

Maribyrnong City Council

COUNCIL MEETING MINUTES

**Tuesday 19 July, 2022
6.30pm**

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

MEMBERSHIP

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

To be confirmed at the Council Meeting
to be held on 16 August, 2022

1. COMMENCEMENT OF MEETING AND WELCOME

The meeting commenced at 6.30pm.

The Chair, Cr Anthony Tran 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 Anthony Tran (Chair)
Councillor Michael Clarke
Councillor Simon Crawford
Councillor Jorge Jorquera
Councillor Cuc Lam
Councillor Bernadette Thomas

IN ATTENDANCE

Chief Executive Officer, Celia Haddock
Acting Director Corporate Services, Matt Cooper
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
Acting Coordinator Governance, Adele Woolcock

2. APOLOGIES

An apology for the meeting was received from Councillor Sarah Carter.

3. LEAVE OF ABSENCE

Nil.

4. DISCLOSURES OF CONFLICTS OF INTEREST

Nil.

SUSPENSION OF STANDING ORDERS

A motion was moved by Cr Michael Clarke, seconded by Cr Cuc Lam, that Council suspend standing orders to read a tribute to Vivian May Huston nee Kina, 'Aunty Viv'; and for Council to acknowledge receiving a Gold Award at the Australasian Reporting Awards, at 6.31pm.

CARRIED

Councillor Jorge Jorquera spoke of Vivian May Houston nee Kina 'Aunty Viv' who was born in 1946 in south east Queensland as a Jinibarra, Wakka Wakka and Kubbi Kubbi Indigenous woman a part of the Fisher mob. Aunty Viv grew up as a young person in the girls dormitory at Cherbourg, a segregated government Aboriginal settlement.

After the death of her sons in the 1980's, Aunty Viv moved to Braybrook in Melbourne's inner west where she and her partner, Uncle Porky (who died in January of this year) became local identities. Aunty Viv was a prominent member of the Indigenous community of Melbourne's West as an artist and advocate and was recognised with numerous awards. She was also an active member of the Melbourne Indigenous Church in Footscray and worked closely with Maribyrnong City Council, Footscray Community Arts Centre, and Cohealth.

Aunty Viv is survived by her son Vernon, granddaughter Crystal, grandson Michael and her large extended family. She will be laid to rest with her children in Kingaroy, Queensland.

Councillor Jorquera thanked Nick Wight for writing these words in memory of Aunty Viv and her family for kindly approving we make a brief Council statement in Aunty Viv's memory.

Councillor Jorquera noted that for him, Aunty Viv's service was a beautiful reminder of what community is. So many of those who shared their memories, echoed the same words that were repeated throughout the family videos shown at the service. In Aunty Viv's words, you are you, I am me, we are all equal.

The Chair, Mayor Councillor Anthony Tran recognised that at the Australasian Reporting Awards held in Sydney yesterday, Council received the Gold Award for the 2020-2021 Annual Report. Councillor Tran acknowledged this wonderful achievement for Council and highlighted the dedicated work of all staff who put this report together. Councillor Tran congratulated Mark Connor, Lauren McKenzie, Kate Eichler, Frank Rog and the Executive Leadership Team.

RESUMPTION OF STANDING ORDERS

A motion was moved by Cr Cuc Lam, seconded by Cr Bernadette Thomas, that Council resume standing orders at 6.38pm.

CARRIED

5. PUBLIC QUESTION TIME

Question

Lisel Thomas asked public questions regarding a traffic accident in Whitehall Street and if Council was aware that this is the second time in recent years that a cyclist has died following a collision with a truck on Whitehall Street.

Response

The Chair, Mayor Councillor Anthony Tran noted that Council is aware of this tragedy and passed on Council's condolences and respect to the family involved. The Chair, Mayor Councillor Tran noted that Council is working closely with the Department of Transport who are responsible for this road.

Questions regarding Mclvor Reserve

The Chief Executive Officer, Ms Celia Haddock noted that Council had received 58 questions in relation to Mclvor Reserve. These questions have been grouped together under a number of different categories. Every question will be read aloud under each category and then a response will be provided.

