



Meeting of Council

Agenda

Tuesday 30 November 2021
Commencing at 6.30pm

Council Chamber
Functions Centre
45 Princes Highway
Werribee

Allison Kenwood
Acting Chief Executive Officer

Date: 29 November 2021

AGENDA

MEETING OF COUNCIL TUESDAY 30 NOVEMBER 2021

PLEASE NOTE: This meeting will start at 6.30pm in the Council Chamber, Civic Centre, 45 Princes Highway.

Recording of Council Meeting

Councillors and others present should note that, in accordance with Clause 11 of Wyndham's Governance Local Law 2020, this meeting will be recorded for the purposes of producing accurate minutes of the meeting. Some members of the media and public may also record these meetings, so long as they have been permitted to do so by the CEO prior to the meeting, and they abide by the CEO's set of Guidelines available on Council's website. Council meetings are live streamed on Council's website at www.wyndham.vic.gov.au

BUSINESS

In the spirit of reconciliation, before we begin this meeting, I acknowledge the peoples of the Kulin Nation as the Traditional Owners of the land on which Wyndham is being built. We pay our respects to their elders, past and present.

1. OPENING PRAYER & WELCOME

"We pray for guidance in the Council's decision making to achieve the best outcome for the people of Wyndham."

2. APOLOGIES & REQUESTS FOR LEAVE

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

All Councillors are individually responsible for assessing and declaring any conflicts of interest that they may have in relation to specific agenda items. Failure to disclose such conflicts may constitute a breach of Section 130(3) of the *Local Government Act 2020*.

4. OTHER REPORTS

4.1 COUNCILLOR VACCINATIONS

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5. CLOSE OF MEETING

A G E N D A

COUNCIL MEETING

WELCOME

Welcome to the Council Meeting. We are pleased that you have made the time to attend this Meeting. This is your agenda which will guide you through the meeting tonight. You may keep this copy and take it with you afterwards.

Please note that the Council Meeting is the formal decision-making part of the Council decision making process. As a general rule no public comment or interjection is permitted during the meeting.

Wyndham City
city coast country

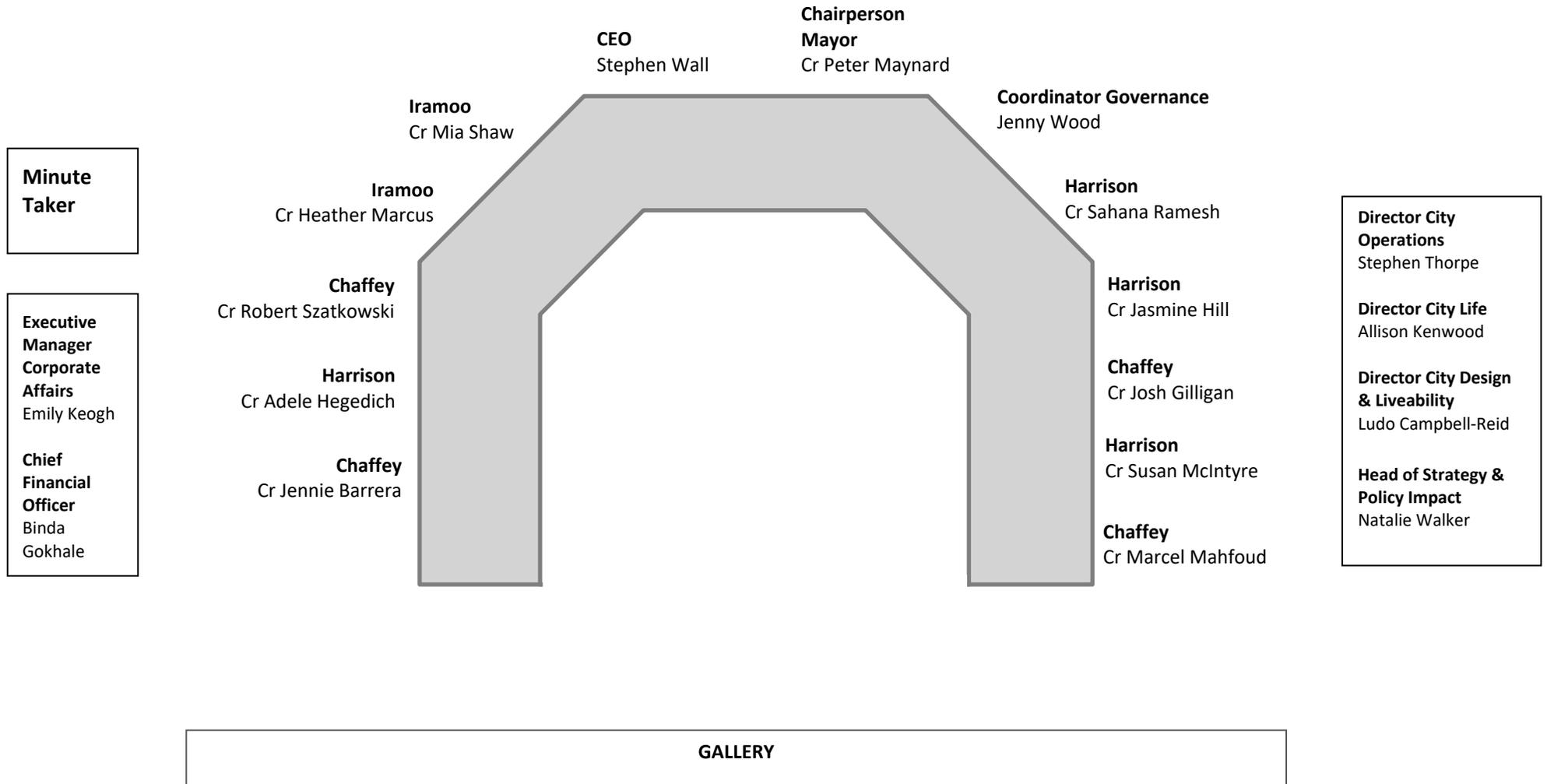
Vision
Diverse People, One Community, Our Future

