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MINUTES OF THE SPECIAL COUNCIL MEETING

Held on Thursday 23 December 2021

Released to the public on 12 January 2022

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



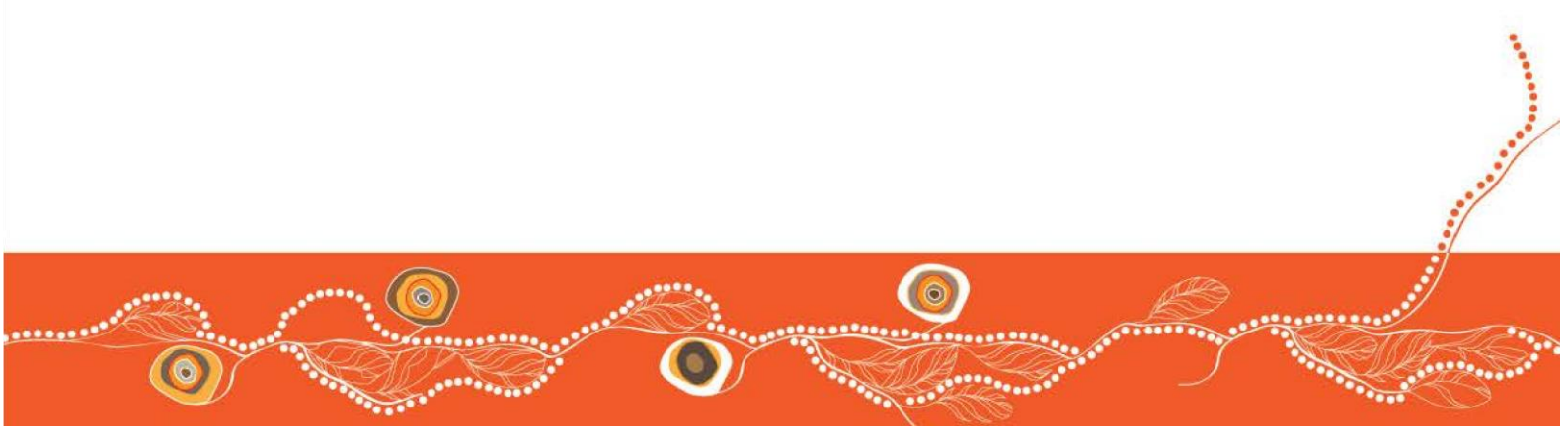
ACKNOWLEDGEMENT OF TRADITIONAL OWNERS AND ABORIGINAL AND TORRES STRAIT ISLANDER COMMUNITIES IN DAREBIN

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

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

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

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



English

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

Arabic

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

Chinese

这些是市议会会议纪要。如需协助了解任何纪要项目，请致电8470 8888。

Greek

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

Hindi

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

Italian

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

Macedonian

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

Nepali

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

Punjabi

ਇਹ 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 MEETING OF THE DAREBIN CITY COUNCIL HELD ON THURSDAY 23 DECEMBER 2021

THE MEETING OPENED AT 6.15 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. Emily Dimitriadis

Cr. Gaetano Greco

Cr. Tom Hannan

Cr. Tim Laurence

Cr. Susanne Newton

Cr. Susan Rennie

Cr. Julie Williams

Council Officers

Sam Hewett – Acting Chief Executive Officer

Rachel Ollivier - General Manager City Sustainability and Strategy

Jodie Watson - General Manager Governance and Engagement

Shadi Hanna – Acting General Manager Communities

Wendy Mason – Manager Governance & Corporate Strategy

Stephen Mahon - Coordinator Council Business

Rachna Gupta Singh - Senior 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

Nil

4. DISCLOSURES OF CONFLICTS OF INTEREST

Mayor Cr. Lina Messina declared a general conflict of interest in item 5.3 of the Agenda – Aged Care Services as she works in the aged care sector.

