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MINUTES OF THE ORDINARY COUNCIL MEETING

Held on Monday 19 December 2022

Released to the public on 23 December 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 ਵੈੱਸਲ 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 VIRTUALLY ON MONDAY 19 DECEMBER 2022

THE MEETING OPENED AT 6.06PM

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. Julie Williams (Mayor) (Chairperson)

Cr. Susanne Newton (Deputy Mayor)

Cr. Emily Dimitriadis

Cr. Gaetano Greco

Cr. Lina Messina

Cr. Tim Laurence

Cr. Tom Hannan

Cr. Trent McCarthy

Cr. Susan Rennie

Council Officers

Peter Smith - Chief Executive Officer

Jodie Watson - General Manager Governance and Engagement

Sam Hewett - General Manager Operations and Capital

Kylie Bennetts - General Manager Community

Kathryn Pound – Acting General Manager City Sustainability and Strategy

Jacinta Stevens - Manager Corporate Governance

Michelle Martin - Governance Services Officer

Rebecca Papoulias - Governance Services Officer

Jeme Liang – IT Support Officer

John Watson – Municipal Monitor

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

Cr. Messina disclosed a conflict of interest in the Confidential Urgent Business Item 12.2 'Care Finder Service Contract', due to long term employment in the Aged Care industry.

Peter Smith CEO, declared an interest in Item 9.6 Governance Rules, as Councillors will be appointed to the CEO Employment Matters Committee.

Cr. Messina disclosed a conflict of interest in Item 12.1 'Crisis relief for the sub-tenants of Melbourne Innovation Centre (Darebin Enterprise Centre Limited)' and Confidential Item 13.1 2 Wingrove Street Alphington due to being a Director of the Melbourne Innovation Centre (MIC).

Cr. McCarthy disclosed a conflict of interest in Item 12.1 'Crisis relief for the sub-tenants of Melbourne Innovation Centre (Darebin Enterprise Centre Limited)' and Confidential Item 13.1 2 Wingrove Street Alphington due to being a Director of the Melbourne Innovation Centre (MIC).

5. CONFIRMATION OF THE MINUTES OF COUNCIL MEETINGS

Council Resolution

MINUTE NO. 22-129

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

That the Minutes of the Ordinary Meeting of Council held on 28 November 2022 and the Special Meeting of Council held on 30 November 2022 be confirmed as a correct record of business transacted.

CARRIED UNANIMOUSLY

6. COUNCIL'S OCCUPATIONAL HEALTH AND SAFETY RESPONSIBILITIES

Cr. Laurence made the following public statement:

An arbiter has found that I engaged in misconduct within the meaning of the Local Government Act 2020 and I sincerely apologise to all my fellow Councillors for falling short of the standards required of me.

7. QUESTION AND SUBMISSION TIME

General Managers responded to the following questions submitted for Public Question Time.

- **Pauline Brockett of Thornbury**

Will our Council give consideration under the ' *Local Government Act 1989, Schedule 10, Clause 5 Power to name roads, erect signs and require premises to be numbered*' - to making it a requirement for all properties to clearly display a number and for all street corners to indicate the street name?

Response from Acting General Manager Kathryn Pound

Thank you for the question Pauline. I understand an officer has called you to understand your concerns in relation to any specific places and will respond formally to you in the new year.

Council's local law already requires all property owners to have a street number that's large enough and free from obstructions so that it can be clearly read from the road.

We don't have officers checking all properties for street numbers, so we encourage residents to report any issues they are aware of. Our compliance staff will follow up reports of missing or illegible street numbers with property owners.

In regard to street signs, we have many across the City at most intersections and we welcome requests for more if there are particular needs or gaps. Our transport safety staff will consider any street sign requests.

- **Miranda Sharp of Alphington**

Q1. Melbourne Farmers Markets commercial licence at Melbourne Innovation Centre in Alphington expires in two weeks, after 18 months of repeated request for attention. How can council provide immediate certainty and resolution for the other businesses at MIC who are not directly affected by the asbestos situation?

Q2. Will council issue a licence directly to MFM in order to continue independently of MIC?

Q3. Given we are not in buildings with an asbestos hazard, will council confirm the implications elsewhere at MIC will not affect us?

Thank you for the question Miranda.

We value the work of Melbourne's Famers Market and the role it plays in supporting small enterprises within our community.

I understand an officer has contacted you today to provide contact and reassurance.

In response to your first question, I acknowledge that the famers market has an existing licence with the Melbourne Innovation Centre that expires on the 31 December 2022 from my understanding. The Melbourne Innovation Centre is in control of the site as the tenant of Council and from that perspective that lease expires at the

end of May 2023, there is no information that Council has that would prevent an extension to your licence being granted by the Melbourne Innovation Centre as you have requested of them

In the short term we are advocating on your behalf for MIC to continue to the market with a licence to operate until the end of the lease term, given that is the current timeframe that we are looking at and we are not aware of any safety issue that would prevent that occurring.

In response to the second question, Council does have a current lease with the Melbourne Innovation Centre over the whole of the site at 2 Wingrove Street, Alphington. Council is unable to issue a direct licence with the Melbourne Farmers Market until such time as existing lease arrangements either expires, are terminated or there is mutual agreement to vary the lease as it currently stands. Again, Council is fully supportive of the Melbourne farmers market.