Loss of Green Space

Council has received 19 questions in this category

Scott Lyon, asked the following question:

1. In relation to the proposed indoor sports facility at Mclvor Reserve, can the Council explain the amount of free green space that will be lost?

Vicki McMahon asked the following questions:

2. How will you replace green space to community that you are taking away by the stadiums?
3. Why are you not appreciating non formal sports area-ability to have open space, run with kids or dogs instead choosing formal sports spaces?

Mark Baulch asked the following questions:

4. In the State Governments Greening Melbourne policy it states, (protecting existing green spaces creating new opportunities for urban greening), does the Council plan on doing the same or do you plan on giving up green space?
5. Where will the additional greenspace be in the vicinity of Mclvor Reserve when the Bradmill site is developed?

Nell Wilson asked the following question:

6. If the green space is being destroyed at Mclvor Reserve, where will new green spaces be created in its place?

Katrina Bradbury asked the following questions:

7. When will the future open space needs of non-sporting users be considered, especially in light of the massive development at Bradmill?
8. Why is open space not valued at Council?

Alice Lee, asked the following question:

9. With the adjacent Bradmills site development underway, a huge number of residences will be introduced to the area. What is the proposed plan for

preservation of green spaces in this area to support growing number of residences?

Dinie Tarmizi, asked the following question:

10. Why are you building on existing green space and taking away what little open land we have?

Dana Grech, asked the following questions:

11. What are you doing to offset the destruction of green space at McIvor Reserve? This space is greatly used by the public and I'm sad to see some of it go.

12. What will you do to provide those with an alternative in the immediate vicinity who use it to walk their dogs (that are not suited to off leash areas)?

Michelle Metcalf asked the following question

13. Has Council considered the loss of green space for local residents? These are used by children, runners, dog walkers and many others

Kirsten Brown asked the following questions:

14. Re: the construction planned for McIvor Reserve... I understand the dog park will be lost. What equivalent dog exercise facilities / amenities will be provided and where will these be? This is a growing residential area and requires safe space for pet owners to exercise their dogs.

15. Re: the construction planned for McIvor Reserve... the Bradmills development will require significant increase and access to green spaces. How will Council guarantee that space lost via this development will be made up / replaced?

Dermot Cullen asked the following question:

16. The indoor stadium strategy was developed in 2017. Community expectations regarding the use of open spaces have undeniably changed in the last 5 years, especially with the COVID-19 pandemic. Why will Maribyrnong Council not commit to protecting and not developing on the already limited amount of open space in the Maribyrnong council area, particularly Yarraville?

Danielle Pawczynski, asked the following question:

17. In this part of the West it is very industrial so why would you eat into our limited and scarce green space when there is ample industrial space you could utilise?

Miles Gilbert asked the following question:

18. In the McIvor Reserve Questionnaire responses, Council stated that the OSS, "Will be a key consideration of the development draft Masterplan". But also states that, "It does not provide any protection (to the Reserve)." The OSS is the overarching key document to protect Open Spaces from inappropriate development. How can it be effective if Council sees it as 'not providing any protection'? With that in mind, will the Council elevate the importance of the OSS in its decision making process to more accurately reflect the high priority that the community places on protecting Open Spaces?

Sharon Schwab asked the following question

19. What is the relationship in 2022 between mental health / wellbeing and the amount of available open green space within one's community? Is Council familiar with studies that link these two metrics?

Response

The Chair, Mayor Councillor Anthony Tran reiterated that Council has made no final determination in respect to an Indoor Stadium, the location of an Indoor Stadium, or a stadium design. Council confirms its commitment to green open space and is presently reviewing the Mclvor Reserve Master Plan.

The Chair, Mayor Councillor Tran continued by noting that Open Space is a precious resource and contributes significantly to community life. The Mclvor Reserve Master Plan will consider this and the desires of the community, as well as a variety of competing priorities.

The Chair, Mayor Councillor Tran confirmed that Mclvor Reserve is designated as a municipal reserve so its purpose is primarily for the City of Maribyrnong community as a whole and mainly provides structured sporting facilities or other recreation and social facilities that attracts people to travel to it beyond their local neighbourhood or suburb. In the event that Council proposed an indoor stadium within the City, Council would undertake extensive community consultation so that Council can consider the views of the community as part of its considerations.

