

COUNCIL MEETING

**Tuesday 6 December, 2022
6.30pm**

**Community Hall
Braybrook Community Hub
107–139 Churchill Avenue
Braybrook**

AGENDA

Item	Title	Page
1.	Commencement of Meeting and Welcome	
2.	Apologies	
3.	Leave of Absence	
4.	Disclosures of Conflicts of Interest	
5.	Public Question Time	
6.	Confirmation of Minutes of Previous Meeting	3
7.	Reports from Committees	
7.1	Noting of the Confirmed Minutes of the Audit and Risk Committee Meeting - 13 September 2022	34
8.	Petitions	
8.1	Petition: Against Notice of an Application for a Planning Permit	40
8.2	Petition: Parking Permits Gray Street, Yarraville	68
9.	Officer Reports	
9.1	Acknowledging January 26	79
9.2	Awarding of Contract No 1205-23 Provision of Western Lawn Resurfacing and Services Upgrade, Footscray Park	89
9.3	WOMEDA Membership	96
9.4	Investment Policy	101
9.5	Appointment of Independent Members and Chair to the Audit and Risk Committee	117
9.6	Councillor Committee and Advisory Group Appointments - 2022/23	122
9.7	Governance Report - November 2022	132
10.	Notices of Motion	
11.	Councillor Question Time	

- 12. Urgent Business
- 13. Confidential Business 139
 - 13.1 Chief Executive Officer Annual Performance Review
- 14. Meeting Closure

Agenda Item 6

CONFIRMATION OF THE MINUTES OF THE PREVIOUS COUNCIL MEETING - 15 NOVEMBER 2022

Director: Lisa King
Director Corporate Services

Author: Phil McQue
Manager Governance and Commercial Services

PURPOSE

To present for confirmation the minutes of the Council Meeting held on 15 November 2022.

ISSUES SUMMARY

- The Maribyrnong City Council Governance Rules requires Council to keep minutes of each meeting of the Council and Delegated Committees, and for minutes to be submitted to the next appropriate meeting for confirmation.

ATTACHMENTS

1. Unconfirmed Minutes of the Council Meeting held on Tuesday 15 November, 2022

OFFICER RECOMMENDATION

That Council confirms the minutes of the Council Meeting held on 15 November 2022.

Agenda Item 6**BACKGROUND**

The minutes of meetings remain unconfirmed until the next appropriate meeting of Council.

DISCUSSION/KEY ISSUES**1. Key Issues**

Council's Governance Rules requires Council to confirm its minutes at the next appropriate meeting.

2. Council Policy/Legislation**Council Plan 2021-2025**

This report contributes to Council's strategic objectives contained in the Council Plan 2021-2025 by considering:

- Ethical leadership - lead our changing city using strategic foresight, innovation, transparent decision making and well-planned, effective collaboration to support economic growth during the ongoing challenges of the pandemic and beyond.

Legislation

Local Government Act 2020

Conflicts of Interest

No officer responsible for, or contributing to, this report has declared a direct or indirect interest in relation to this report.

Human Rights Consideration

This report complies with the rights listed in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

3. Engagement

Not applicable.

4. Resources

Not applicable.

5. Environment

Not applicable.

CONCLUSION

The unconfirmed minutes of the Council Meeting held on 15 November are presented for confirmation.

U N C O N F I R M E D M I N U T E S



Maribyrnong City Council

COUNCIL MEETING MINUTES

**Tuesday 15 November, 2022
6.30pm**

**Community Hall
Braybrook Community Hub
107–139 Churchill Avenue
Braybrook**

MEMBERSHIP

Councillor Sarah Carter (Chair)
Councillor Michael Clarke
Councillor Simon Crawford
Councillor Jorge Jorquera
Councillor Cuc Lam
Councillor Bernadette Thomas
Councillor Anthony Tran

To be confirmed at the Council Meeting
to be held on 6 December, 2022

U N C O N F I R M E D M I N U T E S

1. COMMENCEMENT OF MEETING AND WELCOME

The meeting commenced at 6.34pm.

The Chair, Cr Sarah Carter made the following acknowledgement statement:

“We acknowledge that we are on the traditional lands of the Kulin Nation. We offer our respect to the Elders of these traditional lands, and through them to all Aboriginal and Torres Strait Islander peoples, past and present”.

PRESENT

Councillor Sarah Carter (Chair)
Councillor Michael Clarke
Councillor Simon Crawford
Councillor Anthony Tran

IN ATTENDANCE

Chief Executive Officer, Celia Haddock
Director Community Services, Lucas Gosling
Director Infrastructure Services, Patrick Jess
Director Corporate Services, Lisa King
Director Planning and Environment, Laura Jo Mellan
Manager Governance and Commercial Services, Phil McQue
Coordinator Community Infrastructure and Planning, Malcolm Roberts Palmer
Governance Officer, Jessica Baguley

2. APOLOGIES

Nil.

3. LEAVE OF ABSENCE

The following Councillors have been granted Leave of Absence for this meeting:
Cr Jorge Jorquera, Cr Cuc Lam and Cr Bernadette Thomas.

4. DISCLOSURES OF CONFLICTS OF INTEREST

Nil.

U N C O N F I R M E D M I N U T E S

5. PUBLIC QUESTION TIME

Public Question Time opened at 6.37pm and Council received 64 questions.

Cameron Cahill

1. I want to commend Council for their adoption of the LGBTIQ+ Strategy and Action Plan last meeting. Building on and supporting this amazing work. I wanted to know, will Council be flying the Trans Flag to mark Trans Day of Remembrance on 20 November?
2. As Council knows, over 500 same sex couples call Maribyrnong home and in your new LGBTIQ+ Strategy and Action Plan, Council will advocate for local services and resource to support rainbow families, but would Council consider taking the lead by establishing a playgroup for rainbow families to support those families who have children like mine?
3. As someone who works in diversity, inclusion and belonging I commend Council for including LGBTIQ+ inclusion training for Councillors and staff in your LGBTIQ+ Strategy and Action Plan. What, if any, training do Council's community care staff receive on LGBTIQ+ inclusion at the moment, and when will all training be rolled out for staff and councillors?

Response

The Chair responded to the first question by acknowledging the renovations and restrictions to the site as it is still an active worksite at Town Hall and that Council hopes to fly the Trans Flag proudly. The Chair advised that the LGBTQIA+ Advisory Committee would be very pleased to see the Trans Flag raised at Town Hall.

The Chair responded to the second question by noting that Council will consider Cameron Cahill's play group initiative and table the initiative for the LGBTQIA+ Advisory Group, to support and increase the engagement of rainbow families within play groups and parenting programs such as 'Baby Makes 3'. The Chair also noted that the Committee welcomes any further input to enable inclusiveness.

U N C O N F I R M E D M I N U T E S

In response to the final question, the Chief Executive Officer advised that over the next two years Council is rolling out a program of employee and leadership training within the context of the Gender Equality Action Plan focusing on:

- Gender equitable and inclusive workplaces,*
- Diversity inclusion, and*
- Beyond Diversity: Unconscious Bias Foundation modules.*

The Chief Executive noted that Council is committed to designing, developing or accessing ongoing LGBTIQ+ inclusion training for Councillors and staff as outlined under Objective 4 of the LGBTIQ+ Strategy and Action Plan.

The Chief Executive Officer advised that work has commenced to explore and assess the types of LGBTIQ+ inclusion training programs that build on and complement Council's learning and development priorities, and tailored for local government settings, employees and leadership.

The outcomes of this work will inform the next stage of planning to deliver LGBTIQ+ inclusion training later in 2023.

Rebecca Leighton

- 1. Will Council, in consultation with its LGBTIQ Community Advisory Group, investigate Rainbow Tick accreditation of its services and programs to ensure they are inclusive of LGBTIQ+ people and their families?*
- 2. Given that Merri-bek City Council has committed to release a public statement of support for the inclusion of trans and gender diverse people in all sports in Merri-bek, will Maribyrnong City Council do the same?*
- 3. Will Council march in next year's Midsumma Pride March?*

Response

The Chief Executive Officer advised that the LGBTQIA+ Advisory Committee whilst not pursuing this specific framework, would use gender impact assessment outcomes to pursue minimum LGBTIQ+ accreditation service standards that are appropriate, applicable and tailored for local government organisations.

Council will seek advice from the Committee on the tick accreditation for local government, as the current Rainbow Tick program would not be appropriate for Maribyrnong City Council.

The Chair also responded by noting that Council took this accreditation into consideration ahead of the Australian Local Government Association meeting.

U N C O N F I R M E D M I N U T E S

The Chief Executive Officer acknowledged that Council strongly supports local sport and recreation clubs, several of which are working to actively increase the participation and inclusion of LGBTIQA+ people including Trans and gender diverse people.

The Chief Executive Officer outlined that under Objective 1 of the LGBTIQA+ Strategy and Action Plan, officers will be undertaking a needs analysis to understand their lived experience, needs and interests and will be working with local sport and recreation clubs and community members to facilitate culturally safe service improvements to better met their needs.

In response to the third question, the Chair answered on behalf of the Councillors that they often attend Midsumma and other Pride marches.

The Chief Executive Officer noted that staff had attended five of the last six events and encouraged staff where comfortable to participate in those marches under the Local Government Professionals banner alongside.

Brian Sanderson

1. On 26 October Council promoted an event via an image of a man smoking and drinking on social media. This could be seen by some as Council's endorsement or even promotion of drinking and smoking. How is this consistent with Council policy which seeks to reduce the risks of both alcohol and tobacco within our community?
2. Will Council to commit to a no tolerance policy on promotion of alcohol and smoking on all its social media platforms?

Response

The Chief Executive Officer advised that an image of a man smoking and drinking was posted on Council's Instagram platform, promoting the appearance of a DJ as part of a community event. This was the promotional image provided by the DJ for this event. It was posted by a third party to promote the event.

The Chief Executive Officer advised that Council does not promote alcohol and smoking on any of its channels.

Council acknowledges by allowing access to our social platform by a third party to support promotion of this event that an image that would not otherwise have been approved, and unfortunately was able to be posted.

The Chief Executive Officer accepted the message is inconsistent with Council's policy which seeks to reduce the risks of both alcohol and tobacco in our community.

The Chief Executive Officer appreciated Mr Sanderson raising his concerns. The image has been deleted and Council will be reinforcing our expectations with third party providers around any future use of our social platforms going forward.

U N C O N F I R M E D M I N U T E S

Statement by the Chief Executive Officer - Ms Celia Haddock – Mclvor Reserve Draft Master Plan for Community Consultation

The Chief Executive Officer advised that Council is considering Agenda Item 9.1 Mclvor Reserve Draft Master Plan, which is the subject of a number of public questions received.

The Chief Executive Officer made the following statement before proceeding to respond to the public questions received.

The Chief Executive Officer assured the community that the Mclvor Reserve Draft Master Plan is just that, a draft Master Plan prepared for the purpose of engaging with our community.

For those watching the meeting who are not overly familiar with this project, the Maribyrnong Indoor Sports Strategy 2018 identified Mclvor Reserve as one of many sites for the potential location of an indoor sports centre.

Council in 2021 subsequently commenced a process to develop a Master Plan for Mclvor Reserve that reflected both the current and future needs and demands of the sporting clubs and casual users of the Reserve.

The draft Master Plan presented for Council has been informed by extensive consultation and input with a broad range of stakeholders and community members.

Council is being requested tonight to consider whether to proceed to commence community engagement on this draft Master Plan. Should Council resolve to do so, a detailed community engagement process would be implemented, including:

- Information brochures being circulated to nearby residents.*
- A series of Face to Face sessions where the community can ask officers questions, which I would encourage you to attend.*
- Council's online engagement portal 'Your City Your Voice' will be open for community submissions. This site will have accompanying detailed information about the draft Master Plan and Frequently Asked Questions.*

Feedback received during the community engagement process would be presented back to Council for consideration in 2023.

It is important to note that any proposed future commitment to an indoor stadium in Maribyrnong would still require a Business Plan, Funding Strategy, and Management Model to be presented to Council for consideration, in addition to any other detailed planning such as a Traffic Management Plan.

For those querying the timing of this item, Council has previously committed to present the draft Master Plan to the community for consultation during 2022, and as such has been working towards this item being presented to the November Council 2022 meeting.

U N C O N F I R M E D M I N U T E S

The Local Government Act 2020 specifically prescribes the requirements for a Council meeting to have a quorum. Tonight's Council meeting has a quorum and therefore any decision made is lawful and in compliance with the Act.

Finally, there are some questions received this evening that will be taken on board by Council as part of the community engagement process should Council resolve to proceed with the officer recommendation.

The Chief Executive Officer informed the Chair that Council could now proceed to the Mclvor Reserve public questions.

EXTENSION OF PUBLIC QUESTION TIME

Moved Cr Simon Crawford, Seconded Cr Anthony Tran

That Council extend Public Question Time for a further 15 minutes.

CARRIED

Public Question Time was extended at 6.52pm

Greg Randall

1. Why is Council being asked to endorse the release of the Mclvor Masterplan discussion paper when three elected members are on leave for state elections? Surely a document dealing with such a significant investment into a highly contested environment should be voted on and endorsed (or not) by all elected members?
2. In regards to the Mclvor Masterplan discussion paper: This paper only canvases one costed option that advances significant investments in sporting facilities as the primary strategy? Why are more balanced and/or staged options not being presented for consideration given the community's responses to the engagement process?
3. Will a compliant business case be developed and presented to the public for comment prior to any decisions being made in relation for the significant investments proposed for an Indoor Stadium? Will a business case study also consider consequential changes to the Bowling Club and its gaming machine business taking place on Council property as well as the proposed operating model?

U N C O N F I R M E D M I N U T E S

Response

The Chair advised that this item is being presented to Council for approval to go to community consultation. The Chair acknowledged that Councillors were not present, however due to the intent for Council to only engage in community consultation, Council is satisfied to present and consider the item.

In response to the second question, the Chair advised that the Masterplan process was born out of the Indoor Sports Strategy (2018), where it was identified that there was a critical need for a further six basketball courts. In 2019 Council began to search for the appropriate location for the community infrastructure, Mclvor Reserve has been presented by officers as the best alternative at this time.

In response to the third question, the Chief Executive Officer referred to the preamble and reiterated that Council would be required to prepare a management plan and business model prior to Council committing to an indoor stadium

Amanda Barron

1. What is Council's proposed financial contribution into the \$60 million of funding required to pay for the Mclvor masterplan? Where will Council access the remaining funds?
2. How does Council justify pulling down the existing baseball clubs rooms and moving them only several metres away closer to rate paying residents? Particularly when they were only built within the last 10 years with rate payers funds?
3. How will the proposed changes to the baseball club rooms improve liveability for local rate paying residents? Particularly given the addition of competition grade flood lights, additional traffic, pulling down trees to make way for car spaces and the moving of a licensed club venue closer to residents houses? What will council do to mitigate the impacts to local residents of the additional light pollution, noise, lack of trees and traffic?

Response

The Chair responded to the first question by noting that Council is operating in a rate capping environment and notes that these generational projects are not delivered solely by the input of Council, and rely on the contribution of State and Federal funding. Council needs a solid business case and operational masterplan to present and apply for additional funding.

U N C O N F I R M E D M I N U T E S

In response to the second question, the Chair highlighted that Council is constantly looking at the optimisation of community assets and these difficult decisions are required from Council. The response from the community will be weighed up throughout the consultation process as Councillors engage with community clubs and get feedback and look at the officer proposal. The Chair noted the balance against the community expectations and infrastructure that Councillors are mandated to provide to the community, and the balance of the value of open space and health benefits. The draft masterplan presents one of those difficult decisions of Council.

In response to the final question, the Chair responded to the traffic management plan and noted that the community has already provided ideas and Council are listening to those submissions. The Chair referenced that Council is working to its Strategic Plan to optimise Council's assets for passive users of the parks, dog owners and participants in sport.

Vicki McMahon

1. How can you justify such a waste of green space for 6 basketball courts?
2. How will you fix car park and traffic issues that the basketball court games will create?
3. Are you cutting 100 trees in order to create concrete jungle basketball courts?

Response

The Chair responded to the first question by first noting that there are different parameters for what is considered a waste of green space. The proposal put forward shows a 2.5% variant on open space.

In response to the second question, the Chair responded by noting that this would only be identified if Council decided to endorse the Masterplan. If this occurs, Council would be required to prepare a Traffic Management Plan.

In response to the final question, the Chief Executive Officer, noted that the draft overall process identifies a net gain of trees. The Chair also noted that Councillors have raised this issue internally.

Clint Catley

1. Given the scale of the adjacent Bradmill site, of approx. 1000 residences, and businesses, how does the council justify the loss of greenspace to the expanding community, by building a stadium on this site?
2. How do they intend to manage the increased traffic in the surrounding streets that are already burdened with too many cars during training nights & game days between the existing soccer, hockey, cricket, football, baseball, and lacrosse & lawn bowls clubs? Is that not enough space for sports as it is?

U N C O N F I R M E D M I N U T E S

Response

In response to the first question, the Chief Executive Officer advised that the proposed Bradmill site redevelopment has a provision of open space separate to Mclvor Reserve and that proposal has more open space than they are required to provide.

The Chief Executive Officer noted the draft Council Master Plan was developed after extensive community input through Stage 1 of the engagement process, as well as Council's strategic imperative to provide a balance of recreation opportunities for the community. The proposed Bradmill Site Redevelopment has a provision of open space separate to Mclvor Reserve.

The Chair responded to the second question by noting that there is a requirement to provide enough parking that is developed during the process, and the movements of vehicles stage comes after the adoption of a Master Plan.

Lydia Spicer

1. There has been no plans for Mclvor Reserve until the inclusion of a basketball stadium. Why has there been no effort for a plan on Mclvor Reserve that does not include the basketball stadium?
2. What traffic management plan for the next 5 years has been put in place to include this and the other approved plans, such as Bradmill for the local area?

Response

The Chair responded to the first question by referencing the Indoor Sports Strategy (2018) as to why the Master Plan had been initiated.

In accordance with clause 52.8.2 of Council's Governance Rules, the second question was disallowed by the Chairperson due to it being considered objectionable in substance.

In response to the final question, the Chair identified that Council would undertake a traffic management plan if Council were to resolve on the Master Plan. The Chair noted that Council is not at that stage of the process and the Draft Master Plan for community consultation is up for determination.

Mina Mazzeo

1. Is there a reason why the basketball community can't utilise Rec West Whitten Oval or Vic Uni for their games, as Altona utilise one stadium for a population of surrounding suburbs three times that of Maribyrnong?
2. Please answer why the majority of those playing basketball are from other Iga's and the traffic on Francis Street is already chaotic so why would you waste green space for players and cars from other suburbs?
3. There are more dog owners than basketball players in this local vicinity. Also that area sits on a floodplain. We need the green space for water drainage not a steel building that'll flood.

U N C O N F I R M E D M I N U T E S

Response

The Chair responded to the first question by noting that RecWest Braybrook and Victoria University Community Stadium are at capacity for community sport. Further, there is a clear gap in provision of indoor courts across the municipality and community owned infrastructure.

The Chair responded to the second question by noting that while some participants may reside in neighbouring municipalities, a significant proportion reside in Maribyrnong City Council, and Council is obligated to provide facilities for a range of recreational pursuits, including indoor sports for older and younger communities.

The Chair considered the third question a statement and advised that the purpose of community consultation is to cater for everyone in the municipality.

Cr Michael Clarke queried whether Mclvor Reserve is on a floodplain with the Director Infrastructure Services confirming that Mclvor Reserve is not on a floodplain.

EXTENSION OF PUBLIC QUESTION TIME

Moved Cr Michael Clarke, Seconded Cr Anthony Tran

That Council extend Public Question Time for a further 15 minutes.

CARRIED

Public Question Time was extended at 6.50pm.

Barbara Hart

1. Why has Council not considered a brown site to build a basketball stadium rather than taking away our green open space at Mclvor Reserve? I dispute that we will only lose 2.5% of open green space.
2. I have read the consultant's report and am very concerned about the number of cars that will be accessing Mclvor Reserve clogging our neighbourhood streets. There is no public transport down Francis Street and with the Bradmill site having at least 3000 new residents there will be major problems with traffic.
3. As someone who uses the park twice a day I am very concerned that the Council is not listening to the majority of residents who don't want a basketball stadium built on Mclvor Reserve. Why have you ignored our concerns about taking away green open space as we have least amount in the West?

U N C O N F I R M E D M I N U T E S

Response

The Chair responded to the first question by advising that Council has considered the suggestions that have been provided however noted that there is a cost involved in other brown sites, especially within a rate capped environment.

In response to the second question, the Chief Executive Officer noted there is a bus service located on Francis Street and advised the initial analysis demonstrates the traffic volume generated by the proposed Indoor Stadium is within the capacity of the surrounding road network. A detailed traffic management report would be undertaken in the future.

In response to the third question, the Chair advised that Council cannot comment on an item that has not been resolved. The Chair acknowledged that Maribyrnong Council does have a limited amount of green open space and is working towards community infrastructure and acquiring more green open space.

Tony Whittaker

1. Green space is a precious commodity in the Maribyrnong area - why would you possibly consider approving a plan to destroy such a vital community resource?
2. What and how many alternative sites have been considered for building the facilities proposed for Mclvor Reserve?
3. Unlike the Yarraville pay parking issue, once the green space of Mclvor Reserve is lost, there is no easy fix if there is a later change of mind - it's gone for good! Before making such an irrevocable and, in my view, incorrect decision, wouldn't you have to agree that more thought should go into alternatives such as a "No Stadium" option for Mclvor Reserve to save public space and build the new facility in an area that isn't a significant public park?

Response

The Chair in response to the first question advised the Council cannot comment on an item that has not been resolved and noted that it is a vital community resource but still yet to be decided on.

The Chair responded to the second question by noting that this has already been answered and referenced the processes of the MAC and Vic Track.

The Chair responded to the final question by noting that this had been answered previously.

U N C O N F I R M E D M I N U T E S

Myles Landon

1. Why does the draft Master Plan for Mclvor Reserve include changing so much green space into car parks including Benbow Street?
2. Why is there no option for a no stadium update that could be included in the draft plan?
3. Regarding the Mclvor Reserve Master Plan - Why was feedback of users not really considered? Most users and sporting groups just asked for updated facilities, storage and changing rooms, toilets. None have asked for new car parks or reducing green space including adding a car park on Benbow street.

Response

The Chair noted that both questions have been answered previously.

The Chair responded to the third question by advising that the draft Master Plan was based on community input and prepared by officers in Stage 1 of the process and balanced recreational sporting opportunity and open space requirements. The recommendation proposes the next steps for phase 2 of community consultation.