In response to your third question, I acknowledge that the Melbourne Farmers Market hasn't been disrupted by the most recent incidents that we have onsite and we have no information on hand at this time that indicates that there should be any future disruption for the Melbourne Farmers Market.

- **Julia Laidlae of Alphington**

I refer to Urgent Confidential Business Item 12.1 2 Wingrove Street, Alphington I am a small business owner (mushroom farmer) at this address.

Q1. What is state of our license renewal given it is due to expire at the end of December?

Q2. Why don't we have any security with regards to tenure given the huge investment we have made to building our business on this site and the contribution we are making to the local community?

Q3. How can we continue to operate and invest in good faith despite this lack of security and given the treatment of our neighbours at La Sirene (amongst others)?

Response from General Manager Jodie Watson

Thank you for the question Julia.

I hope that my earlier response to Miranda also assisted with your question.

You have a licence under MIC thank you for clarifying that. Certainly, the same principles of my response to Miranda would apply to you in terms of there being no reason why your current arrangement could not be extended to the end of the current lease agreement which is until May 2023. Certainly the review of that lease will commence in the New Year with a view to establishing the future arrangement for that, but in the meantime there is no reason why your current licence could not be extended beyond 31st December if that remains an issue also for yourself which it certainly appears to. We are also happy to advocate to MIC for that licence to be extended as we are for Melbourne Farmers Market at this time.

- **Carolyn Lunt of Northcote**

Q1 When will the City of Darebin return to Direct Democracy when the residents can work with Councillors and council officers?

Response from General Manager Jodie Watson

1. Residents have the opportunity to meet face to face either individually or collectively with the Mayor and / or their ward Councillor, or group of Councillors, to provide feedback on matters of importance to them.

Council will continue to hold forums and seek community input to enable Councillors to be well informed when making decisions across our municipality.

Q2 When will Jika Jika in the Park be accessible to residents?

Q3. What's been spent on this centre since its closure in 2020, including the removal of infrastructure, the building of raised garden beds, plants, the construction of concrete seats as well as the 6 sitting garden beds?

Response from General Manager Sam Hewett

2. Jika Jika in the Park can be booked by residents for various activities and number of community members are currently using it. Get in touch with Jika Jika online to make a booking or contact Jika Jika if you would like to enquire further.

3. Jika Jika received some small grants to undertake works including raised garden beds and planting, construction of seats and erection of a small shed. Other than essential safety measures Council hasn't contributed to these works.

- **Karen Hagen of Thornbury**

Is Darebin Council monitoring noise and air pollution over the local area as a result of the new flight path. There has been a marked increase in aircraft noise. I realise it is a Federal Issue however when requesting Council support for Preston Market was told State Government. Hopefully Darebin Council has a role to raise local resident issues

Response from Acting General Manager Kathryn Pound

Thank you for your question Karen, and for the time you took to discuss this issue with an officer today.

Darebin is not monitoring noise and air quality levels that might be associated with flight paths.

If you are concerned by noise and air quality, I encourage you to report your concerns to Air Services Australia, who manage complaints. Visit 'www.airservicesaustralia.com' and search for 'Making a complaint'.

- **Serena O'Meley of Reservoir**

Q1 .Graffiti is out of control all over Darebin, on buildings, on the base of power polls, on junction boxes and so on. It gives our city a strong air of urban decay.

One of the worst examples is in Westgarth village where even the sign welcoming people to the village has been graffitied. Scaffolding was recently left out by builders that allowed people easy access to the tops of the historic buildings where graffiti is making them look decrepit.

What steps is Darebin Council taking to address the issue of the increasing amounts of graffiti in our city, including Westgarth?

Q2. A number of fringe State election candidates covered light poles and power polls with stickers and corflutes to advertise their runs for office. What steps has/is Darebin Council taking to deal with this littering?

Q3. Clements is again overgrown with weeds which is damaging the rewilding of the park. The entrances to the park have recently been slashed, instead of weeded, which is likely to have caused damage to the indigenous plants. In other areas, enormous chest-high weeds, including dandelions are obliterating the indigenous plants. What steps will be taken to ensure that these areas are properly weeded and maintained rather than slashed or poisoned off?

Response from General Manager Sam Hewett

Thank you for your questions Serena,

1. Council offers a graffiti removal subsidy program for private property owners through the provision of free graffiti removal kits and vouchers for contractors and paint. For safety reason we generally don't remove graffiti above ground level but we'll make contact with these property owners again to explain the graffiti services that might be available to them.

2.Council this week wrote to all state election candidates to remind them of their obligation to remove all political poster now the state election has been completed. – *Serena believed this response didn't answer her question therefore this question was taken on notice – Sam to call Serena to discuss*

3. Thanks for your feedback. We've made arrangements to have Council's contractors attend the site this week to address maintenance issues

- **John Nugent of Epping**

Q1. Will this Council celebrate the next Chinese New Year like it did 2 years ago where many cultures celebrate at that time of the year?

Q2. Why is the Customer Service front office closed over the main days in the holiday season

Q3. Could you please advise when residents can submit their questions from the floor instead of submitting a minimum of hours before they are asked.

