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# MINUTES OF THE SPECIAL COUNCIL MEETING

Held on Thursday 25 November 2021

Released to the public on 3 December 2021

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



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

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

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

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

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



### English

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

### Arabic

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

### Chinese

这些是市议会会议纪要。如需协助了解任何纪要项目，请致电8470 8888。

### Greek

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

### Hindi

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

### Italian

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

### Macedonian

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

### Nepali

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

### Punjabi

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

### Somali

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

### Spanish

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

### Urdu

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

### Vietnamese

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

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# Table of Contents

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<b>Item Number</b>		<b>Page Number</b>
1.	OPENING OF MEETING AND MEMBERSHIP .....	5
2.	ACKNOWLEDGEMENT OF TRADITIONAL OWNERS.....	6
3.	APOLOGIES.....	6
4.	DISCLOSURES OF CONFLICTS OF INTEREST .....	6
5.	NOTICE OF MEETING.....	6
6.	CONSIDERATION OF REPORTS .....	7
	8.1 GOVERNANCE REPORT - NOVEMBER 2021 .....	7
7.	CONSIDERATION OF REPORTS CONSIDERED CONFIDENTIAL .....	15
8.	CLOSE OF MEETING.....	16

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**MINUTES OF THE SPECIAL COUNCIL MEETING OF THE  
DAREBIN CITY COUNCIL HELD VIRTUALLY ON THURSDAY  
25 NOVEMBER 2021**

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**THE MEETING OPENED AT 5.31 PM**

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. Lina Messina (Mayor) (Chairperson)  
Cr. Trent McCarthy (Deputy Mayor)  
Cr. Gaetano Greco  
Cr. Tom Hannan  
Cr. Tim Laurence  
Cr. Susanne Newton  
Cr. Susan Rennie (arrived at 5.34pm)

***Council Officers***

Sue Wilkinson - Chief Executive Officer  
Sam Hewett - General Manager Operations and Capital  
Kerry McGrath - General Manager Communities  
Rachel Ollivier - General Manager City Sustainability and Strategy  
Jodie Watson - General Manager Governance and Engagement  
Chad Griffiths – Manager City Futures  
Felicity Leahy – Manager Recreation and Libraries  
Stephen Mahon - Coordinator Council Business  
Rachna Gupta Singh - Senior Council Business Officer  
Michelle Martin - Council Business Officer  
Georgina Steele – Council Business Officer

## **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**

APOLOGIES WERE RECEIVED FROM COUNCILLOR EMILY DIMITRIADIS AND COUNCILLOR JULIE WILLIAMS.

## **4. DISCLOSURES OF CONFLICTS OF INTEREST**

The Chief Executive Officer declared a general conflict of interest in item 8.5, Governance Report – November 2021, specifically the matter dealing with the extension of the appointment of the independent Chairperson of the CEO Employment Matters Committee.

## **5. NOTICE OF MEETING**

Mayor advised that due to urgent and extraordinary circumstances 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 gave as much notice as was practical on its website [www.darebin.vic.gov.au](http://www.darebin.vic.gov.au).

## 6. CONSIDERATION OF REPORTS

### Declaration of Conflict of Interest

**5.37 pm** The Chief Executive Officer, Sue Wilkinson declared a general conflict of interest in the following Item 6.1 Governance Report – November 2021, specifically the matter dealing with the extension of the appointment of the independent Chairperson of the CEO Employment Matters Committee and left the meeting prior to Council commencing its determination of the matter.

## 6.1 GOVERNANCE REPORT - NOVEMBER 2021

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### 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.

<b>Officer Recommendation</b>
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**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.
- 

**5.41pm** The Chief Executive Officer returned to the meeting.

*5.42 pm The Mayor adjourned the meeting for a brief break.*

*5.49 pm The meeting resumed*

**5.50 pm** Due to the conflict of interest declared earlier, the Chief Executive Officer left the meeting prior to Council re commencing its determination of the matter 6.1



**Motion**

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

**That** the Officer recommendation be adopted.

*5.56 pm Due to technical issues the meeting was adjourned*

*6.06 pm The meeting resumed*

*The Mayor suggested that the mover and seconder of the motion withdraw the motion at this stage to allow questions.*

**Motion**

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

**That** the Officer recommendation be adopted.

**Amendment**

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

**That** Council:

- (1) Endorses points 1 to 10 of the Officers Recommendation
- (2) Defers point 11 of the Officer Recommendation.

