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MINUTES OF THE SPECIAL COUNCIL MEETING

Held on Monday 12 February 2024

Released to the public on 19 February 2024.

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



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

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

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

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

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



English

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

Arabic

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

Chinese

这些是市议会会议纪要。如需协助了解任何纪要项目，请致电8470 8888。

Greek

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

Hindi

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

Italian

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

Macedonian

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

Nepali

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

Punjabi

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

Somali

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

Spanish

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

Urdu

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

Vietnamese

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

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**MINUTES OF THE SPECIAL COUNCIL MEETING
DAREBIN CITY COUNCIL
HELD VIRTUALLY, MONDAY 12 FEBRUARY 2024**

THE MEETING OPENED AT 6.03PM

ACKNOWLEDGMENT OF TRADITIONAL OWNERS

1. PRESENT

Councillors

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

Council Officers

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

2. APOLOGIES

Nil.

3. DISCLOSURES OF CONFLICTS OF INTEREST

Nil.

4. COUNCIL'S OCCUPATIONAL HEALTH AND SAFETY RESPONSIBILITIES

The Mayor made the following statement:

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

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

5. CONSIDERATION OF ITEMS

5.1 NOTICE OF RESCISSION OR AMENDMENT: ITEM 6.3 RESERVOIR BOATHOUSE

Take notice that at the Special Council Meeting to be held on 12 February 2024, it is my intention to move:

That Council as per clause 7.1 Procedure for a Notice of Rescission or Amendment, rescind the previous resolution, Item 6.3 "Reservoir Boathouse" that was decided at the council meeting on 1 February 2024 and amends this to the original motion with the following addition:

- extend the Expressions of Interest to also include community use.

Notice Received: 2 February 2024

Notice Given to Councillors 2 February 2024

Date of Meeting: 12 February 2024

With leave of the Chairperson Mayor Newton, Cr. Messina moved the following rescission motion.

Council Resolution

MINUTE NO. 24-012

MOVED: Cr. L Messina

SECONDED: Cr. G Greco

That Council as per clause 7.1 Procedure for a Notice of Rescission or Amendment, rescind the previous resolution, Item 6.3 "Reservoir Boathouse" that was decided at the council meeting on 1 February 2024 and amends this to the original motion with the following addition:

- extend the Expressions of Interest to also include community use.

LOST

For: Cr's Dimitriadis, Messina, Greco, and Williams (4)

Against: Cr's Newton, Laurence, Rennie, Hannan and McCarthy (5)

5.2 PUBLIC APOLOGY TO MIDSUMMA FESTIVAL, DARDI MUNWURRO AND DAAC

Take notice that at the Special Council Meeting to be held on 12 February 2024, it is my intention to move:

That Council:

- (1) *Notes the email from Midsumma Festival and forwarded to all Councillors on 19/01/2024.*
- (2) *Notes the letter from Dardi Munwurro to all Councillors emailed on 19/01/2024.*
- (3) *Notes the email received by the Darebin Aboriginal Advisory Committee (DAAC) on 18/01/2024.*
- (4) *Directs the Mayor to write to the Midsumma Festival, Dardi Munwurro, and the Darebin Aboriginal Advisory Committee (DAAC) on behalf of Council apologising for:*
 - a) *Lack of consultation regarding the removal of the Palestinian flag.*
 - b) *Not “gain(ing) permission” to use their names in justifying Council’s previous (now rescinded) motion to remove the Palestinian flag.*
 - c) *Causing “great distress”.*
 - d) *Being “used and weaponised” to remove the Palestinian flag.*

Notice Received: 2 February 2024

Notice Given to Councillors 2 February 2024

Date of Meeting: 12 February 2024

With leave of the Chairperson Mayor Newton, Cr. Greco moved the following alternate motion:

Alternate Motion

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

That Council:

- (1) *Notes the email from Midsumma Festival and forwarded to all Councillors on 19/01/2024.*
- (2) *Notes the letter from Dardi Munwurro to all Councillors emailed on 19/01/2024.*
- (3) *Notes the email received by the Darebin Aboriginal Advisory Committee (DAAC) on 18/01/2024.*
- (4) Notes concerns raised include:**
 - a) *Lack of consultation regarding the removal of the Palestinian flag.*
 - b) *Not “gain(ing) permission” to use their names in justifying Council’s previous (now rescinded) motion to remove the Palestinian flag.*
 - c) *Causing “great distress”.*
 - d) *Being “used and weaponised” to remove the Palestinian flag.*

- (5) **With the permission of Midsumma Festival, Dardi Munwurro, and the Darebin Aboriginal Advisory Committee (DAAC) Council makes publicly available the letters of apology dated 9th February 2024 issued by the Mayor.**

Cr. Hannan proposed amendment to replace point (4) of the alternate motion as follows:

(4) Notes that the Mayor has written letters to Midsumma, Dardi Munwurro, and the Darebin Aboriginal Advisory Committee (DAAC) on Friday 9 February 2024.

The amendment was not accepted by the mover and seconder, and was put to vote:

Amendment

MOVED: Cr. T Hannan

SECONDED: Cr. S Rennie

That Council:

- (1) Notes the email from the Midsumma Festival and forwarded to all Councillors on 19/01/2024.
- (2) Notes the letter from Dardi Munwurro to all Councillors emailed on 19/01/2024.
- (3) Notes the email received by the Darebin Aboriginal Advisory Committee (DAAC) on 18/01/2024.
- (4) **Notes that the Mayor has written letters to Midsumma, Dardi Munwurro and Darebin Aboriginal Advisory Committee (DAAC) on Friday 9 February 2024.**

LOST

For: Cr's Newton, Rennie, Hannan and McCarthy (4)

Against: Cr's Messina and Greco (2)

Abstained: Cr's Dimitriadis, Williams and Laurence (3)

The motion was put to vote and became the council resolution as follows:

Council Resolution

MINUTE NO. 24-013

MOVED: Cr. G Greco

SECONDED: Cr. J Williams

That Council:

- (1) Notes the email from Midsumma Festival and forwarded to all Councillors on 19/01/2024.
- (2) Notes the letter from Dardi Munwurro to all Councillors emailed on 19/01/2024.
- (3) Notes the email received by the Darebin Aboriginal Advisory Committee (DAAC) on 18/01/2024.
- (4) Notes concerns raised include:
 - a) Lack of consultation regarding the removal of the Palestinian flag.
 - b) Not "gain(ing) permission" to use their names in justifying Council's previous (now rescinded) motion to remove the Palestinian flag.
 - c) Causing "great distress".

- d) Being “used and weaponised” to remove the Palestinian flag.
- (5) With the permission of Midsumma Festival, Dardi Munwurro, and the Darebin Aboriginal Advisory Committee (DAAC) Council makes publicly available the letters of apology dated 9th February 2024 issued by the Mayor.

CARRIED

For: Cr’s Dimitriadis, Messina, Greco, Williams and Laurence (4)

Against: Cr’s Newton, Rennie, Hannan and McCarthy (4)

5.3 PUBLIC TRANSPARENCY OF COUNCIL DECISIONS

Take notice that at the Special Council Meeting to be held on 12 February 2024, it is my intention to move:

That Council:

- (1) *Notes that section 58 of the Local Government Act states that the “Council decision making processes must be transparent” except if dealing with information that is confidential.*
- (2) *Notes Darebin’s Public Transparency Policy that council has “committed to being accountable to the community through transparency” and “may decide, in the interests of transparency, to release information to the public, if it is in the public’s interest” and when the decision is no longer required to be confidential.*
- (3) *Makes publicly available MINUTE NO. 23-005 of the confidential section of the 25 January 2023 council meeting in relation to the decision of the Bill Lawry Oval Pavilion that was going to cost \$12.9mil to complete, while withholding any details which may be commercially confidential.*
- (4) *Makes publicly available Item 5.1 “Action arising from the VCAT decision on Northcote Plaza from the 6 June 2022 council meeting”, which withholding any details which may be commercially confidential.*
- (5) *Makes publicly available all decisions regarding the Alphington Rail Spur from any council meeting during this term, while withholding any details which may be commercially confidential.*
- (6) *Makes publicly available all decisions regarding the Melbourne Innovation Centre at 2 Wingrove Street Alphington, from any council meeting this term, while withholding any details which may be commercially confidential.*