Mission
We strive to serve the best interests of the Wyndham community by providing quality services; managing growth; and supporting residents to lead healthy, safe, vibrant and productive lives, while protecting our local environment.

Values

Integrity	Community Focus	Respect	Commitment	Leadership	Teamwork
<p>For us this means... The consistent commitment to apply moral and ethical behaviour, encompassing honesty, openness and respect.</p>	<p>For us this means... Working for and with the community in the best interests of Wyndham.</p>	<p>For us this means... Being conscious and aware of others values, beliefs and opinions, appreciating that they could be different from our own and treating them accordingly.</p>	<p>For us this means... To consistently adhere to our core values through our commitment to achieving our vision and mission.</p>	<p>For us this means... Creating an environment that empowers individuals, the organisation and the community to achieve our vision and mission.</p>	<p>For us this means... The ability of a group of individuals to work collaboratively and collegially to achieve agreed outcomes by the team.</p>
Behaviours					
<ul style="list-style-type: none"> • I am honest, open, frank and transparent; • I am approachable and consistently treat others fairly; • I recognise accountability and accept responsibility for my actions; • I am open to scrutiny and act within the spirit and intent of the law; • I act in accordance with Wyndham City Council agreed values; • I always act without fear or favour. 	<ul style="list-style-type: none"> • I work for and in the interests of the community; • I engage, listen, consult and communicate; • I provide quality services; • I keep my commitments; • I value diversity; • I engage all stakeholders; • I value our communities. 	<ul style="list-style-type: none"> • I listen to others; • I treat people with dignity; • I act honestly and tactfully; • I consider the impact my actions may have on others; • I respect privacy and confidentiality; • I trust others to act with integrity. 	<ul style="list-style-type: none"> • I am focussed on achieving the vision and mission; • I am passionate about all I do; • I live the core values of the organisation; • I follow through with my promises; • I carry out my duties efficiently and effectively; • I am proactive and use initiative. 	<ul style="list-style-type: none"> • I develop and communicate a clear vision; • I seek the commitment of others to our vision; • I encourage continuous learning and development; • I recognise and celebrate success; • I respond to environmental changes in a timely and coordinated manner; • I listen to others; • I am flexible when making decisions. 	<ul style="list-style-type: none"> • I am a team player; • I listen to stakeholders; • I choose a positive attitude; • I seek to have fun; • I have consideration for others; • I support all team members to achieve agreed outcomes and goals; • I share and develop team knowledge and competencies.

COUNCIL CHAMBER SEATING ARRANGEMENTS



FILE NO:

ITEM NO: 4.1
ACTING CEO - ALLISON KENWOOD**COUNCILLOR VACCINATIONS****Summary**

On Friday 26 November 2021 the 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 notification was from Cr Gilligan, Cr Marcus and Cr Shaw and the business to be conducted is attached.

Attachments

1. [Notification of additional meeting](#)

Officers' Declaration of Interests

Under Section 130 of the *Local Government Act 2020*, officers providing advice to Council must disclose any interests, including the type of interest.

Acting Chief Executive Officer - Allison Kenwood

In providing this advice as the Director, I have no disclosable interests in this report.

Executive Manager Corporate Affairs - Emily Keogh

In providing this advice as the Manager, I have no disclosable interests in this report.

Governance Coordinator - Jenny Wood

In providing this advice as the Author, I have no disclosable interests in this report.

Key Issues

- Notification of additional Council Meeting

FILE NO:

ITEM NO: 4.1
ACTING CEO - ALLISON KENWOOD**COUNCILLOR VACCINATIONS (cont'd)****1. Background**

On Friday 26 November 2021 the Chief Executive Officer received a letter requesting a meeting that has not been fixed by Council.

