



**Maribyrnong City Council**

**COUNCIL MEETING MINUTES**

**Wednesday 29 March, 2023  
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 Ordinary Council Meeting  
to be held on 18 April, 2023

## **1. COMMENCEMENT OF MEETING AND WELCOME**

The meeting commenced at 6.32pm.

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 Jorge Jorquera  
Councillor Cuc Lam  
Councillor Bernadette Thomas  
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  
Manager Customer Engagement, Lauren McKenzie  
Manager Recreation and Open Space, Paul Jane  
Governance Officer, Jessica Abela  
Coordinator Governance, Christopher Southavong

## **2. APOLOGIES**

Councillor Simon Crawford

## **3. LEAVE OF ABSENCE**

Nil.

## **4. DISCLOSURES OF CONFLICTS OF INTEREST**

Nil.

## **5. PUBLIC QUESTION TIME**

Public Question Time commenced at 6.35pm.

The Chair advised the meeting that Council had received 67 questions in relation to Item 7.1 Mclvor Reserve Draft Master Plan. In all, Council has received close to 300 questions in recent meetings.

As provided for under Clause 52.9 of Council's Governance Rules, the Chair advised that similar questions on Mclvor Reserve have been grouped together and provided with a consolidated response.

### **TRAFFIC**

Council received 2 questions relating to this topic.

#### **Pat Baber**

Has the Council commissioned a Traffic and Parking Impact Report as part of the process for developing the Mclvor Masterplan, if not, why not? I wish to point out that this needs to be a thorough report taking into account the number of residences in the Bradmill Estate, the number of games and numbers of players/supporters attending the basketball, other clubs using Mclvor Reserve, Library, Neighbourhood house and Shops. We see this as a major problem and believe that our Councillors cannot make an informed final vote decision of the Masterplan until this has been conducted. This problem cannot be fixed after the fact!

#### **Elise Toomey**

With the planned stadium taking over Mclvor, What plans does the Council have to support the incoming traffic residents will need to suffer? Often it takes me 40min just to get out of my neighbourhood, this suburb is not fortunate when it comes to roads, how will you ensure your stadium doesn't impact my neighbourhood?

#### **Response**

A first-principles assessment of parking and traffic impacts associated with the proposed Master Plan has been undertaken and suggests that the overall car parking supply within the reserve is likely to be more than adequate. However, more work will be undertaken to address the concerns of neighbouring residents in relation to traffic that currently accesses the Reserve.

The construction of a new road and cycling route connecting Fogarty Avenue and Francis Street as part of the development of the Bradmill site will provide an opportunity for Council to redirect much of that traffic away from residential streets.

The location of any new facilities within the reserve that might be proposed in the proposed masterplan will also need to consider alternative access routes for users rather than increasing the use of Hawkhurst Street, Benbow Street and Wembley Avenue.

## **PROPOSED STADIUM**

Council received 2 questions relating to this topic.

### **Ashleigh Paton**

Why is it more important for basketball families to have a stadium built on our green space, than for local families to keep the open green outdoor space we use daily?

### **Anne Craig**

Council has identified a need for more indoor sports facilities. It also acknowledges a need for more open green space in our municipality. What are Council's reasons for deciding that an indoor stadium is a more important use of land at Mclvor reserve rather than preserving and developing the open space that exists there?

### **Response**

Council does not consider one service to be more important than the other. The Masterplan seeks to meet a balance of community needs identified through its strategic planning and community feedback.

## **OPEN SPACE**

Council received 6 questions relating to this topic.

### **Pat Baber**

I refer to these comments in the Mclvor Reserve Draft Master Plan. In addition to the facilities for sporting club use, the reserve supports a range of informal activities and includes infrastructure such as a playground, a fully fenced dog off-lead area, and a circuit path around the sports fields. The sports fields also provide a significant area of open space for passive recreation outside of sports bookings and are well utilised by the community for a variety of pursuits from dog walking to fitness training. Why are you now virtually removing the "open space for passive recreation" by building a massive basketball stadium in that space?

### **Brooke Gribble**

Are you concerned we have almost the lowest green space and now you've come up with a master plan to taken even more away? The rest of the world certainly is concerned - just look at what other Councils around the world are doing to protect green space.

### **Alison Peake**

Mayor Carter in the meeting last night detailed plans to increase open space within MCC. Why then destroy existing open space and waste money creating new open space? Surely it is more sensible and cost effective to retain existing parkland as a matter of policy?