The Chair, Mayor Councillor Tran finished by noting that Council will consider any plans for a further dog park as part of the Mclvor Reserve Master Plan.

EXTENSION OF PUBLIC QUESTION TIME

A motion was moved by Cr Michael Clarke, seconded by Cr Simon Crawford, that Council extend public question time by 5 minutes.

CARRIED

Consideration of Other Sites

Council has received 8 questions in this category

Scott Lyon, asked the following question:

20. Why aren't other sites (not existing green space) being investigated?

Katrina Bradbury asked the following question:

21. Why is there no information circulating about alternate locations for a basketball stadium?

Greg Randall asked the following question:

22. What sites, other than Mclvor Reserve, is Council considering for new indoor sporting facilities?

Fiorella Fabian asked the following question:

23. What investigations have been done to work out if other brown areas or already approved developments can accommodate a few sporting courts, as negotiated with private landowners?

Dinie Tarmizi asked the following question:

24. Why are you not looking into the cleanup of brown sites to develop/upgrade these facilities into what the community need?

Thomas McRobert asked the following question:

25. With regard to Mclvor Reserve what other alternatives to use vacant or disused land were explored before a proposal to remove a very important park for dog owners and local businesses such as trainers and walkers?

Susan Schwab, asked the following question:

26. At this time, what are the locations within Mclvor Reserve that Council believes may be suitable to accommodate a 3-4 indoor court basketball stadium?

Melanie Dow asked the following question:

27. There is a recreational area directly across the road - why is this not being considered as a place to build such a facility?

Response

The Director Infrastructure Services, Mr Patrick Jess firstly noted that the 2018 Indoor Sports Strategy considered 11 sites within the municipality. Among those sites, there is consideration of State and Government owned land, and Council has been collaborating with those bodies to seek the best possible site for an Indoor Sports Centre.

Mr Jess confirmed that of the sites considered so far, no site has been identified as the preferred site, for a variety of reasons. Further to this, Council is still considering what sites that may be available, outside the Indoor Stadium Strategy.

Mr Jess finished by reiterating that no decision has been made on Mclvor Reserve – Council are simply investigating it as an option, as per other sites that have been investigated, and as per the Indoor Stadium Strategy.

Sporting Infrastructure in Maribyrnong

Council has received 6 questions in this category

Nell Wilson, asked the following question:

28. How much money has been invested to date in hockey, cricket, soccer and football fields versus how much has been invested in actual green space (non sporting related) in the last 3 years?

Katrina Bradbury, asked the following question:

29. Why is your infrastructure and open space department seemingly fixed upon the infrastructure aspect of the branch?

Greg Randall, asked the following questions:

30. This question relates to proposals to build new indoor sporting facilities. New facilities of the scale and cost under consideration are unlikely to be in place for at least 3 years. Can Council detail what non-capital dependent solutions, if any, are being considered to meet the reported shortfall in supply meet current and forecast demands (2018 Indoor Stadium Report)?

31. In relation to the development on new indoor sporting facilities why is Council not engaging with the Department of Education, Victoria University and neighbouring Councils to find solutions?

Rae Kappler asked the following question:

32. Does the community need extra basketball stadiums when they are available in other suburbs not that far away?

Dermot Cullen asked the following question:

33. Hobson Bay Council have noted that significant population growth in Spotswood means that Spotswood is not an ideal location for future development of an indoor sports facility. What discussions have Maribyrnong Council had with Hobson Bay Council on an integrated western suburbs indoor sports stadium strategy given how close Spotswood is to McIvor Reserve and the fact that population growth across both suburbs is expected to be similar?

Response

The Director Infrastructure Services, Mr Patrick Jess clarified that these works are being undertaken by Council's Recreation and Open Space Department.

Mr Jess continued by noting that Council does not have a set percentage of land that must be reserved for open space; however our Open Space Strategy clearly identifies suburbs that are deficient and provides a strategy to address these deficiencies. The quantum of Open Space or Public Park and Recreation Zoned Land for non-aligned use is not aggregated on a municipal level.