Response from General Manager Kylie Bennetts

Thank you for your question.

1.I understand the Preston Central Business Association is planning celebrations and possibly some street decoration at this time of the year, which would be delivered through the special rate levy.

Response from General Manager Jodie Watson

Thank you for your question John

2.The front counters will be closed during Christmas and New Year because they are traditionally a time of very low traffic. Our call centre remains open during this time as well as a range of self-service options on Council's website.

3. Council will review its Governance Rules in 2023. The amended Governance Rules will be put out for community consultation at which time you will have the opportunity to make suggestions around public question time for the Council to consider.

Jodie Watson agreed to John Nugent's request of having all his PQT responses sent directly to him.

8. PETITIONS

NIL

9. CONSIDERATION OF REPORTS

Carolyn Lunt made a submission to Item 9.1 - Northern Regional Trails Strategy Summary of Consultation and Updated Strategy

9.1 NORTHERN REGIONAL TRAILS STRATEGY SUMMARY OF CONSULTATION AND UPDATED STRATEGY

EXECUTIVE SUMMARY

The Northern Regional Trails Strategy 2022 has been prepared to establish a framework for the planning and development of regional trails in Northern Melbourne for the next 10 years and beyond. The strategy is a collaboration between six Councils: Darebin, Banyule, Hume, Merri-bek, Nillumbik and Whittlesea.

This document is an updated version of the 2016 strategy. This strategy successfully leveraged approximately \$11 million of State Government funding to deliver priority projects.

The delivery of projects and recent significant State Government infrastructure projects have necessitated the review and update of the strategy to reflect the changing circumstances and priorities.

Community engagement identified strong support for the strategy with some minor adjustments identified to reflect community feedback.

Officer Recommendation

That Council:

- (1) Adopts the Northern Regional Trails Strategy included at **Attachment A**.
- (2) Notes the Darebin priority trails identified in the Strategy.
- (3) Thanks the community for providing valuable feedback to the process of developing the Northern Regional Trails Strategy.

Councillor Greco proposed the addition of point (4) to the motion which was accepted by the mover and the seconder.

Motion

That Council:

- (1) Adopts the Northern Regional Trails Strategy included at Attachment A.
- (2) Notes the Darebin priority trails identified in the Strategy.
- (3) Thanks the community for providing valuable feedback to the process of developing the Northern Regional Trails Strategy.
- (4) **Requests the CEO to increase Councils advocacy to ensure the State Government provides additional funding to implement the strategy.**

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

Council Resolution**MINUTE NO. 22-130**

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

That Council:

- (1) Adopts the Northern Regional Trails Strategy included at Attachment A.
- (2) Notes the Darebin priority trails identified in the Strategy.
- (3) Thanks the community for providing valuable feedback to the process of developing the Northern Regional Trails Strategy.
- (4) Requests the CEO to increase Councils advocacy to ensure the State Government provides additional funding to implement the strategy.

CARRIED UNANIMOUSLY

9.2 DECLARATION OF A SPECIAL CHARGE: SOLAR SAVER RESIDENTIAL (BATCH 2)

EXECUTIVE SUMMARY

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

The report considers the declaration of a Special Charge Scheme. This is for Residential Special Charge Batch 2, including 14 installations, adding 78.8kW of solar capacity to Darebin.

The value of the proposed Special Charge scheme is \$98,776.26 excl. GST. This price is calculated pre-rebate, but after STC claim and excl. GST. (The gross amount, pre-rebate, pre-STC and incl. GST is \$139,813.59).

Council will pay upfront for installation and supply of the solar power systems at properties as listed in Appendix A. Council will be repaid these costs, as detailed in confidential Appendix B. Around 30-40% of the gross cost is returned to Council at the point that works are invoiced for the STCs generated by the solar systems. Most participants are eligible for state government rebates and this will reduce the upfront cost to Council and the amount of the Special Charge that would be raised. Officers estimate that the total amount raised will be \$79,176.26 excl. GST.

No interest is charged on Special Charge repayments. Annual repayments are more than offset by participants' savings on their energy bills, and therefore the program provides financial and environmental benefits to participants.

This report recommends that Council declare a Special Charge Scheme under section 163 of the Local Government Act 1989 for the purposes of defraying expenses relating to the provision of solar energy systems on residential properties participating in the Solar Saver scheme. No objections were received in response to the public notification process.

Council Resolution**MINUTE NO. 22-131****MOVED: Cr. T McCarthy****SECONDED: Cr. L Messina****That Council**

- (1) Having complied with the requirements of sections 163A, 163B and 223 of the Local Government Act 1989 ("Act"), and otherwise according to law, declares a Special Charge ("Special Charge") under section 163 of the Act as follows:
 - a. A Special Charge is declared for the period commencing on the day on which Council issues a notice levying payment of the special rate and concluding on the tenth anniversary of that day.
 - b. The Special Charge is declared for the purpose of defraying any expense incurred by Council in relation to the provision of solar energy systems on properties participating in the Solar Saver scheme, which:
 - i. Council considers is or will be a special benefit to those persons

- required to pay the Special Charge (and who are described in succeeding parts of this resolution); and
- ii. Arises out of Council's functions of advocating and promoting proposals which are in the best interests of the community and ensuring the peace, order and good government of Council's municipal district.
- c. The total:
 - i. Cost of performing the function described in paragraph 1(b) of this resolution is \$98,776.26; and
 - ii. Amount for the Special Charge to be levied is \$98,776.26, 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 \$98,776.26 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.