Shari Liby

1. Regarding the Yarraville survey respondents, you provided the percentages who were in support of and against the stadium at Mclvor Reserve. What was the total number of Yarraville respondents and how many in Yarraville (a number, not a percentage) said they were in favour of the stadium, how many said they were not in favour of the stadium, and how many said they were undecided about an indoor stadium at Mclvor Reserve?
2. At the time the survey was completed, respondents could identify as a local living near Mclvor Reserve. How many people responded that they a Mclvor neighbour? For all of the people who so identified, what number (not percentage) advised they were in favour of the stadium at Mclvor, what number advised they were opposed to the stadium at Mclvor, and what number advised they were undecided?
3. There is no quantifiable discussion in the draft Master Plan of the current use of the park for dog walking as there are for various sports users, even the teams that are only a 'semi-regular" users. How can you determine the present and future needs of residents who exercise their dogs at Mclvor without data about current and projected use? How many residents are there per dog in Yarraville, currently? How many dogs are in the Mclvor Reserve dog park catchment area that either currently use the park or might use it if it were appropriately upgraded?

U N C O N F I R M E D M I N U T E S

Response

The Chair responded to the first question by advising that 843 survey respondents identified as Yarraville residents - 311 were in favour, 538 against and 94 undecided.

In response to the second question, the Chair noted that 74% as Yarraville residents and 25% of those as immediate neighbours. Of the group 37% were in support and 52% opposed - the remainder were undecided.

In response to the final question, the Chair advised that the draft Master Plan proposes two specific dog off leash areas as well as sports fields available as dog off leash areas when not in use for formal sport. The draft Master Plan has sought to provide for a balance of recreational pursuits. There are 7,005 registered dogs within Maribyrnong City Council and 1,978 in Yarraville.

Chaedy Ritherdon

1. The proposed site for the stadium is in a public transport desert - there are no buses nor trams, and the nearest train station is Yarraville Station (a 30 min walk). Why is the Council considering a site with no public transport services, rather than other sites that are already connected to public transport services?
2. Could each of the Councillors please describe their lived experience with using dog off leash parks in Maribyrnong, especially the Mclvor Dog Park?
3. If Councillors don't own dogs and don't use Mclvor, what steps have you taken to inform yourselves of the value Mclvor holds to dog owners, and why Mclvor is one of the best dog parks in Melbourne?

Response

The Chief Executive Officer noted that after the proposed consultation, a further report would be brought back to Council detailing the results of consultation. The Chief Executive Officer acknowledged that transport would not be developed unless Council resolves to adopt a Master Plan.

The Chair advised she does not own a dog, however she was Mayor when Council opened their first fenced dog park in the 2010's, and she has friends with dogs and dog sits frequently visiting Yarraville dog park.

Cr Michael Clarke advised Council were responsible for the fenced dog park at Mclvor Reserve and oversaw the planning, development and implementation.

U N C O N F I R M E D M I N U T E S

EXTENSION OF PUBLIC QUESTION TIME

Moved Cr Anthony Tran, Seconded Cr Simon Crawford

That Council extend Public Question Time for a further 15 minutes.

CARRIED

Public Question Time was extended at 7.07pm.

Cr Simon Crawford advised that he does not own a dog but is a dog lover. Cr Crawford noted that Council needs more fenced off dog parks.

Cr Anthony Tran advised he is a dog lover and owns a Husky (Storm) and celebrated the opening of the dog park at Pipemakers Creek.

In response to the final question, the Chair responded that this question had previously been answered and highlighted that Councillors have a responsibility to domestic animals and they do not have to own a dog to understand the importance of planning for that part of community infrastructure.

Norhana Stipic

1. Regarding the proposed Benbow St car park, how will Council limit the disturbance and influx of traffic this would create on an already narrow street?
2. What safety precautions have Council put in place for current residents who will have their streets turned into car parks?
3. Why isn't there an option for the draft master plan to include a no stadium update?

Response

The Chair noted that all three questions had already been answered previously.

Mark Baulch

1. Your plan says that 45.4% of people in Yarraville are between 50 to 60+ years. This masterplan is so sport-focused that the bits left over for everyone else really feel like an afterthought. What "improvements" do you believe are included in the Masterplan, as written, that significantly improve the unstructured recreational needs of almost 50% of the local population? It sounds like from what you have said about Yarraville's low cultural diversity and the decrease in interest in organised sport as people age, you don't think the indoor stadium will really be targeting their needs, so what is?

U N C O N F I R M E D M I N U T E S

2. In the draft masterplan you say that the lack of any concrete information on cost, size and location, led to some speculation, myths and baseless assumptions dominating the conversations at the Face-to-Face events at the reserve. Whose fault is that? The residents who attended the Council meeting in good faith, or Council for not being prepared to give us the information we needed to provide feedback? What is this “speculation, myths and baseless assumptions” you believe “dominated” the conversations, because I was there I don't remember that at all.
3. When was the idea of the proposed new indoor facility first discussed at Council level as when Michael Clarke spoke to people at the dog park early in the year nothing about this plan was mentioned, all that was discussed was what he promised to do as in lights, rain cover, double gates etc., nothing was mentioned about ratepayers paying for a new bowling club which is an incorporated body funded by pokies, a TAB and alcohol sales. This will let us know whether the truth was being told to us or not and whether he should remain a councillor?

Response

The Chief Executive Officer responded by noting that Council facilities are open to all community members of Maribyrnong, as well as residents of other municipalities.

The Chair also noted that participants in sports may decline due to the availability of community infrastructure and Council is recognising the shortage of courts within the community and looking to continue sports participation.

The Chair noted that these topics would be addressed in an adopted Master Plan.

In response to the second question, Director Infrastructure Services, Mr Patrick Jess advised that Council's planning process will progressively explore project concepts and adding further due diligence to project ideas as they progress. At the initial phase of the Masterplan the intent was to gather community views on what should be considered in the park, community feedback was considered into the new draft of the Masterplan for community consultation.

The Chief Executive Officer responded to the final question by advising that the information being presented to Council tonight is transparent and reflective of community consultation. The Chair noted that conversations of an indoor facility have been occurring since the adoption of the Indoor Sports Strategy in 2018.

The Chair noted that what is being proposed by officers would involve a look into Council's Gambling Policy and discussions with the Bowls Club on how this may be achieved.

U N C O N F I R M E D M I N U T E S

Dermot Cullen

1. The draft Mclvor Master Plan says half of the people who have responded so far are against the development of a basketball stadium at Mclvor. How have the views of these people been captured in the draft?
2. Council have previously said roughly \$70,000 was budgeted for the development of the draft masterplan. What is the final figure?
3. Comments from the Council during the community engagement phase suggested that Mclvor is a preferred site for a basketball stadium due to its proximity to public transport. Why are nearly 300 new car parking spaces needed if one of the main reasons for building the basketball stadium at Mclvor is how well serviced it is by public transport?

Response

In response to the first question, the Chief Executive Officer referenced the report and noted that it has outlined the summary of views of participants in sports.

The Chief Executive Officer responded to the second question by advising that there is a budget for developing the Master Plan, however this is an estimate. The final figure will be contingent on the engagement outcome and what is resolved to be located on the site. There are funds to support design in the budget, however these will not be called on until a decision is made by the Council.

In response to the final question, the Chair acknowledged that the site has been planned to ensure that it has adequate provision of parking based on the industry standards for indoor sports facilities.

Council is actively supporting a shift from cars to active transport options. This shift is further supported by creating local facilities that can be accessed by bike for example.

Judith Wright

1. During Question Time at the City Development Delegated Committee Meeting on the 26 July 2022, the Committee replied that there would be further consultation with the community following the publication of the Draft Master Plan. Has the Committee set a date and time to consult with residents and ratepayers of the Mclvor Community, Friends of the Mclvor Reserve, and Users of the Dog Park?

Response

The Chair advised that this item is pending a decision by Council and should Council resolve to release the Draft Master Plan for community consultation, the public will be notified of the consultation dates.

U N C O N F I R M E D M I N U T E S

Jules Griffith

1. We've hearing a lot about dogs, trees, birds, but what consideration is being given to one of the most disadvantaged groups in Maribyrnong, the kids? Kids don't answer online surveys, don't generally stand up at Council meetings, and aren't keyboard warriors, so how are the voices of the young people of Maribyrnong being considered in Council's decision on a new stadium?
2. Council's indoor stadium strategy is four years only and this is the first genuine proposal to act on the findings from the report that up to 12 new indoor courts will be needed by 2036. If this project doesn't go ahead, what is the alternative in the southern end of the municipality, and let's be honest, Council isn't in the position to buy "brown space" for a new stadium?
3. Can Council confirm that on the adjoining Bradmills site, this former industrial estate will be transformed to include a number of new local parks and significant planting of trees?

Response

In response to the first question, the Chair noted that there have been submissions from younger citizens and Cr Carter thanked the responses received so far. The Chair noted that the Strategy identified gaps specifically in participation of children for indoor sports and this the motivator for Council's Indoor Sports Strategy.

In response to the second question the Chair noted that 11 sites were identified, of which nine had been excluded for a number of issues. Mclvor Reserve and Robert Barrett Reserve (MAC) are the two options currently being explored.

EXTENSION OF PUBLIC QUESTION TIME

Moved Cr Michael Clarke, seconded Cr Anthony Tran

That Council extend Public Question Time for a further 15 minutes.

CARRIED

Public Question Time was extended at 7.22pm.

Julia Boonzaier

1. I am a resident of Benbow Street and devastated by the Master Plan's proposal to turn Benbow Street into a carpark. What is a quiet peaceful and beautiful tree lined street will turn into a noisy, busy, concrete area unsafe for children. Can the council have a meeting with the residents of Benbow Street to get their feedback and discuss our concerns to take into account before approving the Master Plan?

U N C O N F I R M E D M I N U T E S

Response

The Chair advised that the intent is to place limited parking amongst the established tree, moving the baseball field further into the park and ensuring the footpath is realigned and retained.

Laken Willis

1. Why are you not talking about the elephant in the park? The Bradmills is going to have 8 story apartments along the Western side of the park and we already have the white Westgate wall to the South. If you build a massive 3 story stadium to the North isn't that going to box in the park with massive structures on 3 of its 4 sides? Why isn't all of that depicted in your schematics?
2. Do any of the people who developed these plans own dogs or have expertise in animal behaviour? Putting a dog park entrance on the corner of what will be a busy street, even with double gates, is a poor idea. Reducing the size of an already very busy dog park when there will be hundreds of new dogs coming in from next door is a poor idea. Putting a busy car park with basketball mums and dads racing to drop off junior for a game right next to a dog park is a bad idea. Putting a dog park right next to backyard fences (with dogs) is a bad idea. Do you see how all of this will lead to scared dogs, fights, and injuries to dogs and people?
3. I was at the meetings with Council back in May and there were a lot of improvements and upgrades people talked about. After waiting all these months to see the Masterplan, it is pretty disappointing to see that what was said there was largely ignored. So much for our community garden, hundreds of new trees, or even a light in the dog park. It's ironic that the meetings took place at the BBQ area that was just built a few years ago that you now apparently want to tear down. What was the point of those meetings and all of the online feedback, if you are just going to ignore what people want? What do you say to those of us who feel ignored?

Response

In response to the first question the Chair noted that the schematics represent park perspectives and serve only as an impression of what could be.

The Chair noted that parts of the second question had previously been answered and parts of the second question were a statement.

In response to the final question, the Chair noted that this is the process of community consultation.

U N C O N F I R M E D M I N U T E S

Nick Fitzsimmons

1. I am a coach of a number of boys and girls youth basketball teams, 31% are females, 20% are from minority groups largely under-represented in this conversation. I volunteer 8 hours a week every week through the school year. Community sport infrastructure is a critical factor that provides inclusive amenities for local communities. Providing a gathering place for a broad range of events.

If the basketball stadium is delayed or not built what measures will the council implement to help facilitate the creation of bridges between different sectors of the community especially to those who could benefit from this community infrastructure?

Response

The Chair advised that the development of an indoor sports stadium has been a key strategic direction of this Council since 2018. Council is investigating numerous sites to ensure that we can address the current and future needs of the community.

Other recreation and leisure options are being constantly developed and facilities enhanced with collaborations explored with partners like the Department of Education, however all face a similar issue around land supply, particularly in our small and densely boxed community.

Miles Gilbert – *these questions were taken on notice at the meeting due to the time of their submission*

1. Council may not be aware that, as the spokesperson for Friends of Mclvor Reserve, which is the community group seeking to protect Mclvor Reserve from inappropriate Council development, my questions are on behalf of many residents. With this in mind. What are the criteria that Councillors must consider, when deciding on whether to endorse the release of a draft Master Plan?
2. Irrespective of the soon to be released draft masterplan for Mclvor Reserve, will the Council consider a final masterplan for Mclvor that does not contain and indoor sports stadium?
3. If the Mclvor Reserve Indoor Stadium Plan goes ahead, how will Council measure and report on the risk to nearby residents that will suffer damages due to the unnatural increase in associated traffic and congestion on narrow local neighbourhood streets?

Response

The Director Infrastructure Services advises that officers will make a recommendation to Council based on organisational stated strategic objectives, data on needs and demands, and overall community feedback. Councillors considering the recommendations will be an individual weighted view on the host of competing needs.

U N C O N F I R M E D M I N U T E S

In response to the second question, the Director Infrastructure Services notes that the intent of the second stage engagement is to determine sentiment and need behind the recommendations. All items within the draft plan will be reviewed and considered prior to final adoption.

In response to the third question, the Director Infrastructure Services advises that, Council as part of its continuing role within road and traffic management will monitor and respond where necessary.

Public Question Time was declared closed at 7.49pm.

MEETING ADJOURNMENT

Cr Anthony Tran moved, seconded Cr Michael Clarke

That Council adjourn the meeting for a three minute break.

CARRIED

The meeting was adjourned at 7.50pm and then resumed at 7.53pm.

6. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

The purpose of this report was to present for confirmation the minutes of the Council Meetings held:

- 6.00pm 8 November 2022; and
- 6.30pm 8 November 2022.

Council Resolution

That Council confirms the minutes of the Council Meetings held:

- 6.00pm 8 November 2022; and
- 6.30pm 8 November 2022.

Moved: Cr Anthony Tran
Seconded: Cr Michael Clarke

CARRIED

U N C O N F I R M E D M I N U T E S

7. REPORTS FROM COMMITTEES

7.1. Noting of Confirmed Minutes of Delegated Committees

The purpose of this report was to present for noting the confirmed minutes of the Council's Delegated Committees established under section 63 and 64 of the *Local Government Act 2020*.

Council Resolution

That Council notes the confirmed minutes of the Enterprise Maribyrnong Delegated Committee Meeting, held on 2 August 2022.

Moved: Cr Michael Clarke
Seconded: Cr Simon Crawford

CARRIED

8. PETITIONS

8.1. Petition: A Safer Intersection for Maribyrnong Commuters

The purpose of this report was to table a petition received in relation to 'A Safer Intersection for Maribyrnong Commuters'.

Council Resolution

That Council:

1. *Receives and notes the Petition: A Safer Intersection for Maribyrnong Commuters.*
2. ***Requests the Chief Executive Officer to consider the petition and determine the appropriate response.***

Moved: Cr Anthony Tran
Seconded: Cr Michael Clarke

CARRIED

U N C O N F I R M E D M I N U T E S

8.2. Petition: Introduce a Cat Curfew in Maribyrnong

The purpose of this report was to table a petition received in relation to a request to consider introducing a curfew on cats within Maribyrnong City Council.

Council Resolution

That Council:

1. *Receives and notes the Petition: Introduce a Cat Curfew in Maribyrnong.*
2. ***Requests the Chief Executive Officer to consider the petition and determine the appropriate response.***

Moved: Cr Michael Clarke
Seconded: Cr Anthony Tran

CARRIED

9. OFFICER REPORTS

9.1. Mclvor Reserve Draft Master Plan

The purpose of this report was to seek Council endorsement to advertise the Draft Mclvor Reserve Master Plan for community feedback.

Council Resolution

That Council:

1. *Note the significant community interest in the Mclvor Reserve Master Plan.*
2. *Approve the release of the draft Mclvor Reserve Master Plan for community comment that includes the provision of an indoor sports centre with up to six courts located at the northern end of the reserve.*
3. ***Requests a further report on the final Mclvor Reserve Master Plan in March 2023.***

Moved: Cr Anthony Tran
Seconded: Cr Michael Clarke

CARRIED

U N C O N F I R M E D M I N U T E S

9.2. Bike Sports Infrastructure and Development Plan - Draft for Public Comment

The purpose of this report was to present the draft Bike Sports Infrastructure and Development Plan and seek approval to release the document for public comment.

Council Resolution

That Council:

- 1. Endorse the draft Bike Sports Infrastructure and Development Plan, Summary Report and Issues and Options Report for community consultation; and*
- 2. Receive a further report following the community consultation.*

Moved: Cr Anthony Tran
Seconded: Cr Michael Clarke

CARRIED

9.3. Maribyrnong Outdoor Trading Policy

The purpose of this report was to update Council on the Maribyrnong Outdoor Dining Program, including the key issues and outcomes of the business and community engagement and seek endorsement of the Outdoor Trading Policy.

Council Resolution

That Council:

- 1. Adopt the Outdoor Trading Policy, shown at Attachment 1; and*
- 2. Resolve that all fees associated with outdoor dining, including parklets and footpath trading will be waived until 30 June 2023.*

Moved: Cr Michael Clarke
Seconded: Cr Anthony Tran

CARRIED

U N C O N F I R M E D M I N U T E S

9.4. Food Inequality Action Plan 2022-2024

The purpose of this report was to present to Council for consideration the Food Inequality Action Plan 2022-24.

Council Resolution

That Council endorse the Food Inequality Action Plan 2022-2024, shown at Attachment 1.

Moved: Cr Simon Crawford
Seconded: Cr Anthony Tran

CARRIED

9.5. Draft Disability Action Plan 2022-2026

The purpose of this report was to present the draft Disability Action Plan 2022-2026 (DAP) to Council for endorsement to proceed to public consultation.

Council Resolution

That Council:

1. *Note the progress to date on the development of the draft Disability Action Plan 2022-2026.*
2. *Endorse the draft Disability Action Plan 2022-2026 for public consultation.*
3. *Receives a further report, summarising feedback received during public consultation, and present a final draft Disability Action Plan 2022-2026 for consideration.*

Moved: Cr Anthony Tran
Seconded: Cr Simon Crawford

CARRIED

U N C O N F I R M E D M I N U T E S

9.6. Community Grants Program - Recommendations 2022-2023

The purpose of this report was to present to Council the 2022-2023 Community Grants funding recommendations.

Council Resolution

That Council

- 1. Notes the outcome of the Community Grants 2022 process;*
 - 2. Endorse the Community Grants 2022 funding recommendations as detailed in Attachment 2; and*
 - 3. Request the Chief Executive Officer or delegate to advise all grant applicants of the outcome.*
-

Moved: Cr Michael Clarke
Seconded: Cr Simon Crawford

CARRIED

9.7. Lease Renewal of 12 Early Years Sites

The purpose of this report was to inform Council of the outcome of the public notice pursuant to section 115 of the *Local Government Act 2020* (Act) as outlined in the Council Report of 13 September 2022. The report noted that a further report was to be made to Council to ensure all legislative requirements are met and to seek Council's approval to enter into Lease Agreements for the 12 early years sites with the existing Early Years Management providers or Committees of Management.

Council Resolution

That Council:

- 1. Notes that no submissions were received in response to the public notice published pursuant to section 115 of the Local Government Act 2020; and*
- 2. Authorises the Chief Executive Officer to enter into a Lease Agreement with the Early Years Management providers or Committees of Management operating out of the 12 Early Years sites for the key terms, as shown in Table 1 of this report.*

Moved: Cr Michael Clarke
Seconded: Cr Anthony Tran

CARRIED

U N C O N F I R M E D M I N U T E S

9.8. Quarterly Performance and Financial Report - Period ending 30 September 2022

The purpose of this report was to present the Performance and Financial Report for the period ending 30 September 2022.

Council Resolution

That Council notes the Performance and Financial Report for the period ending 30 September 2022.

Moved: Cr Anthony Tran
Seconded: Cr Simon Crawford

CARRIED

9.9. 2023 Council and Delegated Committee Meeting Schedule

The purpose of this report was to report outlines the proposed Council, Delegated Committee, and Councillor Strategic Briefing meeting schedule for the 2023 calendar year.

Council Resolution

That Council adopt the 2023 Council and Delegated Committee Schedule, as shown in Attachment 1 to this report.

Moved: Cr Simon Crawford
Seconded: Cr Anthony Tran

CARRIED

9.10. Councillor Committee and Advisory Group Appointments - 2022/23

The purpose of this report was to report considers Councillor appointments to various Committees and Advisory Groups for the 2022/23 period.

Council Resolution

That Council resolve to defer 'Item 9.10 – Councillor Committee and Advisory Group Appointments 2022 – 2023 to the 6 December 2022 Council Meeting, with existing 2022 Councillor appointments to remain in place until new Councillor appointments are resolved

Moved: Cr Simon Crawford
Seconded: Cr Michael Clarke

CARRIED

U N C O N F I R M E D M I N U T E S

9.11. Municipal Association of Victoria - Regional Groupings Review

The purpose of this report was to report considers Council's submission to the Municipal Association of Victoria (MAV) Regional Groupings Review.

Council Resolution

That Council resolve to advise the Municipal Association of Victoria that its preference is Metropolitan Grouping - Option 1 (Metropolitan West Grouping).

Moved: Cr Michael Clarke
Seconded: Cr Simon Crawford

CARRIED

9.12. Councillor Support and Expenses Quarter 3 - July 2022 to September 2022

The purpose of this report was to present the Councillor Support and Expenses for the period July 2022 to September 2022.

Council Resolution

That Council notes the Councillor Support and Expenses Report for the period July 2022 to September 2022, to be made available via Council's website for the term of the current Council.

Moved: Cr Simon Crawford
Seconded: Cr Anthony Tran

CARRIED

9.13. Audit & Risk Committee Annual Performance Report for Year Ending 30 June 2022

The purpose of this report was to note the Audit and Risk Committee Annual Performance Report for the year ending 30 June 2022.

Council Resolution

That Council notes the Audit and Risk Committee Annual Performance Report for the year ending 30 June 2022.

Moved: Cr Anthony Tran
Seconded: Cr Michael Clarke

CARRIED

U N C O N F I R M E D M I N U T E S

9.14. Governance Report - October 2022

The purpose of this report was to note the record of informal meetings of Councillors and Councillor delegates' for October 2022, as well as other statutory compliance and governance matters.

Council Resolution

That Council notes the Governance Report containing the record of informal meetings of Councillors and Councillor Delegates' Reports for October 2022, to be made available on Council's website for the term of the current Council.

Moved: Cr Michael Clarke
Seconded: Cr Simon Crawford

CARRIED

10. NOTICES OF MOTION

Nil.

11. COUNCILLOR QUESTION TIME

Nil.

12. URGENT BUSINESS

Nil.

13. CONFIDENTIAL BUSINESS

Nil.

