to Mayor Messina, inviting Council to nominate an appropriate councillor for consideration as a member of the Recycling Victoria Local Government Advisory Committee.

On 1 July 2022, Machinery-of-Government changes were enacted that established [Recycling Victoria](#), and wound up Regional Waste and Resource Recovery Groups.

Recycling Victoria's purpose is to strengthen Victoria's waste and recycling system. It forms a key part of implementing the Victorian Government's recycling reforms.

Officer Recommendation

That Council puts forward Councillor _____ to be considered by the Minister for Energy, Environment and Climate Change for appointment to the Recycling Victoria Local Government Advisory Committee.

Council Resolution**MINUTE NO. 22-048**

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

That Council puts forward **Councillor Lina Messina** to be considered by the Minister for Energy, Environment and Climate Change for appointment to the Recycling Victoria Local Government Advisory Committee.

CARRIED UNANIMOUSLY

5. CLOSE OF MEETING

The meeting closed at 6.24 pm.

**CITY OF
DAREBIN**

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