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

9.3 COMMUNITY ENGAGEMENT POLICY REVIEW - PERSONAL INFORMATION COLLECTION REQUIREMENT AND SECTION 223 OF 1989 LOCAL GOVERNMENT ACT

EXECUTIVE SUMMARY

This report includes the review of Darebin's Community Engagement Policy, particularly with regard to the collection of personal information and the guidance to replace the provisions under section 223 of the *Local Government Act 1989*.

In light of recent cyber-attacks, the demonstrated barrier to participation and the privacy law implications, it is recommended that Darebin Council removes the requirement for community engagement participants to provide their name, email/postal address and postcode in order to participate in all forms of engagement, and instead only collect postcode as part of the demographic information usually collected. It is recommended that Council adopts the revised Policy as attached as Appendix A. It is also recommended that Darebin Council adopts new guidance for all engagement processes that no longer require section 223 of the *Local Government Act 1989*.

Officer Recommendation

That Council:

- (1) Removes the requirement for community engagement participants to provide their name, email/postal address and postcode
- (2) Only collect postcodes, alongside the demographic information usually collected
- (3) Adopts the new guidance for all engagement processes that no longer require section 223 of the *Local Government Act 1989*
- (4) Adopts the revised Community Engagement Policy

Motion

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

That Council:

- (1) Removes the requirement for community engagement participants to provide their name, email/postal address and postcode
- (2) Only collect postcodes, alongside the demographic information usually collected
- (3) Adopts the new guidance for all engagement processes that no longer require section 223 of the *Local Government Act 1989*
- (4) Adopts the revised Community Engagement Policy

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

Amendment

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

That Council:

- (1) **Allows participants involved in community engagement the option to provide their name and address.**
- (2) **Will continue** to collect postcodes and demographic information usually collected.
- (3) Adopts the new guidance for all engagement processes that no longer require section 223 of the *Local Government Act 1989*.
- (4) Adopts the revised Community Engagement Policy.

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

7:36pm The Mayor adjourned the meeting for a 10minute break

7.47pm The meeting resumed

Cr. Greco proposed a further amendment which was accepted by the mover and the seconder.

Cr. McCarthy proposed a minor amendment to include the word "only" in point (2) which was accepted by the mover and the seconder and become the motion as follows:

Amended Motion

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

That Council:

- (1) **Changes the policy to allow participants involved in** community engagement to provide their name, email/postal address and postcode **as optional only** and removes the mandatory requirement for these details to be collected.
- (2) **Requires participants to only provide** postcodes, **alongside the** demographic information usually collected.
- (3) Adopts the new guidance for all engagement processes that no longer require section 223 of the *Local Government Act 1989*.
- (4) Adopts the revised Community Engagement Policy.

The amended motion was put and carried.

CARRIED

For: Cr's. Messina, Dimitriadis, Greco, Laurence, Williams, McCarthy (6)

Against: Cr's Hannan, Newton and Rennie (3)

8.18pm The Mayor adjourned the meeting for a brief break

8.19pm The meeting resumed

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

8.23pm The Mayor adjourned the meeting for a break

8.43pm The meeting resumed

Procedural Motion

MOVED: Cr. T McCarthy
SECONDED: Cr. E Dimitriadis

That Council defer this item to the 27 February 2023 Council Meeting.

Council Resolution

MINUTE NO. 22-132

MOVED: Cr. T McCarthy
SECONDED: Cr. E Dimitriadis

That Council defer this item to the 27 February 2023 Council Meeting.

CARRIED UNANIMOUSLY

9.4

PUBLIC INTEREST DISCLOSURE POLICY

EXECUTIVE SUMMARY

Council currently has a Public Interest Disclosure Policy (PID Policy) which came into effect on 1 December 2020 and was part of the Darebin Council Plan 2017-2021.

The Public Interest Disclosure Policy is due for review in December 2022, and accordingly that review has been undertaken and a revised Policy has been prepared taken into consideration statutory amendments in that time, the Independent Broad-based Anti-Corruption Commission (IBAC) recommendations and the Darebin Council Plan 2022-2025.

Council Resolution

MINUTE NO. 22-133

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

That Council adopts the Public Interest Disclosure Policy 2022 (Policy) attached at **Appendix A**.

CARRIED UNANIMOUSLY

**9.5 COUNCILLOR MEDIA & SOCIAL MEDIA POLICY,
COUNCILLOR OCCUPATIONAL HEALTH & SAFETY
POLICY, COUNCILLOR INTERACTION PROTOCOL**

EXECUTIVE SUMMARY

Councillors are required to perform their roles in accordance with varying legislative requirements. While Councillors interact with one another on a regular basis, they also engage with officers seeking support, advice and information to fulfil their obligations, and to ensure they are well informed when making decisions. Additionally, Councillors engage with the media and/or social media in performing their role as elected representatives, as such a framework has been established to assist any interactions with media or when interacting via social media platforms.