**Deb Bain-King**

Have the Council and the Council officers responsible for the planning of a basketball stadium on Mclvor Reserve, considered the fact that the local government area of Maribyrnong has the third least green cover of LGA in the nation?

**Brendan Keane**

As a resident of Yarraville I am extremely concerned about Green Space and the lack of it , we are surrounded by roads and Trucks and need our green space to breathe, relax in and enjoy social and community interactions, how can green space be saved by building on it ?

**Katrina Badbury**

Maribyrnong has some of the highest rates of pollution and the lowest amount of open green space, how can you justify the reduction of ANY open green space whilst simultaneously approving a development with little to no provision for parkland? Community amenity and the climate trump the needs of a few basketball players who would prefer not to drive all the way to Altona.

**Response**

The proposal notes the removal of 114 trees to be replaced by 228 trees. For every tree removed, two will be replanted and where appropriate like for like, delivering a minimum net increase of 114 trees in Mclvor Reserve, with species to enhance habitat, climate suitability and canopy resilience.

Of the total municipal area of 3,125 hectares, a 2017 Report recorded 11.2% as public open space, which equated at that time to 41.8 sqm per person. This was also slightly higher than the average Melbourne metropolitan figure of 9%.

This is not the lowest percentage of open space in Victoria with the *Victorian Planning Authorities Metropolitan Open Space Network Distribution Report - June 2017* identifying 20 local authorities from 32 surveyed with less open space provision than Maribyrnong.

You can find the details on the VPA website and a link will be included in the minutes.

[Open-Space-Network-Provision-and-Distribution-Reduced-Size.pdf](#)  
([vpa.vic.gov.au](http://vpa.vic.gov.au)) See Table 5 for a breakdown.

## **TRAFFIC ENGINEERING REPORT**

Council received 2 questions relating to this topic.

### **Kim Eastmure**

Is it true that no Traffic/Parking Study has been done? If not, how can the Masterplan be considered as complete? I feel that any Carparking spaces mentioned aligned to a sporting venue are the same car parks being sprouted by other sporting venues.

### **Karen Graham**

I have heard from Mr. Jess that there will be minimum impact in relation to parking in streets in front of residents houses and also that the bowls players can still park near the bowling club. There could be well over a hundred people at the Bowls club plus either the cricketers or footballers all wanting to park near the proposed reduced car park, does he expect senior citizens to potentially bring all their gear from near the soccer ground to the bowling club?

### **Response**

A traffic engineering assessment has been completed. A qualitative first principles analysis concluded that the proposed overall car parking supply at Mclvor Reserve is likely to cater for the peak usage associated with sporting events, training, or a combination thereof during busy periods (weekday evenings and particularly Saturdays). Further detailed assessments will be undertaken in the next stage of design should the proposal proceed.

## **BROWN SITES**

Council received 2 questions relating to this topic.

### **Ashleigh Paton**

Mclvor Reserve - Why won't you build the new basketball stadium on existing brown space, rather than taking out huge areas of open green space that local families use daily? Locals do not want our park area turned into a massive stadium and car park, why don't you use an underutilised area like Basset Reserve or the land where sheds are just storing soil from the Westgate Tunnel Project?

### **Alison Peake**

The Friends of Mclvor Reserve are not opposed to the construction of a new sports stadium they simply want to retain existing precious parkland. If Council were to make the effort to find a more suitable venue for this sporting facility it would be possible to provide all stakeholders with an outcome they would be happy with. It would be possible to achieve a result which benefits everyone. Why

does MCC not make the effort to resolve this by finding another venue for the stadium and stop pitting local residents against each other?

### **Response**

Councils Indoor Sports strategy considered numerous sites and recommended 11 for further investigation. Two sites are now remaining viable post further due diligence. The preliminary selection of these sites was assessed against 17 factors. Council is not aware of any suitable brownfield sites that meet the range of selection criteria.

## **COMMUNITY ENGAGEMENT**

Council received 4 questions relating to this topic.

### **David Heron**

So yesterday you told us where you had belated hidden the Mclvor Reserve Master Plan Project Report (which is still not actually a Masterplan) to give us less than 24 hours to digest a 64 page technical document. Well played, MCC, continuing with your lack of transparency on this project right to the bitter end. What was the date and time that link was placed on Your City Your Voice? Why was it never made a part of the 29 March 2023 Special Meeting set to debate and vote on that very document? You were well aware, at the time of the meeting in the park that it was not available to many people who were very keen to see it. Why the secrecy?

