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AGENDA OF THE SPECIAL COUNCIL MEETING

To be held on Thursday 25 November 2021 at 5.30pm

This Council Meeting will be held virtually.

This meeting will be closed to the public pursuant to Section 395 of the Local Government Act 2020.

This meeting will be livestreamed and may be accessed from Councils website www.darebin.vic.gov.au.



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 کا ایجنڈا ہے۔ ایجنڈے 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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Agenda

1. OPENING OF MEETING AND MEMBERSHIP

Cr. Lina Messina
Cr. Gaetano Greco
Cr. Emily Dimitriadis
Cr. Tom Hannan
Cr. Tim Laurence
Cr. Trent McCarthy
Cr. Susanne Newton
Cr. Susan Rennie
Cr. Julie Williams

2. ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

3. APOLOGIES

4. DISCLOSURES OF CONFLICTS OF INTEREST

5. NOTICE OF MEETING

Due to the urgent and extraordinary circumstances associated with the need for Council to consider these matters the Council has not complied with its Governance Rules regarding the giving of public notice of this meeting. These urgent and extraordinary circumstances relate to commercial and contractual matters associated with the Strategic Property Matter listed on this agenda.

Pursuant to Councils Governance Rules (Clause 1.1.2 (4) Council has given as much notice as was practical on its website www.darebin.vic.gov.au .

Pursuant to Council Governance Rules this explanation will be recorded in the minutes of this meeting.

6. CONSIDERATION OF REPORTS

6.1 GOVERNANCE REPORT - NOVEMBER 2021

Author: Senior Council Business Officer

Reviewed By: General Manager, Governance and Engagement

EXECUTIVE SUMMARY

The matters covered under the Governance Report for the month of November 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 25 October 2021;
- Councillor Expenses Report for the quarter from 1 July to 30 September 2021;
- Summary Minutes of the Audit and Risk Committee Meeting held on 13 September 2021
- Summary Report of Hearing of Submissions Committee meetings held on 8 November 2021
- Council Community Advisory Committees – Membership update
- Approval of S18 Instrument of Delegation under Environment and Protection Act 2017
- Extension of the appointment of the Independent Chair of the CEO Employment Matters Committee for a further 12 month term, in accordance with the terms of appointment.

Officer Recommendation

That Council:

- (1) Notes the Governance Report – November 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 25 October 2021, at **Appendix B** to this report.
- (5) Notes the Councillor Expenses Report for the quarter from 1 July 2021 to 30 September 2021, at **Appendix C** to this Report.
- (6) Notes the Summary Minutes of the Audit and Risk Committee Meeting held on 13 September 2021 at **Appendix D** to this report.

- (7) Notes the Reports of Standing Committees – Summary Report of Hearing of Submissions Committee meeting held on 8 November 2021 at **Appendix E** to this report;
 - (8) Notes the updates on the membership of the Council's Community Advisory Committees.
 - (9) To delegate to the members of Council staff holding, acting in or performing the duties of the officers or positions referred to in the ' S18 *Instrument of Delegation*' (**Appendix G**) the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument.
 - (10) That the S18 instrument of delegation to Council staff comes into force immediately when the Common Seal of Council is affixed to this instrument.
 - (11) Confirm the extension of the appointment of the Independent Chair of the CEO Employment Matters Committee for a further 12 month period to 25 November 2022, in accordance with the terms of the existing appointment.
-

BACKGROUND / KEY INFORMATION

In accordance with Council's Governance Rules 2020, the agenda for each Ordinary Meeting is required to list certain governance / administrative matters in addition to other specified items. These include the Reports of Standing Committees (for example the Hearing of Submissions Committee), Summary of Meetings (for example Briefings, Advisory Committee), responses to Public Questions taken on notice and reports by Mayor and Councillors.

Instead of having multiple reports for these governance / administrative matters on each agenda, it is considered appropriate to consolidate these matters in one single standing report to provide a single reporting mechanism for a range of statutory compliance, transparency and governance matters.

This is in accordance with best practice, good governance principles, transparent and accountable reporting of governance activities and to ensure compliance with the requirements of the Act, Council's Governance Rules and related regulations. This report additionally incorporates matters including but not limited to reporting of advisory committees, items relating to the delegation of Council powers, policy and strategy reporting, and the reporting on Councillors expenses.

DISCUSSION

The matters covered in this Governance Report are:

Summary of Advisory Committees, Councillor Briefing and other informal meetings of Councillors

In accordance with Council's Governance Rules 2020 for any meeting of an Advisory Committee established by Council attended by at least one Councillor or a scheduled or planned meeting to discuss the business of Council or to brief Councillors, and which is attended by at least half of the Councillors and one member of Council staff and which is not a Council meeting, Delegated Committee meeting or Community Asset Committee meeting the Chief Executive Officer must ensure that a summary of the meeting is:-

- a) Tabled at the next convenient Council meeting; and
- b) Recorded in the minutes of that Council meeting.

The summary of the meeting should include a) the time, date and location of the meeting, b) the Councillors in attendance, c) the topics discussed, d) the positions of Council officers in attendance, e) the organisation that any attendees external to council are representing and f) any conflicts of interest declared, including the reason. A Summary of the following Advisory Committees, Councillor Briefings or other Informal Meetings of Councillors are attached at **Appendix A** to this Report:

- Councillor Briefing Session – 3 November 2021
- Councillor Briefing Session – 8 November 2021
- Darebin Interfaith Council Advisory Committee – 12 November 2021

Reports by Mayor and Councillors

The Mayor and Councillors submit their monthly report by 4.00pm on the day of each Ordinary Council Meeting, detailing their attendance at various functions and activities since the last Council Meeting. Reports submitted by Mayor and Councillors will be recorded in the minutes of this meeting.

Responses to Public Questions taken On Notice – Council meeting 25 October 2021

Pursuant to the Councils Governance Rules the response to a question from the public taken on notice must be recorded in the minutes of the next Ordinary Council meeting.

Questions taken on notice at the Ordinary Council meeting held on 25 October 2021 and subsequently responded to are provided in **Appendix B** to this report.

Councillor Expenses (1 July 2021 – 30 September 2021)

Councillor Expenses Report for the period from 1 July 2021 to 30 September 2021, are included at **Appendix C** to this report. The Councillor Expenses report will also be made available on Council's website.