The Councillor Media & Social Media Policy (Media Policy) Councillor Occupational Health & Safety Policy (OH&S Policy) and Councillor Interaction Protocols have recently been amended to ensure legislative requirements and the standards of conduct required of Councillors are continually met.

Officer Recommendation

That Council:

- (1) Adopt and commits to the Councillor Media & Social Media Policy attached at **Appendix A** to this report.
- (2) Adopt and commits to the Councillor Occupational Health & Safety Policy attached at **Appendix B** to this report.
- (3) Adopt and commits the Councillor Interaction Protocol attached at **Appendix C** to this report.

Motion

MOVED: Cr. T McCarthy

SECONDED: Cr. S Newton

That Council:

- (1) Adopt and commits to the Councillor Media & Social Media Policy attached at **Appendix A** to this report.
- (2) Adopt and commits to the Councillor Occupational Health & Safety Policy attached at **Appendix B** to this report.
- (3) Adopt and commits the Councillor Interaction Protocol attached at **Appendix C** to this report.
- (4) **Receives a report in six months to consider Councils progress and any amendments required to the policies and protocols.**

Cr. Greco proposed the following amendment to point (1):

Amendment

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

That Council:

- (1) Adopt and commits to the Councillor Media & Social Media Policy attached at **Appendix A** to this report with the following changes:
 - a) In the section 'role and responsibilities – Councillors', remove
 - point 3.
 - at point 10, remove the word "criticism".
 - point 11, remove the word "criticism".
 - at point 12, replace the word 'must' with 'may' and insert the words 'as a courtesy' at the end of the last sentence.
 - At point 13, remove the words "delivery of services".
 - b) Remove the section titled "Contacting Communications, Engagement and Customer Experience Department" on page 8 and 9 of the policy.
- (2) Adopt and commits to the Councillor Occupational Health & Safety Policy attached at **Appendix B** to this report.
- (3) Adopt and commits the Councillor Interaction Protocol attached at **Appendix C** to this report.

This was not accepted by the Mover and the Seconder

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

EXTENSION OF TIME**Council Resolution****MINUTE NO. 22-134**

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

9.05pm - That the meeting be extended by 30minutes.

CARRIED UNANIMOUSLY

Procedural Motion

MOVED: Cr. T McCarthy
SECONDED: Cr. T Laurence

That Council:

- (2) Adopt and commits to the Councillor Occupational Health & Safety Policy attached at **Appendix B** to this report.
- (3) Adopt and commits the Councillor Interaction Protocol attached at **Appendix C** to this report.
- (4) Receives a report in six months to consider Councils progress and any amendments required to the policies and protocols.

Council Resolution**MINUTE NO. 22-135**

MOVED: Cr. T McCarthy
SECONDED: Cr. T Laurence

That Council

- (2) Adopt and commits to the Councillor Occupational Health & Safety Policy attached at **Appendix B** to this report.
- (3) Adopt and commits the Councillor Interaction Protocol attached at **Appendix C** to this report.
- (4) Receives a report in six months to consider Councils progress and any amendments required to the policies and protocols.

CARRIED UNANIMOUSLY**PROCEDURAL MOTION****Procedural Motion**

That Point (1) be deferred to 27 February 2023 Council Meeting.

Council Resolution**MINUTE NO. 22-136**

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

That Point (1) be deferred to 27 February 2023 Council Meeting.

CARRIED

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

Abstained: Cr. Messina

9.6

GOVERNANCE REPORT - DECEMBER 2022

EXECUTIVE SUMMARY

The matters covered under the Governance Report for the month of December 2022 are:

- Summary of Advisory Committees, Councillor Briefing and other informal meetings of Councillors;
- Reports by Mayor and Councillors;
- Community Advisory Committees six-month progress report for the period April 2022 to September 2022
- 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.
- Address contract awarding reports tabled to Council from October 2021 which did not reference Collaboration opportunities in accordance with Part 5 Council operations, s109(2) of the *Local Government Act 2020*.
- Amendment to Darebin Aboriginal Advisory Committee - Terms of Reference
- Darebin Annual Community Survey
- Audit and Risk Committee – Biannual Report

Officer Recommendation**That Council:**

- (1) Notes the Governance Report – December 2022.
 - (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 Community Advisory Committees six-month progress report for the period April 2022 to September 2022 (**Appendix B**).
 - (5) 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.
 - (6) 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.
 - (7) 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.
 - (8) Notes the Contract awarding reports at **Appendix C** that inadvertently overlooked including the mandatory requirements of section 109 (2) of the *Local Government Act 2020* relating to collaboration opportunities in each of the Council reports.
 - (9) Endorses the adjustment to the Darebin Aboriginal Advisory Committee Terms of Reference (**Appendix D**).
 - (10) Notes the results of the Darebin Annual Community Survey (**Appendix E**).
 - (11) Notes the Audit and Risk Committee – Biannual Report (**Appendix F**)
-

Alternate Officer Recommendation

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

That Council:

- (1) Notes the Governance Report – December 2022.
 - (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 Community Advisory Committees six-month progress report for the period April 2022 to September 2022 (**Appendix B**).
-