### **Laken Willis**

Thanks for making the project report link available to us less than 24 hours before the vote. It most certainly wasn't there on the 17th as we were promised. Would you not expect that people who were following this vote on this masterplan would be looking for said masterplan in the Agenda for tonight's meeting? You heard from so many people last night who had never seen it - and people who were clearly looking for it. Can you acknowledge that you failed the community on this occasion and put out the vote another months so we actually have time to look at the document?

### **Peter Eastmure**

What date was the updated master plan uploaded to the Council website and why wasn't the link shared to Friends of Mclvor prior to last night?

### **Katrina Badbury**

Your master plan states extensive community engagement yet a link to the full document was only circulated yesterday, are you really consulting or simply conducting a tick and flick exercise and then proceeding as you always intended?

## **EXTENSION OF PUBLIC QUESTION TIME**

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

Moved Cr Thomas  
Seconded Cr Clarke

**CARRIED**

## **Response**

The draft Master Plan Project Report was loaded on Council's website on Friday 11 November as part of the agenda item for the November Council meeting. It was then also shared in the document library on the Your City Your Voice digital engagement portal.

The draft Project Report was replaced by the updated Master Plan Project Report on Friday 24<sup>th</sup> March at 5:00pm as a link, recognising the file size.

Council has been open and transparent throughout. At the time of the meeting in the park, we were not aware the many visitors to the Your City Your Voice Project page had not seen the document, recognising there have been 1,824 downloads from the document throughout the course of this project.

This includes 55 downloads specifically of the McIvor Reserve Master Plan – Project Report itself.

## **GOVERNANCE**

Council received 6 questions relating to this topic.

### **Scott Lyon**

Can Council clearly explain why this vote is being allowed With the Cr Crawford being absent Is this indeed legal?? Could this have been re arranged?

### **David Heron**

Given that one of the two Green Councillors elected to represent this city is gone, and given that you didn't make the project report reasonable available to the community until asked about it AGAIN last night, why are you persisting with this vote tonight? And don't talk about how it is legally permissible under your governance rules. I am asking you why you would want to deny all of the voters in this community that care deeply about green space and this park with a fair opportunity to be represented at the vote on this issue. You aren't planning to break ground in the next month, so can't this be put off until after Cr Crawford's return?



**Amanda Heron**

What would the harm be in adjourning this vote until the next Council meeting on 18 April when Cr Crawford will be back from his trip? Wouldn't it be better for the community to hear the votes of all 7 of their elected representatives instead of only hearing from 6, one of whom may be left to break a tie? Is there some rush that you haven't told us about? Can you please provide a clear explanation of why this has to be decided in Cr Crawford's absence and WHY it can't be heard on 18 April?

**Peter Eastmure**

What's the rush with the vote on the Mclvor development? Surely a project of such magnitude and far reaching effects needs to be voted on by all the Councillors elected to represent the community. Why can't this be voted on when all Councillors are present?

**Estelle Lepetit**

The Mayor doesn't just represent her ward or the wishes of Council, but also all of Yarraville. Why has she persisted with a special meeting on Mclvor that overlaps Simon Crawford's holiday? Does it seem fair to have a vote on this very Yarraville-centric plan to destroy our local park when our sole Green ward Councillor is unable to vote? How do you think that looks from our vantage point?

**Shari Liby**

Mayor Carter, at the 15 November 2022 meeting you chose to let the draft masterplan be tabled with a few Councillors away running for state office. At that time you explained, "If it were to make a determination on the adoption of a masterplan then, certainly, we would have looked to put the meeting off." Why haven't you followed through with that commitment? Why are you voting on that very Masterplan tonight when Cr Crawford, Yarraville ward's Green Councillor is overseas on a scheduled holiday?

**Response**

As per the Local Government Act 2020 and Council's Governance Rules, Council is able to vote on a matter so long as a quorum, being an absolute majority, is maintained at the relevant Council Meeting.

The Chair also responded that at the February meeting when it was decided that Council would consider delaying this item, Cr Crawford was part of that discussion. At no point did she receive a request from Cr Crawford to delay the vote so he could participate. Cr Crawford was also afforded the opportunity to participate online this evening. The Chair advised that Cr Crawford had chosen not to participate on this occasion.