The amendment was put and lost.

**LOST**

**For:** Cr's. Greco and Laurence (2)

**Against:** Cr's. Hannan, McCarthy, Messina, Newton and Rennie (5)

The motion before Council ie the Officer Recommendation was put and carried.

**Council Resolution**

MINUTE NO. 21-156

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

**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.

**CARRIED**

**For:** Cr's. Hannan, McCarthy, Messina, Newton and Rennie (5)

**Against:** Cr. Laurence (1)

**Abstained:** Cr. Greco (1)

## REPORTS FROM MAYOR AND COUNCILLORS

### REPORT OF CR. LINA MESSINA, MAYOR

Cr. Messina reported on her attendance at the following functions/activities:

- Council Meeting 25 October
- RAPID Canopy Program – tree planting

- Metropolitan Central MAV meeting
- MTF Executive meetings
- Councillor Briefing sessions including additional session on waste charges
- Q&A session on creating Employment Equality post pandemic
- Planning Committee meeting
- Hearing of Submissions Committee meeting
- Meeting with Christopher Lane regarding Woolworths new battery and mobile phone recycle units
- Meeting with Kat Theophanous regarding Northcote Plaza redevelopment
- Reservoir Revitalisation Board Meeting
- NARC redevelopment – Media launch
- That’s Amore Cheese – Media launch
- State wide Local Government Waste Forum chairs meeting
- Your Street Your Say briefing and photo shoot
- Darebin Aboriginal Advisory Committee meeting

**REPORT OF CR. GAETANO GRECO**

Cr. Greco reported on his attendance at the following functions/activities:

- Councillor catch up
- Briefings X 3
- Planning Meeting
- Hearing of submissions Meeting
- Welcoming Cities Briefing
- Induction Meeting for Welcoming Cities Advisory Committee
- RSL Remembrance day Ceremony
- Reservoir Bowls Club
- Darebin Aboriginal Advisory Committee
- Active Healthy Ageing Advisory Committee

**REPORT OF CR. JULIE WILLIAMS**

Cr. Williams reported on her attendance at the following functions/activities:

- Councillor briefing x3
- Council meeting
- Special Briefing waste charges
- Councillors Dinner
- Weekly Councillors catch up
- Darebin Disability Advisory Committee
- Advisory Committee Inductions

- Active and Healthy Ageing Advisory committee
- Resident Parking Permit Review meeting
- Hearing of Submissions Committee Meeting
- LGBTQI training for those with a disability
- One-on-one with the Mayor and councillors
- Planning Committee meeting
- Spoken to residents regarding issues on Graffiti, residents needing assistance going into quarantine, Covid vaccination, supporting local business, Love local voucher, vandalism, council rates, waste charges, storm damage of fallen trees and fallen fence blocking footpath

#### **REPORT OF CR. TIM LAURENCE**

Cr. Laurence reported on his attendance at the following functions/activities:

- Contact (face to face, phone and online) with residents about their issues, eg, Concerned park users of Clements Reserve, local Traders, building planning breaches, concerns on heritage overlays and single dwelling zones, laneways, maintenance issues in Leslie Reserve Reservoir and fallen trees in Reservoir and Kingsbury.
- Councillor briefings
- Informal meetings with Councillors
- Hearing of submissions meeting
- Monthly Council meeting

#### **REPORT OF CR. SUSANNE NEWTON**

Cr. Newton reported on her attendance at the following functions/activities:

- Mentoring sessions with my Pathways to Politics for Women mentees Samantha Citroen and Jessica Marsh
- Mentoring sessions with my Australian Local Government Women's Association (ALGWA) Victorian Branch mentee, Banyule Councillor Alida McKern
- Council meeting
- Victorian Local Governance Association (VLGA) AGM
- Darebin Aboriginal Advisory Committee meeting
- Chairperson for Induction and Meet and Greet - Darebin Sexuality, Sex and Gender Diversity Advisory Committee
- Laying a wreath on behalf of the citizens of Darebin at the Remembrance Day service hosted by the Darebin RSL, and morning tea at the Darebin RSL afterwards
- Your Community Health AGM
- Introductory meeting with new Your Community Health CEO Kent Burgess
- Planning committee meeting
- Hearing of submissions meeting
- Councillor briefings - multiple
- Councillor meetings - weekly

