



Maribyrnong City Council

ORDINARY MEETING OF COUNCIL MINUTES

**Tuesday 20 June, 2017
6.30pm**

**Council Chamber
Level 1
Maribyrnong Council Offices
Corner Hyde and Napier Streets, Footscray**

MEMBERSHIP

Mayor Councillor Catherine Cumming (Chair)
Councillor Sarah Carter
Councillor Simon Crawford
Councillor Gina Huynh
Councillor Cuc Lam
Councillor Mia McGregor
Councillor Martin Zakharov

To be confirmed at the Ordinary Council Meeting
to be held on 25 July, 2017

1. COMMENCEMENT OF MEETING AND WELCOME

The meeting commenced at 6.31pm.

The Chair, Mayor Cr Catherine Cumming made the following acknowledgement statement:

"We acknowledge that we are on 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

Mayor Councillor Catherine Cumming (Chair)
Councillor Sarah Carter
Councillor Simon Crawford
Councillor Gina Huynh
Councillor Cuc Lam
Councillor Martin Zakharov

IN ATTENDANCE

Chief Executive Officer, Stephen Wall
Director Infrastructure Services, Sunil Bhalla
Director Community Services, Clem Gillings
Director Corporate Services, Cella Haddock
Director Planning Services, Nigel Higgins
Manager Communications and Engagement, Deidre Anderson
Coordinator Governance, Danny Bilaver

2. APOLOGIES

An apology for this meeting was received from Cr Mia McGregor.

3. LEAVE OF ABSENCE

Nil.

4. DISCLOSURES OF CONFLICTS OF INTEREST

Nil.

5. PUBLIC QUESTION TIME

The following three questions were asked by Mr Ken Betts, resident of Seddon:

Question 1

Will Christmas decorations budget this year as previously promised?

Response

Mr Nigel Higgins, Director Planning Services advised that \$100,000 has been allocated in the Council Budget for Christmas decorations with a further \$200,000 available as part of the traders grant that traders may request to be used for Christmas decorations.

Question 2

When will the Byron Street multi-deck car park opposite Little Saigon be opened?

Response

Mr Sunil Bhalla, Director Infrastructure Services advises that an interim occupancy permit has been granted for the car park with the full occupancy permit expected to be granted at the end of the month. The car park is expected to be opened at the end of next month once the fit out of the car park is completed.

Question 3

How will Council stop people from dumping rubbish in new shrub tubs in Nicholson Street Mall? And are they a replacement for the old rope/olive tree tubs that cost \$110,000? Will Council guarantee no more repairs/ digging up of pavers?

Response

The Mayor, Cr Catherine Cumming informed that apart from the odd works around drains and the like, there will be no intentional digging up of Nicholson Street Mall. The Chief Executive Officer, Mr Stephen Wall stated that with regard to the planter boxes, the new cleansing regime that will ensure the boxes are kept cleaned.

The following question was asked by Mr Long Nguyen and Mr Van Thai, residents of Braybrook:

Question 1

We have submitted a petition regarding tree in Garden Drive, Braybrook. The resin trees drops onto cars and they then get stuck on window. They also drop onto plants, stopping them from growing, and also onto houses which make them hard to clean. The leaves of the tree get stuck in drains and the trees also affects health causing itchy throat. The left side of Garden Drive has 13 such trees and the right side of the street has 16 trees. How will Council fix this problem?

Response

The Chief Executive Officer, Mr Stephen Wall advised Councillors that there is a petition being presented to Council this evening and as such Council officers have not yet had a chance to investigate. However, Council officers would be happy to conduct an onsite meeting with residents should the petition be adopted for consideration. The Chief Executive Officer noted that there are difficulties in removing well established trees but Council is certainly willing to work with residents with regards to this matter.

6. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

The purpose of this report was to present for confirmation, the minutes of the Ordinary Council Meeting held on 16 May 2017.

Council Resolution

That Council confirms the minutes of the Ordinary Council Meeting held on 16 May 2017.