## **GOVERNANCE**

Council received 3 questions relating to this topic.

### **Kylie Michel**

Past questions submitted to Council show that the petition by Westgate Basketball Association does not satisfy several of the governance requirements. This is very clear if you click on the actual survey - it isn't even addressed to Council. People completing the survey were not made aware of how their signature would be used. Who approved that the petition satisfies the very detailed governance and petition requirements? Also what % of respondents are local residents (this was published for the Friends of Mclvor Reserve petition)? It would be good if Council could be balanced in its analysis.

### **Alex Jones**

When the friends of Mclvor submitted their petition Council noted how many of the petition signees were purportedly Maribyrnong residents. Can the Council complete the same analysis and provide the same information on the Westgate basketball association petition.

### **Dermot Cullen**

Maribyrnong City Council has some clear, well written governance documents. One of these relates to the requirements a petition must meet for it to be presented to Council for consideration. The petition on the agenda tonight does not meet the Council's requirements, yet is still on the agenda for consideration. Why have Council staff put the petition on the agenda when it doesn't meet the requirements that Council have agreed to?

### **Response**

The petition from Friends of Mclvor had been received by Council and was considered as part of the engagement report. The organisers advised of the 3102 legitimate signatures, 1,749 were identified as either Melbourne or Maribyrnong.

This figure was further interrogated to understand those who had identified as living in Maribyrnong, in line with the approach adopted during the engagement generally in line with the request from the community to provide this breakdown.

Council officers have considered the Westgate Basketball petition in accordance with clause 54 of Council's Governance Rules and have recommended that the petition be received by the Council at the 29 March Council Meeting.

Council will consider the Westgate Basketball petition at Item 6.1 on tonight's agenda. If Council resolves to accept the Westgate Basketball petition, it will be referred to Council's Chief Executive Officer to consider the most appropriate action.

*The Chair disallowed four questions under Council's Governance Rules, received from Nick Fitzsimmons and Laken Willis, as they were considered as pre-empting a decision of Council and therefore unable to be responded to.*

*The Chair disallowed four questions under Council's Governance Rules, received from John Walker, Amanda Heron, Katrina Bradbury and Karen Graham, as they were considered statements and therefore unable to be responded to.*

**Pat Baber**

The new Footscray Hospital build is at the halfway mark as per leaflet we received a few days ago from our local member Katie Hall, and they are interested in getting ideas on how to use the old site. Has the Council made an approach to the member or government to secure this site or part of for use as a basketball venue?

**Response**

The Footscray Hospital Site is in a zone noted with Councils Open Space strategy as having a significant open space deficit with the direction to acquire open space in this area. Council is working with the Victorian State Government to define the futures uses of this site.

**Brooke Gribble**

1. What changes have you made regarding numerous requests from locals to remove the dog area that backs onto private property? Cr Clarke doesn't support multiple dogs in one area barking in a backyard so the proposed dog run is no different.

**Response**

Mclvor Reserve is currently a shared use and dog off lead area, with the existing Dog Park being an enclosed space. The area behind the existing baseball ball field will be upgraded and available as a dog off lead area, but not enclosed as a dog park in direct response to the feedback received.

- 2 How many other Councils in Australia have dog runs that back onto private property? This should be a statistic or percentage you know.

**Response**

There is no industry standard for the development of dog parks nor information regarding adjoining property ownership.

**Julies Griffith**

1. For context is Council aware that Westgate has over 3100 registered families, and each family can represent up to 2 parents and potentially a number of first time 18yo voters. Almost 1500 of these families come from within Maribyrnong

and these thousands of residents vote at Council elections. These families are in 190 junior teams, 23 rep team, 30 adult teams, and our youth programs. Note that over 8% of Westgate players and almost 17% of parents were born overseas. My question is, does Council believe the 4 indoor courts currently provided for indoor sports in Maribyrnong is sufficient and what happens if Whitten closes its doors?

### **Response**

Councils Indoor Sports Strategy and the aligned work undertaken by the Inner Melbourne action plan Councils at the time, both identify a clear deficit in indoor facilities. Council accepts the municipality requires more facilities to meet community need.

