



**ORDINARY COUNCIL MEETING OF  
THE HUME CITY COUNCIL**

**MONDAY, 13 SEPTEMBER 2021**

**CONFIRMED - 11 OCTOBER 2021**



# HUME CITY COUNCIL

---

**Minutes** of the  
**ORDINARY COUNCIL MEETING OF THE HUME CITY COUNCIL**  
held on Monday, 13 September 2021  
**at 7.00PM**  
held online at [www.hume.vic.gov.au](http://www.hume.vic.gov.au)

---

Present:	a: Council	Cr Joseph Haweil Cr Jack Medcraft Cr Jarrod Bell Cr Trevor Dance Cr Chris Hollow Cr Jodi Jackson Cr Naim Kurt Cr Sam Misho Cr Carly Moore Cr Jim Overend Cr Karen Sherry	Mayor Deputy Mayor
	b: Officers	Ms Sheena Frost Mr Hector Gaston Mr Michael Sharp Ms Roslyn Wai  Mr Peter Waite Mr Daryl Whitfort Ms Megan Kruger Mr Brad Mathieson	Chief Executive Officer Director Community Services Director Planning and Development Director Communications, Engagement and Advocacy Director Sustainable Infrastructure and Services Director Corporate Services Manager Governance Team Leader Governance

## **Proceedings to be Recorded**

The Mayor advised that the Council meeting was being livestreamed on Council's website and that an audio recording of the Council meeting would be made and published to Council's website within 2 working days of the meeting. The Mayor also advised that as Council is the owner of the copyright of the livestream and notwithstanding anything appearing on Council's website, any recording, copying or other use of the livestream is strictly prohibited and would therefore constitute a breach of Council's copyright.

## **Gallery Not in Attendance**

The Mayor advised that as members of the gallery could not be in attendance at the meeting, any person wishing to make comment to reports listed on the Agenda had been requested to submit their statements in advance of the meeting. Provided they are compliant with Council's Governance Rules, with the exception of being present at the meeting, these comments would be read out by the Chief Executive Officer.

**ORDER OF BUSINESS****1. ACKNOWLEDGEMENT OF THE TRADITIONAL CUSTODIANS OF THIS LAND**

The Mayor read the following:

*"Hume City Council recognises the rich Aboriginal heritage within the municipality and acknowledges the Wurundjeri Woi Wurrung, which includes the Gunung Willam Balluk clan, as the Traditional Custodians of this land.*

*Council embraces Aboriginal and Torres Strait Islander living cultures as a vital part of Australia's identity and recognises, celebrates and pays respect to the existing family members of the Wurundjeri Woi Wurrung and to Elders past, present and future."*

**2. PRAYER**

The Mayor read the following:

*"Almighty God, we humbly beseech Thee to vouchsafe Thy blessing upon this Council. Direct and prosper its deliberations to the advancement of Thy glory and the true welfare of the people of the Hume City."*

Amen

**3. APOLOGIES**

Nil

**4. DISCLOSURE OF INTEREST**

Councillors' attention is drawn to the provisions of the *Local Government Act 2020* and Council's Governance Rules in relation to the disclosure of conflicts of interests. Councillors are required to disclose any conflict of interest immediately before consideration or discussion of the relevant item. Councillors are then required to leave the Chamber during discussion and not vote on the relevant item.

Councillor Trevor Dance declared a conflict of interest on the following items, listed on the Agenda:

*GE553 Arbiter Report – Moore and Others & Dance  
GE554 Arbiter Report – Dance & Haweil (1)  
GE555 Arbiter Report – Dance & Haweil (2)  
GE556 Arbiter Report – Dance & Medcraft (1)  
GE557 Arbiter Report – Dance & Medcraft (2)  
GE558 Arbiter Report – Dance & Medcraft (3)  
GE559 Arbiter Report – Dance & Moore  
GE560 Arbiter Report – Dance & Sherry*

Councillor Jack Medcraft stated that he had received confirmation that he was not required to declare any conflicts of interest on any of the items listed on the Agenda.

**5. CONDOLENCE MOTIONS****CNM050 MR JOHN WALDRON**

Councillor Naim Kurt

**Moved** Cr Naim Kurt, **Seconded** Cr Carly Moore**That Council acknowledge the recent passing of Mr John Waldron.****CARRIED****6. INFORMAL MEETINGS OF COUNCILLORS****Moved** Cr Jarrod Bell, **Seconded** Cr Jack Medcraft**THAT Council notes the summary of matters discussed at meetings conducted under the auspices of Council, being Strategy and Policy Briefing Sessions, which were held on 2 August 2021 and 16 August 2021.****CARRIED****7. CONFIRMATION OF COUNCIL MINUTES****Moved** Cr Karen Sherry, **Seconded** Cr Chris Hollow**THAT the Minutes of the Ordinary Council Meeting of 9 August 2021 and the Ordinary Council (Town Planning) Meeting of 23 August 2021, including Confidential Minutes, be confirmed.****CARRIED****8. RECEIPT OF COUNCIL AND COMMUNITY COMMITTEE MINUTES AND RECOMMENDATIONS TO COUNCIL TO BE ADOPTED**

Nil

**9. PRESENTATION OF AWARDS**

Nil

**SUSPENSION OF STANDING ORDERS****Moved** Cr Karen Sherry, **Seconded** Cr Carly Moore**That Standing Orders be Suspended to discuss the COVID-19 Pandemic.****CARRIED**

Standing Orders were suspended at 7:09pm

**RESUME STANDING ORDERS****Moved** Cr Jarrod Bell, **Seconded** Cr Jack Medcraft**That Standing Orders be Resumed.****CARRIED**