Mr Jess confirmed that Maribyrnong City Council works and collaborates with all Western Regional Councils in many areas of services provision, including recreation, health, education and community services. In addition, Council has been collaborating with state government bodies to consider developments as identified in the Indoor Sports Strategy.

Mr Jess finally noted that the Inner Metropolitan Plan, which Council is a member of (at the time referred to as IMAP) identified a supply of 52 courts and a need or demand for 129 courts in the inner Metropolitan region. No single site nor municipality can address this demand on its own.

Environmental and Financial Considerations

Council has received 11 questions in this category

Fiorella Fabian, asked the following questions:

34. What is the minimum viable footprint for a sporting complex at Mclvor Reserve and how many residents would that actually serve?

35. What is the economic costs thrown away by clearing current green native garden spaces (planned, budgeted and maintained for 13+ years) for this development, in addition to the cost and years it would take to revegetate an equal size and maturity of the native spaces lost to this development?

36. How can ratepayers trust Council spending and promises for environment when these investments for the future, by years of community ratepayers, can be so easily destroyed and diverted for the benefit of a smaller niche of sport lovers?

Dinie Tarmizi asked the following question:

37. Have you considered the impact of loss of habitat for the native animals and the traffic congestion this will generate?

Michelle Metcalf asked the following question:

38. Where will people who walk their dogs at Hanson Reserve be able to walk safely?

Kirsten Brown, asked the following question:

39. Re the construction planned for Mclvor Reserve...What environmental impact studies have been done? What were the outcomes? What consideration is being made for loss of canopy / tree habitat?

Melanie Dow asked the following question:

40. One of the areas which will be impacted is the dog park - what alternative will be provided considering that the nearest (Cruickshank) is already overcrowded? By limiting the areas that dog owners can effectively exercise their dogs (and be responsible owners), are you not increasing the potential for altercations between dogs and/or people due to inadequate facilities? What about the dog walking/training businesses that use this area responsibly? After all, these are all people who pay registration fees to the council for their dogs – what are they getting in return?

Dana Grech asked the following question:

41. Please look into implementing an off leash Greyhound only area.

Thomas McRobert asked the following question:

42. With regard to the proposed sports building at Mclvor Reserve, if it is passed where will the dog park be moved to and can we be assured that the new dog park will be finished prior to losing the present one?

Shari Liby asked the following question:

43. Maribyrnong's ranks last (23/23) for green cover (canopy and shrubs) in <https://www.greenerspacesbetterplaces.com.au/wwattb/maribyrnong-city-council/>. Green cover has decreased since 2016 and is at only 8.6%. Green space (canopy, shrubs, grass and bare ground) is down 2.8% since 2016, while pavement and other hard surfaces are up 2.8%. What green cover and green space targets does Council have, how does it intend to achieve these targets, and would erection of an indoor sports stadium on land with shrubs, grass, and mature trees be contrary to efforts to increase the City's green space and green cover?

Sharon Schwab asked the following question

44. How much money has been budgeted for the Mclvor Reserve Masterplan? Where exactly is that found on the budget from last financial year or this financial year?

A response to this question was unable to be provided at the meeting but is included in the minutes as follows. Council has spent \$67,000 in relation to the Mclvor Reserve Master Plan, funded from the Recreation and Open Space budget.

Response

The Chair, Mayor Councillor Anthony Tran confirmed that Council is presently consulting on the draft Masterplan. Any proposals which arise from this Master Plan will include financial, environmental, social and sustainably considerations. More specifically, the proposal for any Indoor Stadium will be subject to further due diligence if the project proceeds. This would consider the site footprint, environmental impacts, project costs and the impact on current users among many others as is expected for any major project delivery.

The Chair, Mayor Councillor Tran noted that Council is actively increasing canopy cover and converting hard surfaces to parkland. The most recent example is Berbert Park where Council converted a car park into a community park. Council is also actively converting Warde and Whitehall Street into a community park, being a former road.

Further to this, The Chair, Mayor Councillor Tran confirmed that Council's main target from the Urban Forest Strategy is to increase tree canopy cover in its public realm by 20% by 2040. To achieve this target, Council is planting approximately 3000 trees per annum. Council also has a target to plant 8,000 tube stock, being native shrub and ground covers) per annum. In fact, since 2017, this has been exceeded with an average of 15,000 to 20,000 per annum.