### **EXTENSION OF PUBLIC QUESTION TIME**

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

Moved Cr Jorquera  
Seconded Cr Tran

**CARRIED**

2. Can Council confirm that its Open Space Strategy identifies Mclvor as an established major sporting precinct, to primarily cater to people who live/work in Maribyrnong, noting Mclvor will also provide facilities that are used by people from other municipalities? Please also confirm the site is appropriately zoned for a stadium development, there are no environmental protection zones over the site, and the project won't require complicated planning approvals? If Councillors choose to vote No tonight, please provide fact base justification for the refusal and why other recent projects in Council reserves were not subject similar scrutiny.

### **Response**

Mclvor Reserve is zoned PPRZ - Public Park and Recreation Zone. The creation of an indoor sports facility is permitted as works carried out by or on behalf of the public land manager.

3. If after 5 years of effort to implement the 2018 Indoor Sports Stadium Strategy (a strategy a few Councillors here voted for in 2018), Council again fails to deliver on its commitment to plan a stadium, what are the immediate options to serve the southern catchment of the municipality? If any Councillors vote against this proposal, you've had plenty of time to work on an alternative site so we expect you to share your well-considered plan to cater to indoor sports users at tonight's meeting. And please, no more studies, no more engagement, no more delays; don't detriment another generation of kids in Maribyrnong.

### **Response**

The only identified location for an indoor facility south of the municipality is Mclvor Reserve. Furthermore, the second part of this question is pre-empting a Council decision this evening and is not able to be responded to tonight.

### **Ashleigh Paton**

The traffic on Francis Street is already a nightmare, with hundreds more apartments about to be built, cramming more cars onto an already chaotic road. How does adding a stadium help locals at all? You are just increasing traffic and congestion to an area already struggling to cope.

### **Response**

Francis Street is a primary arterial road and is located within a Transport Zone (Category 2) in the Maribyrnong Planning Scheme and is estimated to carry a daily volume of 12,000 – 15,000 vehicles.

A large proportion of traffic associated with the indoor sports centre, adjoining open sports field area and soccer field would access the reserve via the new McIvor Road and its intersection with Francis Street with minimal impacts.

### **Rena Peattie**

What is the view of the Council in regards to CFMEU that inadequate community consultation has taken place with the proposed complex to be placed on McIvor reserve?

### **Response**

Council has not formed a view about any comments by the CFMEU, in any event they are entitled to their own views.

Council's view is that the community engagement was genuine, authentic and undertaken in line with the principles and commitments outlined in Council's Community Engagement Policy. Two formal opportunities were provided for the community to engage and participate in the process over a ten month period from April 2022 to January 2023. Council also directly engaged with recreational users and sporting clubs who call the Reserve home, as part of the master planning process.

Feedback from phase one helped inform the draft Master Plan, which was shared with the community for feedback in November 2022. Similarly, the second round of engagement has informed changes and revision to the draft document.

### **Con Giatas**

Is Council aware of the urgent need to modernising sporting facilities across McIvor Reserve to meet contemporary community standards in particular the need to support clubs like the Yarraville Glory to create female friendly infrastructure as identified in the master plan.

### **Response**

Council is aware of the need to modernize facilities at the Yarraville Glory Football Club, in particular the provision of modern female friendly infrastructure. The proposed masterplan captures club room updates and surface upgrades to the inner fields.

### **Kylie Michel**

1. At the Council committee meeting on 28 March information and data was provided showing availability for netball and basketball (from the local Presidents) across the region (eg at Hobsons Bay Sports Stadium). Will Council look into this and update their sports strategy? Current information reveals that the strategy is out of date and lacks a regional focus when analysing sports demand and supply.

### **Response**

Council is confident in the data provided regarding the need for additional indoor facilities within the municipality.

2. Does Council understand that everyone would support an indoor stadium if it was built on brown land? Will a Councillor move a motion to review the location of the indoor sports stadium and work with the community and other levels of government to find a suitable location that is not built on open space, green space, has adequate parking and is connected to public transport?

### **Response**

Council will be considering the draft McIvor Reserve Master Plan at Item 7.1 on tonight's agenda.

### **Alex Jones**

1. The McIvor reserve plan is authored by Paul Jane Manager Recreation and Open Space and Patrick Jess, Director Infrastructure Services. In terms of undeclared conflicts of interest, do Paul or Patrick have any direct family members who currently play, or in the last 5 years have played, basketball with the Westgate basketball association?

### **Response**

In Council's Agenda for this evening, Agenda Item 7.1 states that *"No officer responsible for, or contributing to, this report has declared a direct or indirect interest in relation to this report"*.