Standing Orders were resumed at 7:29pm

10. NOTICES OF MOTION

**NOM418 Notice of Motion - Cr Jodi Jackson and Cr Trevor Dance**

**Moved** Cr Jodi Jackson, **Seconded** Cr Trevor Dance

**That Council:**

1. **Acknowledges the Victorian Ombudsman's intention to complete a report in to the EPA's approval of spoil locations for the Westgate Tunnel Project, and**
2. **Note that the investigation will consider;**
  - a. **the EPA's decision-making and approvals for sites operated by: Maddingley Brown Coal Pty Ltd in Bacchus Marsh, Cleanaway Operations Pty Ltd in Ravenhall, Hi-Quality Quarry Products Pty Ltd in Bulla, and**
  - b. **whether the EPA had proper regard for the principles set out in the *Environment Protection Act 1970 (Vic)*, and**
  - c. **whether, the EPA acted compatibly with and gave proper consideration to human rights identified in the Charter of Human Rights and Responsibilities Act 2006 (Vic), and**
3. **That Council directs Officers;**
  - a. **To review the report in full when released, and**
  - b. **To explore and report to Council any further legal actions that can be taken, if the finding in the report identifies any.**

**CARRIED**

**NOM419 Notice of Motion - Cr Jodi Jackson****Moved** Cr Jodi Jackson, **Seconded** Cr Carly Moore**THAT Council:**

1. **Directs Officers to survey the owners of the below stated properties in Craigieburn to ascertain if they would like to retain the existing street trees immediately adjacent to their properties.**
2. **Notes that the aim of the survey would be to establish whether there is support to replace some trees or all the trees, and if so, what characteristics would they like to see in their replacement trees in terms of size, form and whether deciduous or evergreen.**
3. **Notes that the properties relevant to this motion are:**
  - **#2, 4, 5, 9, 10, 11a, 12, 13, 14, 15, 16, 17, 18, 19, 20, 22, 24, 25, 26, 27, 32, 37, 38, 39, 41, 42, 43, 44, 46, 48, 49, 50, 51, 52, 54, 55, 56, 58, 60, 62, 63, 68, 69, 72, 78, 80, 82, 84, 90 and 92 Yarcombe Crescent**
  - **#1 Bansted Nook**
  - **#1 Bristol Mews**
  - **#12 Bembridge Mews**
  - **#5, 7 and 8 Bampton Mews.**

**CARRIED**

Councillor Trevor Dance left the meeting during the discussion on item NOM419 - Notice of Motion - Cr Jodi Jackson, the time being 7:42pm and did not return to the Council meeting.

**11. PUBLIC QUESTION TIME****PQ845 MR ZANE ALCORN****QUESTION 1:**

In light of the public health emergency in Hume, is Hume Council doing its part to ensure the Melbourne Immigration Transit Authority (MITA) is doing Covid testing in all compounds and ensuring all detainees have access to vaccines?

**RESPONSE: (DIRECTOR COMMUNITY SERVICES)**

THE MELBOURNE IMMIGRATION TRANSIT ACCOMMODATION (MITA) IS OPERATED BY THE COMMONWEALTH GOVERNMENT. COUNCIL IS UNABLE TO RESPOND TO COVID-19 TESTING AND THE VACCINATION ROLL-OUT ARRANGEMENTS IN THIS CENTRE. QUESTIONS SHOULD BE DIRECTED TO THE COMMONWEALTH GOVERNMENT.

**PQ846 MR ZANE ALCORN****QUESTION 2:**

Can Hume Councillors, and the Mayor, comment on what measures that Council is taking to actively realise its declared status as a Refugee Welcome Zone - noting that within Hume there are a number of people in indefinite detention at MITA, and that there are others in our community on Temporary Protection Visas awaiting Permanent Protection Visas?

**RESPONSE: (DIRECTOR COMMUNITY SERVICES)**

COUNCIL ACTIVELY SUPPORTS ASYLUM SEEKERS IN HUME CITY, IN A NUMBER OF WAYS INCLUDING:

- PROVIDING FUNDING FOR COMMUNITY SUPPORT PROGRAMS AND EMERGENCY FOOD RELIEF,
- SUPPORTING THE 15 COMMUNITY HUBS TO PROVIDE SUPPORT TO ASYLUM SEEKERS DURING LOCK DOWN, AND
- WORKING WITH AGENCIES SUCH AS THE ASYLUM SEEKER RESOURCE CENTRE TO ADDRESS SUPPORT GAPS FOR THOSE RESIDING IN HUME.

IN ADDITION TO THIS, IN MAY 2021 COUNCIL ADVOCATED TO THE MINISTER OF HOME AFFAIRS TO EXPRESS ITS CONCERN REGARDING ASYLUM SEEKERS WHO ARE AWAITING ENTRY INTO AUSTRALIA. IN JUNE 2021 COUNCIL JOINED THE REFUGEE COUNCIL OF AUSTRALIA'S REFUGEE WELCOME ZONE LEADERSHIP GROUP, SEEKING TO ADVANCE SOCIAL COHESION AND JUST SETTLEMENT OUTCOMES FOR REFUGEES AND ASYLUM SEEKERS IN THE HUME COMMUNITY.

**PQ847 MS LAURELLE CACIOLI****QUESTION 1:**

Reading through the meeting agenda, I as a nurse was quite concerned that meetings are mandatory to be held face to face in our current climate, being a pandemic. I would hope that Hume have enough common sense to move to virtual meetings wherever possible and I don't believe an arbitration hearing would qualify as otherwise. Hume residents paying rates are doing it tough moving their careers to online, so my question is why has the council not done everything in their power to do the same with these arbitration hearings?