Audit and Risk Committee Meeting Summary Minutes

The summary minutes for the Audit and Risk Committee meeting held on 13 September 2021 are provided at **Appendix D** to this report for transparency to both Council and the Darebin community.

Reports of Standing Committees – Hearing of Submissions Committee – 8 November 2021

The Hearing of Submissions Committee is a Delegated Committee of Council appointed, pursuant to section 63 of the *Local Government Act 2020* (the Act), to exercise Council's powers, functions and duties relating to the hearing of submissions received by Council in accordance with Section 223 of the Local Government Act 1989.

A meeting of the Hearing of Submissions Committee was held on 8 November 2021. A summary report of the meeting is attached at **Appendix E** to this report. The minutes of the meeting, incorporating the report considered by the Committee, have been circulated to Councillors and are available on Council website.

Council Community Advisory Committees – Membership Update

At the October Council Meeting in response to a question from Ms Serena O’Meley asking ‘How many community nominations for the Darebin Nature Trust had been received by the 10 September deadline, and how many of these are from members of the outgoing committee?’, a commitment was given to report to Council via this report this data for each Advisory Committee.

	Advisory Committee	No. of applications	No. of applications from past / current members	No. of applications from new people	Composition of Committee – new and past members
1	Active and Healthy Ageing Advisory Committee	17	5	12	12 members 7 new 5 past
2	Darebin Aboriginal Advisory Committee	10	4	6	9 members 6 new 3 past *1 withdrawal
3	Darebin Disability Advisory Committee	21	7	14	15 Members 8 new 7 past
4	Darebin Education Network <i>*operates as a network</i>	18	18	0	18 members 18 past
5	Darebin Interfaith Council	16	5	11	15 members 10 new 5 past
6	Sexuality, Sex and Gender Diversity Advisory Committee	11	2	9	11 members 9 new 2 past
7	Darebin Welcoming Cities Community Reference Group	8	2	6	6 members 4 new 2 past
8	Darebin Women’s Advisory Committee	16	2	14	15 members 13 new 2 past
9	Young Citizens Jury	36		36	21 members All new
10	Darebin Nature Trust	21	1	20	7 members 6 new 1 past
11	Climate Emergency Darebin Advisory Committee	20		20	13 members All new

Approval of S18 Instrument of Delegation under Environment and Protection Act 2017

The *Environment Protection Act 2017 (EPA Act)* is the key piece of environment protection legislation used by the Environment Protection Authority (EPA) and other public authorities to prevent and reduce harm from pollution and waste. The EPA has delegated certain powers to Councils that came into effect on 1 July 2021 in relation to the regulation of onsite wastewater management systems and noise from construction, demolition and removal of

residential premises waste. The EPA's Instrument of delegation is attached at **Appendix F** of this report.

The EPA has further given Councils the power to appoint authorised officers under the *EPA Act* and once appointed, those officers can also be delegated some of the EPA's powers. The new S18 Instrument of Sub-Delegation to Members of Council Staff attached at **Appendix G** has been drafted to delegate the EPA's powers and functions to Council Staff.

Extension of the appointment of the Independent Chair of the CEO Employment Matters Committee

The Independent Chair, Mary Crooks, was appointed on 25 November 2019 for a period of 2 years, with the option of a further extension for 12 months.

On 15 June 2021 Council adopted the CEO Employment Matters Committee Charter. The Committee Charter formalises the future terms and arrangements for the appointment of the Independent Chair of the Committee and confirms that appointments will be made by Council.

In accordance with the current Committee Charter, any decision regarding the Independent Chair shall be made by Council. This report is seeking Committee recommendation be made to Council regarding the appointment of the Independent Chair for a further 12 months, in accordance with the existing engagement period.

ALIGNMENT TO 2041 DAREBIN COMMUNITY VISION

Strategic Direction 1: Vibrant, Respectful and Connected

ALIGNMENT TO 2021-25 COUNCIL PLAN

Strategic Direction 4 Responsible, Transparent and Responsive

ALIGNMENT TO COUNCIL PLAN STRATEGIC OBJECTIVES

1.2 We will help to build an inclusive and empowered community, where social cohesion and community harmony are fostered

1.3 We will embrace diversity and ensure everyone is included in our society, and no one is left behind – by combating discrimination, and championing equity, inclusivity and diversity

CONSIDERATION OF LOCAL GOVERNMENT ACT (2020) PRINCIPLES

Financial Management

There are no direct financial management issues to be considered.

Overarching Governance Principles and Supporting Principles

- (a) Council decisions are to be made and actions taken in accordance with the relevant law;
- (i) the transparency of Council decisions, actions and information is to be ensured.

COUNCIL POLICY CONSIDERATIONS

Environmental Sustainability Considerations (including Climate Emergency)

Nil

Equity, Inclusion, Wellbeing and Human Rights Considerations:

Nil

IMPLEMENTATION STRATEGY

Upon decision regarding the appointment of the Independent Chair, the General Manager Governance and Engagement will write to the Independent Chair to confirm Council's decision regarding re-appointment prior to 25 November 2021.

Related Documents

CEO Employment Matters Committee Charter

Attachments

- Summary of Advisory Committees, Councillor Briefings and other Informal Meetings of Councillors (**Appendix A**) [↓](#)
- Record of Questions taken on notice - 25 October 2021 (**Appendix B**) [↓](#)
- Councillor Expenses Report - 1 July to 30 September 2021 (**Appendix C**) [↓](#)
- Summary Minutes ARC Meeting - 13 September 2021 (**Appendix D**) [↓](#)
- Summary Report Hearing of Submissions Committee - 8 November 2021 (**Appendix E**) [↓](#)
- Instrument of Delegation by Environment Protection Authority to Councils (**Appendix F**) [↓](#)
- S18 - Instrument of Sub-delegation under the Environment Protection Act 2017 (**Appendix G**) [↓](#)

DISCLOSURE OF INTEREST

Section 130 of the *Local Government Act 2020* requires members of Council staff and persons engaged under contract to provide advice to Council to disclose any conflicts of interest in a matter to which the advice relates.

The Officer reviewing this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.