2. The stadium, if built, will require a large area during the construction phase for storing machinery, equipment and associated stadium works and that construction phase is likely to take at least two years. How much of the sporting fields, Open space or car parking areas at Mclvor is likely to be used as a holding or set down area during the construction phase and therefore unavailable to be used during the multiyear construction period?

**Response**

Council has not approved the development of the stadium at this point. As with all Council projects, a construction management plan would be established to address any site impacts if the development were to proceed.

**Anne Craig**

1. When Council identifies conflicting needs in the community what process does it use to decide which one will be given priority?

**Response**

Council is required to comply with Clause 9 of the *Local Government Act 2020*, which provides that Council must give effect to the following overarching governance principles, including:

- (a) Council decisions are to be made and actions taken in accordance with the relevant law;
- (b) priority is to be given to achieving the best outcomes for the municipal community, including future generations;
- (c) the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted;
- (d) the municipal community is to be engaged in strategic planning and strategic decision making;
- (e) innovation and continuous improvement is to be pursued;
- (f) collaboration with other Councils and Governments and statutory bodies is to be sought;
- (g) the ongoing financial viability of the Council is to be ensured;
- (h) regional, state and national plans and policies are to be taken into account in strategic planning and decision making;
- (i) the transparency of Council decisions, actions and information is to be ensured.

**Anne Craig**

1. Following two years of COVID lockdowns many people's priorities for how they spend their time have changed. Last night at the Council meeting, it was reported that participation in basketball at the Altona indoor stadium has dropped off since COVID. What research has Council conducted to establish the current demand for indoor sports facilities post-COVID?

### **Response**

Council has obtained updated data, post COVID-19, regarding indoor and outdoor structured and unstructured recreational activity. You will find this information in 'The Victorian Health Sport Participation Report', which has also been made available in the document library on Your City Your Voice.

### **Deb Bain-King**

1. If they have considered this fact, what are the anticipated costs to Council to support the impacted health of those who will be denied access to open green space? Especially those without transport, such as the young, the aged and those with mobility challenges. Has this cost been estimated? If so, what has Council put aside to service this need? If this hasn't been estimated why not?

### **Response**

The Masterplan balances a range of community needs and if implemented will provide for a variety of recreation pursuits and health outcomes.

### **David Heron**

Mr Clarke seems to be the Council historian so I am wondering if he can tell us when the trees in the dog park and the area outside it were planted at Mclvor? How long have they been providing shade at the park and how long have they hosted Tawny Frogmouth, Lorikeets, Rosella, Noisy Miner and all of the other birds and marsupials who call Mclvor Home? And where are they expected to go when 114 matures are bulldozed to make way for something that has no business on parkland?

*Cr Tran left the meeting at 7.19 pm.*

### **Response**

Councillor Clarke responded by providing a brief history of open space and tree canopy throughout the municipality.

The Chief Executive Officer also advised that as per the Frequently Asked Questions on the Mclvor Reserve YCYV page: *"For every tree removed, two will be replanted and where appropriate like for like, delivering a minimum net increase of 114 trees in the Reserve, with species to enhance habitat, climate suitability and canopy resilience"*.

As per the Council Report, "An Ecological Biodiversity Assessment is taking place to confirm flora, fauna and habitat within the site. Evidence of bird nesting (physical nests and nesting behaviour) have been identified in twelve trees within the reserve to date. Any assessment findings will be followed with a detailed Fauna Management Plan to protect fauna species and minimise disturbance during construction and after project completion".



### **Amanda Heron**

Yesterday we heard from a basketball mum that there is actually a huge amount of capacity for highball teams at Altona. The Director for Infrastructure seemed surprised to hear that and said that wasn't what he was hearing from his stakeholders. Are the stakeholder he is talking about representatives of Westgate Basketball Association? What independent research has been done and what independent data has been collect by Council in 2022 or 2023 to verify the post-covid capacity of other sporting arenas? Shouldn't that be done before we commit to destroying a park based upon old data and biased self-reports from Westgate Basketball?

*Cr Tran returned to the meeting at 7.21 pm.*

### **Response**

This question has been answered previously and Council is confident in the data provided regarding the need for further indoor facilities within the municipality.