**RESPONSE: (DIRECTOR CORPORATE SERVICES)**

IN CONDUCTING THE ARBITRATION MEETINGS UNDER THE COUNCILLOR CODE OF CONDUCT, THE ARBITER HAS FULL DISCRETION AS TO THEIR NUMBER, TIME, PLACE AND WHETHER A DIRECTIONS HEARING IS REQUIRED PRIOR TO THE HEARING ITSELF. FURTHER AS THE HEARINGS ARE REQUIRED TO BE CLOSED TO THE PUBLIC, A VIRTUAL MEETING HAS THE POTENTIAL TO BE VIEWED OR RECORDED WITHOUT THE KNOWLEDGE OF THE ARBITER OR ALL PARTIES.



**PQ848 MS LAURELLE CACIOLI****QUESTION 2:**

It was stated during discussion on NOM417 on 26 July 2021 that Cr Dance presented a medical certificate to the Arbiter deeming it inappropriate for the hearing to be conducted in-person. Why was that medical certificate not upheld when an arbitration hearing could be conducted virtually?

**RESPONSE: (DIRECTOR CORPORATE SERVICES)**

THIS QUESTION CAN ONLY BE ANSWERED BY THE ARBITER.

**PQ849 MR MATTHEW DI LORENZO****QUESTION 1:**

Hume is part of the Welcoming Cities network - seeking a commitment to social justice, particularly for refugees. Given this, would the council be willing to advocate for the refugees and asylum seekers who came by boat held at the MITA detention centre on camp road, many of whom have been in detention for more than 8 years, to be released into community detention while their various legal proceedings are taking place?

**RESPONSE: (DIRECTOR COMMUNITY SERVICES)**

COUNCIL ADVOCATE, WHEREVER POSSIBLE TO WELCOME REFUGEES AND ASYLUM SEEKERS INTO OUR COMMUNITY IN A MANNER THAT UPHOLDS THEIR HUMAN RIGHTS.

THE DETENTION AND FUTURE SETTLEMENT OF MITA REFUGEES IS A FEDERAL GOVERNMENT MATTER, WITH ALL REQUIREMENTS GUIDED BY THE MIGRATION ACT.

COUNCIL WILL CONTINUE TO ADVOCATE TO THE FEDERAL GOVERNMENT, NOTING THAT COMMUNITY DETENTION IS AT THE DISCRETION OF THE IMMIGRATION MINISTER.

**PQ850 MR MATTHEW DI LORENZO****QUESTION 2:**

There is a refugee at the MITA detention centre who has been in detention for almost 12 years, and he is currently undergoing treatment for leukemia. Would council be willing to advocate to the relevant authorities for him to be released into the community while he undergoes his cancer treatment?

**RESPONSE: (DIRECTOR COMMUNITY SERVICES)**

AS OUTLINED ABOVE, COMMUNITY DETENTION OF REFUGEES IS AT THE DISCRETION OF THE IMMIGRATION MINISTER.

IN THE SPIRIT OF SOCIAL JUSTICE, WITHIN ADVOCACY CORRESPONDENCE TO THE PRIME MINISTER, HOME AFFAIRS MINISTER AND IMMIGRATION MINISTER, COUNCIL WILL REQUEST THAT THE FEDERAL GOVERNMENT CONSIDERS THE STATUS OF LONG-TERM DETAINEES, AND WHETHER THIS INDIVIDUAL CAN BE TRANSFERRED TO COMMUNITY DETENTION WHILST HE IS UNDERGOING CANCER TREATMENT.

**PQ851 MS FRANCES EVANS****QUESTION 1:**

Would the Hume Council Mayor and Councillors write to Prime Minister Scott Morrison, Home Affairs minister Karen Andrews and Immigration minister Alex Hawke to call for permanent protection to the 4300 Afghans in Australia, on temporary protection visas (and those in immigration detention awaiting visas) which could this put Hume in line with other councils and organisations such as Ryde, Darebin, Moreland Councils and the Australian Education Union, who; joining this call out to assist Afghan refugees in light of the Taliban takeover of the country passed motions for permanent protection visas to be passed?

**RESPONSE: (DIRECTOR COMMUNITY SERVICES)**

YES. COUNCIL CAN WRITE TO THE PRIME MINISTER, HOME AFFAIRS MINISTER AND IMMIGRATION MINISTER, CALLING FOR PERMANENT PROTECTION TO THE 4,300 AFGHANS IN AUSTRALIA ON TEMPORARY PROTECTION VISAS.

**PQ852 MS FRANCES EVANS****QUESTION 2:**

Could Hume council advocate for a more compassionate treatment of refugees through affirming its declaration as a Refugee Welcome Zone and a signatory of the Refugee Welcome Scroll by assisting Afghan refugees through requesting the Federal government to commit to an additional humanitarian intake of at least 20,000 prioritising the most vulnerable persecuted Afghans (and family reunions), similar to Canada's announcement in August accepting 20,000 Afghan refugees, and similar to Australia's response to the Syrian conflict in 2015 in accepting 12,000 vulnerable Syrian refugees?

**RESPONSE: (DIRECTOR COMMUNITY SERVICES)**

COUNCIL ADVOCATE, WHEREVER POSSIBLE TO WELCOME REFUGEES AND ASYLUM SEEKERS INTO OUR COMMUNITY IN A MANNER THAT UPHOLDS THEIR HUMAN RIGHTS.

IN MAY 2021 COUNCIL ADVOCATED TO THE MINISTER OF HOME AFFAIRS TO EXPRESS ITS CONCERN ON THE POSITION AND FATE OF ALL ASYLUM SEEKERS AWAITING ENTRY INTO AUSTRALIA.