SUMMARY OF ADVISORY COMMITTEES, COUNCILLOR BRIEFINGS AND OTHER INFORMAL MEETINGS OF COUNCILLORS

MEETING DETAILS:	Title:	Councillor Briefing (Special Briefing – Financial Sustainability)
	Date:	Wednesday 3 November 2021
	Location:	Virtual (Microsoft Teams)
PRESENT:	Councillors:	Cr. Messina, Cr. Greco, Cr. Hannan, Cr. Rennie, Cr. Williams, Cr. Newton, Cr. McCarthy
	Council Staff:	Sue Wilkinson, CEO Jodie Watson, GM Governance & Engagement (Item 4.1) Sam Hewett, GM Operations and Capital Rachel Ollivier, GM City Sustainability and Strategy Kerry McGrath, GM Communities Srini Vasan, A/Manager Finance (Item 4.1) Tony Blackwell, Project Lead Waste Fees (Item 4.1) Vanessa Petrie, Manager Climate Emergency and Sustainable Transport (Item 4.1) Michelle Van Gerrevick, Coordinator Climate Emergency and Environment Strategy (Item 4.1) Brett Grambau, Manager Operations (Item 4.1) Brendan Moore, Coordinator Waste (Item 4.1)
	Other:	-
APOLOGIES:		Cr Dimitradis, Cr Laurence.

The briefing commenced at 5.00pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
4.1	Financial Sustainability – Waste Fees	No disclosures of conflict were made

The briefing concluded at 6.50pm

RECORD COMPLETED BY:	Officer Name:	Jodie Watson
	Officer Title:	General Manager Governance & Engagement

This form is to be completed by the nominated Council Officer and returned to the Council Business Team within 3 working days for inclusion the agenda of the next Council meeting and in the register available for public inspection.



SUMMARY OF ADVISORY COMMITTEES, COUNCILLOR BRIEFINGS AND OTHER INFORMAL MEETINGS OF COUNCILLORS

MEETING DETAILS:	Title:	Councillor Briefing
	Date:	Monday 8 November 2021
	Location:	Virtual (Microsoft Teams)
PRESENT:	Councillors:	Cr. Messina, Cr. Greco, Cr. Hannan, Cr. Rennie, Cr. Williams, Cr. Newton, Cr. McCarthy Cr. Greco joined at 2.05pm Cr. Dimitriadis joined at 4.07pm
	Council Staff:	Sue Wilkinson, CEO Jodie Watson, GM Governance & Engagement (Item 4.2) Sam Hewett, GM Operations and Capital Rachel Ollivier, GM City Sustainability and Strategy (Item, 4.6) Kerry McGrath, GM Communities (Item 4.1) Felicity Leahy, Manager Recreation and Libraries (Item 4.1) Srini Vasan, A/Manager Finance (Item 4.2) Tony Blackwell, Project Lead Waste Fees (Item 4.2) Vanessa Petrie, Manager Climate Emergency and Sustainable Transport (Item 4.2) Michelle Van Gerrevink, Coordinator Climate Emergency and Environment Strategy (Item 4.2) Brett Grambau, Manager Operations (Item 4.2) Brendan Moore, Coordinator Graffiti and Waste (Item 4.2) Enna Giampiccolo, Manager Communications and Engagement (Item 4.2) Jess Fraser, Manager Equity and Wellbeing (Item 4.2) Nina Bailey, Senior Sustainability Programs Officer (Item 4.2) Hugh Butcher, Senior Environment Officer (Energy) (Item 4.3) Mariela Mendoza, Solar Saver Senior Program Officer (Item 4.3) Karen Leeder, Manager City Development (Items 4.4, 4.5)

		Jolyon Boyle, Coordinator Priority Development (Item 4.5) Chad Griffiths, Manager City Futures (4.6)
	Other:	-
APOLOGIES:		Cr Laurence

The briefings commenced at 2.00pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
4.1	Management of Narrandjeri Stadium and Darebin Community Sports Stadium	No disclosures of conflict were made
4.2	Financial Sustainability – Waste Fee	No disclosures of conflict were made
4.3	Solar Saver – New Program design and procurement process	No disclosures of conflict were made
4.4	Statutory Planning Service Improvement Verbal Update	No disclosures of conflict were made
4.5	Planning Committee Meeting 8 November – Pre meeting briefing	No disclosures of conflict were made
4.6	General Business Alphington Rail Spur	No disclosures of conflict were made

The briefing concluded at

RECORD COMPLETED BY:	Officer Name:	Jodie Watson
	Officer Title:	General Manager Governance & Engagement

This form is to be completed by the nominated Council Officer and returned to the Council Business Team within 3 working days for inclusion the agenda of the next Council meeting and in the register available for public inspection.



SUMMARY OF ADVISORY COMMITTEES, COUNCILLOR BRIEFINGS AND OTHER INFORMAL MEETINGS OF COUNCILLORS

MEETING DETAILS:	Title:	Darebin Interfaith Council Advisory Committee – Induction for Advisory Committee members
	Date:	Thursday 12 November 2021
	Location:	Zoom online meeting
PRESENT:	Councillors:	Councillor Gaetano Greco
	Council Staff:	Kathie Duncan, Celia Chang, Stephen Mahon
	Other:	Members of the Darebin Interfaith Council (11)
APOLOGIES:		Members of the Darebin Interfaith Council (4)

The Meeting commenced at 5.30pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Introductions	No disclosures were made.
2.	About Darebin Council <ul style="list-style-type: none"> • Organisation Overview • Council Plan 2021 - 2025 	No disclosures were made.
3.	About Darebin Interfaith Council <ul style="list-style-type: none"> • Role of the Committee • Experiences of returning members • Past and upcoming initiatives • Questions and Answer 	No disclosures were made. Advisory Committee Member Ansam Sadik left the meeting at 6.10pm. Council Officer Stephen Mahon joined the meeting at 6.15pm
4.	Committee Governance and Terms of Reference	No disclosures were made. Advisory Committee Member David Toscano joined the meeting at 6.30pm.
5.	Future meeting dates	No disclosures were made.

SUMMARY OF MEETINGS – PUBLIC RECORD (CONT)

The Meeting concluded at 6.45pm

RECORD COMPLETED BY:	Officer Name:	Celia Chang
	Officer Title:	Community Development Officer - Interfaith & Multicultural

This form is to be completed by the nominated Council Officer and returned to the Council Business Team within 3 working days for inclusion the agenda of the next Council meeting and in the register available for public inspection.