ADMISSION OF ADDITIONAL BUSINESS ON AGENDA

Council Resolution

MINUTE NO. 21-167

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

That the following items be admitted to the agenda from the Agenda of the Ordinary Council Meeting held on 15 December 2021 and heard at Item 5.4 and 5.5:

- Edwards Lake Taskforce (Item 8.6 of the agenda of Ordinary Council Meeting – 15 December 2021)
- Edwards Lake Park Dog Off Lead Community Engagement Outcome (Item 8.7 of the agenda of Ordinary Council meeting – 15 December 2021)

CARRIED UNANIMOUSLY

CHANGE OF ORDER OF BUSINESS

Council Resolution

MINUTE NO. 21-168

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

That the Order of the Business be amended as follows:

- Items 5.4 and 5.5 be considered before other items listed on the Agenda.

CARRIED UNANIMOUSLY

5. CONSIDERATION OF REPORTS

5.1 EDWARDS LAKE TASKFORCE

Motion

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

That Council:

1. Endorses the appointment of the community members and members from representative organisations to the Edwardes Lake Taskforce as listed in the Confidential **Appendix B** for an initial period of 2 years with a further appointment process being undertaken in October 2023 (aligning with other advisory committee appointments)
2. Records the names of the members appointed to the Edwardes Lake Taskforce in the public minutes of this meeting

Council Resolution

MINUTE NO. 21-169

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

That Council:

1. Endorses the appointment of the community members and members from representative organisations to the Edwardes Lake Taskforce as listed in the Confidential Appendix B for an initial period of 2 years with a further appointment process being undertaken in October 2023 (aligning with other advisory committee appointments)
2. Records the names of the members appointed to the Edwardes Lake Taskforce in the public minutes of this meeting viz

Councillor representation

Cr's Greco and Newton

Community Members

Friends of Edwardes Lake - Kate Jost

Friends of Merri Creek – Nicholas Williams

Merri Creek Management Committee – Luisa Macmillan

Wurundjeri Woi Wurrung Representative – TBA

Reservoir Frogs Waterwatch – Teresa Aquino

Friends of Edgars Creek – Stephen Northey

Agency Members

Yarra Valley Water – Ruthven Davey-Greene – Planning Engineer

Melbourne Water – Geraldine Plas – Principal Waterways Collaboration

Environment Protection Authority – Jeremy Settle – Regional Manager – North Metro

Whittlesea City Council – Edmond Lascaris – Stormwater Management Co Ordinator

Darebin Council Officer Representatives

Steve Tierney – Manager Parks & Open Space

Vanessa Petrie – Manager Climate Emergency & Sustainable Transport

CARRIED UNANIMOUSLY

5.2 EDWARDS LAKE PARK DOG OFF LEAD COMMUNITY ENGAGEMENT OUTCOME

Motion

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

That Council:

1. Notes the amendments to the concept design based on community feedback and endorses the attached design for the Edwardes Lake Park dog off-lead area (**Appendix C**).
2. Updates and thanks community members who participated in the consultation via the Your Say page and direct correspondence to all registered users.

Council Resolution

MINUTE NO. 21-170

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

That Council:

1. Notes the amendments to the concept design based on community feedback and endorses the attached design for the Edwardes Lake Park dog off-lead area (**Appendix C**).
2. Updates and thanks community members who participated in the consultation via the Your Say page and direct correspondence to all registered users.

CARRIED UNANIMOUSLY

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

Cr Greco moved a motion of dissent in the Mayors ruling.

Motion of Dissent

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

That the Chairpersons ruling be dissented from.

6.38 pm – In accordance with clause 10.5 of the Governance Rules 2020, Mayor Messina left the Chair and Deputy Mayor Councillor McCarthy assumed the Chair.

Cr. Greco was provided the opportunity to state the reasons for the dissent motion and the Mayor was invited to respond.

The motion was put and lost.

LOST

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

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

6.40 pm – Mayor Messina resumed the Chair

5.3 CLEMENTS RESERVE

Motion

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

That Council resolves to publicly release the detailed site investigation report which details the presence of asbestos and lead hotspots in Clements Reserve in the interest of community safety and in accordance with our Council's commitment to being an environmentally conscious and open and transparent elected body.