IN JUNE 2021 COUNCIL JOINED THE REFUGEE COUNCIL OF AUSTRALIA'S REFUGEE WELCOME ZONE LEADERSHIP GROUP, SEEKING TO ADVANCE SOCIAL COHESION AS WE WELCOME REFUGEES AND ASYLUM SEEKERS INTO THE HUME COMMUNITY.

WITHIN THE CORRESPONDENCE TO THE PRIME MINISTER, HOME AFFAIRS MINISTER AND IMMIGRATION MINISTER, COUNCIL WILL ADVOCATE TO THE FEDERAL GOVERNMENT TO INCREASE ITS INTAKE OF AFGHAN REFUGEES.

**PQ853 MR ANTHONY HARPER**

**QUESTION 1:**

Is there a limit on the number of complaints can a councillor submit against other councillors that are subsequent dismissed before they are considered to be vexatious?

**RESPONSE: (DIRECTOR CORPORATE SERVICES)**

THERE IS NO LIMIT STATED IN THE COUNCILLOR CODE OF CONDUCT OR THE LOCAL GOVERNMENT ACT 2020.

**PQ854 MR ANTHONY HARPER**

**QUESTION 2:**

Under the Councillor Code of Conduct, is it appropriate for councillors to repeatedly make personal reflections on their colleagues using social media, including their personal membership of a political party?

**RESPONSE: (DIRECTOR CORPORATE SERVICES)**

THE STANDARD OF CONDUCT EXPECTED OF COUNCILLORS WHEN USING SOCIAL MEDIA IS SET OUT IN CHAPTER 1 – TREATMENT OF OTHERS, WITHIN CLAUSE 5, COMMUNICATIONS. COUNCILLORS MUST ENSURE THAT ANY EXPRESSION OF THEIR PERSONAL OPINIONS IS DEVOID OF COMMENTS THAT ARE MISLEADING; COULD REASONABLY BE CONSTRUED AS BEING DEROGATORY, OFFENSIVE OR INSULTING TO ANY PERSON; OR THAT BRING COUNCIL'S REPUTATION INTO DISREPUTE.

**PQ855 MR ANDREW MCLEAN**

**QUESTION 1:**

In relation to the Council Reports listed in the Agenda dealing with Arbitration (GE553, GE554, GE555, GE556, GE557, GE558, GE559 and GE560) was legal representation used by any of the applicants or any of the respondents in relations to these matters?

**RESPONSE: (DIRECTOR CORPORATE SERVICES)**

THE ARBITER DID NOT GRANT ANY APPLICATIONS FOR LEGAL REPRESENTATION.

**PQ856 MR ANDREW MCLEAN**

**QUESTION 2:**

In relation to the Council Reports listed in the Agenda dealing with Arbitration (GE553, GE554, GE555, GE556, GE557, GE558, GE559 and GE560) who paid for any legal representation used by any of the applicants or any of the respondents in relations to these matters?

**RESPONSE: (DIRECTOR CORPORATE SERVICES)**

THE ARBITER DID NOT GRANT ANY APPLICATIONS FOR LEGAL REPRESENTATION.

**PQ857 MR CHRIS O'NEILL****QUESTION 1:**

Who appoints Arbiters for Internal Arbitration matters pursuant to section 81AA of the Local Government Act 1989?

**RESPONSE: (DIRECTOR CORPORATE SERVICES)**

UNDER THE LOCAL GOVERNMENT ACT 1989, THE PRINCIPAL CONDUCT OFFICER OF COUNCIL IS TO IDENTIFY AN ARBITER WHO IS SUITABLY INDEPENDENT AND QUALIFIED AND IS THEN REQUIRED TO PROVIDE BOTH THE APPLICANT AND THE RESPONDENT THE OPPORTUNITY TO OBJECT TO THE PERSON PROPOSED TO BE THE ARBITER. IT SHOULD BE NOTED THAT THE STATE GOVERNMENT CURRENTLY MAINTAINS A LIST OF FIVE SUCH PERSONS WHO CAN PERFORM THE ROLE OF ARBITER OR BE PART OF A COUNCILLOR CONDUCT PANEL.

**PQ858 MR CHRIS O'NEILL****QUESTION 2:**

Is there a restriction on how often one arbiter is appointed? (so they do not form a bias between parties)

**RESPONSE: (DIRECTOR CORPORATE SERVICES)**

THERE ARE NO RESTRICTIONS ON HOW OFTEN ONE ARBITER IS APPOINTED.

**PQ859 MS KYLIE SPENCER****QUESTION 1:**

With regard to reports GE553, GE554, GE556, GE557, GE558, GE559 and GE560. Each report identifies a cost totalling to \$49,500 (amounting to \$16,500 for GE553 and \$8,250 for each set of the remaining hearings). These reports however mention that this total does not include the cost of Officer time, facilities hire or additional arrangements made to facilitate these hearings.

Could council please provide an estimate of what these unlisted costs were to the ratepayer of Hume City Council?

**RESPONSE: (DIRECTOR CORPORATE SERVICES)**

UNDER THE 1989 LOCAL GOVERNMENT ACT THE ROLE OF PRINCIPAL CONDUCT OFFICER IS PERFORMED BY A MEMBER OF COUNCIL STAFF. WHILST THERE IS NO ADDITIONAL COST TO RATEPAYERS IN PERFORMING THE PRINCIPAL CONDUCT OFFICER ROLE, IT DOES MEAN THAT OTHER SIGNIFICANT WORK OF COUNCIL HAS TO BE DELAYED. IN TERMS OF FACILITIES HIRE, THE HEARINGS WERE BOOKED TO OCCUR WITHIN COUNCIL MEETING SPACES THAT WERE AVAILABLE WHICH ULTIMATELY MAY HAVE LED TO FORGONE HIRE INCOME THAT COUNCIL MAY HAVE RECEIVED IF THE SPACE WAS TO BE HIRED BY AN EXTERNAL ORGANISATION.