Traffic and Car parking considerations

Council has received 7 questions in this category

Vicki McMahon asked the following question:

45. How will community cope with extra unwanted traffic?

Rae Kappler, asked the following questions:

46. How will the local streets not able to cater with school traffic in the area be able to cope with extra load on the roads for teams coming to this stadium and as well enable locals to be able to still find parks outside their own homes.
47. How will this infrastructure impact upon the quiet residential streets around this area as well as after the development of the Bradmill Site. Leave the green spaces alone!

Danielle Pawczynski, asked the following questions:

48. Please explain where you're going to find the humongous space required for car parking for the proposed indoor sports courts at Mclvor Reserve.
49. Have you thought about traffic congestion? Once Bradmill estate really kicks off that will put a strain on Francis Street (West End) so if you develop a sports stadium next door that impacts immensely on the local residents and the impacts increase even more when accidents and roadworks are thrown into the mix

Alice Lee asked the following question:

50. With this massive facility such as the proposed, and only a handful of bus routes in this area, this obviously means the expectation is most of the people attending is coming via private vehicles. How much green space will we have to waste to support a carpark big enough for such a facility?

Michelle Metcalf, asked the following question:

51. What are the plans for parking to be able to accommodate all the cars that will be driving to this venue?

Response

The Chair, Mayor Councillor Anthony Tran confirmed that as previously advised, no determination has been made by Council on an indoor stadium. Any proposed indoor stadium development within the City would be subject to traffic impact assessments and parking considerations as part of the site due diligence.

EXTENSION OF PUBLIC QUESTION TIME

A motion was moved by Cr Michael Clarke, seconded by Cr Cuc Lam, that Council extend public question time by 15 minutes.

CARRIED

Policy Considerations

Council has received 3 questions in this category

Dermot Cullen, asked the following question:

52. Multiple responses from Council at the last City Development Delegated Committee, and on the Your City Your Voice Mclvor Reserve page, have mentioned the 2018 Indoor Stadium Strategy as being one strategy that Council is relying on when looking at potentially developing an indoor stadium on the current open space. For the record, please list all other applicable policies/strategies that the Council is relying for development if an indoor sports stadium.

Miles Gilbert, asked the following questions:

53. In 2014 the Open Space Network in total, consisted of 153 reserves, 313.5 hectares of land (10% of Municipal area) with 39 sqm per resident. With regard to functional Open Space (as distinct from plans that might be in the works) what are the current figures for:
1. the number of reserves,
 2. the land area (in hectares and as a percentage), and
 3. area per resident (in the Open Spaces Network), and
 4. since 2014, how much Open Space has been used for 'non-open space dependent buildings' (as defined in the OSS)?
54. With regards to Open Space, has the Council identified a minimum percentage of the total area of the municipality that must be preserved and protected as open space, against loss from future building developments? If yes what is the percentage? If no, does the Council agree that such a target would help protect the Open Space Network, and would you commit to developing such a target?

Response

The Chair, Mayor Councillor Anthony Tran confirmed that Council's Open Space Strategy clearly articulates Council's position with respect to Open Space. This strategy will be considered alongside the community vision, council plan and other strategic documents.

Further to this, the Chair, Mayor Councillor Tran noted that since 2014, Council has acquired an additional 4.4 hectares of open space and in addition to this in recent times has trialled a number of pocket parks converting roads and car parks to community open space. The Maribyrnong Planning Scheme incorporates a 5.7 per cent open space contribution rate for new subdivisions.

Benefits to the Community

Council has received 4 questions in this category

Alice Lee asked the following question:

55. Everyone can enter and enjoy an open green space like Mclvor reserve 24 hours a day for free. Only those who play or watch indoor sports will be able to utilise this proposed facility, for the duration of the opening hours for a fee. Is this supposed to benefit all of us rate paying residents?