Question and Submission Time

Council Meeting – 25 October 2021

**Question and Submission Time –
Questions taken on notice**

Pursuant to the Councils *Governance Local Law 2020* the response to a question from the public taken on notice must be recorded in the minutes of the next Ordinary Council meeting.

At the Council meeting held on 25 October 2021, the following questions were taken on notice by the Chairperson, Mayor Messina

Name: Maria Poletti, DADA President

Question 2.

Will council release a budget forecast for the use of parking on the site so that the community will have a clearer understanding of how the market might operate if compulsorily acquired?

Response from Coordinator Strategic Planning

We currently have a parking agreement with the PM made under section 90D of the Road Safety Act that allows Councils to enter into agreement with private land owners to enforce the provisions of the Road Safety Act and the Road Rules on that land. Ticket machines and a pay by app system are installed in the Preston Market with the revenue going to the Preston Market so you'll have to ask them about that revenue.

However Council enforces any illegal parking in the market with any revenue from parking infringements going to Council. For the 2018-2019 financial year we issued 5531 pins. The revenue amount was \$476,443. We chose the 2018-2019 financial year because it was the last "normal" enforcement year not being affected by COVID. Noting that staffing arrangements have changed with enforcement officers and we don't expect the same level on income in future years.

Name: Serena O'Meley, Reservoir

Question 2.

Indigenous vaccination rates for COVID-19 are lagging, on average, 10% behind the rest of Victoria, and in some areas as much as 20%. Can you please provide information about the number of Indigenous people 15+ years living in Darebin who:

- are eligible for vaccination;
- have received a first dose of a COVID-19 vaccine;
- have received a second dose of a COVID-19 vaccine?

A5818487

Question and Submission Time

Council Meeting – 25 October 2021

Response from Manager Equity and Wellbeing

As noted by Mayor Messina at the meeting, Council has requested that this information be provided on a regular basis.

Unfortunately vaccination data for Aboriginal community in Darebin is not publicly available. Previously data was available from the Federal Government *COVID-19 vaccination – Indigenous vaccination acceleration LGAs of interest* data set, however Darebin is no longer listed in this data set.

Council continues to work with the Victorian Aboriginal Health Service to increase uptake in Darebin, guided by them and supporting their work and reach to the community. Last Friday we held a pop-up clinic in East Reservoir with VAHS's new mobile van initiative and we continue to run these over the coming weeks.

Thanks again for your questions and your advocacy on this issue , if data does become publicly available I will be in touch to share this with you.

A5818487

Councillor Expenses 1 July 2021 - 30 September 2021 (If applicable GST is excluded)

	Cr Dimitriadis	Cr Greco	Cr Hannan	Cr Laurence	Cr McCarthy	Cr Messina	Cr Newton	Cr Rennie	Cr Williams	Total
										\$
Councillor Allowances	7,990	7,990	7,990	7,990	7,990	25,520	7,990	7,990	7,990	89,439
Mobile (Usage & Data Plan)	105	105	105	105	105	105	105	105	105	945
Internet	45	45	45	45	45	45	45	45	45	405
Travel (Cabcharge/misc travel expenses)						116				116
Family care			550							550
Conferences/training (Inc. all related costs/travel/meals/accom)								175		175
Functions/events										
Total net expenses	8,140	8,140	8,690	8,140	8,140	25,786	8,140	8,315	8,140	91,630

Telephone and internet charges are recorded in the month they are incurred. All other expenses are reported on a cash basis.

Reimbursements to Council include payments from Councillors owed for a range of previous months which were paid for within this quarter

Further explanation of the expense categories is available in the City of Darebin Councillor Support and Expenses Policy June 2021.



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MINUTES OF THE AUDIT AND RISK COMMITTEE MEETING

Held on Monday 13 September 2021 at 10:30am (virtually via MS Teams, due to COVID restrictions)



Monday 13 September 2021 – 10:30AM (via MS Teams)

Attendees

Members

- Lisa Tripodi (Independent External Member) (Chairperson)
- Craig Geddes (Independent External Member)
- Dr. Marco Bini (Independent External Member)
- Cr. Lisa Messina (Mayor and Committee Member)
- Cr. Tom Hannan (Committee Member)

Internal Auditor

- Kapil Kukreja – Director, Risk, Assurance & Advisory, HLB Mann Judd

External Auditor

- Sanchu Chummar – Acting Sector Director, Local Government, VAGO
- Kevin Chan – Acting Senior Manager, Data Analytics, VAGO **Council**

Officers

- Sue Wilkinson – Chief Executive Officer
- Jodie Watson – General Manager Governance and Engagement
- Anthea Kypreos - Acting Manager Property & Business Improvement
- Gideon VanDerWesthuizen – Coordinator Risk & Improvement

Outstanding audit action items report only (Item 10.2)

- Rachel Ollivier - General Manager City Sustainability & Strategy
- Sam Hewett – General Manager Operations & Capital (Item 7.2)
- Kerry McGrath – General Manager Community

Invited Guests

- Claudio Cavallo – Manager, Information Services (Item 7.3)
- Sarah Noel – Manager, People and Culture (Item 7.4 and 9.2)
- Damian Hogan – Manager, Finance (Item 8.1)
- Srini Vasani – Acting Manager, Finance (Item 8.1)
- Michael O’Riordan – Financial Accountant (Item 8.1)

Minutes

- Rebecca Ristevski – Audit & Compliance Officer

DISCLAIMER:

The information contained in this report is designated confidential by the Chief Executive Officer as it is confidential information for the purposes of Section 3 (1) of the Local Government Act 2020 because it is Council business information, being information that would prejudice Council's position in commercial negotiations if prematurely released. This ground applies because of the sensitive and varied nature of the information received and considered by the Audit and Risk Committee from time-to-time which can pertain to external stakeholders also.

AUDIT & RISK COMMITTEE MEETING MINUTES**13 SEPTEMBER 2021****IN CAMERA DISCUSSION (IF REQUIRED)**

In camera discussion was held from 10:30AM – 10:53AM.

1. WELCOME & ACKNOWLEDGEMENT OF COUNTRY

The Chair gave an Acknowledgement of Country and welcomed the Committee members and all attendees present at the meeting.

2. MEMBERSHIP

- Current membership was confirmed.

3. APOLOGIES

- Mark Holloway – Partner, Audit & Assurance, HLB Mann Judd

4. DISCLOSURES OF CONFLICTS OF INTEREST

- None declared.