AS A RESULT, AN ESTIMATE IS NOT ABLE TO BE PROVIDED.

## 12. OFFICER'S REPORTS

Reports Identified as Requiring Individual Discussion

Report No.	Report	Page in Agenda
CC138	<b>Draft Community Vision and Draft Council Plan 2021-2025</b>	13
	<b>Moved Cr Jarrod Bell, Seconded Cr Carly Moore</b>	
	2.1 <b>That Council endorses the Draft Council Plan 2021-2025 (including the Draft Community Vision) for stakeholder and community feedback during the period of Tuesday 14 September 2021 to Tuesday 5 October 2021.</b>	
	2.2 <b>That submissions on the Draft Council Plan 2021-2025 will be heard at the Ordinary Council Meeting on the 11 October 2021, if required.</b>	
	2.3 <b>That a further report be presented to Council for consideration on Monday 25 October 2021 to adopt the Council Plan 2021-2025, following the consultation period.</b>	

CARRIED

Report No.	Report	Page in Agenda
GE550	<b>Annual Assessment of Audit and Risk Committee performance against the Committee Charter</b>	65

**Moved Cr Karen Sherry, Seconded Cr Carly Moore**  
**That Council note the report.**

CARRIED

Report No.	Report	Page in Agenda
GE551	<b>Report to Council on Audit and Risk Committee Business Undertaken - 1 January 2021 - 30 June 2021</b>	75

**Moved Cr Karen Sherry, Seconded Cr Carly Moore**

**That Council notes the report from the Audit and Risk Committee on the activities undertaken by the Committee for the period 1 January – 30 June 2021.**

Councillor Jarrod Bell left the meeting after the motion had been moved on item GE551 - Report to Council on Audit and Risk Committee Business Undertaken - 1 January 2021 - 30 June 2021, the time being 8.14pm.

Councillor Jarrod Bell returned to the meeting prior to the vote on item GE551 - Report to Council on Audit and Risk Committee Business Undertaken - 1 January 2021 - 30 June 2021, the time being 8.16pm.

Councillor Chris Hollow left the meeting after the motion had been moved on item GE551 - Report to Council on Audit and Risk Committee Business Undertaken - 1 January 2021 - 30 June 2021, the time being 8.16pm.

Councillor Jack Medcraft left the meeting after the motion had been moved on item GE551 - Report to Council on Audit and Risk Committee Business

Undertaken - 1 January 2021 - 30 June 2021, the time being 8.17pm, and did not return to vote on the item.

Councillor Chris Hollow returned to the meeting, the time being 8.19pm, and voted on item GE551 - Report to Council on Audit and Risk Committee Business Undertaken - 1 January 2021 - 30 June 2021.

**CARRIED**

<b>Report No.</b>	<b>Report</b>	<b>Page in Agenda</b>
<b>GE553</b>	<b>Arbiter Report - Moore and Others &amp; Dance</b>	<b>95</b>

The Chief Executive Office read out submitted on behalf of Mr Andrew McLean and Mr Chris O'Neill.

Councillor Jack Medcraft returned to the meeting when submitted statements were being read by the Chief Executive Officer on item GE553 - Arbiter Report - Moore and Others & Dance, the time being 8.21pm.

**Moved** Cr Carly Moore, **Seconded** Cr Karen Sherry

- 1. That Council note the findings of the Arbiter's Report contained as an attachment to report GE553, namely that 8 of 11 allegations were established against Cr Dance and no findings were made in 3 allegations.**
- 2. That in line with the Arbiter's report, Council directs Cr Dance to make the apology, delivered verbally by Cr Dance at the 25 October 2021 Ordinary meeting of Council.**
- 3. That Council direct Cr Dance to not attend the next two Ordinary meetings of Council, on 27 September 2021 and 11 October 2021.**

**CARRIED**

A division was requested: The result of the division was as follows:

<b>For</b>	<b>Against</b>
Cr Jarrod Bell	Cr Jodi Jackson
Cr Joseph Haweil	
Cr Chris Hollow	
Cr Naim Kurt	
Cr Jack Medcraft	
Cr Sam Misho	
Cr Carly Moore	
Cr Jim Overend	
Cr Karen Sherry	

Report No.	Report	Page in Agenda
GE554	Arbiter Report - Dance & Haweil (1)	131

**Moved** Cr Karen Sherry, **Seconded** Cr Jack Medcraft

**That Council considers the Arbiter's Determination and Recommendations in relation to this Application and notes:**

- 2.1 The Arbiter determined that there has been no contravention of the Hume City Council Code of Conduct for Councillors 2016.
- 2.2 As there has been no contravention of the Hume City Council Code of Conduct for Councillors 2016, the Arbiter makes no recommendations to Council for consideration at the next Ordinary Meeting of Council.

**CARRIED**

Report No.	Report	Page in Agenda
GE555	Arbiter Report - Dance & Haweil (2)	141

**Moved** Cr Carly Moore, **Seconded** Cr Jack Medcraft

**That Council considers the Arbiter's Determination and Recommendations in relation to this Application and notes:**

- 2.1 The Arbiter determined that there has been no contravention of the Hume City Council Code of Conduct for Councillors 2016.
- 2.2 As there has been no contravention of the Hume City Council Code of Conduct for Councillors 2016, the Arbiter makes no recommendations to Council for consideration at the next Ordinary Meeting of Council.