Shari Liby, asked the following questions:

56. What percentage of Maribyrnong residents use unstructured recreation space in the City for unstructured recreational needs and how much do you anticipate this need for unstructured recreation space to grow through 2031? (By unstructured recreational needs, I mean things like going for a walk or run, doing yoga or meditation in a park, bike riding, playing a game with friends, using a playground, birdwatching, exercising with a friend, walking a dog, rollerblading, etc).
57. What percentage of Maribyrnong residents participate in structured indoor vs structured outdoor team sports in the City and how much do you anticipate this need for indoor and outdoor sports facilities to grow through 2031?

Melanie Dow, asked the following question:

58. What part of the community are going to benefit from this development? As someone who has chosen not to have children, my husband and I seem to get missed in many government consultation processes. What is the benefit to young professional couples?

Response

The Director Infrastructure Services, Mr Patrick Jess responded to these questions by stating that the strategic setting for the Indoor Sports Strategy considers all of Council strategies, policies and plans. No one strategy has the outright mandate over another, and all are considered in totality to achieve a balanced outcome and meet a variety of community needs.

Mr Jess continued by noting that participation statistics are best sourced from AUS PLAY as these statistics note participation rates by age, gender and activity. Pre-pandemic there was a strong rise in participation in organised sport in children and this is expected to continue.

Finally, Mr Jess confirmed that Indoor Sport Centres have offerings for all ages and stages of life and aligned with Aquatic Facilities, they provide a high activity yield per square metre and a high return on investment to Council and the community, that is subsidised by the users.

Question

Mark Baulch, asked the following question:

59. Is there a timeframe that Councillors should respond to Constituents?

Response

The Chair, Mayor Councillor Anthony Tran confirmed that Councillors will always endeavour to respond to constituents in a timely manner.

Question

Eddie Merrifield, asked the following questions:

60. RecWest is a crucial project – Daniel Andrew's response to adjournment matter from the 17th October 2019 in the Upper House was that the \$100

million community Sports Infrastructure Loans scheme can provide Councils access to low interest finance, making significant community infrastructure projects more financially feasible. What is this Council doing to urgently commit funds to get this project moving once and for all?

61. When is Council planning on informing the community on what commitments the Federal Government have regarding the details of the redevelopment of the defence site in the City of Maribyrnong?
62. What are the current plans for renewing and replenishing the social housing stock in the City of Maribyrnong?

Response

The Chair, Mayor Councillor Anthony Tran responded to the first question by noting that Council is in the process of appointing the design team for the RecWest development and is advocating to State Government for funding as part of the upcoming election.

In response to the second question, the Director Planning and Environment Services, Ms Laura-Jo Mellan confirmed that the Federal Government called for registrations of interest from parties that have the capability and capacity to remediate, develop and transact in relation to the Defence Site Maribyrnong in April 2022. Ms Mellan noted that this information is available on www.defence.gov.au. Officers understand that this registration of interest process is still underway and as such do not have an understanding of the redevelopment plans for the site at this stage.

EXTENSION OF PUBLIC QUESTION TIME

A motion was moved by Cr Cuc Lam, seconded by Cr Simon Crawford, that Council extend public question time by 15 minutes.

CARRIED

In response to the third question, the Chair, Mayor Councillor Anthony Tran confirmed that Council works closely with the Department of Families Fairness and Housing, Homes Victoria and social housing providers to support these necessary developments in our community. The Chair, Mayor Councillor Tran noted that the State Government is investing significant resources into the renewal and acquisition and development of housing stock for public, social and affordable housing, as part of the \$5.3 billion Big Housing Build program.

Further to this, the Chair, Mayor Councillor Tran noted that the City of Maribyrnong is one of 21 priority local government areas identified for bids for Big Housing Build projects. There are currently a number of Big Housing Build projects under development in the City of Maribyrnong, which will provide a mix of housing stock. Homes Victoria will manage the implementation of the big housing build program. The State Government are also currently seeking feedback from Local Government to establish a 'social and affordable housing compact' to identify social housing development priorities.

The Chair, Mayor Councillor Tran finished by stating that Council will continue to work with, and advocate to, the relevant authorities to improve housing supply in the City.

Question

Cameron Goodison, asked the following question:

63. Relating to planning scheme Amendment C173 and C172. A Reserve Bank of Australia research paper from March 2018 estimates that zoning restrictions raised the average price of detached houses by 41 per cent. Please explain why Council believes that expanding zoning restrictions on 923 dwellings is an appropriate policy in the context of Australia's current housing affordability crisis?