**REPORT OF CR. SUSAN RENNIE**

Cr. Rennie reported on her attendance at the following functions/activities:

- Councillor briefing x3
- Council meeting
- Special Briefing waste charges
- Councillors Dinner
- Weekly Councillors catch up
- Active Healthy and Ageing Advisory Committee
- Darebin Aboriginal Advisory committee
- Resident Parking Permit Review meeting
- Hearing of Submissions Committee Meeting
- Meeting the Mayor
- Planning Committee meeting
- Women's Health in the North AGM
- Meeting with CEO DIVRS
- Local Government Working Group on Gambling
- Forum on gambling harm prevention with candidates for NSW council elections
- How to navigate social media and the High Court ruling MAV
- MAV Central Metro Regional meeting

**REPORT OF CR. TRENT MCCARTHY**

Cr. McCarthy reported on his attendance at the following functions/activities:

- Planning Committee Meeting
- Hearing of Submissions Meeting
- Councillor Briefings
- Councillor Meetings
- NAGA Advocacy Working Group Meeting
- CEA Advocacy Working Group Meeting
- My Vote, My Voice, National Council of Women Judging Panel
- NAGA Executive Meeting
- MIC Board Meeting
- Cities Power Partnership National Awards Presentation
- Zero Emissions Farming Forum
- Coburg High School Council Meeting
- Dropping off the Edge Report Launch

**REPORT OF CR. EMILY DIMITRIADIS**

Cr. Dimitriadis reported on her attendance at the following functions/activities:

- Attended Council briefing (online)
- Attended Parking Permit briefing (online)
- Attended Waste Charge information session (online)
- Attended DCMC AGM (online)
- Attended Women's Advisory Committee meeting (online)
- Contact from residents regarding Merri paddle project, parking permits, waste charge, bins not being picked up, flooding in Alphington, requests to repair Council roads.
- Attended official Council meeting (online)
- Attended Council briefings (online)
- Attended weekly Councillor meeting (online)
- Attended DECC official meeting (online)
- Attended Councillor meeting with Chris Kotur (online)
- Attended meeting with DCMC CEO (telephone)
- Attended meeting with the Friends of Darebin Creek President (online)
- Attended one-on-one with Mayor Messina (online)
- Attended and provided food donation for SPAN's food relief program at Agg St Thornbury Housing Estate
- Contact from residents regarding: parking permits, NARC redevelopment; Heidelberg Rd heritage overlay

**REPORT OF CR. TOM HANNAN**

Cr. Hannan reported on his attendance at the following functions/activities:

- Contact (phone / online) with residents about their concerns, eg, electric vehicles, storm damage, drains, Bill Lawry Oval development, Love Local cards, Merri Common, parking permits, Walker St development, Covid-19 response and safety measures, Merri Paddle Project
- Building Clean Community Energy in Darebin online presentation by Darebin Climate Action Now / Yarra Energy Foundation
- Councillor briefings
- Regular meeting with Councillors
- Hearing of submissions meeting
- Planning committee meeting
- Monthly Council meeting

**6.33 pm** The Chief Executive Officer returned to the meeting.

## 7. CONSIDERATION OF REPORTS CONSIDERED CONFIDENTIAL

### CLOSE OF MEETING

<b>Council Resolution</b>
---------------------------

MINUTE NO. 21-157

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

**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 following items, designated 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.

**CARRIED UNANIMOUSLY**

*The meeting was closed to the members of the public at 6.33 pm.*

*The Council considered and resolved on Items 7.1 and 7.2 in the closed meeting.*

### RE-OPENING OF MEETING

<b>Council Resolution</b>
---------------------------

MINUTE NO. 21-158

**MOVED:** Cr. T McCarthy  
**SECONDED:** Cr. G Greco

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

**CARRIED UNANIMOUSLY**

The meeting was re-opened to the members of the public at 7.17 pm.

## **8. CLOSE OF MEETING**

The meeting closed at 7.17 pm.




**CITY OF  
DAREBIN**

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