14. MEETING CLOSURE

The Chair, Cr Sarah Carter, declared the meeting closed at 8.45pm.

To be confirmed at the Council Meeting
to be held on 6 December, 2022.

Chair, Cr Sarah Carter

Agenda Item 7.1

NOTING OF THE CONFIRMED MINUTES OF THE AUDIT AND RISK COMMITTEE MEETING - 13 SEPTEMBER 2022

Director: Lisa King
Director Corporate Services

Author: Mark Connor
Manager Finance

PURPOSE

To present for noting the confirmed minutes of the Council's Audit and Risk Committee established under section 53 of the *Local Government Act 2020*.

ISSUES SUMMARY

- The Audit and Risk Committee Terms of Reference requires Council to confirm its minutes at the next appropriate meeting.

ATTACHMENTS

1. Audit and Risk Committee Signed Minutes - 13 September 2022 [↓](#)

OFFICER RECOMMENDATION

That Council notes the confirmed minutes of the Audit and Risk Committee Meeting held on 13 September 2022.

Agenda Item 7.1**BACKGROUND**

In accordance with section 53 of the *Local Government Act 2020*, Council has established an Audit and Risk Committee. As part of the Terms of Reference for the Committee, the confirmed minutes are presented to Council for noting.

DISCUSSION/KEY ISSUES**1 Key Issues**

The Audit and Risk Committee Terms of Reference and Council's Governance Rules requires Council to confirm its minutes at the next appropriate meeting.

2 Council Policy/Legislation**Council Plan 2021-2025**

This report contributes to Council's strategic objectives contained in the Council Plan 2021-2025 by considering:

- Ethical leadership - lead our changing city using strategic foresight, innovation, transparent decision making and well-planned, effective collaboration to support economic growth during the ongoing challenges of the pandemic and beyond.

Legislation

Local Government Act 2020

Conflicts of Interest

No officer responsible for, or contributing to, this report has declared a direct or indirect interest in relation to this report.

Human Rights Consideration

This report complies with the rights listed in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

3. Engagement

Not applicable.

4. Resources

Not applicable.

5. Environment

Not applicable.

CONCLUSION

The confirmed minutes of the Audit and Risk Committee held on 13 September 2022 be presented for noting.

UNCONFIRMED MINUTES

Agenda Item 7.1 - Attachment 1



Maribyrnong City Council

MEETING OF AUDIT AND RISK COMMITTEE MINUTES

Tuesday 13 September, 2022

4.30pm

Reception Room

Maribyrnong Council Offices

Corner Hyde and Napier Streets, Footscray

**TO BE CONFIRMED AT THE AUDIT AND RISK COMMITTEE MEETING TO BE
HELD ON 15 NOVEMBER, 2022**

U N C O N F I R M E D M I N U T E S

Agenda Item 7.1 - Attachment 1

1. COMMENCEMENT OF MEETING AND WELCOME

The meeting commenced at 4.33pm.

PRESENT

Councillors:

Cr. Anthony Tran (Mayor)

Cr. Michael Clarke

Cr. Cuc Lam

Independent Members:

Mark Anderson, Chairperson

Chris Eddy

Marilyn Kearney

Staff:

Laura-Jo Mellan, acting CEO

Lisa King, Director Corporate Services

Pat Jess, Director Infrastructure

Mark Connor, Finance Manager

Amit Sharma, Coordinator Management Accounting

Tara Frichitthavong, acting Director Community Services

Steve Tierney, Manager Assets and Capital, Assets and Capital

Internal Auditors NTT:

Pat Scanlon

2. APOLOGIES

Celia Haddock, CEO

3. DISCLOSURES OF CONFLICTS OF INTEREST

NA

UNCONFIRMED MINUTES

Agenda Item 7.1 - Attachment 1

4. AUDIT COMMITTEE CHAIR QUESTIONS

4.1. The Chairperson asked the Acting Chief Executive Officer and the internal Auditor if there are “any matters such as breaches of legislation or practices that need to be brought to the attention of the committee?”

– Nothing to Report.

4.2. 4.2 The Chairperson asked the Internal Auditors if the work of the Internal Auditor had been obstructed in anyway?

– Their work had not been obstructed.

5. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

The Committee confirmed the minutes of the Audit and Risk Committee Meeting held on 28 June and 23 August 2022.

6. BUSINESS ARISING FROM PREVIOUS MEETING

6.1. Schedule of Recurring Reports and Charter Responsibility Matrix

– Report Noted

7. AUDIT REPORTS

7.1. Audit Reports

Maribyrnong City Council Internal Audit Status Report - August 2022

– Report Noted

Planning Enforcement - Internal Audit Report - August 2022

– Report Noted

8. GENERAL BUSINESS

8.1. Review of Footscray Park Play Space Incidents Report

– Progress is on track. Coroner’s report is due shortly.

– Report Noted

8.2. Status Report - Contamination of Maribyrnong Land and Buildings August 2022.

– Report Noted

8.3. Asset Management Processes and Procedures

– Report Noted

8.4. Audit and Risk Committee Annual Performance Report for Year Ending 30 June 2022

– Future reports to be enhanced including Councillor feedback regarding the Audit and Risk Committee effectiveness.

– Report Noted

UNCONFIRMED MINUTES

Agenda Item 7.1 - Attachment 1

8.5. Renewal of Insurance 2022 – 2023

- Premium increase - 6.1%
- Management is comfortable with current level of cyber security coverage.
- Report Noted

8.6. Councillor Support & Expenses April 2022 to June 2022

- Report Noted

8.7. Sundry Debtors Update

- Report Noted

8.8. Rate Debtors Update

- Management provided an update on the August 2022 collections reduction of 4.05% on previous August, due to the delay in issuing rate notices.
- Report Noted

8.9. Actions Arising from Previous Audit's

- Minutes from 28 June 2022 requested item 324 be updated with further management comments – confirmed.
- Report Noted

8.10. Emerging Industry Issues (verbal update)

- Building reforms/combustible cladding.

9. NEXT MEETING TUESDAY - 15 November 2022 (Braybrook Hub)

Meeting Dates TBC


- 21 February 2023
- 11 April 2023
- 27 June 2023
- 22 August 2023
- 12 September 2023
- 14 November 2023

10. MEETING CLOSURE

The Chair, Mr. Mark Anderson, declared the meeting closed at 5.27pm

To be confirmed at the Audit and Risk Committee Meeting to be held on 15 November, 2022.

Chair, Mr. Mark Anderson

DocuSigned by:


21-Nov-2022

Agenda Item 8.1**PETITION: AGAINST NOTICE OF AN APPLICATION FOR A PLANNING PERMIT**

Director: Lisa King
Director Corporate Services

Author: Phil McQue
Manager Governance and Commercial Services

PURPOSE

To table a petition received in relation to a Planning Permit Application at 2 Anglers Way Maribyrnong (TP710/2014(2)).

ISSUES SUMMARY

- A petition has been submitted to Council containing 105 signatures.
- The petition presented to Council includes the following text:

We the forementioned are against:

- *Additional patronage increasing from 764-1564*
- *Extension of building works/envelope from 478m2 to 1,176m2*
- *Reduction in the number of car bays from 151 to 131*
- *Demolition of existing screens to the southern terrace to be replaced with a 1.2 high fence*
- *Increase in illuminated signage to the South, West and East*
- *Reduction in bicycle parking and end of trip facilities*

ATTACHMENTS

1. Petition: Against Notice of an Application for a Planning Permit [↓](#)

OFFICER RECOMMENDATION

That Council:

1. **Receives and notes the Petition: Against Notice of an Application for a Planning Permit; and**
 2. **Requests the Chief Executive Officer to consider the petition and determine the appropriate response.**
-

PETITION

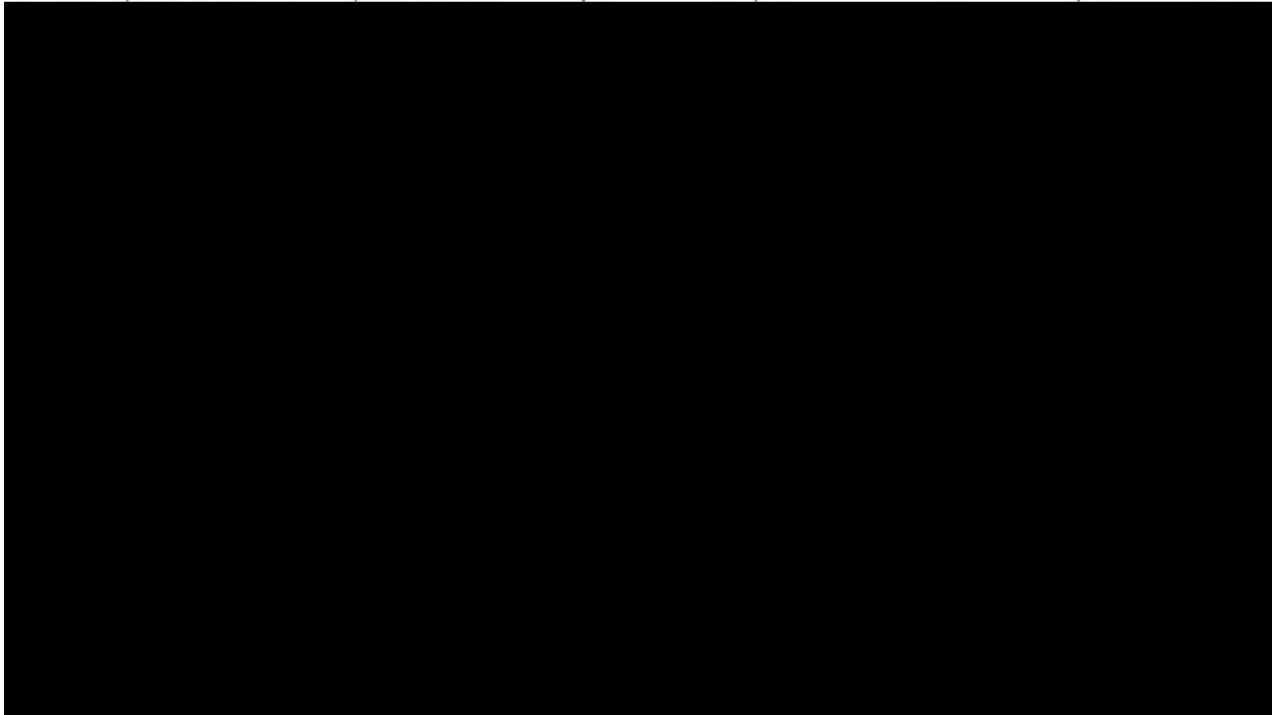
Against Notice of an application for a planning permit:

2 Anglers Way Maribyrnong, Application Ref:TP710/2014(2)

We the forementioned are against:

- Additional patronage increasing from 764-1564
- Extension of building works/envelope from 478m2 to 1,176m2
- Reduction in the number of car bays from 151 to 131
- Demolition of existing screens to the southern terrace to be replaced with a 1.2 high fence
- Increase in illuminated signage to the South, West and East
- Reduction in bicycle parking and end of trip facilities

Date	Printed Name	Address	Contact No:	Email/fb/twitter	Signature
------	--------------	---------	-------------	------------------	-----------



PETITION

Against Notice of an application for a planning permit:

2 Anglers Way Maribyrnong, Application Ref:TP710/2014(2)

We the forementioned are against:

- Additional patronage increasing from 764-1564
- Extension of building works/envelope from 478m² to 1,176m²
- Reduction in the number of car bays from 151 to 131
- Demolition of existing screens to the southern terrace to be replaced with a 1.2 high fence
- Increase in illuminated signage to the South, West and East
- Reduction in bicycle parking and end of trip facilities

PETITION

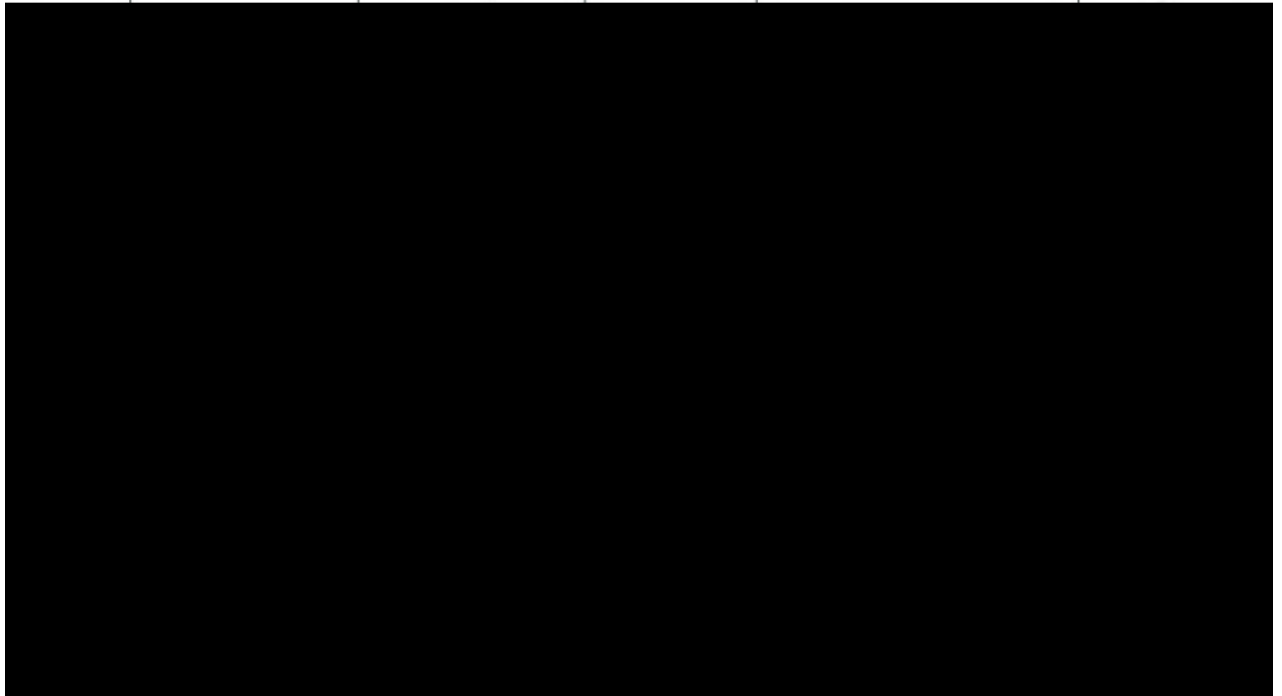
Against Notice of an application for a planning permit:

2 Anglers Way Maribyrnong, Application Ref:TP710/2014(2)

We the forementioned are against:

- Additional patronage increasing from 764-1564
- Extension of building works/envelope from 478m2 to 1,176m2
- Reduction in the number of car bays from 151 to 131
- Demolition of existing screens to the southern terrace to be replaced with a 1.2 high fence
- Increase in illuminated signage to the South, West and East
- Reduction in bicycle parking and end of trip facilities

Date	Printed Name	Address	Contact No:	Email/fb/twitter	Signature
------	--------------	---------	-------------	------------------	-----------

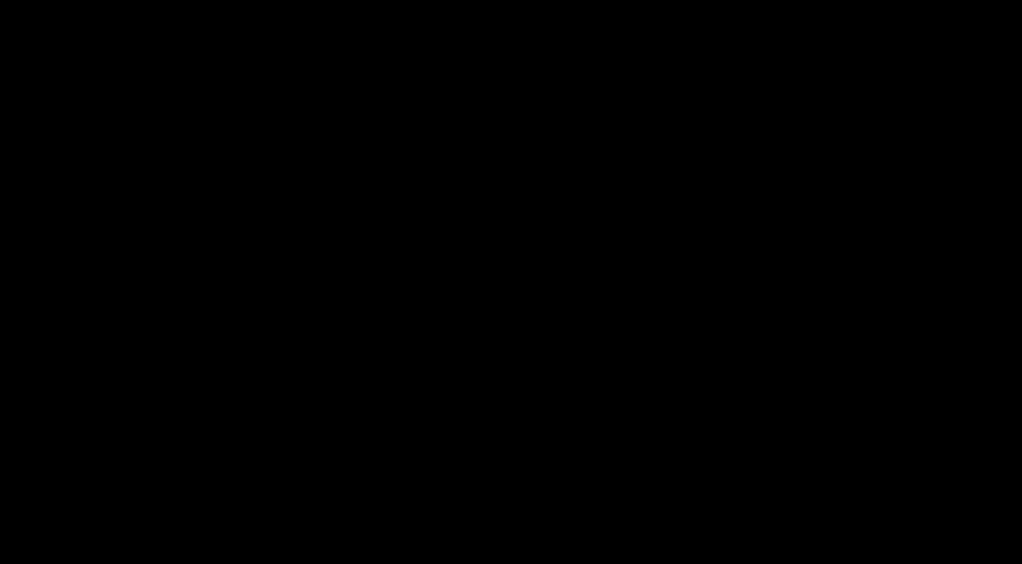


—

We the forementioned are against:

- Additional patronage increasing from 764-1564
- Extension of building works/envelope from 478m² to 1,176m²
- Reduction in the number of car bays from 151 to 131
- Demolition of existing screens to the southern terrace to be replaced with a 1.2 high fence
- Increase in illuminated signage to the South, West and East
- Reduction in bicycle parking and end of trip facilities

Date	Printed Name	Address	Contact No:	Email/fb/twitter	Signature
------	--------------	---------	-------------	------------------	-----------



PETITION

Against Notice of an application for a planning permit:

2 Anglers Way Maribyrnong, Application Ref:TP710/2014(2)

We the forementioned are against:

- Additional patronage increasing from 764-1564
- Extension of building works/envelope from 478m2 to 1,176m2
- Reduction in the number of car bays from 151 to 131
- Demolition of existing screens to the southern terrace to be replaced with a 1.2 high fence
- Increase in illuminated signage to the South, West and East
- Reduction in bicycle parking and end of trip facilities

Date	Printed Name	Address	Contact No:	Email/fb/twitter	Signature
------	--------------	---------	-------------	------------------	-----------

--	--	--	--	--	--

PETITION

Against Notice of an application for a planning permit:

2 Anglers Way Maribyrnong, Application Ref:TP710/2014(2)

We the forementioned are against:

- Additional patronage increasing from 764-1564
- Extension of building works/envelope from 478m2 to 1,176m2
- Reduction in the number of car bays from 151 to 131
- Demolition of existing screens to the southern terrace to be replaced with a 1.2 high fence
- Increase in illuminated signage to the South, West and East
- Reduction in bicycle parking and end of trip facilities

Date	Printed Name	Address	Contact No:	Email/fb/twitter	Signature
------	--------------	---------	-------------	------------------	-----------

--	--	--	--	--	--

PETITION

Against Notice of an application for a planning permit:

2 Anglers Way Maribyrnong, Application Ref:TP710/2014(2)

We the forementioned are against:

- Additional patronage increasing from 764-1564
- Extension of building works/envelope from 478m2 to 1,176m2
- Reduction in the number of car bays from 151 to 131
- Demolition of existing screens to the southern terrace to be replaced with a 1.2 high fence
- Increase in illuminated signage to the South, West and East
- Reduction in bicycle parking and end of trip facilities

Date	Printed Name	Address	Contact	Email/fb/twitter	Signature

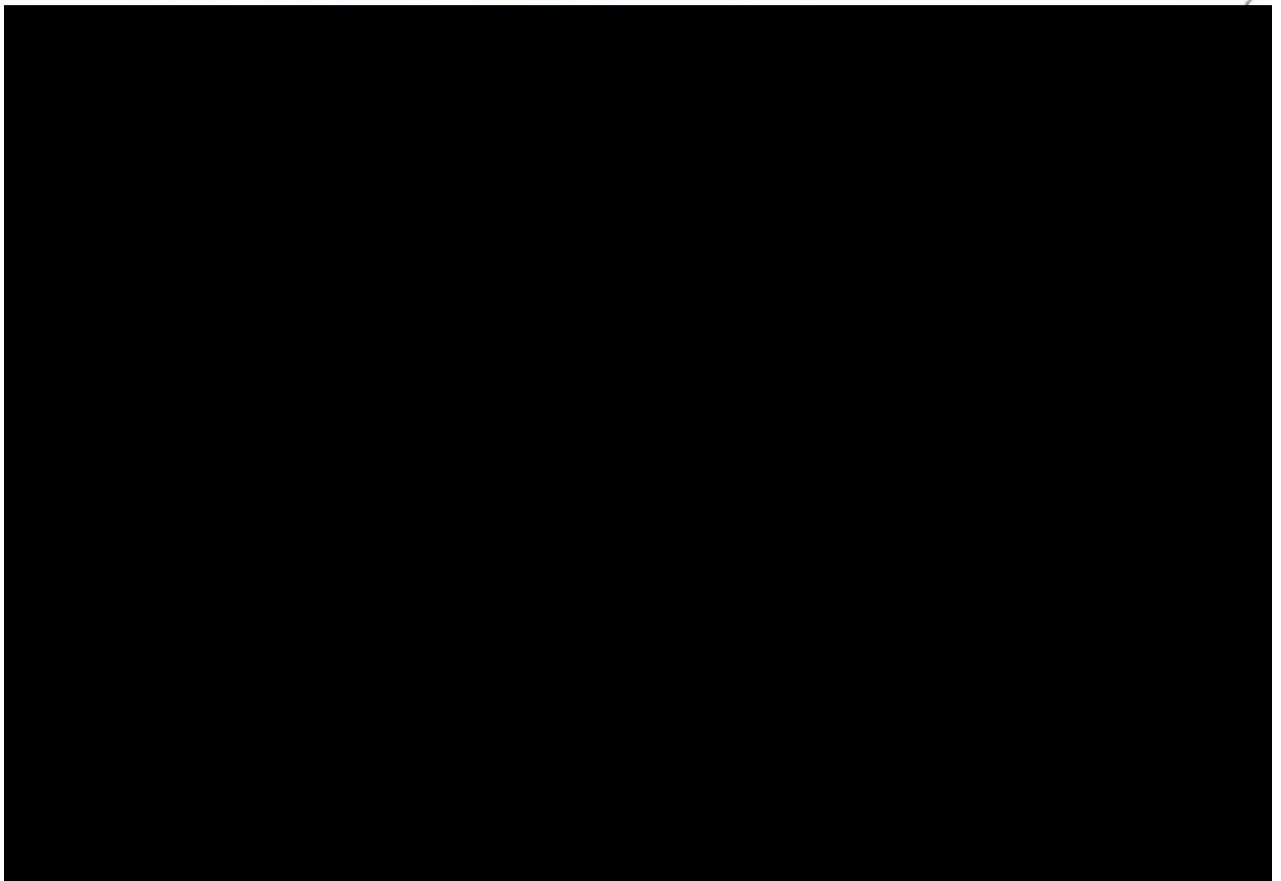
PETITION

Against Notice of an application for a planning permit:

2 Anglers Way Maribyrnong, Application Ref:TP710/2014(2)

We the forementioned are against:

- Additional patronage increasing from 764-1564
- Extension of building works/envelope from 478m² to 1,176m²
- Reduction in the number of car bays from 151 to 131
- Demolition of existing screens to the southern terrace to be replaced with a 1.2 high fence
- Increase in illuminated signage to the South, West and East
- Reduction in bicycle parking and end of trip facilities



PETITION

Against Notice of an application for a planning permit:

2 Anglers Way Maribyrnong, Application Ref:TP710/2014(2)

We the forementioned are against:

- Additional patronage increasing from 764-1564
- Extension of building works/envelope from 478m² to 1,176m²
- Reduction in the number of car bays from 151 to 131
- Demolition of existing screens to the southern terrace to be replaced with a 1.2 high fence
- Increase in illuminated signage to the South, West and East
- Reduction in bicycle parking and end of trip facilities

Date	Printed Name	Address	Contact No:	Email/fb/twitter	Signature
------	--------------	---------	-------------	------------------	-----------

--	--	--	--	--	--

PETITION

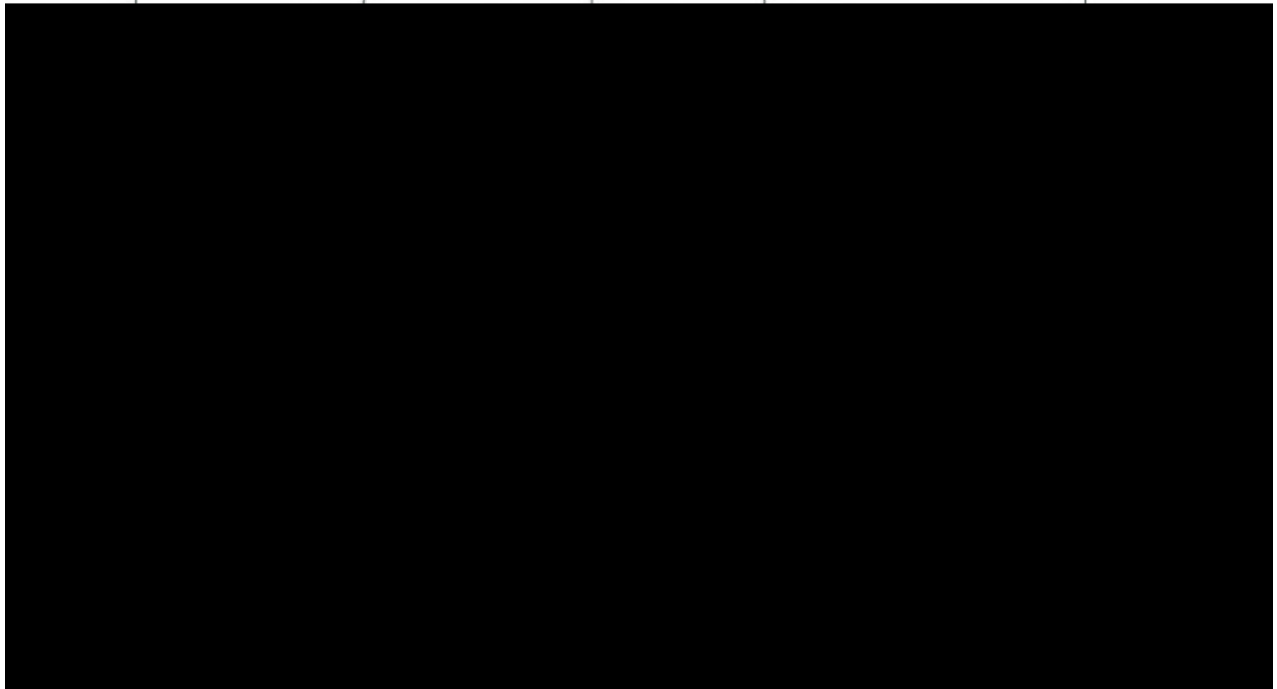
Against Notice of an application for a planning permit:

2 Anglers Way Maribyrnong, Application Ref:TP710/2014(2)

We the forementioned are against:

- Additional patronage increasing from 764-1564
- Extension of building works/envelope from 478m2 to 1,176m2
- Reduction in the number of car bays from 151 to 131
- Demolition of existing screens to the southern terrace to be replaced with a 1.2 high fence
- Increase in illuminated signage to the South, West and East
- Reduction in bicycle parking and end of trip facilities

Date	Printed Name	Address	Contact No:	Email/fb/twitter	Signature
------	--------------	---------	-------------	------------------	-----------



PETITION

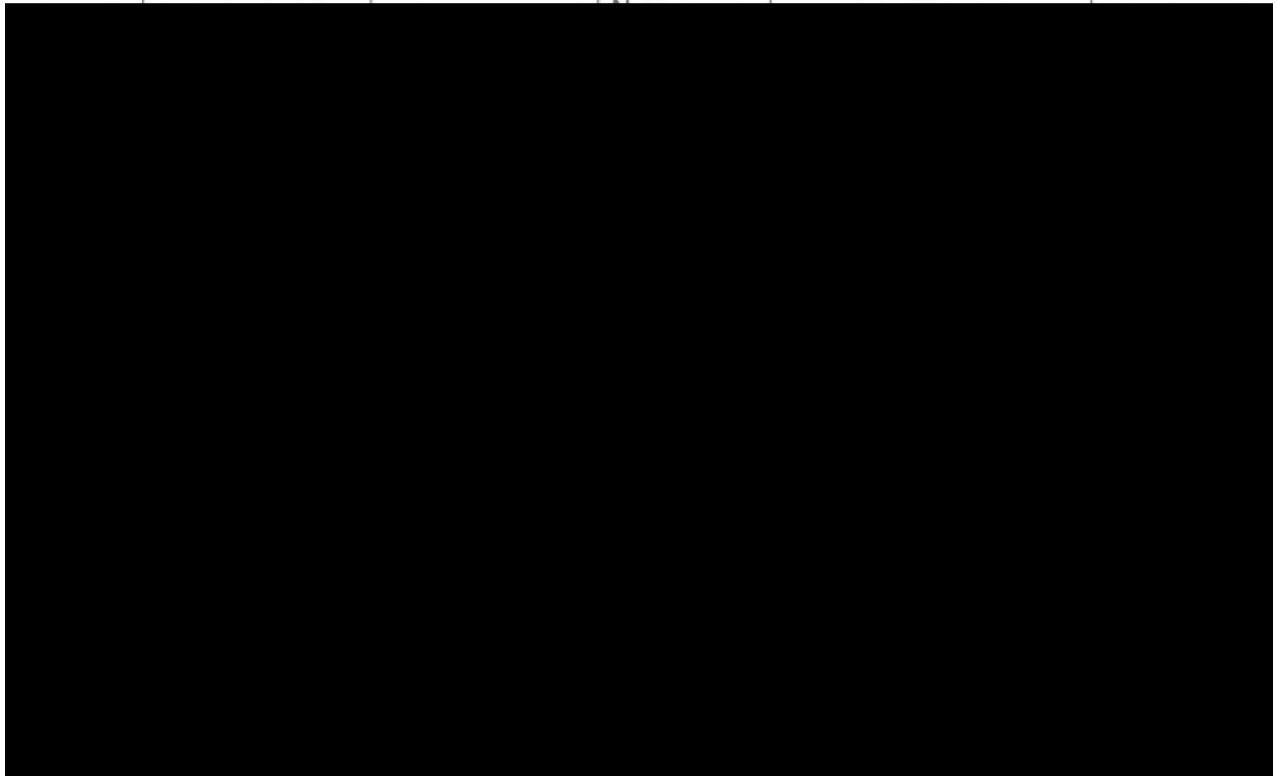
Against Notice of an application for a planning permit:

2 Anglers Way Maribyrnong, Application Ref:TP710/2014(2)

We the forementioned are against:

- Additional patronage increasing from 764-1564
- Extension of building works/envelope from 478m² to 1,176m²
- Reduction in the number of car bays from 151 to 131
- Demolition of existing screens to the southern terrace to be replaced with a 1.2 high fence
- Increase in illuminated signage to the South, West and East
- Reduction in bicycle parking and end of trip facilities

Date	Printed Name	Address	Contact	Email/fb/twitter	Signature
------	--------------	---------	---------	------------------	-----------



PETITION

Against Notice of an application for a planning permit:

2 Anglers Way Maribyrnong, Application Ref:TP710/2014(2)

We the forementioned are against:

- Additional patronage increasing from 764-1564
- Extension of building works/envelope from 478m2 to 1,176m2
- Reduction in the number of car bays from 151 to 131
- Demolition of existing screens to the southern terrace to be replaced with a 1.2 high fence
- Increase in illuminated signage to the South, West and East
- Reduction in bicycle parking and end of trip facilities

Date	Printed Name	Address	Contact No:	Email/fb/twitter	Signature

PETITION

Against Notice of an application for a planning permit:

2 Anglers Way Maribyrnong, Application Ref:TP710/2014(2)

We the forementioned are against:

- Additional patronage increasing from 764-1564
- Extension of building works/envelope from 478m² to 1,176m²
- Reduction in the number of car bays from 151 to 131
- Demolition of existing screens to the southern terrace to be replaced with a 1.2 high fence
- Increase in illuminated signage to the South, West and East
- Reduction in bicycle parking and end of trip facilities

Date	Printed Name	Address	Contact	Email/fb/twitter	Signature

PETITION

Against Notice of an application for a planning permit:

2 Anglers Way Maribyrnong, Application Ref:TP710/2014(2)

We the forementioned are against:

- Additional patronage increasing from 764-1564
- Extension of building works/envelope from 478m2 to 1,176m2
- Reduction in the number of car bays from 151 to 131
- Demolition of existing screens to the southern terrace to be replaced with a 1.2 high fence
- Increase in illuminated signage to the South, West and East
- Reduction in bicycle parking and end of trip facilities

Date	Printed Name	Address	Contact No:	Email/fb/twitter	Signature

PETITION

Against Notice of an application for a planning permit:

2 Anglers Way Maribyrnong, Application Ref:TP710/2014(2)

We the forementioned are against:

- Additional patronage increasing from 764-1564
- Extension of building works/envelope from 478m² to 1,176m²
- Reduction in the number of car bays from 151 to 131
- Demolition of existing screens to the southern terrace to be replaced with a 1.2 high fence
- Increase in illuminated signage to the South, West and East
- Reduction in bicycle parking and end of trip facilities

Date	Printed Name	Address	Contact	Email/fb/twitter	Signature

PETITION

Against Notice of an application for a planning permit:

2 Anglers Way Maribyrnong, Application Ref:TP710/2014(2)

We the forementioned are against:

- Additional patronage increasing from 764-1564
- Extension of building works/envelope from 478m2 to 1,176m2
- Reduction in the number of car bays from 151 to 131
- Demolition of existing screens to the southern terrace to be replaced with a 1.2 high fence
- Increase in illuminated signage to the South, West and East
- Reduction in bicycle parking and end of trip facilities

Date	Printed Name	Address	Contact No:	Email/fb/twitter	Signature
------	--------------	---------	-------------	------------------	-----------

--	--	--	--	--	--

PETITION

Against Notice of an application for a planning permit:

2 Anglers Way Maribyrnong, Application Ref:TP710/2014(2)

We the forementioned are against:

- Additional patronage increasing from 764-1564
- Extension of building works/envelope from 478m² to 1,176m²
- Reduction in the number of car bays from 151 to 131
- Demolition of existing screens to the southern terrace to be replaced with a 1.2 high fence
- Increase in illuminated signage to the South, West and East
- Reduction in bicycle parking and end of trip facilities

Date	Printed Name	Address	Contact	Email/fb/twitter	Signature

PETITION

Against Notice of an application for a planning permit:

2 Anglers Way Maribyrnong, Application Ref:TP710/2014(2)

We the forementioned are against:

- Additional patronage increasing from 764-1564
- Extension of building works/envelope from 478m2 to 1,176m2
- Reduction in the number of car bays from 151 to 131
- Demolition of existing screens to the southern terrace to be replaced with a 1.2 high fence
- Increase in illuminated signage to the South, West and East
- Reduction in bicycle parking and end of trip facilities

Date	Printed Name	Address	Contact	Email/fb/twitter	Signature

PETITION

Against Notice of an application for a planning permit:

2 Anglers Way Maribyrnong, Application Ref:TP710/2014(2)

We the forementioned are against:

- Additional patronage increasing from 764-1564
- Extension of building works/envelope from 478m² to 1,176m²
- Reduction in the number of car bays from 151 to 131
- Demolition of existing screens to the southern terrace to be replaced with a 1.2 high fence
- Increase in illuminated signage to the South, West and East
- Reduction in bicycle parking and end of trip facilities

[illegible]

—

We the forementioned are against:

- | Date | Printed Name | Address | Contact No: | Email/fb/twitter | Signature |
|------|--------------|---------|-------------|------------------|-----------|
| | | | | | |

PETITION

Against Notice of an application for a planning permit:

2 Anglers Way Maribyrnong, Application Ref:TP710/2014(2)

We the forementioned are against:

- Additional patronage increasing from 764-1564
- Extension of building works/envelope from 478m2 to 1,176m2
- Reduction in the number of car bays from 151 to 131
- Demolition of existing screens to the southern terrace to be replaced with a 1.2 high fence
- Increase in illuminated signage to the South, West and East
- Reduction in bicycle parking and end of trip facilities

Date	Printed Name	Address	Contact	Email/fb/twitter	Signature

PETITION

Against Notice of an application for a planning permit:

2 Anglers Way Maribyrnong, Application Ref:TP710/2014(2)

We the forementioned are against:

- Additional patronage increasing from 764-1564
- Extension of building works/envelope from 478m2 to 1,176m2
- Reduction in the number of car bays from 151 to 131
- Demolition of existing screens to the southern terrace to be replaced with a 1.2 high fence
- Increase in illuminated signage to the South, West and East
- Reduction in bicycle parking and end of trip facilities

Date	Printed Name	Address	Contact No:	Email/fb/twitter	Signature
------	--------------	---------	-------------	------------------	-----------

--	--	--	--	--	--

PETITION

Against Notice of an application for a planning permit:

2 Anglers Way Maribyrnong, Application Ref:TP710/2014(2)

We the forementioned are against:

- Additional patronage increasing from 764-1564
- Extension of building works/envelope from 478m² to 1,176m²
- Reduction in the number of car bays from 151 to 131
- Demolition of existing screens to the southern terrace to be replaced with a 1.2 high fence
- Increase in illuminated signage to the South, West and East
- Reduction in bicycle parking and end of trip facilities

Date	Printed Name	Address	Contact	Email/fb/twitter	Signature

PETITION

Against Notice of an application for a planning permit:

2 Anglers Way Maribyrnong, Application Ref:TP710/2014(2)

We the forementioned are against:

- Additional patronage increasing from 764-1564
- Extension of building works/envelope from 478m2 to 1,176m2
- Reduction in the number of car bays from 151 to 131
- Demolition of existing screens to the southern terrace to be replaced with a 1.2 high fence
- Increase in illuminated signage to the South, West and East
- Reduction in bicycle parking and end of trip facilities

Date	Printed Name	Address	Contact	Email/fb/twitter	Signature

PETITION

Against Notice of an application for a planning permit:

2 Anglers Way Maribyrnong, Application Ref:TP710/2014(2)

We the forementioned are against:

- Additional patronage increasing from 764-1564
- Extension of building works/envelope from 478m2 to 1,176m2
- Reduction in the number of car bays from 151 to 131
- Demolition of existing screens to the southern terrace to be replaced with a 1.2 high fence
- Increase in illuminated signage to the South, West and East
- Reduction in bicycle parking and end of trip facilities

Date	Printed Name	Address	Contact	Email/fb/twitter	Signature

PETITION

Against Notice of an application for a planning permit:

2 Anglers Way Maribyrnong, Application Ref:TP710/2014(2)

We the forementioned are against:

- Additional patronage increasing from 764-1564
- Extension of building works/envelope from 478m2 to 1,176m2
- Reduction in the number of car bays from 151 to 131
- Demolition of existing screens to the southern terrace to be replaced with a 1.2 high fence
- Increase in illuminated signage to the South, West and East
- Reduction in bicycle parking and end of trip facilities

Date	Printed Name	Address	Contact No:	Email/fb/twitter	Signature
------	--------------	---------	-------------	------------------	-----------

--	--	--	--	--	--

PETITION

Against Notice of an application for a planning permit:

2 Anglers Way Maribyrnong, Application Ref:TP710/2014(2)

We the forementioned are against:

- Additional patronage increasing from 764-1564
- Extension of building works/envelope from 478m2 to 1,176m2
- Reduction in the number of car bays from 151 to 131
- Demolition of existing screens to the southern terrace to be replaced with a 1.2 high fence
- Increase in illuminated signage to the South, West and East
- Reduction in bicycle parking and end of trip facilities

Date	Printed Name	Address	Contact No.	Email/fb/twitter	Signature

Agenda Item 8.2**PETITION: PARKING PERMITS GRAY STREET, YARRAVILLE**

Director: Lisa King
Director Corporate Services

Author: Phil McQue
Manager Governance and Commercial Services

PURPOSE

To table a petition received in relation to a request for parking permits on Gray Street, Yarraville.

ISSUES SUMMARY

- A petition has been submitted to Council containing 11 signatures.
- The petition presented to Council includes the following text:

Many residents in Gray Street, Yarraville have been sending emails to Maribyrnong City Council with the same negative response from the Transport Department the street does not comply with "granting a parking permit". In Gray Street we have for several months an influx of new residents or renters with two to three cars, and some have off street parking however, choosing to park in the street and across their own drive-ways therefor, impacts street parking which seems selfish to me as we only have one car and no where to park vehicle in Street therefore, either park at the very end or the next Street.

Also there is a corner café where people temporarily park their vehicles in Gray Street rather than Stephen Street.

As the Mayor you may have more power to influence granting a parking permit in Gray Street. Some residents have signed attached petition for a Parking Permit in Gray Street, Yarraville and the Council could benefit from the costs of permits.

In closing thankyou for reading this request and waiting for your response to this correspondence.

ATTACHMENTS

1. Petition Parking Permits - Gray Street Yarraville - Redacted [↓](#)

OFFICER RECOMMENDATION

That Council:

1. **Receives and notes the Petition: Parking Permits Gray Street, Yarraville**
2. **Requests the Chief Executive Officer to consider the petition and determine the appropriate response.**

November 2022

Cr Anthony Tran
Mayor of City of Maribyrnong
Maribyrnong City Council
PO Box 58
West Footscray Vic 3012

Dear Cr Tran
Re: Parking Permit – Gray Street Yarraville

Many residents in Gray Street, Yarraville have been sending emails to [REDACTED] with the same negative response from the Transport Department the street does not comply with “granting a parking permit”. In Gray Street we have for several months an influx of new residents or renters with two to three cars, and some have off street parking however, choosing to park in the street and across their own drive-ways therefore, impacts street parking which seems selfish to me as we have only one car and no where to park vehicle in Street therefore, either park at the very end or the next Street.

Also, there is a corner café where people temporarily park their vehicles in Gray Street rather than Stephen Street.

As the Mayor you may have more power to influence granting a parking permit in Gray Street. Some residents have signed attached petition for a Parking Permit in Gray Street, Yarraville and the Council could benefit from the cost of permits.

In closing thankyou for reading this request and waiting for your response to this correspondence!

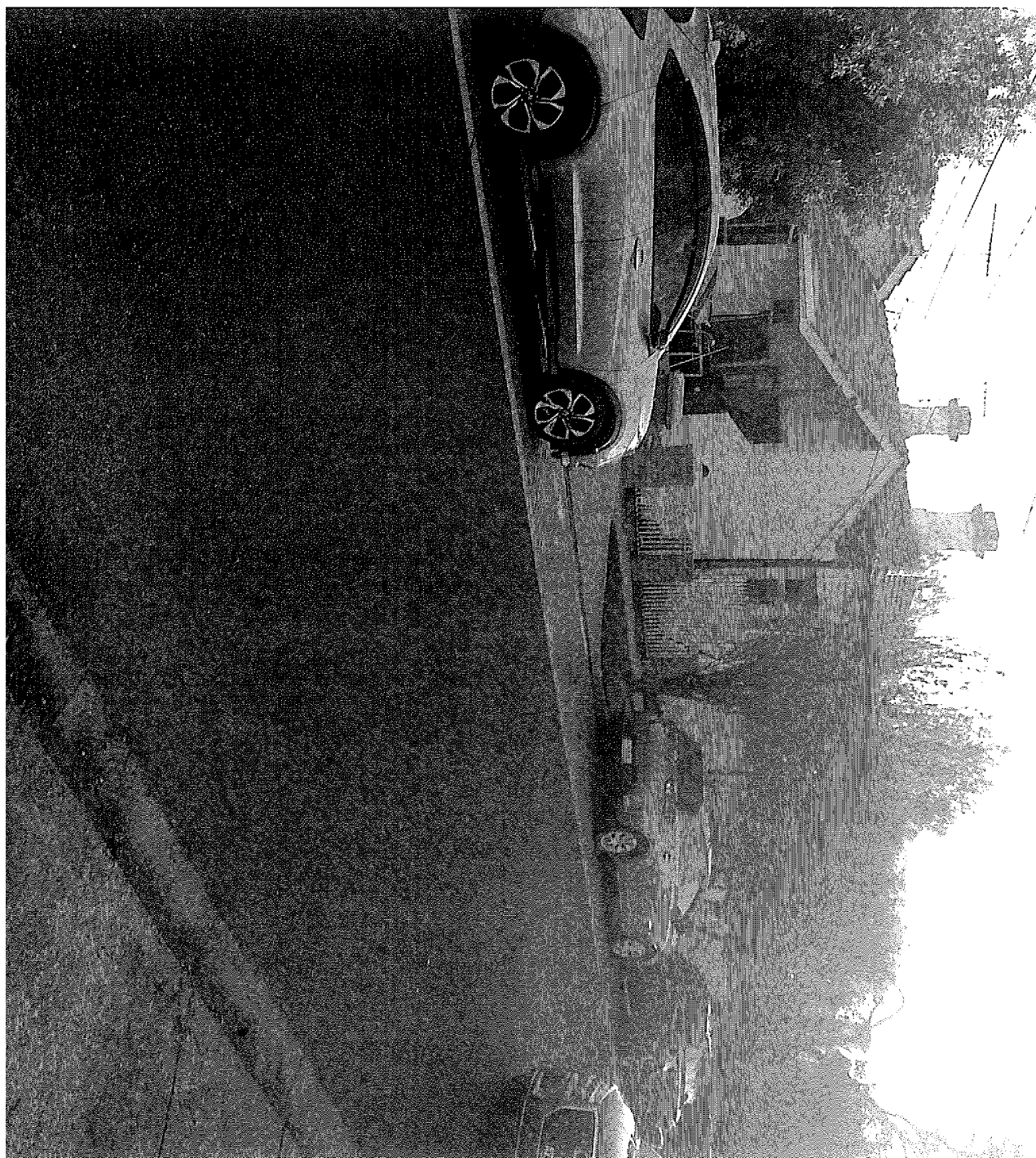
Yours sincerely

[REDACTED]
[REDACTED]
[REDACTED]