Moved: Cr Martin Zakharov
Seconded: Cr Sarah Carter

CARRIED

7. REPORTS FROM COMMITTEES

7.1. Noting of the Confirmed Minutes of Special Committee Meetings

The purpose of this report was to present for noting the confirmed minutes of Council's Special Committees established under section 86 of the *Local Government Act 1989*.

Council Resolution

That Council notes the:

- 1. Confirmed Minutes of the Inner Melbourne Action Plan Implementation Committee held on 24 February 2017.*
- 2. Confirmed Minutes of the Enterprise Maribyrnong Special Committee held on 14 March 2017.*

Moved: Cr Sarah Carter
Seconded: Cr Simon Crawford

CARRIED

8. PETITIONS

8.1. Petition - Request to Replace Existing Trees Along Garden Drive, Braybrook

The purpose of this report was to table a petition received in relation to a request for Council to replace existing trees along Garden Drive, Braybrook.

Council Resolution

That Council:

- 1. Receives and notes the petition requesting Council to replace existing trees along Garden Drive, Braybrook.*

2. *Requests the Chief Executive Officer to consider the petition and determine the appropriate response.*

Moved: Cr Cuc Lam
Seconded: Cr Gina Huynh

CARRIED

9. OFFICER REPORTS

9.1. Adoption of the 2017/2018 Annual Budget, Strategic Resource Plan and Striking of the Rate

The purpose of this report was for Council to adopt the proposed Annual Budget, Strategic Resource Plan and Striking of the Rate for the 2017/2018 financial year.

Council Resolution

That Council:

1. *Having considered all submissions received, adopts the budget & Strategic Resource Plan with adjustments as advertised in accordance with Section 126 & 130 of the Local Government Act 1989, and the Schedule of Fees and Charges.*
2. *Notes the attached budget for the 2017/2018 financial year meets the requirements of Section 127 of the Local Government Act 1989.*
3. *In accordance with Section 158 of the Local Government Act 1989, declares a general rate of 6.582197 cents in the dollar of the Net Annual Value of \$1,439,821,752 on all properties assessable in the municipality at 1 July 2017. Total rates to be raised through the application of a uniform rate amount to \$94,771,904.*
4. *Grants a rebate in relation to rates to all Maribyrnong pensioners eligible to participate in the State Government Pensioner Remission Scheme. The rebate will be for a maximum of \$185.35.*
5. *Allows payments of rates as per section 167 of the Local Government Act 1989 by four instalments, due and payable on:*
 - 30 September 2017
 - 30 November 2017
 - 28 February 2018
 - 31 May 2018
6. *Note the Interest on unpaid rates will be charged in accordance with Section 172 of the Local Government Act 1989.*
7. *In accordance with Section 223 of the Local Government Act 1989, writes to the submitters informing them of Council's decision.*
8. *Notes the outcomes of Budget Submissions heard by Council at the Section 223 Meeting on 30 May 2017 and recommends the following adjustments be funded from the strategic initiatives allocation and the balance of submissions funded from existing operational Budgets:*

- a. *Provide funding to the Vietnamese Community in Australia for festival support - \$10,000.*
- b. *Allocate \$10,000 to Bollard replacement as part of the renewal program.*
- c. *Provide funding to the wit incorporated to further the relationship with local residents - \$5,000.*
- d. *Provide funding to the L2R Next Gen Inc. to support Footscray and Braybrook-based core programs, organisational development and L2R's annual community showcase - \$5,000.*
- e. *Provide funding to the Snuff Puppets for operational support of creating and delivering Snuff Puppets - \$10,000.*
- f. *Provide funding to the Footscray-Yarraville City Band Inc. - \$5,000.*
- g. *Provide funding to the West Footscray Neighbourhood House to meet growing demands of their program - \$25,000.*
- h. *Provide funding to the West Welcome Wagon - \$10,000.*

Moved: Cr Martin Zakharov

Seconded: Cr Cuc Lam

CARRIED

9.2. Adoption of the Council Plan 2017-21

The purpose of this report was to endorse the proposed Council Plan 2017-21, incorporating the Health and Wellbeing Plan, in accordance with the *Local Government Act 1989*

Council Resolution

That Council:

- 1. *Notes the submissions to the Proposed Council Plan 2017-21.*
- 2. *Requests the Chief Executive Officer to write and respond to all submitters thanking them for their submission.*
- 3. *Adopts the proposed Council Plan 2017-21, incorporating the Municipal Public Health and Wellbeing Plan.*

Moved: Cr Sarah Carter

Seconded: Cr Simon Crawford

CARRIED

9.3. Tourism Visitation Strategy 2017-2021

The purpose of this report was to present the Tourism Visitation Strategy 2017-2021 for consideration by Council.