Notice Received: 2 February 2024

Notice Given to Councillors 2 February 2024

Date of Meeting: 12 February 2024

With leave of the Chairperson Mayor Newton, Cr. Dimitriadis moved the following alternate motion:

Motion

That Council:

- (1) Notes that section 58 of the Local Government Act states that the “Council decision making processes must be transparent” except if dealing with information that is confidential.
- (2) Notes Darebin’s Public Transparency Policy that council has “committed to being accountable to the community through transparency” and “may decide, in the interests of transparency, to release information to the public, if it is in the public’s interest” and when the decision is no longer required to be confidential.
- (3) Makes publicly available **all minutes** of the confidential section of the 25 January 2023 council meeting in relation to the decision of the Bill Lawry Oval Pavilion that was going to cost \$12.9mil to complete, while withholding any details which are **required to remain** confidential.

- (4) Makes publicly available Item 5.1 “Action arising from the VCAT decision on Northcote Plaza from the 6 June 2022 council meeting”, **while** withholding any details which are **required to remain** confidential.
- (5) Makes publicly available all decisions regarding the Alphington Rail Spur from any council meeting during this term, while withholding any details are **required to remain** confidential.
- (6) Makes publicly available all decisions regarding the Melbourne Innovation Centre at 2 Wingrove Street Alphington, from any council meeting this term, while withholding any details which are **required to remain** confidential.
- (7) Pursuant to s125(2) of the *Local Government Act 2020*, requests the Chief Executive Officer to undertake a review of reports deemed to be confidential on a six-monthly basis and makes a recommendation to Council for reports to be released to the public domain, commencing with the first recommendation to be made to Council at the Ordinary Council meeting to be held Monday, 27 May 2024.

The alternate motion was put to vote and became the council resolution:

Council Resolution

MINUTE NO. 24-014

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

That Council:

- (1) Notes that section 58 of the Local Government Act states that the “Council decision making processes must be transparent” except if dealing with information that is confidential.
- (2) Notes Darebin’s Public Transparency Policy that council has “committed to being accountable to the community through transparency” and “may decide, in the interests of transparency, to release information to the public, if it is in the public’s interest” and when the decision is no longer required to be confidential.
- (3) Makes publicly available all minutes of the confidential section of the 25 January 2023 council meeting in relation to the decision of the Bill Lawry Oval Pavilion that was going to cost \$12.9mil to complete, while withholding any details which are required to remain confidential.
- (4) Makes publicly available Item 5.1 “Action arising from the VCAT decision on Northcote Plaza from the 6 June 2022 council meeting”, while withholding any details which are required to remain confidential.
- (5) Makes publicly available all decisions regarding the Alphington Rail Spur from any council meeting during this term, while withholding any details which are required to remain confidential.
- (6) Makes publicly available all decisions regarding the Melbourne Innovation Centre at 2 Wingrove Street Alphington, from any council meeting this term, while withholding any details which are required to remain confidential.
- (7) Pursuant to s 125(2) of the *Local Government Act 2020*, requests the Chief Executive Officer to undertake a review of reports deemed to be confidential on a six-monthly basis and makes a recommendation to Council for reports to be released to the public domain, commencing with the first recommendation to be made to Council at the Ordinary Council meeting to be held Monday, 27 May 2024.

CARRIED

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

Against: -

Abstained: Cr. Williams (1)

7.13pm – The meeting adjourned for a break.

7.16pm – The meeting resumed.