1

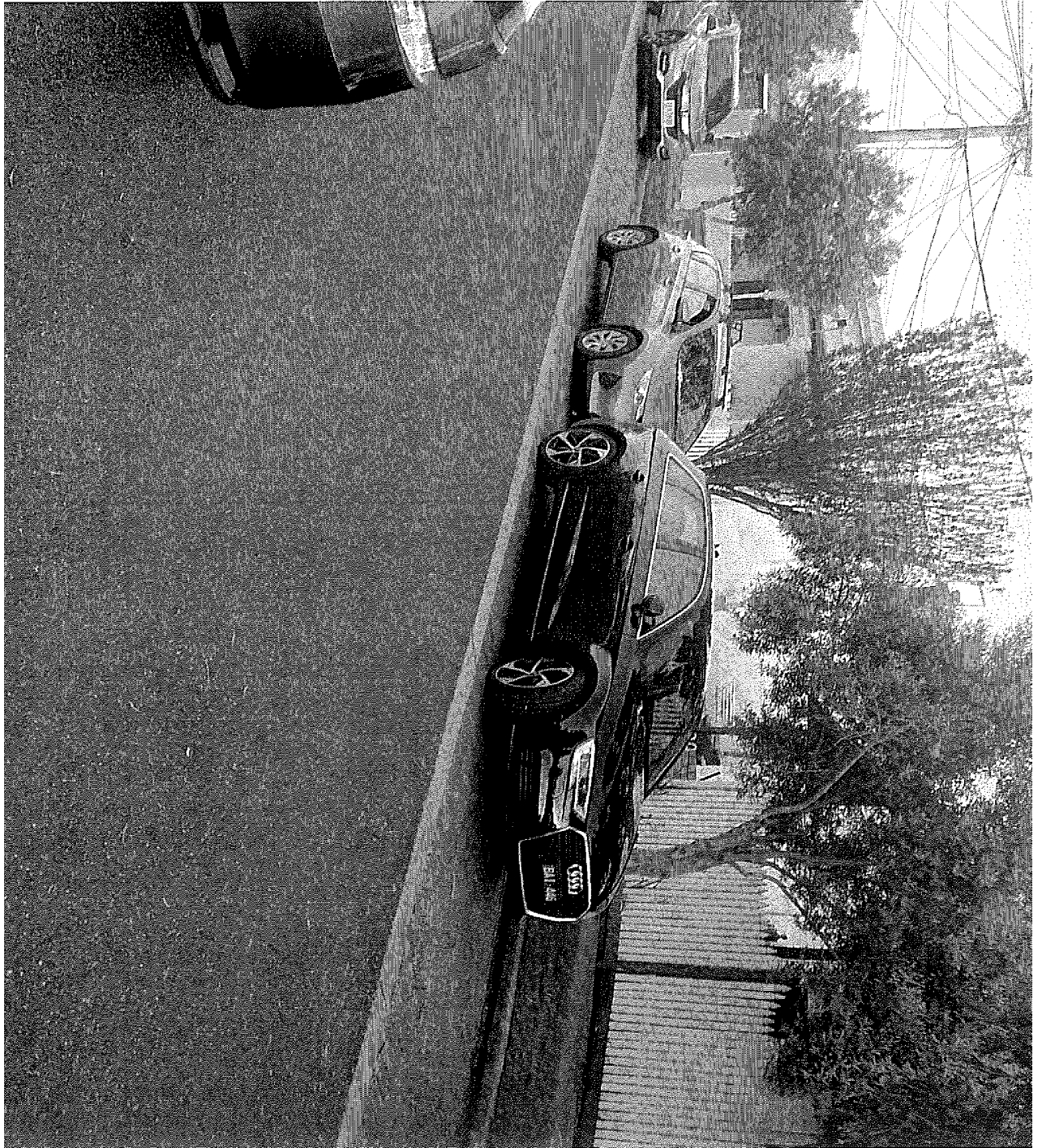
[illegible]





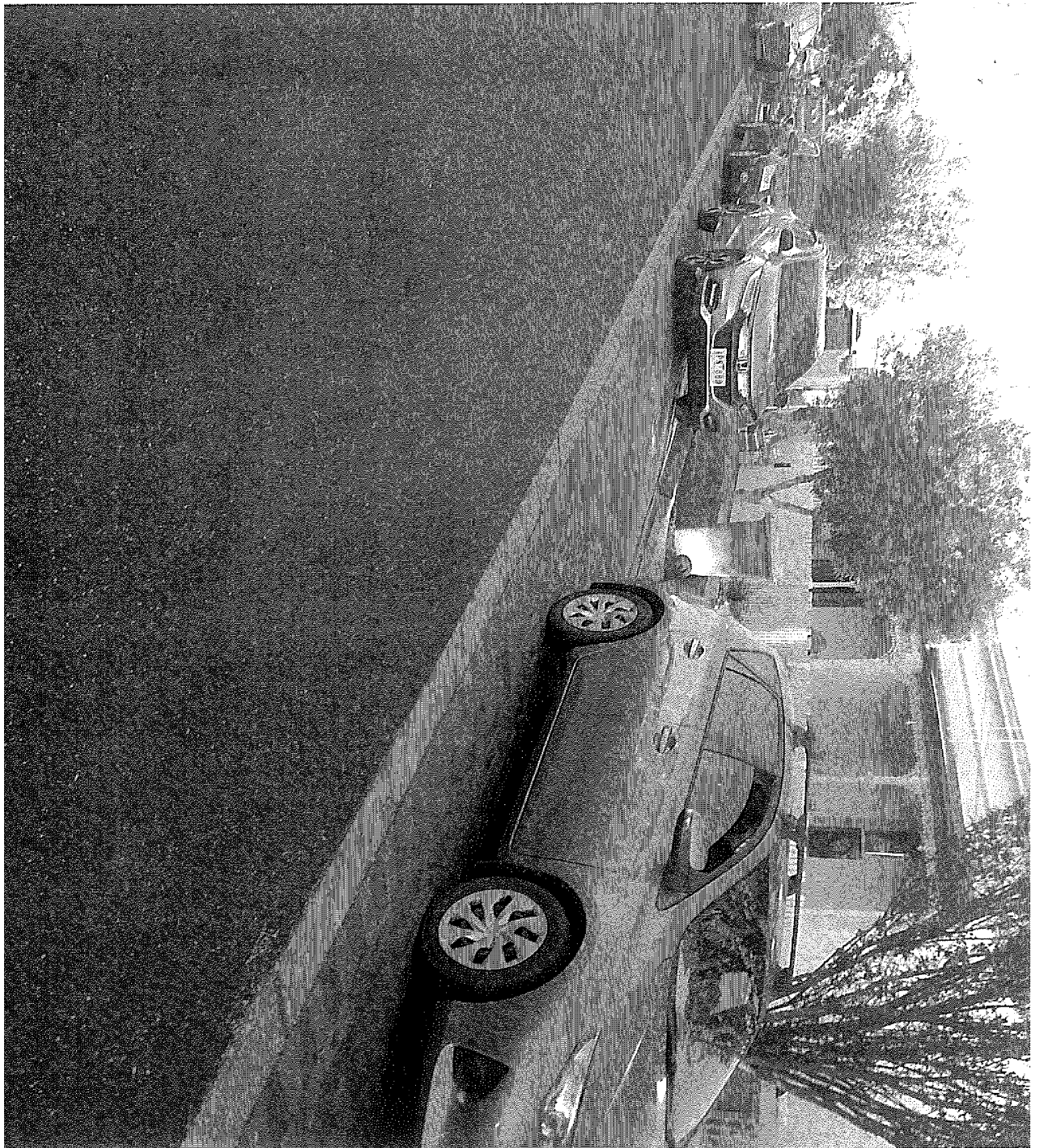












Agenda Item 9.1**ACKNOWLEDGING JANUARY 26**

Director: Lucas Gosling
Director Community Services

Author: Bridget Monro-Hobbs
Manager Community Development and Positive Ageing

PURPOSE

To provide Council with detailed recommendations developed through a First Nations led engagement process which has built on the “Let’s Talk January 26” consultation process, detailing how January 26 could be acknowledged into the future.

ISSUES SUMMARY

- As Australia’s current national day, the way in which January 26 is acknowledged has become a significant and increasingly mainstream issue, particularly with respect to First Nations People’s experience of the day.
- Having been referred to as ‘Australia Day’ since 1994, for some the day is an opportunity to a time to catch up with family and friends, socialise and celebrate.
- For some newer Australians, the day is also the time in which some become Australian citizens, given the number of Citizenship Ceremonies that occur in many jurisdictions across Australia.
- However for others, particularly First Nations People, this day signifies the beginning of dispossession, destruction of culture and the separation from families.
- Some local governments have sought to review the way in which the day is acknowledged, to better recognise the long history of trauma that many First Nations People have experienced since colonisation. As a consequence the day is not a shared celebration of Australia as a whole community.
- Consequently, some Australians refer to January 26 as “Invasion Day”, “Survival Day” and “The Day of Mourning”.
- The Nationwide debate around changing the date, saving the date or cancelling the public holiday remains a challenge and there are many perspectives from First Nations People, culturally diverse communities and the community more broadly.
- On 16 March 2021 Council resolved:
“That Council engages in a broad ranging and deliberative consultations process with the First Nations and the wider established and newly arrived people of Maribyrnong. The intent of this clear community engagement process is to assist the sitting Councillors in generating a clear direction on how the Maribyrnong City Council should respond to 26 January.”
- Officers, along with specialist community engagement consultants have conducted a series of consultations to canvass the views of First Nations People, those of the multi-cultural community and the community more broadly, to understand the range of views on this important topic.
- A specialist community engagement company was initially engaged to work with officers to deliver the consultations. This work commenced in October 2021 with

Agenda Item 9.1

the facilitation of two “big business” meetings that involved the Mayor, Councillors and Traditional Owners. Big business meetings are a First Nations cultural practice of leaders coming together to “do big business” and ensures a clear understanding of purpose, expectations and intentions of both groups, as well as providing a culturally safe space for First Nations People. The consultants also facilitated a workshop with leaders from culturally diverse communities and with First Nations communities.

- In addition to the initial “big business” meetings, the consultation has also included:
 - Focus groups with First Nations Community and culturally diverse communities
 - Your City Your Voice surveys which received 2,688 responses.
 - Postcard surveys involving the distribution of postcards to 38,000 across the City
 - Annual community survey questions on January 26.
 - First Nations led deliberative engagement process.
- Initial results indicated that there is strong support from respondents for Council to reconsider how it currently acknowledges January 26. 80% of respondents to the postcard and online survey indicating that Council should take action to better acknowledge the experience of First Nations Peoples on ‘Australia Day’, January 26.
- A number of key themes also emerged from these consultations including a focus on greater inclusion and respect for First Nations experience of January 26, the need for education, and that First Nations People should be playing a lead role in Councils acknowledgement of the day.
- A further round of First Nations led engagement occurred in November 2022 that supported a deeper and more specific conversation to assist Councils decision making around a respectful way to acknowledge January 26 going forward.

ATTACHMENTS

Not applicable

Agenda Item 9.1**OFFICER RECOMMENDATION****That Council:**

- 1. Acknowledges that January 26 is a day of mourning for many First Nations people, and the day often symbolises a history of loss and trauma that has occurred since British colonisation and should be marked in a more inclusive and respectful way**
 - 2. Continue to lower the Australian, Aboriginal and Torres Strait Islander flags to half-mast on January 26 as a symbol of the grief and loss the day represents for many First Nations people**
 - 3. Continue to hold Citizenship Ceremonies on January 26, in line with the requirement from the Commonwealth, but also invite First Nations People to conduct a Welcome to Country, Smoking Ceremony and/or other appropriate activity to contextualise the day for new Australians**
 - 4. Invite Traditional Owners to participate in the ceremony, to provide a small gift to new Australians, procured from local First Nations businesses**
 - 5. Works with local First Nations People to develop and implement better community education regarding First Nations People's experience of January 26**
 - 6. Writes to the Prime Minister, the Hon Anthony Albanese MP, the Minister for Immigration, Citizenship and Multicultural Affairs, the Hon Andrew Giles MP, the Minister for Indigenous Australians, the Hon Linda Burney MP and the Member for Maribyrnong, the Hon Bill Shorten MP advocating:**
 - a) that the current requirement of holding of Citizenship Ceremonies be removed from the Australian Citizenship Ceremonies Code 2019 to allow Councils to choose whether to continue to hold ceremonies on January 26;**
 - b) that the Commonwealth Government consider changing the date of Australia's national day, to one more suitable in order that all Australians can better celebrate equally;**
 - c) that the Commonwealth Government include First Nations information and history as part of Australian Citizenship tests;**
 - 7. Table an advocacy motion at the 2023 Australian Local Government Association National Conference in support of First Nations People's experience of January 26**
-

Agenda Item 9.1**BACKGROUND**

For some people January 26 is a time to catch up with family and friends, to become an Australian Citizen or to attend a civic event. However for many First Nations People this day signifies the beginning of dispossession, destruction of culture and the separation from families. Consequently, some Australians refer to January 26 as Invasion Day, Survival Day and a The Day of Mourning and deep sadness.

The Nationwide debate around changing the date, saving the date or cancelling the public holiday remains a challenge and there are many perspectives within the community. Council recognises these challenges following the resolution of March 16 2021, officers commenced a broad ranging, and deliberative consultation process with the First Nations communities the culturally diverse community and the community more broadly.

On 16 March 2021 Council resolved:

That Council engages in a broad ranging and deliberative consultations process with the First Nations and the wider established and newly arrived people of Maribyrnong. The intent of this clear community engagement process is to assist the sitting Councillors in generating a clear direction on how the Maribyrnong City Council should respond to 26 January.

DISCUSSION/KEY ISSUES**1. Key Issues**Consultation methodology

The broad ranging deliberative engagement process with the First Nations Community, The culturally diverse community and the community more broadly has involves a number of engagements including:

- Big business meetings with Traditional Elders and Councillors
- Focus groups with First Nations Community and culturally diverse communities
- Your City Your Voice surveys
- Postcard surveys
- Annual community survey
- First Nations led deliberative engagement process.

Agenda Item 9.1

Most recently, the further deliberative consultation occurred with First Nations People, led by a specialist First Nations consultant, Dawaray Consulting. The consultation included:

- a. A face to face workshop conducted at the Maribyrnong community centre.
- b. One on one conversations with First Nations People who were unable to attend
- c. A survey of First Nations People on initial findings seeking additional feedback to ensure key recommendations were supported

In addition, the key findings and recommendations were shared with both the Wurundjeri Woi Wurrung Council and Bunurong Land Council, seeking feedback.

Consultation Themes

Following all of the consultations, officers have conducted an assessment of the comments and verbatim feedback provided by engagement with First Nations, culturally diverse and the broader communities.

Throughout the process, evidence emerged that there are consistent themes that are common to the all of the groups consulted. Whilst there is some variation in the specifics across these three groups, common key themes have nonetheless emerged from the consultation.

The four themes were:

- Key theme 1: Acknowledging January 26 should not be seen as a “celebration” but rather should be culturally inclusive and respectful of First Nations People, based on true reconciliation.
- Key theme 2: Greater cultural understanding and education of the community of Australian history is required
- Key Theme 3: The way we acknowledge January 26 should be led by First Nations People
- Key theme 4: Citizenship Ceremonies on January 26 should be considered and re-imagined

In September 2022 Councillors were provided with a detailed update on the consultation process and findings thus far and requested that a further First Nations led deliberative engagement process occur to support Council to make a decision around a respectful way to acknowledge January 26 going forward.

Subsequently, Dawaray Consulting a First Nations led consultancy firm was engaged and conducted a consultation session with First Nations Community members and organisations, Metropolitan representatives of the Treaty Assembly, the multicultural community as well as Traditional Land Owners. This consultation session built on the

Agenda Item 9.1

previous consultation work that has occurred and enabled a deeper conversation to occur regarding what January 26 could look like going forward for Maribyrnong City Council.

The additional deliberative consultation was wide ranging and covered topic areas that went somewhat beyond the specifics of how to mark January 26 appropriately. However, it was felt that these additional considerations were essential to providing the full context to First Nation People's views and experience of the day. The recommendations that were made through this engagement process consisted of three broad themes:

1. Recognition of January 26
2. Conducting of Citizenship Ceremonies
3. General actions

1. Recognition of January 26

For many First Nations People January 26 is a day of mourning, given the history of loss and dispossession experienced by First Nations People since British colonisation began. As such, the day should not be seen as a 'celebration', but rather, should be contextualised to the experience of First Nations People's lived experience since colonisation.

The consultation also found that there was a preference that Council does not fly any flags from Council premises on January 26, and that this should be accompanied by public communications providing an explanation and rationale for this action being taken. However, as Council is required to fly flags on all days of the year, officers instead recommend that Council instead continue to fly the Australian, Aboriginal and Torres Strait Islander flags at half-mast on January 26 as a symbol of the grief and loss the day represents for many First Nations People. This is in line with Council previous resolution of 16 March 2021 which states:

"In acknowledging the suffering experienced by Australia's Aboriginal and Torres Strait Islander people as recognised in the Treaty and Truth elements of the Uluru Statement from the Heart and the grief and loss experienced by the Stolen Generations, flies the Aboriginal Flag at half-mast on January 26, from 2022 onwards."

A key theme that also emerged was the need for better public education around First Nation's perspectives on the day. Council could play an active role in working with First Nations People to help share both perspectives and experiences of First Nations People and why January 26 is seen as divisive for many in the community. This issue is particularly an opportunity to engage those in the community who are eligible to become citizens to build understanding with First Nations People.

Agenda Item 9.1**2. Conducting of Citizenship Ceremonies**

The consultation found that for many First Nations People, the conducting of Citizenship Ceremonies on January 26 is very challenging. Whilst the desire of some new Australians to become citizens on Australia's national day is understood, the lack of context, education and understanding of the trauma and grief that the day represents for many First Nations People must be addressed. It was therefore seen as critical that Council should invite First Nations involvement in the planning, development and implementation of Citizenship Ceremonies along with being invited guests.

Those consulted had a clear preference that Citizenship Ceremonies not be conducted at all on that date, and that Council should consider this, along with providing public statements to the community explaining Councils decision and the meaning of the day to First Nations Peoples. It was felt that such an approach acknowledges the truth telling process being undertaken by the Victorian Government and the importance for reconciliation. It would also demonstrate to the First Nations community and broader community that Council is highly in support of reconciliation and recognising First Nations Australian history.

However, under the current requirements of the Australian Citizenship Code 2019 (p20), the holding of ceremonies on this day is currently a requirement. According to the code:

"Local Governments must hold a Citizenship Ceremonies on January 26 as part of their Australia Day celebrations".

Whilst the Code does not indicate what the penalty is for not complying with this requirement, some Local Government Authorities (including the Cities of Yarra and Darebin) have had the right to hold Citizenship Ceremonies on any date completely removed by the former Commonwealth Government for taking a position on January 26. Subsequently, the previous Government endorsed the requirement to hold a ceremony on the day in 2019. It may be unlikely that such a measure would be enforced, given the change in the Commonwealth Government since that time, however not complying would still be a risk.

First Nations People expressed a strong view that Council should take leadership in this space, in that, if Citizenship Ceremonies are to continue on January, advocacy to the Commonwealth should occur to change the requirement to give Council the option of not holding ceremonies on that day in the future. It was felt that such an action should still be accompanied by communications to the community on Councils views around the challenges of holding Citizenship Ceremonies on that day.

The consultation found that taking this approach would still be a demonstrable progressive step towards the broader political movement in relation to First Nations policy at a state and national level, especially with respect to Treaty.

In terms of the ceremony itself, greater involvement of First Nations People and Traditional Owners should be included. A Welcome to Country and Smoking Ceremony and/or other appropriate event should accompany the citizenship ceremony(s) to provide greater context, information and inclusion to the day.

Agenda Item 9.1

Those consulted also advised that Council should invite Traditional Owners to be involved and participate in Citizenship Ceremonies in the welcoming of new citizens in the presentation ceremony and provision of certificates, with an accompanying small First Nations gift procured by Council. Officers advise that this proposal could be accommodated.

Holding future ceremonies in this way and conducting advocacy would not place Council at risk of the possibility of losing the ability to deliver Citizenship Ceremonies on other days, and it further enables Council to demonstrate a progressive step towards the broader political movement in relation to First Nations policy at a state and national level, especially with respect to Treaty. It also demonstrates to the First Nations community and broader community that council is in support of reconciliation and recognising First Nations Australian history.

3. General actions

Participants felt that Council has the opportunity to take leadership on some of the key broader issues around Australia's National day. There has been considerable public debate and movement with respect to changing the date of Australia Day, and Council has the ability to be an active participant in the public discourse. It was therefore felt that Council should advocate to the Commonwealth Government to change Australia's National day from January 26 to a more suitable date, which could be determined through a consultative process.

Furthermore, the consultation also found that better information and education around First Nations perspectives and history should be more broadly included in things such as citizenship tests. Council could support this by advocating for greater information on First Nations People to be included in citizenship tests currently being undertaken. It was indicated that advocating for this change would go some way to demonstrate to the First Nations community and broader community that Council is in support of reconciliation and recognising First Nations Australian history.

2. Council Policy/Legislation**Council Plan 2021-2025**

This report contributes to Council's strategic objectives contained in the Council Plan 2021-2025 by considering:

- Strategic Objectives
 - Council will provide well-planned neighbourhoods and a strong local economy, delivering services that are inclusive and accessible to the whole community, and that support wellbeing, healthy and safe living, connection to the community, and cultural interaction.

Agenda Item 9.1**Legislation**

Aboriginal Heritage Act 2006
Aboriginal Heritage Regulations 2018
Traditional Owner Settlement Act 2010
Native Title Act 1993
Racial Discrimination Act 1975
Human Rights Act 1998
Australian Citizenship Ceremonies Code

Conflicts of Interest

No officer responsible for, or contributing to, this report has declared a direct or indirect interest in relation to this report.

Human Rights Consideration

This report complies with the rights listed in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

3. Engagement

The consultants held two focus groups one with the First Nations community members and one with Culturally Diverse leaders. As well as two big business meetings with the Mayor, Councillors and Traditional Owner group elders.

In consulting with the broader community an online survey on Your City, Your Voice was used which was complimented by the distribution of 38,000 postcards to every rate payer owned property in the City, this engagement piece occurred between October 2021 and January 2022.

The Annual Community Satisfaction Survey of 800 randomly selected participants was also used to ask the community their sentiments on January 26.