5. CONFIRMATION OF PREVIOUS MINUTES

The minutes of the last meeting 29 June 2021 were confirmed as a true and correct record of proceedings of the meeting.

6. QUARTERLY CEO UPDATE (VERBAL)

Sue Wilkinson (Chief Executive Officer) provided a verbal quarterly CEO update including the current work that is being done to encourage all staff to get vaccinated.

The Committee noted the verbal update provided by the Chief Executive Officer.

7. STANDING REPORTS**7.1 ACTIONS ARISING FROM PREVIOUS MEETING**

The Committee noted the status of the action items from the previous meeting.

KEY FINDINGS

- Management have progressed all business actions arising from previous meetings.

AUDIT & RISK COMMITTEE MEETING MINUTES**13 SEPTEMBER 2021**

7.2 COMMITTEE WORK PLAN REPORT

The Committee noted the Committee Work Plan Report.

KEY FINDINGS

- Management have adequate controls in place to oversee and report on Councillor expenses.
- Management have adequate controls in place to manage and record offers and receipt of Gifts, Benefits and Hospitality.
- Management have adequate controls in place for the management of Surveillance Systems.
- Management are progressing work to ensure that the Policy Framework is current.
- CEO Credit Card transactions are in accordance with relevant policies and reflect appropriate expenditure.

7.3 INFORMATION SERVICES REPORT

The Committee noted the Information Services Report.

KEY FINDINGS

- Management have an IT Strategy in development to set the strategic direction for IT Services and digital capability to optimise organisational performance and community outcomes over the next four years and 2021-22 Information Services projects are addressing key risks including Cyber Security and Data Governance.

7.4 VAGO SEXUAL HARASSMENT SURVEY OUTCOMES AND ACTIONS UPDATE

The Committee noted the VAGO Sexual Harassment Survey Outcomes and Actions Update Report.

KEY FINDINGS

- Management have commenced implementation of the action plan established in response to the recommendation of the VAGO Sexual Harassment in Local Government Report.

8. FINANCIAL REPORTS**8.1 DRAFT 2020-21 FINANCE STATEMENT AND PERFORMANCE REPORT**

The Committee **noted** the Draft 2020-21 Finance Statement and Performance Report including;

- the Annual Financial Report for the year ended 30 June 2021;
- the Annual Performance Statement for the year ended 30 June 2021;
- the 2020-21 Mapped Trial Balance;
- the General Ledger Reconciliations by Officer;
- the Management Representation Letters to VAGO and Council (provided in a separate report) in respect to the Annual Financial Report and the Annual Performance Statement and that the representations contain no qualifications or limitations ;
- the matters raised by Committee members prior to the meeting regarding the Annual Financial Report and the Annual Performance Statement have been resolved satisfactorily;

AUDIT & RISK COMMITTEE MEETING MINUTES**13 SEPTEMBER 2021**

- the VAGO Closing Report for the year ended 30 June 2021 (provided in a separate report), and in doing so, notes that VAGO will issue clear audit opinions on the Annual Financial Report and the Annual Performance Statement;
- The Committee recorded its appreciation and congratulations to the staff involved in the preparation of the Annual Statements under the difficulty of the pandemic restrictions.
- Committee members be provided with final copies of the signed Annual Financial Report and the Annual Performance Statement.
- The Committee **recommended** that Council approve 'in-principle' the Annual Financial Report and the Annual Performance Statement for the year ended 30 June 2021;
- The Committee **recommended** that Council approve 'in-principle' the following authorisations:
 - Authorise the Chief Executive Officer (CEO) to forward the Annual Financial Report and the Annual Performance Statement to the Victorian Auditor-General's Office (VAGO);
 - Authorise the CEO, the Mayor and another Councillor to certify the final versions of the Annual Financial Report and the Annual Performance Statement;
 - Authorise the Manager, Finance to make any non-material changes to the Annual Financial Report and the Annual Performance Statement that may arise from the completion of audit and internal review procedures; and
 - Authorise the Manager Finance to make any material changes discussed with VAGO after discussion with the Chair of the Audit and Risk Committee before reporting to Council.

KEY FINDINGS

- Council has effective financial management and budget controls in place following review of the Financial Statements for 2020-21.
- In light of the disruption to COVID there has been impact on some areas of performance measures (i.e. leisure centres), contributing to an otherwise positive outcome following review of the Performance Statement.

8.2 VAGO CLOSING REPORT, DRAFT MANAGEMENT REPRESENTATIVE LETTER AND FINAL MANAGEMENT LETTER FOR THE YEAR ENDED 30 JUNE 2021

The Committee noted the VAGO Closing Report, Management Representative Letter and Management Letter for the year ended 30 June 2021 and noted that the RSD Audit has been appointed by VAGO for a period of up to six years (three years plus three year option) to undertake future external audits, commencing with the 30 June 2022 audit.

KEY FINDINGS

- The annual audit undertaken by VAGO did not identify any material audit differences or unadjusted differences in the Financial Report and there are no significant risks identified.

8.3 GOVERNANCE & MANAGEMENT CHECKLIST

The Committee noted and received the Governance & Management Checklist.

KEY FINDINGS

- Of the 24 items, 20 items meet the standards required as per the Governance & Management Checklist and 4 items did not meet the standards required, as noted below:
 - **Asset Plan:** Council currently has an Asset Management Strategy and Policy. Under the Local Government Act, Council is required to produce a ten-year asset plan. As such, Council is in the

AUDIT & RISK COMMITTEE MEETING MINUTES**13 SEPTEMBER 2021**

process of drafting an asset plan by June 2022. Currently, individual asset plans for various asset classes are in place. However, they are all required to be reviewed as part of this process.

- **Procurement policy:** The Social and Sustainable Procurement Policy 2021-25 was due to be adopted by Council on 28 June 2021 but was deferred to the 23 August 2021 meeting.
- **Risk reporting:** Bi-annual operational risk reviews were undertaken in September/ October 2020 and March/ April 2021, however only the reviews undertaken in 2020 were reported to General Managers for review.
- **Community Engagement Guidelines:** New community engagement guidelines have been developed in line with the Darebin Community Engagement Policy will be rolled out to the business during the month of August.

9 RISK MANAGEMENT**9.1 QUARTERLY RISK MANAGEMENT REPORT**

The Committee noted Quarterly Risk Management Report.