Response

The Director Planning and Environment Services, Ms Lauro-Jo Mellan spoke of a range of matters that Council must consider in preparing a Planning Scheme Amendment, including the social, economic and environmental for a net community benefit. The amendments seek to balance these requirements around conservation and affordability.

Further to this, Ms Mellan noted that Amendment C172 is proposing to rezone land from General Residential Zone to Neighbourhood Residential Zone. The main difference between these zones is the allowable building height of residential dwellings (GRZ - 11m & 3 storeys, NRZ - 9m 2 storeys). This is not considered to impact on housing affordability.

Question

Vas Banschikov, asked the following question:

64. What other ways has Council considered to promote heritage significance in the precincts listed in Amendment C172, without imposing costly and challenging overlays on resident's private homes?

Response

The Director Planning and Environment Services, Ms Laura-Jo Mellan noted that it is State Planning Policy to ensure the conservation of significant heritage places. To do this, places, buildings and objects must be identified, assessed and documented as places of natural and cultural heritage significance, as a basis for their inclusion in Victorian planning schemes.

Following on from this, Ms Mellan confirmed that Council, as the Planning Authority of the Maribyrnong Planning Scheme, is required under S12 of Planning and Environment Act 1987 (duties and powers) to provide sound, strategic and co-ordinated planning of the use and development of land in its area; and to implement the objectives of the Act (Section 4 (1)) to achieve a net community benefit:

- to conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value
- To provide for the fair, orderly, economic and sustainable use and development of land
- To balance the present and future interests of all Victorians

Finally, Ms Mellan noted that Amendment C172 seeks to recognise the contribution of Inter-war and Post-war heritage places to the character of West Footscray. The Amendment seeks to ensure that a planning permit is required for demolition and a range of buildings and works and that Council will have a framework with which to manage heritage values. It seeks to implement permit exemptions for minor buildings and works that are not visible from the street to reduce potential costs and red-tape for owners.

Question

Glen Yates, asked the following questions:

65. My question is in regards to food vans and Yarraville Gardens. The food vans brought the community together over the weekends where families could choose a variety of cuisines and enjoy the surrounds of Yarraville Gardens. This stopped at the end of 2018 after they were moved to Hyde Street during the water works and feedback was also received from the YTA. A \$1000 premium was added to the Mobile Vendor Permit if they wanted to set up at Yarraville Gardens and applications were capped. The permit zone was moved back to Somerville Road. The premium has been removed and now open to 25 vendors. Still no food vans. Why is the 24/7 permit zone still active?
66. Hobsons Bay City Council has recently requested that the West Gate Tunnel Authority release the remaining \$3M from the \$10M West Gate Neighbourhood Fund and commit a further \$10M towards the funding of the program for Hobsons Bay and Maribyrnong community projects. Will Maribyrnong City Council be supporting Hobsons Bay City Council and will it make the same request of the West Gate Tunnel Authority?

Response

In response to the first question, the Chair, Mayor Councillor Anthony Tran noted that COVID-19 restrictions impacted on the operation of Food Vans over the 2020/21 period but they have slowly started returning. Maribyrnong City Council has nine food vans registered at present and they all can all operate at Yarraville Gardens, so it is important that the Permit Zone remains to ensure the same controls are in place if and when there is a further increase in operating food vans in these area.

In response to the second question, the Chair, Mayor Councillor Anthony Tran confirmed that Council encourages the community to make applications for the 2022 round of West Gate Neighbourhood funding and looks forward to the community response. At this stage, Council is not pursuing additional funding from the West Gate Tunnel Authority as the current funds have not been expended.

Question

Han Thai asked the following questions:

67. Has Council conducted any studies into the emotional and financial hardships of imposing the proposed Heritage Overlay C172 and C173 onto 923 families, especially now with interest rates and costs of living keep rising? If yes, please provide copy/details of these studies.
68. Please provide details of the study conducted leading to the C172 and C173 Amendment, including details of: What was the cost of this study? How long did the study took? What period was this study carried out? From what date to what date? How many people carried out this study? What company undertook this study?