2,688 responses were received through the postcard and online survey engagement.

In addition to this a First Nations led deliberative engagement process was held with First Nations community and organisations, culturally diverse communities, Traditional Land owners and members of the Treaty Assembly.

A further round of First Nations led engagement occurred in November 2022 that supported a deeper and more specific conversation to assist Council's decision making around a respectful way to acknowledge January 26 going forward.

4. Resources

This engagement work has been delivered within the existing budget.

5. Environment

N/A

Agenda Item 9.1**CONCLUSION**

The “Let’s Talk: January 26” engagement process and the deeper conversation recently held have identified key themes. The need to ensure that January 26 is acknowledged in a way that is inclusive and more respectful of First Nations experience, the need for greater education and understanding regarding Australian History, the need for whatever January 26 looks like going forward is First Nations led, and that any Citizenship Ceremonies conducted on 26 January is reconsidered to have a greater acknowledgement of First Nations People and their experiences.

The deeper First Nations led conversation has provided a number of key recommendations for consideration and to support Council to make a decision around a respectful way to acknowledge January 26 going forward as well as a plan of continued community education and engagement going forward.

Agenda Item 9.2**AWARDING OF CONTRACT NO 1205-23 PROVISION OF WESTERN LAWN
RESURFACING AND SERVICES UPGRADE, FOOTSCRAY PARK**

Director: Patrick Jess
Director Infrastructure Services

Author: Paul Jane
Manager Recreation and Open Space

PURPOSE

To seek Council approval to award Contract No 1205-23 Provision of Western Lawn Resurfacing and Services Upgrade to Joslyn Group Pty Ltd.

ISSUES SUMMARY

- Sections 108 and 109 of the *Local Government Act 2020 (the Act)* and Council's Procurement Policy require Council to give public notice and invite tenders before it enters into a contract for services to the value of \$300,000 or higher.
- The Footscray Park Masterplan has identified the Western Lawn as an "active use precinct" since 2011. It is an important large and open community recreation space within limited municipal open space assets.
- The Western Lawn surface has become increasingly degraded over time due to saline soils, poor drainage and slow recovering turf such that large areas are unusable by the community for a significant portion of the year.
- The design of the upgrade works has taken account of the sites difficult growing context and provides the maximum chance of turf success and sustainable use by the community.
- Other components of Footscray Park and the Western Lawn will be considered through the Footscray Park Masterplan Review process commencing 2023.
- Following a tender process, the Tender Evaluation Panel recommends that Contract No 1205-23 Provision of Western Lawn Resurfacing and Services Upgrade be awarded to Joslyn Group Pty Ltd.

ATTACHMENTS

Agenda Item 9.2

OFFICER RECOMMENDATION

That Council:

- 1. Note that the project remains subject to permit approvals being received from Melbourne Water as the responsible authority.**
 - 2. Subject to required approvals being received, awards Contract No 1205-23 Provision of Western Lawn Resurfacing and Services Upgrade to Joslyn Group Pty Ltd for the total contract sum of \$4,740,758.50 (excluding GST)**
 - 3. Authorises the Chief Executive Officer to execute Contract No 1205-23 Provision of Western Lawn Resurfacing and Services Upgrade to Joslyn Group Pty Ltd, subject to required approvals being received.**
-

Agenda Item 9.2**BACKGROUND**

Sections 108 and 109 of the *Local Government Act 2020* (the Act) and Council's Procurement Policy require Council to give public notice and invite tenders before it enters into a contract for works to the value of \$300,000 or higher.

The proposed contract involves excavation of existing lawn surface and installation of drainage and irrigation, and creation of new soil profile for new turf over a four hectare area. Underground provision for future lighting installation is also included.

In accordance with the Instrument of Delegation – Operating Authority, the awarding of contracts exceeding a total value of \$2 million inclusive of GST requires a resolution of Council.

DISCUSSION/KEY ISSUES**1. Key Issues**Tender Process

Pursuant to Maribyrnong City Council's Procurement Policy, the Request for Tender was advertised on 8th October 2022. By the closing date, 31st October 2022, three (3) tenders had been received.

The price range of submissions was between \$4,661,397.79 and \$4,740,758.50.

The tenders were checked for arithmetical correctness and for omissions and qualifications.

Evaluation Process

The Evaluation Panel consisted of:

- Director - Infrastructure Services – Chairperson and Non-Voting Member
- Manager Recreation and Open Space – Voting Member
- Senior Project Manager – Open Space – Voting Member
- Strategic Procurement Advisor – Voting Member
- Sport and Recreation Projects Officer – Non Voting Member

The members of the evaluation panel do not have any pecuniary interest in this contract.

Tenders were evaluated in against the following criteria and weightings and in accordance with Council's Procurement Policy and associated procedures.

Agenda Item 9.2

Part 1 Mandatory Criteria		
Criteria	Description	Pass/Fail
Insurance	Evidence of the insurances cover required under the proposed contract	Pass/Fail
OH&S Systems	Evidence and systems to verify existence of the OH&S and EMS system	Pass/Fail
Financial Viability	Demonstrated financial capacity to provide, over the term of the contract, all the requirements specified	Pass/Fail
Confirmation of Supply	Ability to provide turf as specified	Pass/Fail
Compliance with proposed contract	Demonstrated understanding and compliance with the proposed contract	Pass/Fail
Part 2 Weighted Criteria		
Criteria	Description	Weight
Capability and Capacity	Demonstrated skills, including the ability to manage projects in delivering quality outcomes. Resources committed to the project	10%
Relevant Experience and Past Performance	Experience in similar projects; proven record of compliance and completion of all works based on past contractual and current performance	10%
Delivery Methodology and Project / Implementation Plan	Ability to supply and or carry out works within the timeframes required	20%
Performance & Risk Management	Identification and assessment of any risks considered to currently exist or which may occur during the currency of the Contract that would affect the effective and efficient performance of the work under the contract	10%
Sustainability - Environment	Identification of various and more sustainable approaches to the work under contract	5%
Financial	Tender Price	45%

Identification of Preferred Tenderer

The tender submitted by Joslyn Group Pty Ltd is the preferred tenderer as it has achieved the highest ranking of all submitted tenders against the evaluation criteria, including financial assessment.

One tenderer failed on the subsequent financial assessment and the other tenderer indicated within tender clarifications that they would be unable to commit to the timeframes leaving Joslyn Group Pty Ltd as the preferred tenderer.

The Panel's Assessment Matrix rated Joslyn Group Pty Ltd at 7.8 out of a possible 10 points.

Agenda Item 9.2

The highest ranked tenderer, Joslyn Group Pty Ltd was approached for a best and final offer.

- a) The tendered lump sum is \$4,740,758.50.
- b) Joslyn Group Pty Ltd can commence works in 2 weeks from award of the contract.
- c) Adequate resources will be available to satisfactorily undertake this contract.
- d) Joslyn Group Pty Ltd confirms timely supply of the quantity of turf as specified in the contract
- e) The 30 week construction period is adequate followed by a 52 week maintenance period.

Experience

Joslyn Group Pty Ltd has completed several projects of a similar scope, scale and complexity including: Seabrooke Reserve, Broadmeadows and Aspendale Gardens Sports Ground.

Independent Performance and Financial Assessment

An independent performance and financial assessment has been undertaken and returned a satisfactory rating.

Project Delivery Timeframe

Award of contract	8 th December 2022
Contract commencement	12 th December 2022
Works completion	30 th April 2023
Defects liability and maintenance period	12 months
Contract end	30 th April 2024

Agenda Item 9.2*Tender Evaluation Panel Recommendation*Option 1

Based on Joslyn Group Pty Ltd response to the request for tender and the outcome of the due diligence conducted, the Tender Evaluation Panel recommends that Council approve the awarding of Contract No 1205-23 Provision of Western Lawn Resurfacing and Services Upgrade to Joslyn Group Pty Ltd for the lump total contract sum of \$4,740,758.50 (exclusive of GST).

2. Council Policy/Legislation**Council Plan 2021-2025**

This report contributes to Council's strategic objectives contained in the Council Plan 2021-2025 by considering:

- Strategic Objectives
 - Council will partner with its community to provide and advocate for integrated built and natural environments with access to open spaces that are well maintained, engaging, accessible and respectful of the community and neighbourhoods.

Legislation

Local Government Act 2020

Water Act 1989

Conflicts of Interest

No officer responsible for, or contributing to, this report has declared a direct or indirect interest in relation to this report.

Human Rights Consideration

This report complies with the rights listed in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

3. Engagement

These proposed works to the Western Lawn align with the endorsed 2011 Footscray Park masterplan. It is intended to engage on the whole of Footscray Park through a masterplan review process in 2023.

4. Resources

The project will be funded within the 2022/2023 capital program, sourced via Councils Open Space Reserve funds.

Agenda Item 9.2**5. Environment**

The raising of the Western Lawn surface by 200mm to aid in drainage and lawn health has been assessed to consider any flood impacts due to reducing the water storage volume of the Maribyrnong River flood plain in the event of a flood. This impact has been determined to be insignificant by a consultant hydrologist. The proximity of Footscray Park to the river mouth also means that any period of inundation will be brief, as was seen on 21st and 22nd October this year. Furthermore, Melbourne Water is anticipated to consent to the development by 30th November, 2022.

CONCLUSION

The upgrade of the Western Lawn will open up more space for more intensive community recreation and passive use in an increasingly populated municipality. The works are designed to be sustainable and the community will enjoy this upgraded asset for years to come. The tenderer offers good value for money and the commencement of works is recommended.

Agenda Item 9.3**WOMEDA MEMBERSHIP**

Director: Laura Jo Mellan
Director Planning and Environment Services

Author: Francesca O'Brien
Manager City Futures

PURPOSE

To seek endorsement for Council to become a Government Partner under new Special Membership category to support and influence The West of Melbourne Economic Development Alliance (WoMEDA).

SUMMARY

- Maribyrnong City Council has a long-standing relationship with The West of Melbourne Economic Development Alliance (WoMEDA).
- WoMEDA are planning to move to an incorporated association with a membership based operating model.
- This new model proposes governance changes to the funding and operation mechanisms of WoMEDA and as a result, WoMEDA proposes a "Special" membership category for Government partners.
- Government partners, along with Anchor partners, will be provided with voting rights, a board position and access to a biannual report.
- It is recommended that Maribyrnong City Council continue its relationship with WoMEDA and endorse ongoing participation as a Government partner.

ATTACHMENTS

Not applicable

OFFICER RECOMMENDATION

That Council:

1. **Endorse Council's Membership on the West of Melbourne Economic Development Alliance (WoMEDA), to be reviewed after two years.**
2. **Note a membership fee of \$15,000 is payable for Government partners.**

Agenda Item 9.3**BACKGROUND**

The West of Melbourne Economic Development Alliance (WoMEDA) was established with an independent board and with the support of Victoria University in 2017. This independent board includes a variety of CEO's and Executive Directors from a diverse range of major organisations and businesses across the western metropolitan region of Melbourne.

The primary focus of WoMEDA is to catalyse economic development in the West, with the intention of supporting the achievement of broader social engagement and health outcomes. The main priorities include creating more local jobs, improved community health and wellbeing and smarter transport connectivity.

WoMEDA is focused on the areas covered by Brimbank, Hobsons Bay, Maribyrnong, Melton, Moonee Valley and Wyndham.

WoMEDA has released various policies that support economic development in the City of Maribyrnong including:

- The Economic Development Strategy for the West of Melbourne (2017)
 - This strategy specifically focused on strengthening employment in the west, focused on three major employment hubs (Footscray, Sunshine and Werribee).
- Investing in a Health Cluster in Footscray (2017)
 - This strategy focused on WoMEDA's proposal for the Footscray employment hub, including to co-locate the proposed new Footscray Hospital with Victoria University at Footscray Park.

WoMEDA's advocacy post-2017 has focused on Sunshine as a key centre, and a new hospital for Melton.

WoMEDA have been an influential stakeholder in the establishment of City Deals, outlining projects that will better connect western Melbourne and create jobs. The newly elected Federal Government has flagged that the future of City Deals will be more focused on partnerships and strategic agendas, with the latest budget revealing future funding for these partnerships will be reduced. WoMEDA are seeking to influence the agenda and are wanting a whole of government focus on the West as an individual region.

Agenda Item 9.3

The WoMEDA board is made up of many key western metropolitan employers and provides an opportunity for greater collaboration across our region. Board Members under the previous WoMEDA model include:

- Peter Dawkins – Chair, WoMEDA and former Vice-Chancellor and President, Victoria University
- Aisha Nicolay – Executive Director, WoMEDA and Director, Fieri Consulting
- Cathy Scalzo – Co-Deputy Chair, WoMEDA and CEO, Scalzo Family Office, Scalzo Food Industries
- Stephen Wall – Co-Deputy Chair, WoMEDA and CEO, Wyndham City Council
- Ameet Bains – CEO, Western Bulldogs Football Club
- Louise Glanville – CEO, Victorian Legal Aid and Chair, Western Metropolitan Partnership
- Celia Haddock – CEO, Maribyrnong City Council
- Fiona Blair – CEO, Brimbank City Council
- Russell Harrison – CEO, Western Health
- Maree Lang – Managing Director, Greater Western Water
- Merril Hotchkin – Head of Strategy and People, Metricon Homes
- Adam Shoemaker – Vice-Chancellor and President, Victoria University
- Kevin Thorley – John Holland CPB West Gate Tunnel Project
- Jim Williamson

WoMEDA and Maribyrnong City Council share an alignment of objectives relating to advocacy and economic development. Being a member of WoMEDA provides Council with an additional voice to the state and federal governments, with new avenues of engagement with key industries and stakeholders and opportunities for input in research and development. Membership provides a collective voice to state and federal government to guide western Melbourne's economic development and advocacy objectives.

Maribyrnong as a member of WoMEDA can continue to ensure that our employment, job and economic development needs are considered and that our role in the future of the West is prominent.

Agenda Item 9.3**DISCUSSION/KEY ISSUES****1. Key Issues**

The Government Partner membership category for annual investment will enable:

- Access to biannual reports (two per year) produced by the Victoria Universities Centre of Policy Studies (CoPS) relating to the West of Melbourne
- Invitation to contribute to economic workshops with CoPS that test findings and attend economic analysis briefings.
- Participation in a Government Subcommittee which is also chaired by a Government Partner.
- One vote per Government Partner at the annual general meeting, general meetings and special general meetings.
- One position per Government Partner on the WoMEDA board. *Note: The board drives the agenda on what WoMEDA reports will focus on and comprise.*
- Government Subcommittee may nominate one partner to represent on the Executive Committee each year.

Under this new model, a partnership with the Centre for Policy Studies (CoPS) will be established. This partnership will enable for reports and modelling to be a regular feature of WoMEDA's offering.

2. Council Policy/Legislation**Council Plan 2021-2025**

This report contributes to Council's strategic objectives contained in the Council Plan 2021-2025 by considering:

- Strategic Objectives
 - Council will proactively lead our changing City using strategic foresight, innovation, transparent decision making and well-planned and effective collaboration and community engagement to support community and economic growth during the ongoing challenges of the pandemic and beyond.

Legislation

Local Government Act 2020

Conflicts of Interest

No officer responsible for, or contributing to, this report has declared a direct or indirect interest in relation to this report.

Human Rights Consideration

This report complies with the rights listed in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

Agenda Item 9.3

3. Engagement

Not applicable.

4. Resources

WoMEDA's annual membership fee can be met within existing budget.

5. Environment

Not applicable.

CONCLUSION

WoMEDA is an influential stakeholder and provides a collective voice for Melbourne's growing western region. Continued membership as part of WoMEDA is recommended to ensure Maribyrnong City Council's strategic priorities are aligned with the broader region.

Agenda Item 9.4**INVESTMENT POLICY**

Director: Lisa King
Director Corporate Services

Author: Mark Connor
Manager Finance

PURPOSE

To seek Council endorsement of the Investment Policy.

ISSUES SUMMARY

- Section 103 of the Local Government Act 2020 (the Act) outlines provisions relating to investments.
- The Policy outlines Council's approach to:
 - Investment Risk:
 - Council will invest with Authorised Deposit Taking Institutes (ADI) which are A-1 or above rated by Standard & Poor's short term credit rating, plus in Authorised Deposit Taking Institutes (ADI) which are P-2 or above rated by Moody's short-term credit rating.
 - Investment Decision Matrix Investment Spread:
 - The maximum amount that can be invested with any bank for investments will not be more than the 65 per cent of the total portfolio at the time of investing.
 - Council will seek rates for socially responsible and ethical term deposits equal to or less than 10 basis points within a maximum of 35% of the portfolio where the rates offered are less than rates offered by competing other Authorised Deposit-Taking Institutions.
 - Investment Return:
 - Investments will aim to achieve a higher return than the 90 day bank accepted bills, in a secure and conservative portfolio of investments.
- All Investments will be reported quarterly to the Audit and Risk Committee and Council.
- Authorised council officers will make investment decisions within approved delegations based on knowledge of future cash flow requirements.
- The updated Policy was presented to the Audit and Risk Committee for noting the 15 November 2022 meeting, prior to being presented to Council for consideration.

ATTACHMENTS

1. Investment Policy 2022 [↓](#)

OFFICER RECOMMENDATION

That Council adopts the Investment Policy, shown as Attachment 1.

Agenda Item 9.4**BACKGROUND**

Council officers have undertaken a review of Council's current Investment Policy which was last adopted by Council in October 2021.

The policy provides guidance to establish rules, directions and guidelines which act as a reference guide for the investment of surplus funds.

The Policy is risk averse and also includes provisions related to the amounts that can be invested in each type of institution based on their credit rating and a decision matrix.

DISCUSSION/KEY ISSUES**1. Key Issues***Investment Spread*

Council maintains a spread of investments. The maximum amount that can be invested with any Authorised Deposit Taking Institutes (ADI) for investments will not be more than the 65 per cent of the total portfolio at the time of investing.

Council will seek rates for socially responsible and ethical term deposits equal to or less than 10 basis points within a maximum of 35% of the portfolio where the rates offered are less than rates offered by competing other Authorised Deposit-Taking Institutions.

Investment Risk

To minimise the capital erosion risk, the draft policy proposes a continuation of the current practice of investing Authorised Deposit Taking Institutes (ADI) which are A-1 or above rated by Standard & Poor's short term credit rating.

In addition, it also proposes investment with authorised ADI's which are P-2 or above rated by Moody's short- term credit rating.

The updated policy is ensuring the non-speculative nature of its investments while maximising its interest earnings in a secure environment.

Future Investment Opportunities for Engaging With the Community Banking Sector

The future opportunities of investing with community banks have been reviewed, and a policy position to allow investments with highly rated (P-2), eligible community banks listed on the Australian Prudential Regulation Authority (APRA) website, which are supporting the local community is supported. Consideration would be given to community banks' support to the local community prior to considering any investment. Community bank profit distribution practices will be considered to review benefits to the community prior to any investments.

Investment Return

Investments will aim to achieve a higher return than the 90 day bank accepted bill rate, in a secure and conservative portfolio of Council investments.

Investment Allowed

Investments are limited to those identified by Section 103 of the Local Government Act 2020 and authorised investments as advised by the Minister for Local Government.

Agenda Item 9.4*Investment Reporting*

All Investments will be reported quarterly to the Audit and Risk Committee and Council

Investment Decision Making Process

Many factors are taken into consideration when determining the investment term and value. This includes an assessment of overall Council needs in the current economic environment.

Assessing Surplus Funds

The following points are used as a guide to assess Council surplus funds:

- Average fortnightly payroll
- Estimated weekly creditor payments
- Any large payments/receipts (such as work cover, unfunded superannuation and Quarterly Rates collections)
- Maturity of current investments in the portfolio.

Council has taken a very conservative approach to its investment portfolio, and generally invests in short and medium term investments maturing at different intervals. There are currently no long term investments, however these could be used for Long Service Leave entitlements, should the earning rates be appropriate.

2. Council Policy/Legislation**Council Plan 2021-2025**

This report contributes to Council's strategic objectives contained in the Council Plan 2021-2025 by considering:

- Strategic Objectives
 - Council will proactively lead our changing City using strategic foresight, innovation, transparent decision making and well-planned and effective collaboration and community engagement to support community and economic growth during the ongoing challenges of the pandemic and beyond.

Legislation

- Section 103 of the Act (2020)
- Australian Accounting Standards (AASB)

Maribyrnong has an Investment Policy in place which accords with the investment restrictions contained within Accounting Standards and the Act 2020 (the Act).

Agenda Item 9.4

The provisions contained within the s103 of the Act state:

A Council may invest any money-

- (a) in Government securities of the Commonwealth; and
- (b) in securities guaranteed by the Government of Victoria; and
- (c) with an authorised deposit-taking institution; and
- (d) with any financial institution guaranteed by the Government of Victoria; and
- (e) on deposit with an eligible money market dealer within the meaning of the Corporations Act; and
- (f) in any other manner approved by the Minister after consultation with the Treasurer either generally or specifically, to be an authorised manner of investment for the purposes of this sub-section."

Conflicts of Interest

No officer responsible for, or contributing to, this report has declared a direct or indirect interest in relation to this report.

Human Rights Consideration

This report complies with the rights listed in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

3. Engagement

Not applicable.

4. Resources

All Investments will be reported quarterly to the Audit and Risk Committee and Council. The Finance Department will aim to maximise the interest income, while keeping the risk low and benchmark its investments against the 90 day bank accepted bills in their reporting to Council.

5. Environment

Not applicable.

CONCLUSION

The Investment Policy provides guidance to establish rules, directions and guidelines which act as a reference guide for the investment of surplus funds. The Policy has been updated to ensure sound and prudent investment decisions continue to be made.

Agenda Item 9.4 - Attachment 1



Investment Policy 2022

Policy Number:	4049	Endorsed By:	Council
Date Endorsed:		Policy Author:	Manager Finance
Policy Owner:	Manager Finance	Review Date:	November 2025
Policy Status:	Adopted by Council	Policy Type:	Council Operational

REVISION RECORD

Date	Version	Revision Description
23/04/2013	1	Revision of a prior investment policy
01/08/2018	2	Revision of investment policy
21/08/2018	3	Adopted by Council
16/08/2021	4	Revision of Investment Policy ARC 14/9/2021
19/10/2021	5	Adopted by Council
15/11/2022	6	Revision of Investment Policy ARC 15/11/2022

Table of Contents

Agenda Item 9.4 - Attachment 1

1. Introduction.....	3
2. Purpose	3
3. Scope	3
4. Definitions.....	3
5. Responsibilities.....	4
6. Policy.....	4
7. Key Stakeholders	10
8. Related Legislation	10
9. Related Documents	10
10. Review of Policy	10
Attachment 1 - Local Government Act 2020 Investments	11
Attachment 2 - Financial Claims Scheme Cap3.....	12

1 Introduction

Agenda Item 9.4 - Attachment 1

Maribyrnong City Council's investment policy has been developed to document the process that will be followed when investing surplus cash of the Council. This policy is set within the requirements of s103 of the *Local Government Act (2020)* and is in accordance with Council's instruments of delegation.