The meeting requested falls into the category of Rule 11.1 of the Wyndham City Governance Rules; 'Meetings Not Fixed by Council' where the Mayor or three Councillors may by a written notice to the CEO call a Council Meeting.

Under Rule 11.2 The notice must specify the date and time of the Council Meeting and the business to be transacted. The CEO must convene the Council Meeting as specified in the notice.

2. Relevant Law

Wyndham City Council Governance Rule 11 applies – Meetings not fixed by Council.

3. Discussion

The meeting requested falls into the category of Rule 11.1 of the Wyndham City Governance Rules; 'Meetings Not Fixed by Council' where the Mayor or three Councillors may by a written notice to the CEO call a Council Meeting.

Under Rule 11.2 The notice must specify the date and time of the Council Meeting and the business to be transacted. The CEO must convene the Council Meeting as specified in the notice.

4. Wyndham 2040 Community Vision

Not applicable

5. Council Plan

7.3 Foster trust in Council through the implementation of effective civic leadership and responsible governance processes that ensure accountability and compliance with all legislated and statutory requirements

6. Other Council Strategies, Plans and Policies

Rule 11 of the Wyndham City Governance Rules outlines the requirements for meetings that have not been fixed by Council.

7. Regional, State and national plans and Policies

Not applicable

8. Financial Viability

Funding for Council Meetings is currently allocated in Wyndham's 2021-22 budget and no further funding is required at this time

9. Sustainability Implications

Not applicable

FILE NO:

ITEM NO: 4.1
ACTING CEO - ALLISON KENWOOD

COUNCILLOR VACCINATIONS (cont'd)

10. Options

Not applicable

11. Community Engagement

Not applicable

12. Communication Strategy

Council will advise the community of the Council meeting on Council's website as soon as possible.

13. Innovation and Continuous Improvement

Not applicable

14. Collaboration

Not applicable

Dear CEO,

The following councillors, enclosed in this written notice, 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, 30th November 2021 at 6.30pm at 45 Princes Highway, Werribee VIC 3030 (Council Chambers)**. The meeting will consider the agenda item as follows:

Referral of an unvaccinated councillor to the Minister to be stood down under Section 228 of the Local Government Act 2020

1. That Council supports the Victorian Parliament's mandatory vaccine requirements requiring parliamentarians to be vaccinated in order to protect the health and safety of Members of Parliament and parliamentary staff or be suspended from their roles;
2. Directs the Chief Executive Officer (CEO) to obtain confirmation of the vaccination status of all Wyndham City Councillors by no later than 11.59pm Wednesday, 1 December 2021 and publishes the names of all vaccinated Councillors on the Council's website by Thursday, 2 December 2021; and
3. Requests that the CEO, on behalf of Council, writes to the State Minister for Local Government, Shaun Leane MP, to inform him of any councillor/s who are not double vaccinated by the above deadline and request that he uses powers afforded to him under Section 228 of the *Local Government Act 2020* in relation to standing down a councillor who is not double vaccinated.

Preamble

Section 228 of the *Local Government Act 2020* enables the Minister for Local Government to stand down a councillor who creates a 'serious risk to the health and safety of Councillors or Council staff'.

This power is only reserved for the most serious of circumstances. An unvaccinated councillor would be an appropriate use of this power to protect our staff, councillors and our community and to signal that being unvaccinated and holding elected office is untenable. Wyndham City is on track for more than 95% of our community to be double vaccinated. The councillors signatory to this motion pushed for the establishment of a seven-day vaccination hub and an increase in vaccination supply to protect our community from the devastation of COVID on the social and economic fabric of the Wyndham community. This has been very successful and protected our community.

It would be hypocritical for Wyndham City Council to not take a stand requiring councillors who were elected by this community to be double vaccinated too. This city had the highest COVID cases in the nation in 2020. Dozens in our community died because of this virus. Hundreds of Wyndham families can talk firsthand of their experience in battling this virus.

Council staff are required to be double vaccinated under the Chief Health Officer's Mandatory Health Directions. Councillors should be too.

Hospitality workers, small business owners, beauty services and a raft of other industries have been forced to adjust to being double vaccinated in order to get back to work and or open for business. Those who have refused are losing their jobs because they refuse to be vaccinated. It is a privilege to be elected to public office. It is entirely reasonable to expect any councillor who is not double vaccinated to consider their position as a representative of our community or be stood down.

The Victorian Government's mandatory vaccine requirements has led to the suspension of Victorian Members of Parliament who have consciously chosen not to be vaccinated. The councillors who

have called for this action believe that the same suspension powers should apply to local councillors. Ratepayers should not be paying for an unvaccinated councillor to continue who is prepared to put the health and safety of our community, staff and councillors at risk by refusing to access the available vaccinations readily available in our community.



Cr Josh Gilligan



Cr Heather Marcus



Cr Mia Shaw