- (5) 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.
- (6) **Remove the Recycling Victoria Local Government Advisory Committee, noting Cr Messina will remain as Council's representative until further nominations are called by the relevant State Government Minister.**
- (7) **Remove the Melbourne Innovation Centre from the list of appointments for 2022/23.**
- (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) **Notes by virtue of this resolution, any Terms of Reference for internal committees that differ from the number of Councillors appointed will need to be amended accordingly.**
- (11) Endorses the adjustment to the Darebin Aboriginal Advisory Committee Terms of Reference (**Appendix D**).
- (12) Notes the results of the Darebin Annual Community Survey (**Appendix E**).
- (13) Notes the Audit and Risk Committee – Biannual Report (**Appendix F**)

Council Resolution

MINUTE NO. 22-137

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

That Council:

- (1) Notes the Governance Report – December 2022.
- (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 Community Advisory Committees six-month progress report for the period April 2022 to September 2022 (**Appendix B**).
- (5) 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.
- (6) Remove the Recycling Victoria Local Government Advisory Committee, noting Cr Messina will remain as Council's representative until further nominations are called by the relevant State Government Minister.
- (7) Remove the Melbourne Innovation Centre from the list of appointments for 2022/23.

- (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) Notes by virtue of this resolution, any Terms of Reference for internal committees that differ from the number of Councillors appointed will need to be amended accordingly.
- (11) Endorses the adjustment to the Darebin Aboriginal Advisory Committee Terms of Reference (**Appendix D**).
- (12) Notes the results of the Darebin Annual Community Survey (**Appendix E**).
- (13) Notes the Audit and Risk Committee – Biannual Report (**Appendix F**)

CARRIED UNANIMOUSLY

TABLE A

State-wide, metropolitan or regional organisation	Nominees required	Appointments 2021/22	Appointments 2022/23
Municipal Association of Victoria	One Councillor and one proxy	Cr Rennie Cr Messina (Proxy)	Cr Rennie Cr Laurence (Proxy)
Friends of Baucau Inc.	One Councillor	Cr Newton	Cr Newton
Metropolitan Transport Forum	One Councillor	Cr Newton Cr Dimitriadis (proxy)	Cr Newton
Northern Alliance for Greenhouse Action	One Councillor	Cr McCarthy Cr Greco (proxy)	Cr McCarthy Cr Hannan (proxy)
Global Covenant of Mayors for Climate and Energy	Mayor of the Day	Cr Messina	Cr Williams
Northern Council Alliance	Mayor of the Day, one proxy and Chief Executive Officer	Cr Messina	Cr Williams Cr Newton (proxy) CEO
Recycling Victoria Local Government Advisory Committee	One Councillor	Cr Messina	
Melbourne Innovation Centre	Two Councillors	Cr McCarthy Cr Messina	
Darebin Ethnic Communities Council	Two Councillors	Cr Dimitriadis	Cr Newton Cr Greco
Darebin Creek Management Committee Inc.	One Councillor	Cr Dimitriadis	Cr Laurence Cr Dimitriadis
Merri Creek Management Committee Inc.	One Councillor	Cr Hannan Cr Greco (Proxy)	Cr McCarthy Rep Cr Hannan (Proxy)
Inner North Community Foundation	One representative (non-Councillor)	Enna Giampiccolo, Manager Communications, Engagement and	Enna Giampiccolo, Manager Communications, Engagement and

State-wide, metropolitan or regional organisation	Nominees required	Appointments 2021/22	Appointments 2022/23
		Customer Experience	Customer Experience continuing whilst recruitment is undertaken to identify a community representative as Council's nominee.

TABLE B

Community Advisory Committee	Nominees required (Based on adopted Terms of Reference)	Appointments 2021/22	Appointments 2022/23
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)	Cr Greco (Chair) Cr Williams (Proxy)
Art and Heritage Advisory Panel	<i>One Councillor nominated as Chair of the Committee and one as a proxy</i>	Cr Susanne Newton (Chair) Cr Gaetano Greco (Proxy)	Cr Newton
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 (Deputy)	Cr McCarthy (Chair) Cr Rennie (Deputy) Cr Dimitriadis
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	Cr Williams (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)	Cr Williams (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)	Cr Williams (Chair) Cr Laurence (Proxy)
Darebin Domestic Animal Management	<i>One Councillor nominated as Chair of the Committee and</i>	Cr Williams (Chair) Cr Laurence (Proxy)	Cr Williams (Chair) Cr Laurence (Proxy)

Community Advisory Committee	Nominees required (Based on adopted Terms of Reference)	Appointments 2021/22	Appointments 2022/23
Reference Group	<i>one as a proxy</i>		
Darebin Education Network	<i>One Councillor nominated as Chair of the Committee and one as a proxy</i>	Cr Rennie (Chair) Cr Dimitriadis (Proxy)	Cr Rennie (Chair)
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)	Cr Greco (Co Chair) Cr Williams (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	Cr Hannan (Chair) Cr McCarthy Cr Newton
Gender Equity Advisory Committee (formerly 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)	Cr Rennie (Chair) Cr Dimitriadis (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)	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)	Cr Greco (Chair) Cr Hannan (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)	Cr Greco (Chair) Cr Newton (Proxy)
Young Citizens Jury	<i>Councillor(s) appointed by Council annually and a Council Officer nominated by the Chief Executive Officer (both non-voting)</i>	No Councillors currently appointed	No nominations