KEY FINDINGS

- Actions taken to manage Council's risks are adequate and strengthened by the representation of a number of key reportable findings, and the presentation of Council's strategic and operational risks.
- Management have adequate systems established in place to manage strategic and operational risks.

9.2 QUARTERLY SAFETY REPORT

The Committee noted the Quarterly Safety Report.

KEY FINDINGS

- Management has adequate measures in place to support and monitor health, safety and wellbeing across the workforce.

10. INTERNAL AUDIT**10.1 INTERNAL AUDIT PROGRAM STATUS AND AUDIT SCOPES FOR APPROVAL REPORT**

The Committee noted the Internal Audit Program Status and Audit Scopes for Approval Report and endorsed the Revised Strategic Internal Audit Plan 2021-22 and the four audit scopes including:

- Review of Compliance (Strategy & Sustainability)
- Review of Cyber Security (Essential 8)
- Review of Inventory Control
- Review of Occupational Health & Safety

KEY FINDINGS

AUDIT & RISK COMMITTEE MEETING MINUTES**13 SEPTEMBER 2021**

- The 2021-22 Internal Audit Program has been adjusted to reflect changes to align with organisational priorities and is on track for completion as planned.
- The 2021-22 Program will continue to ensure delivery of program by June 2022.

10.2 COMPLETED INTERNAL AUDITS REPORT

The Committee noted the Completed Internal Audits Report and the VicRoads Confidentiality Agreement Final Audit Report.

KEY FINDINGS

- The delivery of the 2021-22 Internal Audit Program is progressing toward completion and work is underway to deliver the 2021-22 Internal Audit Program.
- Following review by the internal auditors, Council has effective controls in place to fulfil obligations arising from the VicRoads Confidentiality Agreement.

10.3 OUTSTANDING AUDIT ACTIONS STATUS REPORT

The Committee noted the Outstanding Audit Actions Status Report.

KEY FINDINGS

- Management are progressing the completion of outstanding audit actions, with some delays experienced in achieving completion as expected.

10.4 RECENT REPORT AND PUBLICATIONS

The Committee noted the Recent Report and Publications Report.

KEY FINDINGS

- Management have reviewed recent reports and publications related to issues of management controls, integrity and continuous improvement that impact the local government sector and initiated actions to mitigate Council's risk in response.

3. GOVERNANCE**11.1 COMMITTEE MANAGEMENT REPORT**

The Committee noted the Committee Management Report.

KEY FINDINGS

- Council has adopted the updated Audit and Risk Committee Charter and endorsed the Annual Performance Report for the Committee for the 2020-21 financial year.
- Council has appointed the Chair to the Audit and Risk Committee for a three-year term, in accordance with the Committee Charter and undertaken benchmarking of remuneration of independent Committee members to inform its decision on the remuneration for the 2021-22 financial year.

AUDIT & RISK COMMITTEE MEETING MINUTES**13 SEPTEMBER 2021****12. OTHER BUSINESS****DISCUSSION**

- The Committee discussed the issue of negative media following commentary regarding a Street Sweeper role that was identified as being open only to “non-male” applicants.
- CEO confirmed that the role was advertised this way as Council recognise this is one of the areas of the workforce where some groups are underrepresented. It was confirmed that Council is taking a clear, firm step to address a gender imbalance in accordance with the Gender Equality Act and Council's Workforce Diversity and Inclusion Strategy.

13. NEXT MEETING

The next meeting of the Audit and Risk Committee will be held at 9.00am on 6 December 2021 in person*, at the Darebin Civic Centre, 350 High Street Preston 3072

(*subject to COVID restrictions).

14. CLOSE OF MEETING

As there was no further business, the Chair closed the meeting at **1:43PM**.

Lisa Tripodi

Signed: Lisa Tripodi (Chair)

Date: 13 September 2021



the place
to live

**Summary Report of the Hearing of Submissions Committee
Meeting – Monday 8 November 2021**

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**MINUTES OF THE MEETING OF THE HEARING OF SUBMISSIONS
COMMITTEE OF THE DAREBIN CITY COUNCIL HELD VIRTUALLY
ON MONDAY 8 NOVEMBER 2021**

THE MEETING OPENED AT 5.31PM

The Mayor Cr. Messina advised that the meeting was being held virtually and streamed live and that the audio and video would be made available on the Council's website as soon as practical after the meeting.

1. PRESENT

Councillors

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

Council Officers

Sue Wilkinson - Chief Executive Officer
Jodie Watson – General Manager Governance and Engagement
Greg Phippen – Coordinator Property Services
Stephen Mahon - Coordinator Council Business
Rachna Gupta Singh - Senior Council Business Officer
Georgina Steele - Council Business Officer

2. APOLOGIES

An apology was received from Councillor Emily Dimitriadis.

3. DISCLOSURES OF CONFLICTS OF INTEREST

Nil

SUMMARY REPORT HEARING OF SUBMISSIONS COMMITTEE

8 NOVEMBER 2021

4. CONFIRMATION OF THE PREVIOUS HEARING OF SUBMISSIONS COMMITTEE MEETING**Officer Recommendation**

That the Minutes of the Hearing of Submissions Committee Meeting held on 11 October 2021 be confirmed as a correct record of business transacted.

Committee Decision

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

That the Minutes of the Hearing of Submissions Committee Meeting held on 11 October 2021 be confirmed as a correct record of business transacted.

CARRIED UNANIMOUSLY**5. CONSIDERATION OF REPORTS****5.1 PROPERTY MATTER - PROPOSED DECLARATION OF A ROAD AS A PUBLIC HIGHWAY ADJOINING 4 TO 9 KENWOOD COURT, 19 TO 47 SHOWERS STREET, 15 TO 19 RAILWAY PLACE WEST AND 32 OAKOVER ROAD, PRESTON****EXECUTIVE SUMMARY**

The purpose of this report is to seek the Hearing of Submissions Committee's consideration of the submissions received on the proposed declaration of the 3.05m wide road and 0.30m to 0.68m wide road (which was formerly a reserve) adjoining 4 to 9 Kenwood Court, 19 to 47 Showers Street, 15 to 19 Railway Place West and 32 Oakover Road, Preston, a public highway.

At its meeting on 23 August 2021, Council resolved to commence the statutory procedures under section 204(1) of the Local Government Act 1989 to declare the above road a public highway.