Council Resolution

That Council adopt the Tourism Visitation Strategy 2017-2021.

Moved: Cr Sarah Carter
Seconded: Cr Gina Huynh

CARRIED

9.4. Review of Maribyrnong City Council Road Management Plan 2013

The purpose of this report was to consider the findings of the recent review of the Maribyrnong City Council Road Management Plan 2013.

Council Resolution

That Council:

- 1. Notes and adopts the review conducted of the accompanying 'Maribyrnong City Council Road Management Plan 2013' (existing road management plan) in accordance with the accompanying written report summarising the findings and conclusions of the review (review report).*
- 2. Notes, in accordance with the review report, that it is proposed the existing road management plan will be amended and replaced with a new road management plan to be titled 'Maribyrnong City Council Road Management Plan 2017' in accordance with the accompanying proposed new road management plan (proposed new road management plan).*
- 3. In accordance with section 54(6) of the Road Management Act 2004 and Division 2 of the Road Management (General) Regulations 2016, directs that public notice be given of the proposed amendment and that submissions be invited from the public on the proposed new road management plan.*

Moved: Cr Martin Zakharov
Seconded: Cr Simon Crawford

CARRIED

9.5. Review of Maribyrnong City Council Procurement Policy 2017

The purpose of this report was to adopt the Maribyrnong City Council Procurement Policy 2017.

Council Resolution

That Council adopts the Maribyrnong City Council Procurement Policy 2017.

Moved: Cr Simon Crawford
Seconded: Cr Martin Zakharov

CARRIED

9.6. Councillor Support and Expenses Policy - June 2017

The purpose of this report was to present the outcomes following a review of the Councillor Support and Expenses Policy.

Council Resolution

That Council adopts the Councillor Support and Expenses Policy 2017.

Moved: Cr Sarah Carter
Seconded: Cr Martin Zakharov

CARRIED

9.7. Assembly of Councillors - May 2017

The purpose of this report was to receive and note the record of Assemblies of Councillors for May 2017.

Council Resolution

That Council notes the record of Assemblies of Councillors for May 2017.

Moved: Cr Gina Huynh
Seconded: Cr Martin Zakharov

CARRIED

9.8. Delegates Reports 2 May 2017 - 5 June 2017

The purpose of this report was to present the Councillor delegates' reports for the period 2 May 2017 to 5 June 2017.

Council Resolution

That Council notes the Councillor delegates' reports 2 May 2017 to 5 June 2017 which will be made available on Council's website for the term of the current Council.

Moved: Cr Cuc Lam
Seconded: Cr Gina Huynh

CARRIED

10. NOTICES OF MOTION

Nil.

11. URGENT BUSINESS

Nil.

12. CONFIDENTIAL BUSINESS

Council Resolution

That Council, in accordance with section 89(2)(d) of the Local Government Act 1989, close the meeting to members of the public at 7.21pm to consider:

- 1. Confidential agenda item 12.1, 72 Buckley Street, Footscray - Proposed Lease Agreement(s), as it contains information in relation to contractual matters.*
- 2. Confidential agenda item 12.2, Proposed Discontinuance and Sale of Right of Way Abutting 2 and 4 Cuming Street, Yarraville, as it contains information in relation to contractual matters.*

Moved: Cr Simon Crawford
Seconded: Cr Martin Zakharov

CARRIED

CLOSURE OF PUBLIC MEETING

The Chair, Mayor Cr Catherine Cumming, declared the meeting closed to members of the public at 7.21pm for consideration of confidential agenda items 12.1 and 12.2.

REOPENING OF PUBLIC MEETING

The meeting was reopened to the public at 7.29pm.

