



Meeting of Council Minutes

**Tuesday 25 May 2021
At 6.00pm**

**Council Chamber
Functions Centre
45 Princes Highway
Werribee**

**MEETING OF COUNCIL HELD AT THE
COUNCIL CHAMBERS, CIVIC CENTRE,
45 PRINCES HIGHWAY, WERRIBEE ON
TUESDAY 25 MAY 2021**

The meeting commenced at 6.00 pm.

PRESENT: Cr Jennie Barrera
Cr Josh Gilligan
Cr Adele Hegedich
Cr Jasmine Hill
Cr Marcel Mahfoud
Cr Heather Marcus
Cr Peter Maynard
Cr Susan McIntyre
Cr Sahana Ramesh
Cr Mia Shaw
Cr Robert Szatkowski

IN ATTENDANCE: Natalie Walker A/Chief Executive Officer
Ludo Campbell-Reid Director City Design & Liveability
Allison Kenwood Director City Life
Stephen Thorpe Director City Operations
Binda Gokhale Chief Financial Officer
Fiona Hando Executive Manager Corporate Affairs
Jenny Wood Coordinator Governance
Tammy Williamson Council Business Officer
Megan Bartolo Governance Policy & Projects Advisor

1. OPENING PRAYER & WELCOME

The Mayor, Cr Adele Hegedich, welcomed all in attendance to the meeting.

2. APOLOGIES

Nil

3. DECLARATION BY COUNCILLORS OF DISCLOSURE OF CONFLICT OF INTEREST/CONFLICTING PERSONAL INTEREST IN ANY ITEM OF THE AGENDA

Nil

4. COUNCILLOR MATTER

3

5. CLOSE OF MEETING

Meeting was declared closed at 6.30pm.

FILE NO:

ITEM NO: 4.1
EXECUTIVE MANAGER
CORPORATE AFFAIRS - FIONA
HANDO**COUNCILLOR MATTER****Summary**

On 20 May 2021 the Acting Chief Executive Officer received a letter requesting a meeting that falls into the category of Rule 11 of the Wyndham City Governance Rules; 'Meetings Not Fixed by Council'.

The letter was signed by Crs Gilligan, Marcus and Shaw and the business to be conducted is attached.

Attachments

1. Letter - Non scheduled meeting - Councillor Matter

Cr Jasmine Hill left the Chamber at 7.03pm.

Cr Jasmine Hill returned to the Chamber at 7.04pm.

MOTION

CRS JOSH GILLIGAN / HEATHER MARCUS

1. That Council endorses an application of alleged misconduct lodged by the Mayor through the internal arbitration process after receipt of concerning material in relation to the conduct of Cr Maynard involving a member of our community;
2. That Council calls on Cr Maynard to step down as Deputy Mayor due to the ongoing risk of Council being brought into disrepute until the investigation into his conduct has concluded and the findings are provided to Council for consideration; and
3. Notes that the referral to an independent arbitration hearing on this matter should consider the following additional factors:
 - a. That Cr Maynard has indicated he will apologise to the victim for his actions, but notes that Cr Maynard has also advised Councillors that he would engage in the same behaviour again when asked for an explanation of his actions;
 - b. That this is not the first time Cr Maynard has apologised for inappropriate conduct towards a resident. In light of this, Council doesn't deem a written apology to be a sufficient resolution to this further instance of behaviour; and
 - c. That Council has a zero tolerance of elected representatives verbally abusing members of our community.

FILE NO:

ITEM NO: 4.1
EXECUTIVE MANAGER CORPORATE
AFFAIRS - FIONA HANDO**COUNCILLOR MATTER (cont'd)****AMENDMENT**

CR ROBERT SZATKOWSKI / SAHANA RAMESH

That Council endorses an application of alleged misconduct lodged by the Mayor through the internal arbitration process after receipt of concerning material in relation to the conduct of Cr Maynard involving a member of our community.

PROCEDURAL MOTION

CR SAHANA RAMESH / JASMINE HILL

That the motion be put to a vote.

(CARRIED)

Cr Adele Hegedich abstained from voting on this item.

COUNCILLOR MIA SHAW CALLED FOR A **DIVISION** ON THE VOTE.

The DIVISION was taken and the names of the Councillors voting FOR and AGAINST were as follows:

| FOR | AGAINST |
|-----------------------|---------------------|
| Councillor Barrera | Councillor Gilligan |
| Councillor Hill | Councillor Marcus |
| Councillor Mahfoud | Councillor Shaw |
| Councillor Maynard | |
| Councillor McIntyre | |
| Councillor Ramesh | |
| Councillor Szatkowski | |
| Total (7) | Total (3) |

Cr Adele Hegedich abstained from voting on this item.

FILE NO:

ITEM NO: 4.1
EXECUTIVE MANAGER CORPORATE
AFFAIRS - FIONA HANDO**COUNCILLOR MATTER (cont'd)****AMENDMENT**

CR ROBERT SZATKOWSKI / SAHANA RAMESH

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(CARRIED)

Cr Adele Hegedich abstained from voting on this item.

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| Councillor Maynard | |
| Councillor McIntyre | |
| Councillor Ramesh | |
| Councillor Szatkowski | |
| Total (7) | Total (3) |

Cr Adele Hegedich abstained from voting on this item.

MOTION

CRS JOSH GILLIGAN / HEATHER MARCUS

That Council endorses an application of alleged misconduct lodged by the Mayor through the internal arbitration process after receipt of concerning material in relation to the conduct of Cr Maynard involving a member of our community.

PROCEDURAL MOTION

CR SAHANA RAMESH / JASMINE HILL

That the motion be put to a vote.

(CARRIED)

Cr Hegedich abstained from voting on this item.

FILE NO:

ITEM NO: 4.1

EXECUTIVE MANAGER CORPORATE
AFFAIRS - FIONA HANDO**COUNCILLOR MATTER (cont'd)**

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Cr Hegedich abstained from voting on this item.

MOTION

CRS JOSH GILLIGAN / HEATHER MARCUS

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(CARRIED)

Cr Hegedich abstained from voting on this item.

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| Councillor Ramesh | |
| Councillor Szatkowski | |
| Total (7) | Total (3) |

Cr Hegedich abstained from voting on this item.

Dear Acting CEO,

The following councillors, undersigned, request that an urgent Special Council Meeting be called in accordance with 11.1 of the Wyndham City Council Governance Rules to be held on Tuesday 25th May at 6.00pm at the Wyndham City Council offices, 45 Princes Highway Werribee. The meeting will consider the following business:

1. That Council endorses an application of alleged misconduct lodged by the Mayor through the internal arbitration process after receipt of concerning material in relation to the conduct of Cr Maynard involving a member of our community;
2. That Council calls on Cr Maynard to step down as Deputy Mayor due to the ongoing risk of council being brought into disrepute until the investigation into his conduct has concluded and the findings are provided to Council for consideration; and
3. Notes that the referral to an independent arbitration hearing on this matter should consider the following additional factors:
 - a) That Cr Maynard has indicated he will apologise to the victim for his actions but notes that Cr Maynard has also advised councillors that he would engage in the same behaviour again when asked for an explanation of his actions;
 - b) That this is not the first time Cr Maynard has apologised for inappropriate conduct towards a resident. In light of this, council doesn't deem a written apology to be a sufficient resolution to this further instance of behaviour; and
 - c) That council has a zero tolerance of elected representatives verbally abusing members of our community.