Public notice was given of Council's intention to declare the road to be a public highway in the Herald Sun newspaper and on Council's website on 22 September 2021. In addition, all adjoining owners and occupiers were consulted in writing. The public notice period ended on 20 October 2021. Council received three written submissions with two submitters requesting to be heard in support of their submission.

It is noted that the role of the Hearing of Submissions Committee is to only "hear" and receive submissions. There are no options for consideration or analysis of the submissions included in this report. Following the Hearing of Submissions Committee meeting, a further

SUMMARY REPORT HEARING OF SUBMISSIONS COMMITTEE 8 NOVEMBER 2021

report in relation to the matter will be provided to Council at a later date seeking a final resolution on the matter.

The following person addressed the Committee in support of their submission:

- *Ms. Debbie Platanas*

Submitters Kathy and Jim Stavarakis did not attend the Committee Meeting.

Officer Recommendation

THAT Council:

- 1) Receives the written and verbal submissions.
- 2) Thank all submitters and presenters for addressing the Committee in support of their written submissions.
- 3) Receives a report at a future Council meeting as part of Council's deliberations in considering the proposal to declare the land from the 3.05m wide road and 0.30 to 0.68m wide road (which was formerly a reserve) adjoining 4 to 9 Kenwood Court, 19 to 47 Showers Street, 15 to 19 Railway Place West and 32 Oakover Road, Preston, to be a public highway.

Committee Decision

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

THAT Council:

- 1) Receives the written and verbal submissions.
- 2) Thank all submitters and presenters for addressing the Committee in support of their written submissions.
- 3) Receives a report at a future Council meeting as part of Council's deliberations in considering the proposal to declare the land from the 3.05m wide road and 0.30 to 0.68m wide road (which was formerly a reserve) adjoining 4 to 9 Kenwood Court, 19 to 47 Showers Street, 15 to 19 Railway Place West and 32 Oakover Road, Preston, to be a public highway.

CARRIED UNANIMOUSLY

6. CLOSE OF MEETING

The meeting closed at 5.48 pm.

DATED: the 4th day of June 2021

INSTRUMENT OF DELEGATION
OF POWERS AND FUNCTIONS OF THE
ENVIRONMENT PROTECTION AUTHORITY
UNDER THE
ENVIRONMENT PROTECTION ACT 2017

10232078_1\C

INSTRUMENT OF DELEGATION

ENABLING POWER: Section 437(1)(b) of the *Environment Protection Act 2017* and section 42A of the *Interpretation of Legislation Act 1984*

SUBJECT: Delegation of certain powers, duties and functions of the Environment Protection Authority to Councils

REFERENCE: 2021.Council.001

DEFINITIONS: In this Delegation, all words and phrases have the same meaning as in the *Environment Protection Act 2017* unless the contrary intention appears. In addition:

municipal district has the same meaning as **municipal district** has in section 3(1) of the *Local Government Act 1989*.

DELEGATION: I, Professor Kate Auty, Chair of the Governing Board of Environment Protection Authority Victoria (**Governing Board**) on behalf of the Governing Board and pursuant to and in exercise of the power conferred by section 437(1) of the *Environment Protection Act 2017* **hereby delegate** the powers, duties and functions under the *Environment Protection Act 2017* (**Act**) as specified in the section of the Act detailed in column 2 of Schedule 1 and described in column 3 of Schedule 1 to the delegates described in column 4 of Schedule 1.

Any previous delegations relating to the section/s of the Act detailed in column 2 of the Schedule are hereby revoked.

This delegation is exercisable for an unlimited period on and from 1 July 2021, unless revoked.

LIMITATIONS: This delegation is subject to the following limitations:

- a) The powers, duties and functions of the Authority specified in column 2 of schedule 1 may be only delegated for the purpose of regulating:
 - i. onsite wastewater management systems with a design or actual flow rate of sewage not exceeding 5000 litres on any day; and
 - ii. noise from the construction, demolition or removal of residential premises.
- b) The powers, duties and functions of the Authority specified in column 2 of schedule 1 may only be exercised by the delegates described in column 4 of schedule 1 within each delegates' municipal district.

RELATED DOCUMENTS: This delegation is subject to a direction under section 437(4) of the Act dated 4 June 2021. This delegation should be read in conjunction with that instrument of direction.

DATE: 4 June 2021


SIGNED:

In accordance with all of the requirements of s 12, *Electronic Transactions (Victoria) Act 2000*



**PROFESSOR KATE AUTY
CHAIR
ENVIRONMENT PROTECTION AUTHORITY VICTORIA GOVERNING BOARD**

WITNESSED:



**GREG ELMS
GENERAL COUNSEL
ENVIRONMENT PROTECTION AUTHORITY VICTORIA**

SCHEDULE 1

DELEGATION

Delegation of powers, duties and functions under the *Environment Protection Act 2017*

1	2	3	4	5
Ref. No	Relevant legislative provision under the <i>Environment Protection Act 2017</i>	Summary of delegated powers, duties or functions	Delegate	Revoked Instrument
Insert	Section 271	Issuing of an improvement notice	Councils	N/A
Insert	Section 272	Issuing of a prohibition notice	Councils	N/A
Insert	Section 279	Amendment of notices	Councils	N/A
Insert	Section 358	Functions of the Authority	Councils	N/A
Insert	Section 359(1)(b)	Power of the Authority to do all things that are necessary or convenient to be done for or in connection with the performance of the Authority's functions and duties and to enable the Authority to achieve its objectives	Councils	N/A
Insert	Section 359(2)	Power to give advice to persons with duties or obligations	Councils	N/A

DATED: the 4th day of June 2021

INSTRUMENT OF DIRECTION OF THE
ENVIRONMENT PROTECTION AUTHORITY
UNDER THE
ENVIRONMENT PROTECTION ACT 2017

10232304_2\c

INSTRUMENT OF DIRECTION**ENABLING POWER:** Section 437(4)**SUBJECT:** Direction in respect of functions delegated to councils by Delegation Reference 2021.Council.001**REFERENCE:** 2021.Council.Direction.001

DIRECTION: I, Professor Kate Auty, Chair of the Governing Board of Environment Protection Authority Victoria (**Governing Board**) on behalf of the Governing Board and pursuant to and in exercise of the power conferred by section 437(4) of the *Environment Protection Act 2017 (Act)*, and in respect of the delegation with reference 2021.Council.001 as made on 4 June 2021 **hereby direct:**