2 Purpose

The policy provides guidance to establish rules, directions and guidelines which act as a reference guide for the investment of surplus funds.

3 Scope

This policy applies to:

- officers with delegated authority with responsibility for investments and cash management activities.
- to all investment and cash management activities.

4 Definitions

The following terms used in the policy are explained below.

Term	Definition
APRA	Australian Prudential Regulation Authority
ADI	Authorised Deposit Taking Institute are institutes listed on APRA website
Standard & Poor's	International Credit Rating Agency
Moody's	International Credit Rating Agency
CBA	Commonwealth Bank of Australia
ANZ	Australian and New Zealand Banking Group
NAB	National Australia Bank
Westpac	Westpac Banking Corporation
CommBiz	Commonwealth bank online banking software.
Instrument of Delegation	Document that details the delegated powers, duties and functions to members of Council staff.
Community bank	A commercial bank that does not have a national presence, works in a local area and operates independent of larger bank chains.

5 Responsibilities

Agenda Item 9.4 - Attachment 1

The Manager Finance for the corporate implementation, review and interpretation of this policy. The Coordinator of Financial Accounting is authorised to invest Council's operating funds in investments consistent with this investment policy, instrument of delegation's and legislation.

6 Policy

6.1 Investment Objective

To invest Council's surplus funds, with consideration of risk and at the most favourable rate of interest available to it at the time, for that investment type, while ensuring that its liquidity requirements are being met.

While exercising the power to invest, priority is to be given to: preservation of capital; liquidity; and the return of investment.

- Preservation of capital is the principal objective of the investment portfolio. Investments are to be performed in a manner that seeks to ensure security and safeguarding the investment portfolio. This includes managing credit and interest rate risk within identified thresholds and parameters.
- The investment portfolio will ensure there is sufficient liquidity to meet all reasonably anticipated cash flow requirements, as and when they fall due, without incurring costs due to the unanticipated early sale of an investment.
- The investment is expected to achieve a prudent rate of return that takes into account the Council's risk tolerance. Any additional return target set by Council will also consider the risk limitation and prudent investment principles.
- Return on Investment. The expected return on investments will be monitored and compared to the Annual Budget and quarterly report.
- All investment transactions are appropriately authorised in line with Councils Instruments of Delegation.
- Appropriate policies and procedures and internal control are in place to implement and monitor the investment policy

6.2 Approved Investments

Investments are limited to those identified by Section 103 of the Local Government Act 2020 and authorised investments as advised by the Minister for Local Government.

6.3 Fossil Fuel Divestment

Fossil fuel divestment is the conscious removal of investments in companies that are involved in fossil fuel projects, such as coal or gas. The fossil fuel industry is a leading generator of greenhouse gases, which have been attributed to negative impacts on climate and our environment.

Council has no direct investment (or shareholdings) in any fossil fuel company or fossil fuel aligned company. The majority of Council investments reside in banks, which currently invest in financial institutions, which fund fossil fuel projects.

Council commits to adopting a positive screening approach for investment with financial institutions by actively investing with fossil free financial institutions within the parameters of Council's investment policy.

Council will give preference to fossil fuel free Authorised Deposit-Taking Institutions when making deposits if:

- a. the rate of return on investment is greater than or equal to the rates of other Authorised Deposit-Taking Institutions which comply with Council's investment policy and are available at the time;
- b. the financial institution and product is otherwise compliant with Council policy.

6.4 Socially responsible and ethical term deposit

Council will seek rates for socially responsible and ethical investments within this policy and will give preference to Authorised Deposit-Taking Institutions when making deposits if:

- a. the rate of return on investment is equal to or less than 10 basis points compared to the rates of other Authorised Deposit-Taking Institutions available at the time, within a maximum of 35% of the portfolio,
- b. the financial institution and product is otherwise compliant with Council policy.

6.5 Treaty on the Prohibition of Nuclear Weapons

Council does not invest directly in institutions that produce nuclear weapons.

6.6 Prohibited Investments

Investment carried out for purely speculative purposes is prohibited including:

- Derivative based instruments (Derivatives are securities that derive their value from another security, for example futures and options. Also known as synthetics.);
- Principal only investments or securities that provide potentially nil or negative cash flow (the purchase of an investment using borrowed funds, where the interest on the borrowing is greater than the income derived from the investment);
- Stand-alone securities issued that have underlying futures, options, forwards contracts and swaps of any kind; and
- The use of leveraging (borrowing to invest) of an investment (leveraging is a synonym for gearing for example, using derivatives investments to over-invest a portfolio).

6.7 Risk Management Guidelines

Agenda Item 9.4 - Attachment 1

Investments obtained are to comply with three key criteria relating to:

- Portfolio Credit Framework: limit overall credit exposure of the portfolio;
- Counterparty Credit Framework: limit exposure to individual counterparties/institutions; and
- Term to Maturity Framework: limits based upon maturity of securities.

6.8 Credit Ratings and Federal Bank Guarantee

The Australian Government has issued a Permanent Guarantee on all deposits in Authorised Deposit-taking Institutions (ADI's) up to \$250,000 (refer Attachment 2 Treasurers Statement Financial Claims Scheme Cap).

With regards to the Guarantee scheme Council will:

- Invest only with Authorised Deposit-taking Institutions (ADI's); and
- Maximise Council investment opportunities with a range of ADI's within the allowed parameters as detailed in the Risk Management Guidelines contained within this Policy.

The Finance department will check the current list of Credit Ratings for all banking institutes where Council's funds are invested. Maribyrnong City Council will invest with major four Australian banks (CBA, ANZ, NAB and Westpac) subject to interest rates offered. These banks must be rated A-1 or above by Standard & Poor's short term credit rating. In addition to the major four Australian banks, investments may also be made with community banks which are authorised ADI's and are providing benefits to our community. These community banks should be rated equivalent to P-3 or above by Moody's Short term credit rating.

The two tables below explain Moody's and Standard & Poor's short term credit ratings.

Table 1 Moody's Short Term Credit Ratings

Short Term Moody's Credit Rating	
Moody's	Rating Grade Description
P-1	Superior ability to repay short-term debt obligations
P-2	Strong ability to repay short-term debt obligations
P-3	Acceptable ability to repay short-term obligations.

Source: www.moody's.com

Maribyrnong City Council will primarily restrict its investment to P-1 rated institutions. Equivalent to P-3 rated and above community banks will be considered as per table 3.

Table 2 Standard & Poor's Short Term Credit Ratings

Agenda Item 9.4 - Attachment 1

Short Term Standard & Poor Credit Ratings	
S&P	Rating Grade Description
A-1	The obligor's capacity to meet its financial commitment on the obligation is strong. Sign (+) indicated that the obligor's capacity to meet its financial commitment on these obligations is extremely strong
A-2	The obligor's capacity to meet its financial commitment on the obligation is satisfactory
A-3	Adverse economic conditions or changing circumstances are more likely to lead to a weakened capacity of the obligor to meet its financial commitment on the obligation.

Source: www.standardandpoors.com

Council will restrict its investments to A-1 rated or above, with the major four Australian banks, National Australia Bank (NAB), Commonwealth Bank of Australia (CBA), Australia and New Zealand Banking Group (ANZ) and Westpac Banking Corporation (Westpac).

6.9 Investment Term

Generally only short-term investments will be considered (for up to 12 months). However the Long Service Leave reserve can be invested for longer terms.

In order to determine the length of time that funds will be invested, consideration must be given to commitments for capital, operating and other expenditures.

Sufficient funds must be accessible to meet such commitments as and when they fall due. It will therefore be necessary to have a mixture of cash (at call) investments and other fixed term investments. Determining the correct 'mix' requires consideration of budgeted and forecast expenditure on a short, medium and long-term basis.

6.10 Investment Risks

There are two types of risks which Council will consider before making the investment decision.

6.10.1 Interest rate risk is the variability in return caused by movements in interest rates.

In order to minimise the interest rate risk "Maribyrnong City Council" invests in short to medium term investments, except for the Long Service Leave reserve which can be invested for longer term.

6.10.2 Capital erosion risk is the risk of losing the principal amount invested

Agenda Item 9.4 - Attachment 1

Protection of Council's investments is of paramount importance. All investments that could erode Council's cash base should be avoided. Therefore consideration must be given to the credit risk of a financial institution which Council is considering investing with. One way of measuring such risk is through assessment of organisations credit ratings as discussed in the table 1 and 2. Maribyrnong City Council will only invest in P-3 or equivalent rated and Investment diversification levels. These institutes should also be listed on APRA website.

6.11 Investment Diversification

Diversification is one of the considerations used to minimise risk. In order to minimise the capital erosion risk Council will diversify its investments over the number of banks, where the maximum money that can be invested with any one Bank should not be more than 65% of the total portfolio.

Exposure to an individual counterparty/institution will be restricted by its credit rating so that single entity exposure is limited, as detailed in the table below:

Table 3 Investment Diversification - one institution

S&P Short Term	Moody's Short Term	Investment Maximum
A-1	P-1	65%
A-2	P-2	15%
A-3	P-3	5%

Note: If any of the local government investments are downgraded such that they no longer fall within the investment policy, they will be divested as soon as practicable.

Portfolio Diversification

To control the credit quality on the entire portfolio, the following credit framework limits the percentage of the portfolio exposed to any particular credit rating category.

S&P Short Term	Moody's Short Term	Investment Maximum
A-1	P-1	100%
A-2	P-2	35%
A-3	P-3	10%

6.12 Investments in Community Banking Sector

Council may invest in community banks with P-3 credit ratings or equivalent and above. Eligible community banks should be listed on APRA website, working with the community and generating positive community impacts within the municipality. Officers must consider community banks support to the local community prior to considering the investment.

6.13 Investment Process

Agenda Item 9.4 - Attachment 1

The process of investing involves the following:

- a. Identify Investment Opportunities – this involves monitoring Council's cash position on a daily basis to identify surplus funds available for investment and to ensure that adequate liquid funds are available to meet anticipated cash outlays.
- b. Obtaining Value – a minimum of two quotes are to be obtained from major four banks and/or authorised deposit taking community banks for;
 - Short Term Deposits
 - High Interest Bearing (At-call accounts)
 - Council strives to be a socially responsible and ethical investor in making any investment in individual securities or enterprises. As such, Council will actively seek alternatives to sectors or companies whose core business and/or business practices contradicts its values.
- c. Investment Return - The selection criterion is based on the quote that offers the highest rate of return within diversification limitations and acceptable risk parameters (refer credit ratings). P-3 equivalent or above rated community banks which are providing support to community and are listed on APRA website will also be considered.
- d. Funds are transferred by normal payment process from Councils general fund. Two authorised officers are required to approve the payment transaction as per the instrument of delegation.
- e. In addition to the payment process, the investment decision will be recorded communicated to the relevant bank/financial institution that Council chose to invest with.
- f. Investment Confirmations will be received on placing an investment.
- g. All investment working papers are stored on Councils document management system and available for current year audit purposes.
- h. All necessary accounting entries are recorded on the day of investment transactions.
- i. The Investment decision matrix and Investment register is updated for every investment transaction and is reconciled at the end of every month.

6.14 Investment Authorisation

All investments must be authorised by appropriate officers as delegated.

Chief Executive Officer (CEO)

- Director of Corporate Services (DCS)
- Manager Finance (MF)
- Coordinator Financial Accounting (FA)
- Coordinator Management Accounting (CMA)
- Instrument of Sub Delegation by the Chief Executive Officer – Operating Authority (Finance and General Administration).

6.15 Investment Reporting

Agenda Item 9.4 - Attachment 1

All Investments will be reported weekly to the Manager Finance, Director Corporate Services and quarterly to the Audit and Risk Committee and Council.

7 Key Stakeholders

The Key stakeholders in this policy are:

- Council
- Banking Institutions
- Community Banks

8 Related Legislation

Local Government Act (2020) (see attachment 1)

Australian Accounting Standards (AASB) including:

- AASB7 Financial Instruments: Disclosures;
- AASB13 Fair Value Measurement;
- AASB132 Financial Instruments: Presentation;
- AASB136 Impairment of Assets; and
- AASB139 Financial Instruments: Recognition and Measurement
- Local Government (Planning and Reporting) Regulations 2020.

9 Related Documents

Not applicable

10 Review of Policy

Policy will be reviewed four years from the date of endorsement, or whenever Council determines that a need has arisen.

Attachment 1 - Local Government Act 2020 Investments

Agenda Item 9.4 - Attachment 1

Section 103 states:

“A Council may invest any money:

- a. in Government securities of the Commonwealth;
- b. in securities guaranteed by the Government of Victoria;
- c. with an authorised deposit-taking institution¹;
- d. with any financial institution guaranteed by the Government of Victoria;
- e. on deposit with an eligible money market dealer within the meaning of the *Corporations Act*;
- f. in any other manner approved by the Minister after consultation with the Treasurer either generally or specifically, to be an authorised manner of investment for the purposes of this sub-section.”

Australian Prudential Regulation Authority (APRA) Guidelines Authorised Deposit-taking Institutions (ADIs)

Authorised Deposit-taking Institutions (ADIs) are corporations which are authorised under the Banking Act 1959.²

ADIs include:

- banks;
- building societies; and
- credit unions.

¹ Authorised deposit-taking institution or ADIs include banks, building societies and credit unions.

² Source: APRA Website

Attachment 2 - Financial Claims Scheme Cap³ **Agenda Item 9.4 - Attachment 1**

The Financial Claims Scheme (FCS) is an Australian Government scheme that was established during the 2008 global financial crisis to provide financial protection for consumers in the unlikely event of a failure of a bank, credit union, building society or general insurer.

The FCS provides protection for depositors of banks, credit unions and building societies that are incorporated in Australia (also known as authorised deposit-taking institutions or ADIs), for deposits up to \$250,000 per account holder per ADI. The scheme aims to return deposits to account holders within seven days of activation of the FCS.

The FCS can be activated by the Australian Government in the unlikely event that an ADI or general insurer fails. Once activated, the FCS will be administered by APRA.

The objectives of the FCS are to:

- protect depositors of ADIs, and claimants of general insurers, from potential loss in the unlikely event of the failure of these institutions;
- provide depositors with prompt access to their deposits that are protected under the FCS; and
- support the stability of the Australian financial system.

³Source <https://www.apra.gov.au/about-financial-claims-scheme>

Agenda Item 9.5**APPOINTMENT OF INDEPENDENT MEMBERS AND CHAIR TO THE AUDIT AND RISK COMMITTEE**

Director: Celia Haddock
Chief Executive Officer

Author: Lisa King
Director Corporate Services

PURPOSE

To consider the appointment of Independent Members and the Chair of the Audit and Risk Committee (the Committee).

ISSUES SUMMARY

- Council is required to form an Audit and Risk Committee whose objective is to provide independent assurance and assistance to the Council on Council's risk, control and compliance framework, and its external accountability and responsibilities.
- On 16 August 2022 Council adopted the Audit and Risk Committee Charter (the Charter) in accordance with section 53 of the Local Government Act 2020.
- The Charter requires that the composition of the Committee include five members, comprised of three Independent Members and two Councillor Representatives.
- Independent members are required to be appointed by Council. The Chair who must be an independent member, is also required to be appointed by Council.
- Following the resignation of two independent members in December 2022, Expressions of Interest for independent members were published through various mediums and on Council's website.
- Section 4.3 of the Charter prescribes the recruitment process for independent members.
- Following the shortlisting and interview process, the Evaluation Panel has unanimously identified two preferred candidates for appointment as Independent Members.
- The preferred candidates are highly qualified and have had extensive senior level management, finance, risk management and audit experience in both public and private practice.
- It is also recommended that the existing independent member, Ms Marilyn Kearney be reappointed for a three year term to ensure ongoing stability and continuity within the Committee.

ATTACHMENTS

Not applicable

Agenda Item 9.5

OFFICER RECOMMENDATION

That Council:

- 1. Appoint Ms Lisa Tripodi and Mr Jeff Rigby as Independent Members of the Audit and Risk Committee for a three year term, effective from January 2023;**
 - 2. Re-appoint Ms Marilyn Kearney as an Independent Member of the Audit and Risk Committee for a three year term, effective from January 2023;**
 - 3. Appoint Ms Marilyn Kearney as Chair of the Audit and Risk Committee for a three year term, in line with her independent member term, effective from January 2023.; and**
 - 4. Set the annual rate of independent member remuneration as follows:**
 - Chair \$ 9,800 (exclusive of GST)**
 - Member \$7,800 (exclusive of GST)**
-

Agenda Item 9.5**BACKGROUND**

The Audit and Risk Committee has been established by Council under section 53 (1) of the Local Government Act 2020 and is comprised of five members, with the majority required to be independent members. The Terms of Reference of the Committee are outlined in the Audit and Risk Committee Charter which was approved by Council in August 2020, and further reviewed by Council in August 2022.

As an independent advisory committee of Council, it plays a key role in assisting Council to fulfil its responsibilities in relation to financial and performance reporting, risk management, fraud prevention systems and control, Council's performance with regard to compliance with its policies and legislative and regulatory requirements, maintenance of a sound internal control environment, and assurance activities including internal and external audit. The Committee acts in this capacity by monitoring, reviewing, endorsing and advising on the above matters as set out in its Charter.

DISCUSSION/KEY ISSUES**1. Key Issues**Composition of the Committee

The Committee's Charter requires that the composition of the Committee include five members, comprised of three Independent Members, two Councillor Representatives and the Mayor as a substitute for the appointed Councillors.

Independent Member terms of appointment are limited to a maximum of three terms, with each term being a maximum of three years. The term of appointment for the Chair may be up to three years in line with their Independent Member term and may be subject to reappointment if further terms permit.

Following the resignation the independent members Mark Anderson (Chair) and Chris Eddy in December 2022, Council is required to appoint two new members and a Chair to the Committee.

The Charter requires that the Committee meet at least four times per year, however historically, the Committee has met six times per year to accommodate an expanding set of agenda items. This is influenced by new requirements introduced by the Local Government Act 2020 and a growing need for the Committee to establish the adequacy of control environments.

Selection and appointment of the Independent Members

The Charter defines the process for selecting and appointing independent members in section 4.3. A notice calling for Expressions of Interest was published through various mediums and on Council's website and by the closing date, ten expressions of interest were received.

Agenda Item 9.5

Each submission was assessed against the selection criteria outlined in the Charter. The Evaluation Panel conducted interviews with shortlisted candidates in November 2022.

Recommended appointments

Following the interview process, the Evaluation Panel recommends that Ms Lisa Tripodi and Mr Jeff Rigby be appointed as independent members of the Committee for a three year term.

These preferred candidates bring skills and experience from a wide variety of disciplines including a wealth of expertise in designing and leading the delivery of internal audit, risk management, probity and related services to organisations across the government, not for profit and the private sector.

The preferred candidates have demonstrated capability and experience having worked extensively with audit and risk committees. Their respective skill sets and experience will add significantly to the combined skill set of the Audit and Risk Committee members, ensuring that Council's Audit and Risk Committee has best practice governance and compliance oversight.

Ms Marilyn Kearney is currently serving the last year in her first term as an Independent Committee member. The Charter provides that subject to satisfactory performance as determined by the Chief Executive Officer and Director Corporate Services, an independent member may be re-appointed for a further term. Ms Kearney is considered a strong and invaluable independent member and it is recommended that Ms Kearney be appointed for a further three year term and also appointed as Chair of the Committee for a three year term, in line with her independent member term.

Proposed Remuneration

It is proposed that annual remuneration be set at the following rate:

- Chair \$ 9,800 (exclusive of GST)
- Member \$7,800 (exclusive of GST)

2. Council Policy/Legislation**Council Plan 2021-2025**

This report contributes to Council's strategic objectives contained in the Council Plan 2021-2025 by considering:

- Strategic Objectives
 - Council will proactively lead our changing City using strategic foresight, innovation, transparent decision making and well-planned and effective collaboration and community engagement to support community and economic growth during the ongoing challenges of the pandemic and beyond.

Agenda Item 9.5**Legislation**

Local Government Act 2020

Conflicts of Interest

No officer responsible for, or contributing to, this report has declared a direct or indirect interest in relation to this report.

Human Rights Consideration

This report complies with the rights listed in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

3. Engagement

Not applicable

4. Resources

The appointments of the Independent Members and the Chair are within the current budget.

5. Environment

Not applicable

CONCLUSION

In line with the terms of the Audit and Risk Committee Charter, it is recommended that Ms Lisa Tripodi and Mr Jeff Rigby be appointed and that Ms Marilyn Kearney be re-appointed as independent members of the Committee for a three year term.

It is also recommended that the existing independent member, Ms Marilyn Kearney be appointed as Chair of the Committee for a three year term in line with her independent member term to ensure ongoing stability and continuity within the Committee.

Agenda Item 9.6**COUNCILLOR COMMITTEE AND ADVISORY GROUP APPOINTMENTS - 2022/23**

Director: Lisa King
Director Corporate Services

Author: Phil McQue
Manager Governance and Commercial Services

PURPOSE

This report considers Councillor appointments to various Committees and Advisory Groups for the 2022/23 period.

ISSUES SUMMARY

- Maribyrnong City Council is the custodian of a number of Committees and Advisory Groups, as well as being a member of various external Committees and Advisory Groups.
- Council is required to consider Councillor representation for Committees and Advisory Groups, with the 2022/23 appointments presented for consideration.
- Council resolved in November 2022 to defer consideration of this item to the December 2022 Council meeting, with existing appointments to remain effective.

ATTACHMENTS

1. Councillor Committee and Advisory Group Appointments [↓](#)

Agenda Item 9.6**OFFICER RECOMMENDATION**

That Council approves the following Councillor appointments for Committees and Advisory Groups, effective from 7 December 2022:

- a) Councillor _____ as Chairperson to the Active and Healthy Ageing Community Advisory Committee and Councillor _____ as Deputy Chairperson to the Active and Healthy Ageing Community Advisory Committee.
- b) Councillor _____ as representative to the Brooklyn Community Reference Group.
- c) The Mayor, Councillor _____, Councillor _____ and Councillor _____ as representatives to the Chief Executive Officer Employment Matters Advisory Committee.
- d) The Mayor (ex-officio) and Councillor _____ from the River Ward, Councillor _____ from the Stony Creek Ward and Councillor _____ from the Yarraville Ward as members to the Civic Awards Judging Panel.
- e) Councillor _____ as Chairperson to the Disability Advisory Committee and Councillor _____ as Deputy Chair to the Disability Advisory Committee.
- f) Councillor _____ as representative to the Heritage Advisory Committee and Councillor _____ as substitute to the Heritage Advisory Committee.
- g) Councillor _____ and Councillor _____ as Gender Equity Ambassadors.
- h) Councillor _____, Councillor _____ and Councillor _____ as representatives to the LGBTQIA+ Advisory Committee.
- i) The Mayor and Chief Executive Officer as representatives to the M9 Committee and Councillor _____ as substitute to the M9 Committee.
- j) Councillor _____ as representative to the Maribyrnong Active Transport Advisory Committee and Councillor _____ as substitute to the Maribyrnong Active Transport Advisory Committee.