**CARRIED**

Report No.	Report	Page in Agenda
GE556	Arbiter Report - Dance & Medcraft (1)	151

**Moved** Cr Jarrod Bell, **Seconded** Cr Carly Moore

**That Council considers the Arbiter's Determination and Recommendations in relation to this Application and notes:**

- 2.1 The Arbiter determined that there has been no contravention of the Hume City Council Code of Conduct for Councillors 2016.
- 2.2 As there has been no contravention of the Hume City Council Code of Conduct for Councillors 2016, the Arbiter makes no recommendations to Council for consideration at the next Ordinary Meeting of Council.

**CARRIED**

Report No.	Report	Page in Agenda
GE557	Arbiter Report - Dance & Medcraft (2)	161

**Moved** Cr Jarrod Bell, **Seconded** Cr Carly Moore

**That Council considers the Arbiter's Determination and Recommendations in relation to this Application and notes:**

- 2.1 The Arbiter determined that there has been no contravention of the Hume City Council Code of Conduct for Councillors 2016.
- 2.2 As there has been no contravention of the Hume City Council Code of Conduct for Councillors 2016, the Arbiter makes no recommendations to Council for consideration at the next Ordinary Meeting of Council.

**CARRIED**

Report No.	Report	Page in Agenda
GE558	Arbiter Report - Dance & Medcraft (3)	171

**Moved** Cr Jarrod Bell, **Seconded** Cr Carly Moore

Councillor Jack Medcraft left the meeting after the Motion had been moved on item GE558 - Arbiter Report - Dance & Medcraft (3), the time being 9.07pm.

Councillor Jack Medcraft returned to the meeting prior to the vote on item GE558 - Arbiter Report - Dance & Medcraft (3), the time being 9.09pm.

**That Council considers the Arbiter's Determination and Recommendations in relation to this Application and notes:**

- 2.1 The Arbiter determined that there has been no contravention of the Hume City Council Code of Conduct for Councillors 2016.
- 2.2 As there has been no contravention of the Hume City Council Code of Conduct for Councillors 2016, the Arbiter makes no recommendations to Council for consideration at the next Ordinary Meeting of Council.

**CARRIED**



Report No.	Report	Page in Agenda
GE559	Arbiter Report - Dance & Moore	181

**Moved** Cr Karen Sherry, **Seconded** Cr Jack Medcraft

Councillor Jack Medcraft left the meeting after the Motion had been moved on item GE559 - Arbiter Report - Dance & Moore, the time being 9.10pm.

Councillor Jack Medcraft returned to the meeting prior to the vote being taken on item GE559 - Arbiter Report - Dance & Moore, the time being 9.15pm.

Councillor Jack Medcraft left the meeting prior to the vote being taken on item GE559 - Arbiter Report - Dance & Moore, the time being 9.17pm and did not return to vote on the item.

**That Council considers the Arbiter's Determination and Recommendations in relation to this Application and notes:**

- 2.1 The Arbiter determined that there has been no contravention of the Hume City Council Code of Conduct for Councillors 2016.
- 2.2 As there has been no contravention of the Hume City Council Code of Conduct for Councillors 2016, the Arbiter makes no recommendations to Council for consideration at the next Ordinary Meeting of Council.

**CARRIED**

Report No.	Report	Page in Agenda
GE560	Arbiter Report - Dance & Sherry	193

**Moved** Cr Carly Moore, **Seconded** Cr Naim Kurt

Councillor Jack Medcraft returned to the meeting after the Motion had been moved on item GE560 – Arbiter Report – Dance & Sherry, the time being 9.25pm.

**That Council considers the Arbiter's Determination and Recommendations in relation to this Application and notes:**

- 2.1 The Arbiter determined that there has been no contravention of the Hume City Council Code of Conduct for Councillors 2016.
- 2.2 As there has been no contravention of the Hume City Council Code of Conduct for Councillors 2016, the Arbiter makes no recommendations to Council for consideration at the next Ordinary Meeting of Council.

**CARRIED**

Report No.	Report	Page in Agenda
GE561	Performance Statement 2020/21	203

**Moved** Cr Karen Sherry, **Seconded** Cr Sam Misho

- 2.1 That Council resolves to approve in principle the Performance Statement (Attachment One) for the financial year ending 30 June 2021 and note the associated Governance and Management Checklist (Attachment Two).
- 2.2 That the Mayor, Councillor Joseph Haweil and the Deputy Mayor, Councillor Jack Medcraft, be authorised to certify the statements in their final form after any recommended changes have been made and agreed to by the Auditor General.
- 2.3 Council note the Materiality Guidelines (Attachment Three) that are used in the preparation of the Performance Statement and LGPRF reporting in accordance with Local Government Victoria Best Practice Guidelines.

**CARRIED**

A division was requested: The result of the division was as follows:

<b>For</b>	<b>Against</b>
Cr Jarrod Bell	Cr Jodi Jackson
Cr Joseph Haweil	
Cr Chris Hollow	
Cr Naim Kurt	
Cr Jack Medcraft	
Cr Sam Misho	
Cr Carly Moore	
Cr Jim Overend	
Cr Karen Sherry	

Report No.	Report	Page in Agenda
GE562	Financial Report 2020/21	237

**Moved** Cr Carly Moore, **Seconded** Cr Sam Misho

- 2.1 That Council resolves to approve in principle the Financial Statements for the year ended 30 June 2021.
- 2.2 That the Mayor, Councillor Joseph Haweil and Councillor Carly Moore be authorised to certify the Financial Statements in their final form after any recommended changes have been made and agreed to by the Auditor-General.