The Chair, Mayor Cr Catherine Cumming, advised that the following resolutions were released from the confidential session of the Ordinary Council Meeting:

12.1. 72 Buckley Street, Footscray - Proposed Lease Agreement(s)

That Council:

- (a) *Endorses the commencement of a public Expression of Interest process to objectively evaluate organisation(s) which show interest in leasing the office space(s) at Level 1, 72 Buckley Street, Footscray.*
- (b) *Approves in principle that it enters into one or more lease agreement(s) for the office space(s) at the Phoenix Youth Hub, located at Level 1, 72 Buckley Street, Footscray (shown outlined in red, blue, green and yellow in Attachment 1).*
- (c) *If the provisions of section 190 of the Local Government Act 1989 are not met:*
 - (i) *Authorises the Chief Executive Officer or an appropriate delegate to negotiate key terms and enter into one or more lease agreement(s).*
- (d) *If the provisions of section 190 of the Local Government Act 1989 are met:*
 - (i) *Approves a public notice period being given of Council's intent to enter into one or more lease agreement(s) and invites submissions in accordance with sections 190 and 223 of the Local Government Act 1989.*
 - (ii) *Notes that in accordance with section 223 of the Local Government Act 1989 any person who requests to be heard in support of a written submission on the proposed lease(s) will be heard by Council on a date to be determined.*
 - (iii) *In the event that no objecting submissions are received, authorises the Chief Executive Officer or an appropriate delegate to negotiate key terms and enter into one or more lease agreement(s).*

12.2. Proposed Discontinuance and Sale of Right of Way Abutting 2 and 4 Cuming Street, Yarraville

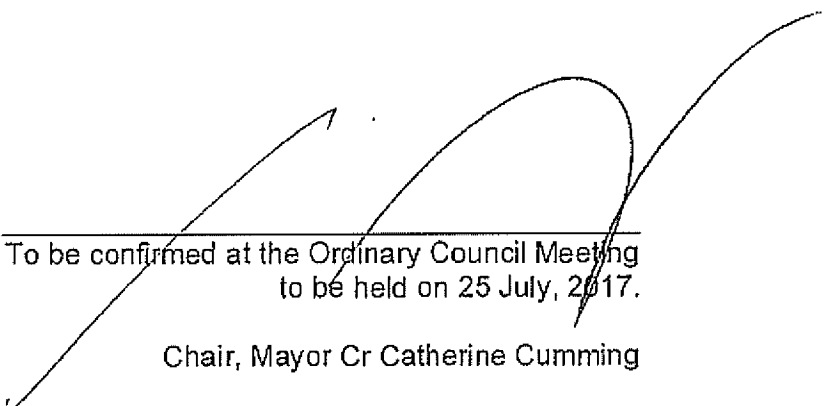
That Council:

- a) *Approves public notice being given of its intention to discontinue and sell the right of way abutting 2 and 4 Cuming Street, Yarraville being all of the road contained in certificate of title Volume 02419 Folio 674 (shown outlined in red and blue on Attachment 1), to the adjoining owners of 2 and 4 Cuming Street, Yarraville in accordance with Sections 189 and 223 of the Local Government Act 1989, and invites submissions in relation to the proposed discontinuance and sale.*
- b) *In accordance with Section 223 of the Local Government Act 1989, hears any person who requests to be heard in support of a written submission on the proposed discontinuance and sale of the right of way abutting 2 and 4 Cuming Street, Yarraville at a date to be decided.*

- c) *In the event that no submissions are received, authorises the Chief Executive Officer to undertake all statutory procedures to discontinue the road and sell half the discontinued road by private treaty to the adjoining owners of 2 Cuming Street, Yarraville for the sum of \$30,000 plus GST (unencumbered land) and half to the adjoining owners of 4 Cuming Street, Yarraville for the sum of \$25,000 plus GST (encumbered land).*

13. MEETING CLOSURE

The Chair, Mayor Cr Catherine Cumming, declared the meeting closed at 7.30.



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to be held on 25 July, 2017.

Chair, Mayor Cr Catherine Cumming