Agenda Item 9.6

- k) Councillor _____ as representative to the Maribyrnong Arts Ambassadors Committee.**
 - l) Councillor _____ as Chairperson to the Maribyrnong First Nations Advisory Committee and Councillor _____ as Deputy Chairperson to the First Nations Advisory Committee.**
 - m) Councillor _____ as representative to the Metropolitan Local Government Waste Forum, Councillor _____ as substitute to the Metropolitan Local Government Waste Forum and the Senior Coordinator Environmental Services as the staff representative.**
 - n) Councillor _____ as representative to the Metropolitan Transport Forum, Councillor _____ as substitute to the Metropolitan Transport Forum, and the Director Infrastructure Services as the staff representative.**
 - o) Councillor _____ as representative to the Municipal Association of Victoria and Councillor _____ as substitute to the Municipal Association of Victoria.**
 - p) Councillor _____ as representative to the RoadSafe Westgate Community Road Safety Council and Councillor _____ as substitute to the RoadSafe Westgate Community Road Safety Council.**
 - q) Councillor _____ as representative to the Western Melbourne's Tourism Board and Councillor _____ as substitute to the Western Melbourne's Tourism Board.**
 - r) Councillor _____ as representative to the Victorian Local Governance Association and Councillor _____ as substitute to the Victorian Local Governance Association.**
 - s) Councillor _____ as representative to the Youth Advisory Committee; and**
-

Agenda Item 9.6**BACKGROUND**

Council nominates Councillors to be representatives on various Committees and Advisory Groups in November each year. Council is the custodian of the majority of these Committees and Advisory Groups, whilst other Committees are community or industry based which have requested Maribyrnong Councillor representation.

Representation on the various Committees and Advisory Groups enables Councillors:

- To engage with Committee members to share their Councillor perspective on the various issues before the Committee; and
- To listen to the views expressed by the Committee and share those views with their colleagues, staff and Council; and
- To represent the interests of Maribyrnong City Council on a range of external committees and groups.

It is the responsibility of Councillors to attend and report to Council on their various meetings via the monthly Delegates' Report at Council Meetings.

DISCUSSION/KEY ISSUES**1. Key Issues**

Council resolved in October 2022 to establish the Disability Advisory Committee, First Nations Advisory Committee and the Active and Healthy Ageing Advisory Committee.

Council resolved in November 2022 to defer consideration of this item to the December 2022 Council meeting, with existing appointments to remain effective. All new Councillor appointments will become effective from 7 December 2022.

2. Council Policy/Legislation**Council Plan 2021-2025**

This report contributes to Council's strategic objectives in the Council Plan 2021-2025:

- Strategic Objectives
 - Council will proactively lead our changing City using strategic foresight, innovation, transparent decision making and well-planned and effective collaboration and community engagement to support community and economic growth during the ongoing challenges of the pandemic and beyond.

Legislation

Local Government Act 2020

Agenda Item 9.6**Conflicts of Interest**

Section 129 of the Local Government Act 2020 provides that a conflict of interest does not arise in relation to a decision by a Councillor on a matter that is prescribed to be exempt by the Local Government (Governance and Integrity) Regulations 2020.

Regulation 7(1) prescribes the following are exempt matters:

- the nomination or appointment by the Council of a Councillor to a position for which the Councillor will not be remunerated;
- the nomination or appointment by the Council of a Councillor to a position in the Municipal Association of Victoria or in another body that has the purpose of representing the interests of Councils;

No officer responsible for, or contributing to, this report has declared a direct or indirect interest in relation to this report.

Human Rights Consideration

This report complies with the rights listed in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

3. Engagement

Nil.

4. Resources

Nil.

5. Environment

Nil.

CONCLUSION

It is recommended that Council appoint Councillors to the various Committees and Advisory Groups for the 2022/23 period.

2023 COUNCILLOR COMMITTEE AND ADVISORY GROUP APPOINTMENTS

Agenda Item 9.6 - Attachment 1

Committee	2023 Councillor Representation	2022 Councillor Representation	Meeting Frequency	Responsible Director	Comments
Brooklyn Community Reference Group		Cr Michael Clarke	Quarterly Generally held on a Wednesday in March, July and November with a possibility for a fourth meeting. Location: Brooklyn Community Centre	Director Infrastructure Services	A community reference group meeting facilitated by the EPA with industry, residents groups, Hobsons Bay and Brimbank councils as participants.
Chief Executive Employment Matters Advisory Committee (MCC)		The Mayor Cr Michael Clarke Cr Simon Crawford Cr Cuc Lam	Annually Two meetings held at a time suitable to Councillors involved. Location: Council	Director Corporate Services	Established pursuant to the Chief Executive Officer Employment and Remuneration Policy to: <ul style="list-style-type: none"> • Make recommendations to Council on contractual employment matters relating to the Chief Executive Officer (CEO); • Make recommendation to Council on performance matters relating to the CEO; and • Perform any other functions or responsibilities prescribed by the Local Government Act 2020.
Civic Awards Judging Panel		The Mayor (ex-officio) Cr Sarah Carter Cr Michael Clarke Cr Cuc Lam	Annually Held in December each year. Location: Council	Director Corporate Services	Panel of Councillors (Mayor and a Councillor representing each of the three wards within the municipality) and the most recent Citizen of the Year to judge the Civic Awards which recognises individuals and organisations that have made significant contributions to the life of citizens in the City of Maribyrnong.
Disability Advisory Committee (MCC)		NA	Minimum of three meetings per year.	Director Community Services	To provide strategic advice to Council on improving accessibility and inclusion of people with disability within Council and Maribyrnong.
Heritage Advisory Committee (MCC)		Cr Michael Clarke Cr Simon Crawford (substitute)	Quarterly Generally held in February, May, August and November Location: Council	Director Corporate Services	To oversee strategic and statutory planning processes impacting on heritage places, and to strategically influence budget allocations and external funding to support heritage conservation and interpretation.
LGBTQIA+ Advisory Committee (MCC)		Cr Sarah Carter Cr Cuc Lam Cr Bernadette Thomas	Quarterly Location: Council	Director Community Services	To advise Council on the needs and lived experience of people who identify as, lesbian, gay, bisexual, transgender, intersex, queer, or allied/asexual (LGBTIQA+) in Maribyrnong.

2023 COUNCILLOR COMMITTEE AND ADVISORY GROUP APPOINTMENTS

Committee	2023 Councillor Representation	2022 Councillor Representation	Meeting Frequency	Responsible Director	Comments
M9		The Mayor CEO	Quarterly 8am on a Friday Location: Various Councils	Director Corporate Services	Mayor and CEO Council's representatives as per M9 Terms of Reference, with a Councillor to be appointed as a substitute should the Mayor not be able to attend.
Maribyrnong Active Transport Advisory Committee		Cr Bernadette Thomas Cr Sarah Carter (substitute)	Quarterly Location: Council	Director Corporate Services	The Maribyrnong Active Transport Advisory Committee's purpose is to provide strategic advice to Council on Active Transport (cycling and walking) issues affecting the community, and inform Council on decision making in relation to policy, program, and service delivery.
Maribyrnong Arts Ambassador Committee		Cr Sarah Carter Cr Bernadette Thomas	Quarterly Location: Council	Director Community Services	Provides a formal broad-based mechanism for Council to receive strategic advice across a range of arts and cultural matters, to strengthen partnerships and opportunities between Council and the community/organisations/artists.
Maribyrnong Reconciliation Action Plan Advisory Committee		NA	Minimum of three meetings per year.	Director Community Services	Provide advice to Council on the development and implementation of strategies that will deliver positive outcomes for First Nations people.
Metropolitan Local Governments' Waste Forum		Cr Michael Clarke Cr Cuc Lam (substitute)	Bi-monthly Generally a Thursday every second month. Location: CBD	Director Infrastructure Services	Provides a strategic approach to metropolitan waste management needs.
Metropolitan Transport Forum		Cr Simon Crawford Cr Anthony Tran (substitute)	Monthly Generally first Wednesday of the month. Location: Melbourne Town Hall	Director Infrastructure Services	To promote effective, efficient and equitable transport in the metropolitan area of Melbourne by providing a forum for debate, research, policy development and the dissemination of information to improve public/road transport.
Municipal Association of Victoria (MAV)		Cr Michael Clarke Cr Cuc Lam (substitute)	Bi-annually Two State Council Meetings per year on a Friday in May and October. Location: Sofitel CBD	Director Corporate Services	Peak representative/lobbying body for local government in Victoria. Major role in policy development for the whole industry. Board is made up of 12 Members plus a President, 13 in total. Councils form the membership. One vote per Council. There are no individual Councillor memberships. Two representatives are required – a primary and a secondary. The secondary member votes in the absence of the primary member.

2023 COUNCILLOR COMMITTEE AND ADVISORY GROUP APPOINTMENTS

Committee	2023 Councillor Representation	2022 Councillor Representation	Meeting Frequency	Responsible Director	Comments
Active and Healthy Ageing Advisory Committee		NA	Minimum of three meetings per year.	Director Community Services	To provide information, support and advice to Council on the interests, wellbeing and needs of people over the age of 60.
Roadsafe Westgate Community Road Safety Council			Monthly Generally every third Wednesday of the month. Location: Hobsons Bay Civic Centre, Altona	Director Infrastructure Services	Aims to reduce the incidence of road crashes by facilitating the implementation of effective road safety programs and initiatives through collaborative arrangements with stakeholders (councils, VicRoads, Victoria Police).
Victorian Local Governance Association		Cr Cuc Lam Cr Sarah Carter (substitute)	Annually	Director Corporate Services	A peak body promoting good governance and sustainability by supporting local governments and communities through programs of advocacy, training, information provision and support. Council can have one delegate appointed only which represents the Council's vote. Individual Councillors can nominate for membership on the Board, which entitles them to one vote. Individual Councillors vote as individuals, not on behalf of the Council. Tenure on the Board is for a period of two years. One Councillor needs to be primary representative in order to provide the Council's vote.
Youth Advisory Committee (MCC)		Cr Anthony Tran Cr Jorge Jorquera	Fortnightly Attendance for Councillors would be once, perhaps twice, throughout the year.	Director Community Services	To provide leadership and training for young people, and maximise participation in Council.
Gender Equity Ambassador		Cr Sarah Carter Cr Bernadette Thomas		Director Community Services	The Gender Equity Ambassador will work with Council's Health and Wellbeing Development team and support the implementation and evaluation of the Gender Equity Strategy.

2023 COUNCILLOR COMMITTEE AND ADVISORY GROUP APPOINTMENTS

Committee	2023 Councillor Representation	2022 Councillor Representation	Meeting Frequency	Responsible Director	Comments
Western Melbourne Tourism Board		Cr Sarah Carter Cr Cuc Lam (substitute)		Director Planning and Environment Services	<p>Western Melbourne Tourism Inc (WMT) is an urban regional tourism board incorporated for the purposes of developing a stronger more competitive tourism sector in Melbourne's west. Melbourne's west embraces the municipal boundaries of Brimbank, Hobsons Bay, Maribyrnong, Melton, Moonee Valley and Wyndham councils.</p> <p>The WMT board's mission is to increase the recognition and contribution of tourism to the region's economy, ensuring potential visitors are aware of the unique factors that make Melbourne's west a compelling place to visit and this interest converts to visitation growth.</p> <p>The WMT board is currently focused on working collaboratively with other key stakeholders to support local industry operators, advocate to government, and undertake steps to grow the capability of the sector and the quality of the visitor experience in the region.</p> <p>The board currently comprises representation from five of the six western metropolitan Council funding partners, LeadWest, Victoria University, Parks Victoria, Scienceworks, Quest Apartments, Zoos Victoria and the arts sector.</p>
Audit and Risk Advisory Committee		The Mayor (substitute) Cr Michael Clarke Cr Cuc Lam	Bi-monthly Location: Council	Director Corporate Services	Appointments to be considered at 8 November Meeting
City Development Delegated Committee Chair		Cr Cuc Lam - Chair	Monthly Generally last Tuesday of month Location: Council	Director Corporate Services	All Councillors on the Committee. Chairperson to be considered at 8 November Meeting
Enterprise Maribyrnong Delegated Committee		The Mayor (ex-officio) Cr Cuc Lam Cr Sarah Carter	Bi-monthly 4 meetings a year held at 4.30pm on a Tuesday prior to a Councillor Strategic Briefing Session. Location: Council	Director Planning and Environment Services	Appointments to be considered at 8 November Meeting

2023 COUNCILLOR COMMITTEE AND ADVISORY GROUP APPOINTMENTS

Committee	2023 Councillor Representation	2022 Councillor Representation	Meeting Frequency	Responsible Director	Comments
LeadWest		Cr Bernadette Thomas Cr Simon Crawford (proxy)	Quarterly Time and date to be determined	Director Corporate Services	LeadWest comprises Brimbank, Maribyrnong, Moonee Valley, Wyndham and Melton. LeadWest provides a focal point for the Western Suburbs, ensuring a strategic approach to advocacy and lobbying. Two representatives per Council are to be appointed – one Councillor, one being the Council's CEO.

Agenda Item 9.7**GOVERNANCE REPORT - NOVEMBER 2022**

Director: Lisa King
Director Corporate Services

Author: Phil McQue
Manager Governance and Commercial Services

PURPOSE

To receive and note the record of informal meetings of Councillors and Councillor Delegates' for the period of November 2022 as well as other statutory compliance and governance matters as they arise.

ISSUES SUMMARY

Details of informal meetings Councillors and Councillor Delegates' Reports are presented to a Council Meeting on a monthly basis. The reports will be made available on Council's website for the term of the current Council.

ATTACHMENTS

1. Governance Report - November 2022 [↓](#)

OFFICER RECOMMENDATION

That Council notes the Governance Report containing the record of informal meetings of Councillors and Councillor Delegates' Reports for November 2022 which will be made available on Council's website for the term of the current Council.

Agenda Item 9.7**BACKGROUND**

It is considered good governance that written records of informal meetings of Councillors are, as soon as practicable, reported at a Council Meeting and incorporated in the minutes of that Council meeting. Details of Councillor Delegates Reports are presented to a Council Meeting on a monthly basis, and made available on Council's website.

DISCUSSION/KEY ISSUES**1. Key Issues****Informal Meetings of Councillors**

Chapter 6 of Council's Governance Rules state that if there is a meeting of Councillors that:

- 1.1 is scheduled or planned for the purpose of discussing the business of Council or briefing Councillors;
- 1.2 is attended by at least one member of Council staff; and
- 1.3 is not a Council meeting, Delegated Committee meeting or Community Asset Committee meeting

the Chief Executive Officer must ensure that a summary of the matters discussed at the meeting are tabled at the next convenient Council meeting.

These do not include:

- A meeting of the Council
- A Delegated Committee
- An audit committee
- A club, association, peak body, political party or other organisation.

The attached record is reported to Council in accordance with this requirement.

Councillor Delegates' Reports

As part of their governance and representation obligations, individual Councillors represent Council on a range of committees. The committees operate outside of the section 63 and 64 (of the Local Government Act 2020) Committees established by Council.

Councillor participation in peak associations, local and regional forums and specific issues committees is an important part of effective governance and representation.

Attached are the Councillor delegates' reports for the period.

2. Council Policy/Legislation**Council Plan 2021-2025**

This report contributes to Council's strategic objectives contained in the Council Plan 2021-2025 by considering:

Agenda Item 9.7

- Ethical leadership - lead our changing city using strategic foresight, innovation, transparent decision making and well-planned, effective collaboration to support economic growth during the ongoing challenges of the pandemic and beyond.

Legislation

This report is presented in accordance with the requirements of the *Local Government Act 2020*.

Conflicts of Interest

No officer responsible for, or contributing to, this report has declared a direct or indirect interest in relation to this report.

Human Rights Consideration

This report complies with the rights listed in the Victorian Charter of Human Rights and Responsibilities Act 2006.

3. Engagement

There are no engagement implications associated with this report.

4. Resources

There are no resource implications associated with this report.

5. Environment

There are no environmental implications associated with this report.

CONCLUSION

The Governance Report demonstrates Council's commitment to open and transparent governance.

Governance Report – November 2022

Details of Informal Meetings of Councillors and Delegate Reports

Meeting and Date	Councillor Attendees	Council Staff Attendees	Matters Considered	Conflict of Interest Disclosures
<p>Councillor Briefing</p> <p>2 November 2022</p> <p>Informal Meeting of Councillors</p>	<p>Cr Sarah Carter</p> <p>Cr Michael Clarke</p> <p>Cr Simon Crawford</p> <p>Cr Jorge Jorquera</p> <p>Cr Cuc Lam</p> <p>Cr Anthony Tran</p>	<p>Celia Haddock (Chief Executive Officer)</p> <p>Lucas Gosling (Director Community Services)</p> <p>Lisa King (Director Corporate Services)</p> <p>Patrick Jess (Director Infrastructure Services)</p> <p>Laura Jo Mellan (Director Planning And Environment Services)</p> <p>Ashley Minniti (Manager City Places)</p> <p>Catherine Dwyer (Senior Coordinator Access and Participation)</p> <p>Emily Fuller (Community Grants Officer)</p> <p>Malcom Roberts-Palmer (Coordinator Community Infrastructure and Planning)</p> <p>Kate Mastroianni (Youth Services Advocacy and Planning Stream Leader)</p> <p>Paul Jane (Manager Recreation and Open Space)</p> <p>Phil McQue (Manager Governance and Commercial Services)</p> <p>Mark Connor (Manager Finance)</p> <p>Amit Sharma (Coordinator Management Accounting)</p>	<ul style="list-style-type: none"> • Melbourne Water • McIvor Reserve Draft Master Plan • 1-3/315-321 Somerville Road Yarraville • Maribyrnong Outdoor Dining Policy • Consideration of Council's submission for the proposed Maidstone Tram Maintenance Facility Project • Food Inequality Action Plan 2022-2024 • Community Grants Program - Recommendations 2022-2023 • Quarterly Performance and Financial Report – Period ending 30 September 2022 • Additional Item: Proposed Financial Relief for Flood Impacted Residents and Community Groups • Audit & Risk Committee Annual Performance Report for Year Ending 30 June 2022 • Municipal Association of Victoria - Review of Groupings • Councillor Support and Expenses Quarter 3 - July to September 2022 • Noting of Confirmed Minutes of Delegated Committees • Confirmation of the Minutes of the Previous Council Meeting - 18 October 2022 • Governance Report - October 2022 	<p>- Nil</p>

Governance Report – November 2022

Details of Informal Meetings of Councillors and Delegate Reports

Maribyrnong Youth Advisory Committee 10 November 2021 Delegates Report	Cr Anthony Tran Cr Jorge Jorquera	Mahamad Ahmed (Senior Youth Participation and Advocacy Officer) Caitlyn Mesiti (Youth Worker) Vicki Cooper (Coordinator Youth Services)	<ul style="list-style-type: none"> • SRC Consultation Debrief – Climate change Forum • Maribyrnong Messenger article • Instagram page • Youth Committee Celebration – updates • Covision Consultation 	- Nil
CEO Employment Matters Advisory Committee 14 November 2021	Cr Sarah Carter Cr Simon Crawford Cr Anthony Tran	Phil Shanahan (Independent Member)	<ul style="list-style-type: none"> • Performance Review 	- Nil
Maribyrnong Active Transport Advisory Committee Meeting Agenda 28 November 2022	Cr Bernadette Thomas Cr Simon Crawford	Ashley Minniti (Manager City Places) Peter White (Manager Engineering and Transport) Alistair McDonald (Active Transport Project Officer) Edmund Kron (Active Transport Project Officer)	<ul style="list-style-type: none"> • Confirmation of minutes from previous meeting • Electric Vehicle charging across footpaths • Albert Pacey Street • BikeWest Topics • 2023 Meeting Schedule 	- Nil

Governance Report – November 2022

Details of Informal Meetings of Councillors and Delegate Reports

<p>Councillor Briefing</p> <p>29 November 2022</p> <p>Informal Meeting of Councillors</p>	<p>Cr Sarah Carter</p> <p>Cr Michael Clarke</p> <p>Cr Simon Crawford</p> <p>Cr Cuc Lam</p> <p>Cr Anthony Tran</p>	<p>Celia Haddock (Chief Executive Officer)</p> <p>Lucas Gosling (Director Community Services)</p> <p>Lisa King (Director Corporate Services)</p> <p>Patrick Jess (Director Infrastructure Services)</p> <p>Laura Jo Mellan (Director Planning And Environment Services)</p> <p>Ashley Minniti (Manager City Places)</p> <p>Mark Connor (Manager Finance)</p> <p>Malcolm Roberts-Palmer (Acting Manager Community Services and Social Infrastructure Planning)</p> <p>Bridget Monro-Hobbs (Manager Community Development and Positive Aging and Inclusion)</p> <p>Lisa Bzovy (Senior Coordinator Community Services)</p> <p>Adrian Havryluk (Manager Major Projects and Strategic Relationships)</p>	<ul style="list-style-type: none"> • Solar and Sustainable Energy Business Options Intuitive • Fraser Property – Bradmill Precinct • Acknowledging January 26 • Strategy for Children, Young People and Their Families • Investment Policy • WOMEDA Membership • Awarding of Contract No 1205 – 23 Provision of Western Lawn Resurfacing and Services Upgrade, Footscray Park • Planning Application TP155/2022(1) Bradmill Stage 1 • Planning Application at 104 Gordon Street Footscray • Appointment of Independent Members and Chair to the Audit and Risk Committee • Governance Report – November 2022 • Confirmation of the Minutes of the Previous Council Meeting • Noting of the Confirmed Minutes of the Audit and Risk Committee • CONFIDENTIAL: Chief Executive Officer Annual Performance Review 	<p>- Nil.</p>
---	---	---	--	---------------

Governance Report – November 2022

Details of Informal Meetings of Councillors and Delegate Reports

		Melissa Best (Senior Project Manager) Francesca O'Brien (Manager City Futures)		
--	--	---	--	--

Agenda Item 13.1 13**CONFIDENTIAL BUSINESS****Confidential Agenda Item 13.1 - Chief Executive Officer Annual Performance Review**

Agenda Item 13.1 is confidential as it contains confidential information pursuant to Council's Governance Rules and Section 66 of the Local Government Act 2020, as it relates to: *personal information, including information regarding an identifiable person that would be unreasonable to disclose in a public report.*

Closure of Meeting to the Public**Recommendation**

That Council resolve to close the meeting to the public, pursuant to Section 66 (2)(a) of the Local Government Act 2020, to discuss the annual performance review of the Chief Executive Officer.