**CARRIED**

Report No.	Report	Page in Agenda
GE563	Financial Plan	311

**Moved** Cr Carly Moore, **Seconded** Cr Jack Medcraft

- 2.1 That Council endorses the draft Hume City Council Financial Plan for stakeholder and community feedback during the period of Tuesday 14 September 2021 to Tuesday 5 October 2021.
- 2.2 That submissions on the draft Hume City Council Financial Plan will be heard at the Ordinary Council Meeting on 11 October 2021, if required.
- 2.3 That a further report be presented to Council for consideration on Monday 25 October 2021 to adopt the Hume City Council Financial Plan, following the consultation period.

**CARRIED**

#### Reports Not Otherwise Dealt With

**Moved** Cr Jack Medcraft, **Seconded** Cr Jarrod Bell

Report No.	Report	Page in Agenda
GE552	Proposed Minor Realignment - Mickleham/Craigieburn Suburb Boundary	89

be adopted.

**CARRIED**

Report No.	Report	Page in Agenda
GE552	Proposed Minor Realignment - Mickleham/Craigieburn Suburb Boundary	89

**Moved** Cr Jack Medcraft, **Seconded** Cr Jarrod Bell

- 2.1 THAT Council approves the commencement of a community consultation process to seek the community's views on realigning part of the locality boundary between Craigieburn and Mickleham from the middle to the rear of 12 land parcels that are located on Malta Road, Craigieburn, as per Attachment 1 of this report.

**CARRIED**

#### 13. PETITIONS AND JOINT LETTERS

Nil.

#### 14. DEPUTATIONS

Nil.

**15. URGENT BUSINESS**

Nil.

**16. DELEGATES REPORTS****DEL104 DELEGATES REPORT - CSL BEHRING**

Councillor Chris Hollow

Councillor Hollow provided a verbal report on his attendance and involvement with the CSL Community Grant Panel, with an online awards ceremony which was held on the 19 August 2021.

**17. GENERAL BUSINESS****MED301 TAMBOON COURT MEADOW HEIGHTS**

Councillor Jack Medcraft

**Moved** Cr Jack Medcraft, **Seconded** Cr Naim Kurt

**That Council write to the Department of Family Fairness and Housing to investigate the concerns of the residents of Tamboon Court, Meadow Heights.**

**CARRIED**

**MED302 CAT CURFEW IN HUME**

Councillor Jack Medcraft

**Moved** Cr Jack Medcraft, **Seconded** Cr Carly Moore

**That Council reports back to a future Strategy & Policy Briefing Session on the steps needed to be taken to implement a cat curfew in Hume.**

**CARRIED**

**JAC043 20<sup>TH</sup> ANNIVERSARY OF SEPTEMBER 11 TERROR ATTACKS**

Councillor Jodi Jackson

**Moved** Cr Jodi Jackson, **Seconded** Cr Jarrod Bell

**That Council notes the 20<sup>th</sup> Anniversary of the September 11 terror attacks of 2001, and acknowledges the sorrow of that day and notes the dedication, commitment and strength of those who responded to the tragic events, pays its respects to the families of the 2977, including 10 Australians, and that Council writes to the Consulate General, in Melbourne, of the United States, through the Mayor, to express our condolences and noting the anniversary.**

**CARRIED**

**MIS011 CONGRATULATIONS TO HIS HOLINESS MAR AWA III**

Councillor Sam Misho

**Moved** Cr Sam Misho, **Seconded** Cr Carly Moore

**That Council writes to:**

- **His Holiness Mar Awa III, Catholicos-Patriarch of the Assyrian Church of the East**
  - **His Beatitude Mar Meelis Zaia AM, Metropolitan of the Assyrian Church of the East, Archdiocese of Australia, New Zealand and Lebanon; and,**
  - **His Grace Mar Benjamin Elya, Bishop of Victoria and New Zealand**
1. **To offer sincere congratulations and best wishes from the Mayor and Councillors on the election and consecration of His Holiness Mar Awa III as the 122nd Catholicos-Patriarch of the Assyrian Church of the East; and**
  2. **To note that Hume City is home to a large and growing community of members of the Assyrian Church of the East and congratulates them on this important milestone in the life of their church community.**

**CARRIED**

**MIS012 DOGS ON LEASH SIGNAGE IN MUNICIPALITY**

Councillor Sam Misho

**Moved** Cr Sam Misho, **Seconded** Cr Carly Moore

**That Council Officers investigate placing signage stating the dogs must be on-leash at parks in the municipality. Priority should be given to parks where there are playgrounds which are frequently used, and other frequently used community facilities such as BBQs. This signage should include the potential penalties for owner's who allow their dogs to be off-leash in parks where this is not permitted.**

**CARRIED**

**OVE008 CONGRATULATIONS TO MR CRAIG ONDARCHIE MP**

Councillor Jim Overend

**Moved** Cr Jim Overend, **Seconded** Cr Naim Kurt

**That Council writes to congratulate Mr Craig Ondarchie MP on his recent appointment as Shadow Minister for Energy and Renewables, Multicultural Affairs and Citizenship and Communities.**

**CARRIED**

SHE054

**DISBANDMENT OF THE ENVIRONMENTAL PROTECTION  
AUTHORITY'S WASTE CRIMES DIRECTORATE**

Councillor Karen Sherry

**Moved** Cr Karen Sherry, **Seconded** Cr Naim Kurt**That:**

**Council write to The Honourable Lily D'Ambrosio, Minister for Energy, Environment and Climate Change voicing concern about the Victorian State Government's decision to disband the Environmental Protection Authority's (EPA) Waste Crimes Directorate; and**