5.4 NORTHCOTE AQUATIC AND RECREATION CENTRE

Take notice that at the Special Council Meeting to be held on 12 February 2024, it is my intention to move:

That Council notes:

(1) Notes:

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

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

Notice Received: 4 December 2023

Notice Given to Councillors 4 December 2023

Date of Meeting: 12 February 2024

Motion

That Council notes:

(1) *Notes:*

- a. *The redevelopment of the Northcote Aquatic and Recreation Centre was completed by Darebin Council on time and on budget with expenditure of \$63.5 million.*
 - b. *Darebin Council delivered and funded this project including through borrowings of \$49M in total from the Victorian Government of which \$10 million is a low interest Community Sports Infrastructure loan.*
 - c. *At the official opening of the facility, the Minister for Community Sport spoke of Council's \$53 million investment in the facility.*
 - d. *In the state government media release following the opening, the Member for Northcote Kat Theophanous said "The Victorian Government is giving communities the facilities they need so more locals can boost their health and participate in the activities they love."*
 - e. *These comments understate Council's investment and overstate the State Government's contribution to the redevelopment of NARC as the State Government had no role in the planning, design and construction of the redevelopment, and made no financial contribution other than via a low interest loan and a Changing Places grant to the value circa \$26K.*
 - f. *Despite minimal investment in the facility, the State Government Community Sports Infrastructure Acknowledgement and Publicity Guidelines stipulated that the Minister was entitled to open the facility and be named in first place on the plaque.*
- (2) *Resolves to write to the Minister and the local member and invite the State Government to convert the loan to a grant so that the above statements are true and accurate representations to our community of the funding and commitment to the redevelopment of the NARC.*
- (3) *In the event that the loan is transitioned to a grant, refers consideration of using the entirety of the sum on the redevelopment of Bill Lawry Oval pavilion redevelopment project to the 24/25 Council Plan and Budget development process.*
- (4) *Requests that officers prepare a brief report for Council consideration at the earliest possible opportunity on criteria that Council can use going forward to consider applying for and accepting grants including acknowledgement and publicity guidelines.*
- (5) *Formally thanks all council staff and contractors who contributed to the delivery of the NARC project on time and on budget.*

With leave of the chairperson, Cr. Rennie moved a procedural motion to defer Item 5.4 Northcote Aquatic Recreation Centre:

Council Resolution

MINUTE NO. 24-015

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

That consideration of the Notice of Motion Item 5.4 Northcote Aquatic and Recreation Centre is deferred to the next Ordinary Council Meeting to be held on Monday, 26 February 2024.

CARRIED

For: Cr's Newton, McCarthy, Rennie, Laurence, and Hannan (5)

Against: Cr's Dimitriadis and Williams (2)

Abstained: Cr's Greco and Messina (2)

6. URGENT BUSINESS

Nil.

7. CONSIDERATION OF REPORTS CONSIDERED CONFIDENTIAL

CLOSE OF MEETING

Council Resolution

MINUTE NO. 24-016

MOVED: Cr. T Hannan
SECONDED: Cr. J Williams

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:

7.1 Commonwealth Single Assessment Tender Update

This item is confidential because it is personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs and 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) (f) and (g(ii)) of the Act.

CARRIED

For: Cr's Newton, McCarthy, Messina, Rennie, Laurence, Hannan, and Williams (7)

Against: -

Abstained: Cr's Dimitriadis And Greco (2)

The meeting was closed to the members of the public at 7.26pm.

7.27pm - Cr. Messina declared a conflict of interest in Item 7.1 Commonwealth Single Assessment Tender Update and left the meeting.

The Council considered report Item 7.1 which had been circulated to Councillors with the Special Council Confidential Agenda Paper.

The meeting was re-opened to the members of the public at 7.54pm

8. CLOSE OF MEETING


The meeting closed at 7.55pm

**CITY OF
DAREBIN**

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relayservice.gov.au

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T 8470 8470

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हिंदी	ਪੰਜਾਬੀ	Tiếng Việt