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MINUTES OF THE SPECIAL COUNCIL MEETING

Held on Monday 22 January 2024

RELEASED TO THE PUBLIC ON 25 JANUARY 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, MONDAY 22 JANUARY 2024

THE MEETING OPENED AT 6.04PM

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

1. OPENING OF MEETING AND MEMBERSHIP

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

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
Enna Giampiccolo - Manager Governance and Communications

2. ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

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

I would like to start by acknowledging the Wurundjeri Woi-wurrung people, the Traditional Owners of this land and pay my respects to Elders past and present, and recognise their continuing connection to land, water and culture.

3. APOLOGIES

Cr Julie Williams

4. DISCLOSURES OF CONFLICTS OF INTEREST

Nil

5. COUNCIL'S OCCUPATIONAL HEALTH AND SAFETY RESPONSIBILITIES

The Chairperson, Mayor Newton, 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.

6. NOTICES OF MOTION

**6.1 NOTICE OF RESCISSION OR AMENDMENT: ITEM 8.1
SIGNIFICANT DATES FOR FLYING FLAGS ON COMMUNITY
FLAGPOLES 8 JANUARY 2024**

Take notice that at the Council Meeting to be held on 22 January 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, "Urgent Motion Item 8.3 Flags" moved by Cr Tom Hannan regarding the removal of the Palestinian Flag that was passed by Council at the Special Council meeting on 8th January 2024.

Notice Received:	8 January 2024
Notice Given to Councillors	8 January 2024
Date of Meeting:	22 January 2024

Rationale:

This Urgent Business resolution needs to be rescinded as it cannot be the same, or similar in intent to a previous urgent motion that was listed at the Ordinary Meeting of 18th December 2023 when the Palestinian Flag was resolved to be raised as per clause 6.2(e) of the governance rules. This rule requires six months to pass before the same or similar motion can be put.

Secondly it is questionably contrary to clause 1.1.3(6) of the governance meeting rules which clearly states that unless all Councillors unanimously agree to deal with another matter, only the business specified in the resolution is to be transacted.

The business specified in the notice to hold the 8th January Special Meeting did not include Item 8.3 and therefore needed the unanimous consent of all Councillors in order to for it to be included.

This necessary step was not executed and when challenged by a point of order the mayor made an incorrect ruling in allowing for the new Urgent Business item to be considered.

More legal advice should be obtained in time for the next meeting as the recent advice received is unclear and cannot confidently be relied on as the exact ground on which the advice was sort was not specified and the rules clearly remain open to interpretation.

Also, before relying on reasons for taking down the Palestinian flag that include solidarity for LGBTIQ+ or First Nations people by raising their flags instead, consultation with those groups, possibly through DACC and the Sexuality, Sex and Gender Diversity Advisory Committees Council should take place in line with our community consultation obligations.

It may well be that the majority of Aboriginal, LGBTIQ+ and CALD would prefer the Palestinian flag be kept up, especially since it was only raised recently, since the conflict erupted again.

The solidarity between Aboriginal people and Palestinian people is particularly well known, and many well-known Darebin Aboriginal leaders, historians and residents have been very outspoken against the ongoing conflict.

With leave of the Chairperson Mayor Newton, Cr Greco moved his motion with the following amendment:

Motion

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

That Council:

- 1) As per clause 7.1 Procedure for a Notice of rescission or Amendment, rescind the previous resolution, "Urgent Motion Item 8.3 Flags" moved by Cr Tom Hannan regarding the removal of the Palestinian Flag that was passed by Council at the Special Council meeting on 8th January 2024.
- 2) Requests the CEO to urgently relocate the flagpole above the intercultural centre to the more visible location on the second portico on High St and utilise this to recognise Midsumma Festival and to incorporate the use of this flagpole in the Community Flag Policy.

THE MOTION WAS PUT TO THE VOTE AND BECAME THE COUNCIL RESOLUTION AS FOLLOWS:

Council Resolution

MINUTE NO. 24-011

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

That Council:

- 1) As per clause 7.1 Procedure for a Notice of rescission or Amendment, rescind the previous resolution, "Urgent Motion Item 8.3 Flags" moved by Cr Tom Hannan regarding the removal of the Palestinian Flag that was passed by Council at the Special Council meeting on 8th January 2024.
- 2) Requests the CEO to urgently relocate the flagpole above the intercultural centre to the more visible location on the second portico on High St and utilise this to recognise Midsumma Festival and to incorporate the use of this flagpole in the Community Flag Policy.

CARRIED

For: Crs Messina, Newton, McCarthy, Laurence, Dimitriadis and Greco (6)
Against: Cr Rennie (1)
Abstained: Cr Hannan (1)

7. URGENT BUSINESS

Cr Laurence indicated that he wished to submit an urgent business item in relation to a housing advocacy for a Darebin community member.

Mayor Newton declared a conflict of interest due to residential amenity as she lives in close proximity to the former address of the community member.

6.49pm - Mayor Newton left the meeting.

Deputy Mayor Laurence assumed the Chair and called for nominations to elect a temporary Chairperson, to enable him to move the motion to admit the Urgent Business item.

Cr Messina nominated Cr Rennie to be temporary Chairperson, which was seconded by Cr McCarthy.

PROCEDURAL MOTION

Council Resolution

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

That Cr Rennie be elected as the temporary Chairperson.

CARRIED

For: Crs Messina, McCarthy, Dimitriadis, Greco and Laurence (5)

Against: -

Abstained: Crs Rennie and Hannan (2)

6.52pm – Cr Rennie assumed the Chair.

6.53pm – Cr Rennie called for an adjournment to allow officers to consult with Cr Laurence regarding the proposed item of Urgent Business.

7.01pm – The meeting resumed.

Upon advice from the CEO, Cr Rennie as Chair advised that the proposed item of Urgent Business was not compliant with the Governance Rules and therefore could not be considered as Urgent Business.

7.13pm – Mayor Newton assumed chair.

7.15pm – Cr Rennie left meeting.

7.17pm – Mayor Newton called for an adjournment at the request of the CEO.

7.24pm – The meeting resumed.

8. CONSIDERATION OF REPORTS CONSIDERED CONFIDENTIAL

Nil.

9. CLOSE OF MEETING


The meeting closed at 7.25pm.

**CITY OF
DAREBIN**

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relayservice.gov.au

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 **Speak your language**
T 8470 8470

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