**Council's Chief Executive Officer request an urgent meeting with the EPA's Chief Executive Officer, Mr Lee Miezis, to discuss how remaining EPA resources will continue the valuable work relating to illegal waste dumping and stockpiling of hazardous material previously undertaken by the Waste Crimes Directorate.**

**CARRIED**

SHE055

**PROJECT OFFICER FOR ILLEGAL STORAGE OF HAZARDOUS  
MATERIALS**

Councillor Karen Sherry

**Moved** Cr Karen Sherry, **Seconded** Cr Jack Medcraft

**That Council officers present a report back to a future Strategy and Policy briefing on providing a resource/project officer in the 2022/23 budget for to work with neighbouring municipalities on the reduction of the illegal storage of hazardous waste at warehouses and vacant premises.**

**CARRIED**

SHE056

**PROJECT OFFICER FOR BUSINESS ATTRACTION AND  
PLACEMAKING IN HUME ACTIVITY CENTRES**

Councillor Karen Sherry

**Moved** Cr Karen Sherry, **Seconded** Cr Naim Kurt

**That Council officers present a report back to a future Strategy and Policy briefing on providing a resource/project officer in the 2022/23 budget for business attraction and placemaking in our activity centres.**

**CARRIED**

**MOR047 TRAFFIC INVESTIGATION – RAVENHILL BOULEVARD ROXBURGH PARK**

Councillor Carly Moore

**Moved** Cr Carly Moore, **Seconded** Cr Karen Sherry

**That a report be prepared for a future Strategy & Policy Briefing Session on Ravenhill Boulevard in Roxburgh Park, covering:**

1. **Opportunities to install traffic treatments that would slow drivers down in the area;**
2. **Opportunities to improve the flow of traffic, and address the number of vehicles parking on the street; and**
3. **Playgrounds in the vicinity and opportunities to improve the facilities of these locations.**

**CARRIED**

**KUR113 REQUEST TO INCREASE INTAKE OF REFUGEES AFFECTED BY THE WAR IN AFGHANISTAN**

Councillor Naim Kurt

Following the Motion being Moved but prior to a Secunder being sought, the Mayor declared a conflict of interest in the General Business item and left the Chair, and left meeting, the time being 10.45pm.

Deputy Mayor, Councillor Jack Medcraft assumed the Chair at 10.45pm

**Moved** Cr Naim Kurt, **Seconded** Cr Karen Sherry

**That Hume City Council joins with Humanitarian groups and our Federal Member Maria Vamvakinou MP in supporting the cause for an increase in the intake of settlement of refugees, from 3,000 to 20,000 from the war in Afghanistan, and writes to the Federal Minister for Immigration to urge him to consider all diplomatic options to organise and negotiate a safe passage for those still at high risk in Afghanistan, either through Kabul Airport or neighbouring countries, and the issuing of temporary travel documents.**

**CARRIED**

The Mayor, Councillor Joseph Haweil returned to the meeting after the vote on the General Business item had been taken, the time being 10.50pm, and resumed the Chair.

**KUR114 JACK ROPER RESERVE PATH**

Councillor Naim Kurt

**Moved** Cr Naim Kurt, **Seconded** Cr Sam Misho

**That Council receives a report on the plans for a path around Jack Roper lake, costings and what is needed to progress the plan to complete this asset, as part of the Jack Roper Reserve Masterplan.**

**CARRIED**

**KUR115            INFRASTRUCTURE DEVELOPMENT PLAN PRESENTATION**

Councillor Naim Kurt

**Moved** Cr Naim Kurt, **Seconded** Cr Karen Sherry

**That a presentation is brought before Council about the Infrastructure Development Plan and a review is conducted of Council landholdings which are being considered for sale under the plan, the reasons for sale, social benefits which may be realised of Council landholding sales, and the appetite of Council is tested for land-making opportunities in established suburbs.**

**CARRIED**

**HOL008            COUNCIL'S PLANNED STRATEGIC COMMUNICATIONS**

Councillor Chris Hollow

**Moved** Cr Chris Hollow, **Seconded** Cr Jack Medcraft

**That Council officers prepare a report or presentation for a future Strategy and Policy briefing to update Council on strategic communications planned to keep the community informed about current and future projects via Council's website and other communication channels.**

**CARRIED**

**HOL009            GREENVALE RECREATION RESERVE MASTER PLAN REVIEW**

Councillor Chris Hollow

**Moved** Cr Chris Hollow, **Seconded** Cr Karen Sherry

**That Council officers review the existing Greenvale Recreation Reserve Master Plan with a focus on the projects related to the enhancement of the tennis facilities on the site.**

**That a report then be presented to a future Strategy and Policy following the Master Plan review that identifies the scope of the works to be carried out. This scope of works would include the Tennis Club pavilion and the proposed additional courts from funding that is currently allocated in Council's 4-year Capital Works Program.**

**The report should also include a site plan that identifies the location of the proposed additional courts and any changes to the footprint of the pavilion in relation to the existing courts.**

**CARRIED**



**18. CONFIDENTIAL MATTERS**

The Meeting may be closed to members of the public to consider confidential matters.

**Moved** Cr Jack Medcraft, **Seconded** Cr Chris Hollow

**THAT Council close the meeting to the public pursuant to section 66(2) of the *Local Government Act 2020* to consider the following items:**

<b>Report No.</b>	<b>Title</b>	<b>Reason for Confidential</b>
<b>COED018</b>	<b>Request for Financial Incentive - Topgolf Australia</b>	<b>(e) proposed developments.</b>

**CARRIED**

The meeting was closed to the public at 11.07pm.

The meeting was not reopened to the public.

**19. CLOSURE OF MEETING**

The meeting closed at 11.13pm.

.....  
**COUNCILLOR JOSEPH HAWEIL  
MAYOR**