Council Resolution**MINUTE NO. 21-171**

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

That Council resolves to publicly release the detailed site investigation report which details the presence of asbestos and lead hotspots in Clements Reserve in the interest of community safety and in accordance with our Council's commitment to being an environmentally conscious and open and transparent elected body.

CARRIED UNANIMOUSLY

5.4 CEO EMPLOYMENT MATTERS COMMITTEE

Motion

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

That the Item 5.4 – CEO Employment Matters Committee be considered in a meeting closed pursuant to Section 66 of the Local Government Act 2020

LOST

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

Against: Cr's. Dimitriadis, Greco, Laurence, Messina, and Williams (5)

Motion

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

That Council:

- a) Notes that the external Chair of the Employment Matters Committee has had access to the CEO contract while elected Councillors were not provided with the opportunity to have access to the CEO employment contract notwithstanding repeated requests by several Councillors over the last 12 months to obtain access to the whole contract when determining CEO employment matters.
- b) Notes that Councillors were advised by the General Manager Governance and Engagement on Monday 13th December 2021 that they will now be given access to view the contract. Further notes that this advice was given only a few hours before Councillors received impartial external advice confirming Councillors can have access to the CEO employment contract for the purposes of carrying out their function as Councillors regarding CEO employment matters.
- c) Expresses a lack of confidence in the Chair of the Employment Matters Committee in respect to not supporting Councillors in obtaining access to the CEO employment contract for the past 12-month period which has frustrated Councillors' ability to fulfil their duties.
- d) Writes to the Minister for Local Government immediately advising him of what has transpired and seeks urgent advice on the role of the Chair of the CEO Employment Matters Committee and the appropriate functioning of the committee in future in respect to CEO employment and contractual matters.

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

Cr Laurence moved a motion of dissent in the Mayors ruling.

Motion of Dissent

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

That the Chairpersons ruling be dissented from.

7.13 pm – In accordance with clause 10.5 of the Governance Rules 2020, Mayor Messina left the Chair and Deputy Mayor Councillor McCarthy assumed the Chair.

Cr. Laurence was provided the opportunity to state the reasons for the dissent motion and the Mayor was invited to respond.

The motion was put and lost.

LOST

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

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

7.17 pm – Mayor Messina resumed the Chair

The Mayor adjourned the meeting for a brief break at 7.19 pm.

The Meeting recommenced at 7.28 pm

Motion

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

That Council:

- a) Notes that the external Chair of the Employment Matters Committee has had access to the CEO contract while elected Councillors were not provided with the opportunity to have access to the CEO employment contract notwithstanding repeated requests by several Councillors over the last 12 months to obtain access to the whole contract when determining CEO employment matters.
- b) Notes that Councillors were advised by the General Manager Governance and Engagement on Monday 13th December 2021 that they will now be given access to view the contract. Further notes that this advice was given only a few hours before Councillors received impartial external advice confirming Councillors can have access to the CEO employment contract for the purposes of carrying out their function as Councillors regarding CEO employment matters.
- c) Expresses a lack of confidence in the Chair of the Employment Matters Committee in respect to not supporting Councillors in obtaining access to the CEO employment contract for the past 12-month period which has frustrated Councillors' ability to fulfil their duties.
- d) Writes to the Minister for Local Government immediately advising him of what has transpired and seeks urgent advice on the role of the Chair of the CEO Employment Matters Committee and the appropriate functioning of the committee in future in respect to CEO employment and contractual matters.

The motion was put and lost.

LOST

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

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

Declaration of Conflict of Interest

7.43 pm The Mayor Cr. Lina Messina declared a general conflict of interest in the following item as she works in the aged care sector. Cr. Messina invited the Deputy Mayor to take the Chair and left the Chamber prior to Council commencing its determination of the matter.

7.44 pm Deputy Mayor Cr. McCarthy assumed the Chair.