### **Laken Willis**

Is this Council ever embarrassed by the way it has treated this community who is only trying to do the right thing in the midst of a climate crisis? I watched last night's Question Time online and I am unsure how you could provide less substantive response. Do you consider community engagement to be a chore? A joke? Will you be willing to look critically and the feedback you have received throughout and make improvements or are you just going to stick with the broken record about it being "state of the art" despite all of your stakeholders thinking it is absolute rubbish?

### **Response**

Engagement has been authentic and genuine in line with Council's Community Engagement Policy. There have been two formal opportunities for the community to engage and participate in the process, through a variety of tools and methods, over a ten month period from April 2022 to January 2023.

In line with best practice, a comprehensive Masterplan for Mclvor Reserve has been developed. The Mclvor Reserve draft Master Plan Report was attached to the Council agenda at the November 2022 meeting of Council and shared with Councillors prior to endorsing the draft Master Plan for community engagement.

This document has been available on our website (as part of the agenda) since the publication of the agenda prior to this meeting. It was also previously available on the Your City Your Voice portal. It has now been replaced on the Your City Your Voice portal with the Mclvor Reserve Master Plan Project Report. Given the file size it has been included as a link below the document library.

The one page landscape map provides a snapshot summary of the proposed changes to support community understanding of what has been considered.

**Peter Eastmure**

How are people to access Mclvor reserve from the overflow car park in Gent St?

**Response**

There is a signalised intersection planned for the intersection of Mclvor Road and Francis St that will facilitate safe pedestrian access for those looking to access Mclvor Reserve from the overflow car park in Gent Street.

**Councillors were asked the following questions:**

**Estelle Lepetit**

1. Can each of the Councillors who attended the Friend of Mclvor Reserve meeting in the park tell us about one person who talked to them, or about one story they heard, that reflects why the public is so passionate about preserving Mclvor Reserve?
2. Can each of the Councillors talk about their personal commitment to climate change mitigation and protecting the environment?

**Response**

Councillors responded directly to the questions asked by Estelle Lepetit.

**EXTENSION OF PUBLIC QUESTION TIME**

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

Moved Cr Clarke  
Seconded Cr Tran

**CARRIED**

**Dermot Cullen**

1. Councillor Carter took the time to passionately address the group of westgate basketballers present at the Council meeting on Tuesday evening prior to the actual Council meeting, talking about how much the Council values their feedback and how much work Council is doing to meet their needs. Why didn't Councillor Carter, or any of the other Councillors present, look to address the large crowd at Mclvor who came out in support of maintaining green space or at any of the other Council meetings the supporters of keeping green space green have attended?

### **Response**

The Chair responded by advising that she was not invited to address the crowd, instead individual discussions with Councillors were requested.

### **Dermot Cullen**

2. What are the total internal and external costs to date for Maribyrnong City Council of the development of the draft master plan? For clarity, external costs are all costs with suppliers, consultants and similar groups who have provided information, data or assessments used in the development of the plan.

### **Response**

The Internal and external costs to date for the development of the draft master plan is \$125,132.

### **Shari Liby**

1. There was a question last night about what would prevent Council from a later expansion on any stadium built at Mclvor, taking away even more green and open space. It wasn't directly answered. Can you please directly answer that tonight and explain if building this stadium on parkland is really just the thin edge of the wedge?

### **Response**

A draft Master Plan for Mclvor Reserve has been prepared following extensive community consultation, which is the subject of Agenda Item 7.1 this evening.

2. What do the Councillors know about air quality near Mclvor Reserve? Are you aware that we are in an asthma hotspot or that Wembley Primary is one of the schools where kids will be wearing air-pollution monitoring backpacks? I sent you all a video of me wiping sticky soot off of my house that is associated with all of the heavy metals in our air. Did each of you watch it? Do the Councillors believe the community's concern about pollution or urban heat in this part of Yarraville are over-stated? Do you believe that our belief that trees, nature's lungs, are particularly critical around Mclvor Reserve?

### **Response**

Council is aware of the air quality issues in the municipality. Council endorsed the Air Quality Improvement Plan at the Council meeting of 16 August 2022. This plan includes a number of actions to address the environmental and health impacts caused by poor air quality in the City.

**Kim Eastmure**

1. Is the Footscray Cemetery counted as Green Space? Is this included in Yarraville 13% of green space? If so, what is Yarraville's usable (%) green space?

*Cr Jorquera left the meeting at 07.40 pm.*

**Response**

The Footscray Cemetery is not included in Council's green space calculations.