TABLE C

Standing Advisory Committees	Nominees required (Based on adopted Charter and/or the Local Government Act)	Appointments 2021/22	Appointments 2022/23
Audit and Risk Committee	Two Councillors	Cr Messina Cr Hannan	Cr Williams Cr Messina
CEO Employment Matters Committee	Mayor, Deputy Mayor and 3 Councillors	*Mayor Messina *Deputy Mayor McCarthy *Cr Dimitriadis *Cr Greco *Cr Rennie <i>*last revised 25 July 2022</i>	Cr Williams (Mayor) Cr Newton (Deputy Mayor) Cr Messina Cr Dimitriadis Cr Greco

10. ITEMS TO BE TABLED

Nil

11. NOTICES OF MOTION

11.1 SUPPORT FOR TRANS AND GENDER DIVERSE PEOPLE IN SPORT

Take notice that at the Council Meeting to be held on 19 December 2022, it is my intention to move:

***That** Council, in response to recent transmisogynistic and transphobic statements relating to the involvement of trans and gender diverse people in sport and their public endorsement by some political leaders;*

- (1) *Release a public statement of support for the inclusion of trans and gender diverse people in all sports in the municipality, and in opposition to transphobia and transmisogyny.*
- (2) *Notes existing initiatives such as the Trans and Gender Diverse Swim Night at Reservoir Leisure Centre that offer a safe and welcoming place to trans and gender diverse people participating in sport and recreation activities and local sporting clubs such as the Darebin Falcons that have led the way on trans inclusion in sport.*

Reviews its policies regarding trans and gender diverse inclusion, anti-discrimination, and diversity and inclusion as part of its work including the Rainbow Tick accreditation, in consultation with the Sexuality, Sex and Gender Diversity Advisory Committee.

Notice Received: 5 December 2022

Notice Given to Councillors 5 December 2022

Date of Meeting: 19 December 2022

Council Resolution

MINUTE NO. 22-138

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

***That** Council, in response to recent transmisogynistic and transphobic statements relating to the involvement of trans and gender diverse people in sport and their public endorsement by some political leaders;*

- (1) *Release a public statement of support for the inclusion of trans and gender diverse people in all sports in the municipality, and in opposition to transphobia and transmisogyny.*
- (2) *Notes existing initiatives such as the Trans and Gender Diverse Swim Night at Reservoir Leisure Centre that offer a safe and welcoming place to trans and gender diverse people participating in sport and recreation activities and local sporting clubs such as the Darebin Falcons that have led the way on trans inclusion in sport.*

Reviews its policies regarding trans and gender diverse inclusion, anti-discrimination, and diversity and inclusion as part of its work including the Rainbow Tick accreditation, in consultation with the Sexuality, Sex and Gender Diversity Advisory Committee.

CARRIED UNANIMOUSLY

12. URGENT BUSINESS

The Mayor advised that since the distribution of the agenda, the Chief Executive Officer had determined that two items of Urgent Business – ‘Crisis relief for the sub-tenants of Melbourne Innovation Centre (Darebin Enterprise Centre Limited)’ and a confidential item ‘Care Finder Service Contract’ were required to be determined by Council pursuant to the Governance Rules. The Officers Reports on the items had been distributed to all Councillors prior to the meeting.

The Mayor as the mover for the first item of Urgent Business, removed herself from chair and Deputy Mayor, Cr. Newton took the chair.

Cr. Messina disclosed a conflict of interest in Item 12.1 ‘Crisis relief for the sub-tenants of Melbourne Innovation Centre (Darebin Enterprise Centre Limited)’ due to being a Director of the Melbourne Innovation Centre (MIC).

Cr. McCarthy disclosed a conflict of interest in Item 12.1 ‘Crisis relief for the sub-tenants of Melbourne Innovation Centre (Darebin Enterprise Centre Limited)’ due to being a Director of the Melbourne Innovation Centre (MIC).

Cr. Messina and Cr. McCarthy left the meeting at 9:32pm.

The Chairperson, Cr. Newton (Deputy Mayor) requested an extension of time

EXTENSION OF TIME

Council Resolution

MINUTE NO. 22-139

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

9.34pm - That the meeting be extended by 30minutes

CARRIED UNANIMOUSLY

12.1 CRISIS RELIEF FOR THE SUB-TENANTS OF MELBOURNE INNOVATION CENTRE (DAREBIN ENTERPRISE CENTRE LIMITED)

That Council:

- (1) *Note that an assessment of obligations by both Council and the Darebin Enterprise Centre Ltd (trading as Melbourne Innovation Centre) were reviewed in relation to the lease agreement for 2 Wingrove Street, Alphington, to assess compliance in November 2022. This included lease obligations relating to asbestos management required to be undertaken by the tenant.*
- (2) *Note that an incident occurred in late November during a weather event relating to a small piece of asbestos roof material that had broken and fallen on site.*
- (3) *Note that Council engaged a consultant to undertake an environmental assessment on 23 November 2022 and that action has been taken to implement the recommendations from the independent consultant and the independent report published on Council's website.*
- (4) *Note that Council, as landowner, announced on 2 December that it required Melbourne Innovation Centre to temporarily close two building on the site to allow for urgent deep cleaning and remediation works, given Council's concern that the presence of asbestos dust presented a health risk to site users.*
- (5) *Note that the temporary, partial closure at Melbourne Innovation Centre premises at 2 Wingrove Street Alphington only relates to two buildings and there is no known impact on the surrounding sites or community.*
- (6) *Note that officers have been communicating with Melbourne Innovation Centre as their tenant daily during this time to provide updates and assist their ability to communicate openly and directly with their sub tenants at the 2 Wingrove Alphington property on this situation and to provide additional support to support those businesses impacted.*
- (7) *Note that there are a number of businesses that have been impacted by this situation due to their location in the two buildings on site that have been temporarily closed.*
- (8) *Resolve to establish a Small Business Crisis Grant of \$20,000 through the Community Grants budget to be provided to the Melbourne Innovation Centre on 20 December 2022 for the specific purpose of immediate and equitable relief to the businesses that have experienced loss of income as a result of the disruption, to be distributed prior to 24 December 2022.*
- (9) *Request the CEO to write to the Melbourne Innovation Centre to communicate the expectations of Council in relation to the Small Business Crisis Grant and the expectation of support and communication that the Centre is providing to their sub tenants during this time.*
- (10) *Note that there are a number of business that have not been directly impacted by this situation, including the Melbourne Farmers Market, which has continued to operate as usual.*

Council Resolution**MINUTE NO. 22-140****MOVED: Cr. J Williams****SECONDED: Cr. S Rennie*****That Council:***

- (1) Note that an assessment of obligations by both Council and the Darebin Enterprise Centre Ltd (trading as Melbourne Innovation Centre) were reviewed in relation to the lease agreement for 2 Wingrove Street, Alphington, to assess compliance in November 2022. This included lease obligations relating to asbestos management required to be undertaken by the tenant.*
- (2) Note that an incident occurred in late November during a weather event relating to a small piece of asbestos roof material that had broken and fallen on site.*
- (3) Note that Council engaged a consultant to undertake an environmental assessment on 23 November 2022 and that action has been taken to implement the recommendations from the independent consultant and the independent report published on Council's website.*
- (4) Note that Council, as landowner, announced on 2 December that it required Melbourne Innovation Centre to temporarily close two building on the site to allow for urgent deep cleaning and remediation works, given Council's concern that the presence of asbestos dust presented a health risk to site users.*
- (5) Note that the temporary, partial closure at Melbourne Innovation Centre premises at 2 Wingrove Street Alphington only relates to two buildings and there is no known impact on the surrounding sites or community.*
- (6) Note that officers have been communicating with Melbourne Innovation Centre as their tenant daily during this time to provide updates and assist their ability to communicate openly and directly with their sub tenants at the 2 Wingrove Alphington property on this situation and to provide additional support to support those businesses impacted.*
- (7) Note that there are a number of businesses that have been impacted by this situation due to their location in the two buildings on site that have been temporarily closed.*
- (8) Resolve to establish a Small Business Crisis Grant of \$20,000 through the Community Grants budget to be provided to the Melbourne Innovation Centre on 20 December 2022 for the specific purpose of immediate and equitable relief to the businesses that have experienced loss of income as a result of the disruption, to be distributed prior to 24 December 2022.*
- (9) Request the CEO to write to the Melbourne Innovation Centre to communicate the expectations of Council in relation to the Small Business Crisis Grant and the expectation of support and communication that the Centre is providing to their sub tenants during this time.*
- (10) Note that there are a number of business that have not been directly impacted by this situation, including the Melbourne Farmers Market, which has continued to operate as usual.*

CARRIED UNANIMOUSLY

The Mayor resumed the chair at 9:35pm

Cr. McCarthy returned to the meeting 9:35pm

13. CONSIDERATION OF REPORTS CONSIDERED CONFIDENTIAL

CLOSE OF MEETING

Council Resolution

MINUTE NO. 22-141

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

That in accordance with section 3(1) of the *Local Government Act 2020*, the meeting be closed to members of the public to consider the following items on the basis that these matters are confidential for the following reasons :

12.2 Care Finder Service Contract

This item is confidential because it is legal privileged information, being information to which legal professional privilege or client legal privilege applies and private commercial information, being information provided by a business, commercial or financial undertaking that relates to trade secrets, pursuant to Section 3(1) (e) and (g(i)) of the Act.

13.1 Clements Reserve

This item is confidential because it is Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released, pursuant to Section 3(1) (a) of the Act.

13.2 2 Wingrove Street Alphington

This item is confidential because it is private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage, pursuant to Section 3(1) (g(ii)) of the Act.

CARRIED UNANIMOUSLY

The meeting was closed to the members of the public at 9:39pm.

The Council considered and resolved on Urgent Business Item 12.2, and Report Items 13.1 and 13.2 which had been circulated to Councillors with the Council Agenda Paper.

14. CLOSE OF MEETING


The meeting closed at 10:03pm.

**CITY OF
DAREBIN**

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