1. that, where the delegates listed in column 4 of schedule 1 of Delegation No Councils.2021.001 delegate, under s 437(2) of the Act, the delegated power or function listed in column 2 of schedule 1 of Delegation No 2021.Council.001 to an authorised officer appointed under s 242(2) of the Act, those authorised officers must only exercise the powers conferred by the following sections of the Act when exercising the delegated powers or functions:
 - a. Section 271;
 - b. Section 272;
 - c. Section 246;
 - d. Section 247;
 - e. Section 248;
 - f. Section 249;
 - g. Section 250;
 - h. Section 251, but not subsection (2)(h);
 - i. Section 252; but not subsection (1)(c);
 - j. Section 253;
 - k. Section 254;
 - l. Section 259
 - m. Section 279; and
 - n. Section 307.

This direction is in force for an unlimited period on and from 1 July 2021, unless revoked.

DATE: 4 June 2021

SIGNED:

In accordance with all
of the requirements of
s 12, *Electronic Transactions (Victoria) Act 2000*



**PROFESSOR KATE AUTY
CHAIR
ENVIRONMENT PROTECTION AUTHORITY VICTORIA GOVERNING BOARD**

WITNESSED:



**GREG ELMS
GENERAL COUNSEL
ENVIRONMENT PROTECTION AUTHORITY VICTORIA**



***S18 Instrument of Sub-Delegation
under the Environment Protection Act 2017***

Darebin City Council

Instrument of Sub-Delegation

to

Members of Council staff

Instrument of Sub-Delegation

By this Instrument of Sub-Delegation, in exercise of the power conferred by s 437(2) of the *Environment Protection Act 2017* ('Act') and the Instrument of Delegation of the Environment Protection Authority under the Act dated 4 June 2021, the Council:

1. delegates each duty and/or function and/or power described in column 1 of the Schedule (and summarised in column 2 of the Schedule) to the member of Council staff holding, acting in or performing the duties of the office or position described in column 3 of the Schedule;

record that references in the Schedule are as follows

Acronym		Title
GMCS&S	means	General Manager City Sustainability and Strategy
MCD	means	Manager City Development
MCS&C	means	Manager City Safety and Compliance
CHP	means	Coordinator Health Protection

2. this Instrument of Sub-Delegation is authorised by a resolution of Council passed on _____ November 2021 pursuant to a power of sub-delegation conferred by the Instrument of Delegation of the Environment Protection Authority under the Act dated 4 June 2021;
3. the delegation:
 - 3.1 comes into force immediately the common seal of Council is affixed to this Instrument of Sub-Delegation;
 - 3.2 remains in force until varied or revoked;
 - 3.3 is subject to any conditions and limitations set out in sub-paragraph 5, and the Schedule; and
 - 3.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
4. this Instrument of Sub-Delegation is subject to the following limitations:
 - 4.1 the powers, duties and functions described in column and summarised in column 2 of the Schedule are only delegated for the purpose of regulating:
 - 4.1.1 onsite wastewater management systems with a design or actual flow rate of sewage not exceeding 5000 litres on any day; and
 - 4.1.2 noise from the construction, demolition or removal of residential premises;

- 5. the delegate must not determine the issue, take the action or do the act or thing:
 - 5.1 if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council;
 - 5.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
 - (a) policy; or
 - (b) strategy
 adopted by Council;
 - 5.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation; or
 - 5.4 the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff.

The COMMON SEAL of)
 DAREBIN CITY COUNCIL)
 was affixed on _____)
 with the authority of the Council:)

Signed by the Mayor in the presence of)
)

Witness

Date:

Signed by the Chief Executive Officer of Council in the presence of)
)

Witness

Date:

SCHEDULE

ENVIRONMENT PROTECTION ACT 2017			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 271	Power to issue improvement notice	GMCS&S, MCD, MCS&S, CHP	
s 272	Power to issue prohibition notice	GMCS&S, MCD, MCS&S, CHP	
s 279	Power to amend a notice	GMCS&S, MCD, MCS&S, CHP	
s 358	Functions of the Environment Protection Authority	GMCS&S, MCD, MCS&S, CHP	
s 359(1)(b)	Power to do all things that are necessary or convenient to be done for or in connection with the performance of the Environment Protection Authority's functions and duties and to enable the Authority to achieve its objective.	GMCS&S, MCD, MCS&S, CHP	
s 359(2)	Power to give advice to persons with duties or obligations	GMCS&S, MCD, MCS&S, CHP	

7. CONSIDERATION OF REPORTS CONSIDERED CONFIDENTIAL

In accordance with Section 66(2) of the *Local Government Act 2020*, Council may resolve to close the meeting to members of the public to consider the following items, deemed to be confidential by the Chief Executive Officer in accordance with Section 3(1) of the Act for the reasons indicated:

7.1 Strategic Property Matter

This item is designated confidential because it contains information that would prejudice the Council's position in commercial negotiations if prematurely released and also 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) (a) and (g(ii)) of the Act.

7.2 JCMP State Sporting Facilities

This item is designated confidential because it contains information that would prejudice the Council's position in commercial negotiations if prematurely released and also 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) (a) and (g(ii)) of the Act.

CLOSURE OF MEETING

Recommendation

That in accordance with section 66(2) of the *Local Government Act 2020*, Council resolves to close the meeting to members of the public to consider the items designated confidential by the Chief Executive Officer on the basis that the matters are confidential in accordance with Section 3(1) of the Act.

RE-OPENING OF MEETING

Recommendation

That the meeting be re-opened to the members of the public.


8. CLOSE OF MEETING

**CITY OF
DAREBIN**

274 Gower Street, Preston
PO Box 91, Preston, Vic 3072
T 8470 8888 F 8470 8877
E mailbox@darebin.vic.gov.au
darebin.vic.gov.au

 **National Relay Service**
relayservice.gov.au

If you are deaf, or have a hearing or speech impairment, contact us through the National Relay Service.

 **Speak your language**
T 8470 8470

العربية	Italiano	Soomalil
繁體中文	Македонски	Español
Ελληνικά	नेपाली	اردو
हिंदी	ਪੰਜਾਬੀ	Tiếng Việt