2. Does Council have funds to fight the CFMEU ban but no money to purchase a brown site and decontaminate it???

**Response**

Should Council progress to implementation of the Master Plan, the implications of any third party actions will be considered.

3. Is it true that no Traffic/Parking Study has been done? If not, how can the Masterplan be considered as complete? I feel that any Carparking spaces mentioned aligned to a sporting venue are the same car parks being sprouted by other sporting venues.

**Response**

As advised by the Chief Executive Officer this question has been asked and already answered.

**Mark Baulch**

1. If anybody is assaulted or injured at Mclvor Reserve due to a lack of lights are the Council liable?

**Response**

When planning for improvements in public open space, Council always endeavours to provide safe, accessible and attractive spaces in order to ensure no users are exposed to risk.

2. When asked about why the counters were put in at the Mclvor Reserve dog park Mr. Jess said that they were put in numerous parks, can he tell me how many and whereabouts as I haven't been able to locate them?

**Response**

Council has counters placed in Yarraville Oval, Mclvor Reserve and Quarry Park and throughout Footscray Central Business District.

3. Early last year Cr. Clarke had a meeting with some people whom use the dog park at Mclvor Reserve and asked us what could be done to improve it, we suggested lighting, double gates and extra dispensers for bags, he said he would get onto them right away, as it's been well over a year now we were wondering when the Councillor was going to do what he promised?

**Response**

Councillor Clarke advised that he reported this to the Director Infrastructure and it will be managed through Council's normal operational requirements.

Furthermore, dog poo bags have been delayed due to supply issues across the industry however a third dispenser with dog poo bags will be going into Mclvor Reserve on 4 April 2023. Mclvor Reserve goes through approximately 2000 individual bags a week and Council is continually working to upkeep the demand for dog poo bags within the reserve.

**Karen Graham**

Are any of the existing Councillors planning to step down at the next election and if so who?

**Response**

The Chair disallowed this question under Council's Governance Rules.

The Chair, Cr Sarah Carter, declared Public Question Time closed at 7.42pm.

*Cr Jorquera returned to the meeting at 7.42 pm.*

**6. PETITIONS**

**6.1. Petition: Westgate Basketball needs your support for a new stadium in Yarraville!**

The purpose of this report is to table a petition received in relation to a request to "Petition: Westgate Basketball needs your support for a new stadium in Yarraville!".

## **OFFICER RECOMMENDATION**

That Council:

1. Receives and notes the Petition: Westgate Basketball needs your support for a new stadium in Yarraville!; and
2. Requests the Chief Executive Officer to consider the petition and determine the appropriate response.

Moved: Cr Michael Clarke  
Seconded: Cr Bernadette Thomas

**CARRIED**

## 7. OFFICER REPORTS

### 7.1. Mclvor Reserve Draft Master Plan

The purpose of this report is to consider adoption of the Mclvor Reserve Master Plan following community feedback on the draft Master Plan.

#### OFFICER RECOMMENDATION

That Council:

1. Note the feedback received from a range of sources on the Draft Mclvor Reserve Master Plan.
2. Adopts the Mclvor Reserve Master Plan 2023 and authorises the commencement of;
  - a. Schematic design and necessary site planning and due diligence to enable upgrades to the Reserve including the provision of an Indoor Sports Facility;
  - b. Advocate for State and Federal funding to support implementation of the Master Plan.

Moved: Cr Anthony Tran  
Seconded: Cr Cuc Lam

There being a tied vote, the Chair exercised her casting vote **FOR** the motion.

**CARRIED**

Cr Thomas called for a **DIVISION**.

**For the Motion:** Councillor Sarah Carter, Councillor Cuc Lam and Councillor Anthony Tran.

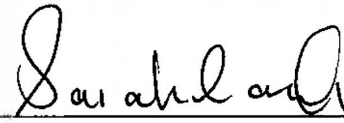
**Against the Motion:** Councillor Michael Clarke, Councillor Jorge Jorquera and Councillor Bernadette Thomas.

The Chair, Sarah Carter exercised a casting vote **FOR** the motion.

**CARRIED**

## 10. MEETING CLOSURE

The Chair, Cr Sarah Carter, declared the meeting closed at 8.19pm.



To be confirmed at the Ordinary Council Meeting  
to be held on 18 April, 2023.

Chair, Cr Sarah Carter