5.5 AGED CARE SERVICES

Motion

MOVED: Cr. J Williams
SECONDED: Cr. E Dimitriadis

That Council:

- a) Determined that Age Care Services will not be interrupted during the December- January period.
- b) Writes to all current residents that use the Age Care services to inform the client that their personal care will not be stopped
- c) Have a contact number on the letter to discuss further.
- d) Informs clients that only minimal staff and there might be delays

Amendment

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

That Council notes that:

1. Aged care clients will continue to receive essential services and support during the festive season.
2. The only service that will not be provided during the festive period is domestic assistance (cleaning) and non-essential shopping for a period of 3 days.
3. Council's aged care team has worked hard to ensure that cleaning has been provided leading up to this time and immediately afterwards.
4. These are the same arrangements which have been in place in previous years.
5. Notes that clients have been called by our team last week to confirm their service needs and outline the arrangements for this period, including how to contact Council for support during this period.
6. Requests that the team review communications which are sent next year to ensure any confusion and ambiguity is avoided.

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

The amendment was put and carried on the casting vote of Acting Chair Deputy Mayor McCarthy and became substantive motion.

CARRIED

For: Cr's. Hannan, McCarthy x 2, Newton and Rennie (5)

Against: Cr's. Dimitriadis, Greco, Laurence and Williams (4)

Cr Creco raised a point of order which the Acting Chair ruled against.

Cr Greco moved a motion of dissent in the Chair's ruling.

Motion of Dissent

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

That the Chairpersons ruling be dissented from.

Nominations were sought for the position of Acting Chair to deal with the motion of Dissent in the Chair.

Cr. Newton nominated Cr. Rennie for the position of Acting Chair.

The motion regarding appointment of Councillor Rennie as Acting Chair was put to vote and carried on the casting vote of the Acting Chair Deputy Mayor McCarthy.

CARRIED

For: Cr's. Hannan, McCarthy x 2 , Newton and Rennie (5)

Against: Cr's. Dimitriadis, Greco, Laurence and Williams (4)

8.22 pm – In accordance with clause 10.5 of the Governance Rules 2020, Acting Chair Deputy Mayor McCarthy left the Chair and Councillor Rennie assumed the Chair.

Cr. Greco was provided the opportunity to state the reasons for the dissent motion and the Acting Chair Deputy Mayor McCarthy was invited to respond.

The motion was put and lost on the casting vote of the Acting Chair Cr Rennie.

LOST

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

Against: Cr's. Hannan, McCarthy, Newton and Rennie x 2 (5)

8.25 pm – Acting Chair Deputy Mayor McCarthy resumed the Chair.

The meeting was adjourned for a brief break at 8.26 pm.

The Meeting recommenced at 8.31 pm

Procedural Motion**MOVED:** Cr. T Hannan**SECONDED:** Cr. S Newton

That the motion be put.

CARRIED

The motion was put and carried on the casting vote of Acting Chair McCarthy.

For: Cr's. Hannan, McCarthy x 2, Newton and Rennie (5)**Against:** Cr's. Dimitriadis, Greco, Laurence and Williams (4)

The substantive motion before the Council was put and carried unanimously.

Council Resolution**MINUTE NO. 21-172****MOVED:** Cr. J Williams**SECONDED:** Cr. E Dimitriadis**That** Council notes that:

1. Aged care clients will continue to receive essential services and support during the festive season.
2. The only service that will not be provided during the festive period is domestic assistance (cleaning) and non-essential shopping for a period of 3 days.
3. Council's aged care team has worked hard to ensure that cleaning has been provided leading up to this time and immediately afterwards.
4. These are the same arrangements which have been in place in previous years.
5. Notes that clients have been called by our team last week to confirm their service needs and outline the arrangements for this period, including how to contact Council for support during this period.
6. Requests that the team review communications which are sent next year to ensure any confusion and ambiguity is avoided.

CARRIED UNANIMOUSLY**8.40 pm** Mayor Cr. Messina returned to the meeting and assumed the Chair.

6. CLOSE OF MEETING


The meeting closed at 8.41 pm.

**CITY OF
DAREBIN**

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