Response

In response to the first question, the Chair, Mayor Councillor Anthony Tran confirmed that Council as the Planning Authority of the Maribyrnong Planning Scheme is required under S12 of Planning and Environment Act 1987 (duties and powers) to provide sound, strategic and co-ordinated planning of the use and development of land in its area; and to implement the objectives of the Act (Section 4 (1)) to achieve a net community benefit.

The Director Planning and Environment Services, Ms Laura-Jo Mellan responded to the second question confirming that Council engaged a suitably qualified consultant/s to undertake the Maribyrnong Heritage Priority Projects for 2019/2020. The heritage priority projects consist of:

- Heritage Precinct Update (approx. \$56,000)
- West Footscray Inter-war and Post-war Heritage Precinct Study (approx. \$106,200)
- Maribyrnong Aboriginal Heritage Study Post-Contact Heritage Assessments (approx. \$10,500)

The approximate total cost is \$190,000 and the study ran from December 2019 – March 2021. Heritage Alliance and its sub-contractors undertook the project.

Question

Sharon Schwab asked the following question:

69. I note that residents are no longer allowed to read their own questions at Question Time and are to submit questions with a 100-word maximum. Word counts make questions difficult to write. Allowing residents to stand up and engage directly with Council members provided an opportunity to clarify what was being asked when questions were misunderstood or not actually answered. Is there a reason that the old and better Question Time processes cannot be reinstated in full by Council for better engagement with the community?

Response

The Chair, Mayor Councillor Anthony Tran noted that the Governance Rules were endorsed in August 2020, and the public question processes adopted at the time were reflective of the COVID-19 safe requirements recommended by the Department of Health.

Council is now reviewing Public Question Time process as part of its Governance Rules Review and is proposing that the Chair can nominate who reads the question, which may include members of the public. Tonight there is a report on this, which will be the subject of community consultation and a further report to Council in August.

6. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

The purpose of this report was to present for confirmation, the minutes of the Council Meeting held on 14 June 2022.

Council Resolution

That Council confirms the minutes of the Council Meeting held on 14 June 2022.

Moved: Cr Cuc Lam
Seconded: Cr Michael Clarke

CARRIED

Cr Jorquera left the meeting at 7.34 pm.
Cr Jorquera returned to the meeting at 7.36 pm.

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 LeadWest Committee held on 30 March 2022 and the City Development Delegated Committee held on 24 May 2022.

Moved: Cr Bernadette Thomas
Seconded: Cr Simon Crawford

CARRIED

7.2. Noting the Confirmed Minutes of the Audit & Risk Committee Meeting - 12 April 2022

The purpose of this report was 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*.

Council Resolution

That Council note the confirmed Audit and Risk Committee Meeting Minutes 12 April 2022.

Moved: Cr Michael Clarke
Seconded: Cr Cuc Lam

CARRIED

8. PETITIONS

Nil

9. OFFICER REPORTS

9.1. LGBTIQA+ Strategy and Action Plan 2022-2026

The purpose of this report was to present the draft *LGBTIQA+ Strategy and Action Plan 2022-2026* for Council consideration and seek approval to release the full document for public consultation in late July 2022.

Council Resolution

That Council:

- 1. Note the policy and consultation process to develop the draft LGBTIQA+ Strategy and Action Plan 2022-2026.*
- 2. Approve the release of the draft LGBTIQA+ Strategy and Action Plan 2022-2026 for public consultation commencing late July and closing late August 2022; and*
- 3. Note that officers intend to bring the final version of the document Council for adoption by November 2022.*

Moved: Cr Bernadette Thomas
Seconded: Cr Michael Clarke

CARRIED

9.2. Governance Rules Review

The purpose of this report was to endorse proposed amendments to Council's Governance Rules for community engagement, in accordance with the *Local Government Act 2020*.

Council Resolution

That Council:

1. *Endorse the draft Governance Rules for the purpose of community engagement; and*
2. *Note that a further report on the outcomes of the community engagement and proposed amendments to the Governance Rules will be submitted to the August 2022 Council meeting for consideration.*

Moved: Cr Simon Crawford
Seconded: Cr Cuc Lam

CARRIED

9.3. Governance Report - June 2022

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

Council Resolution

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

Moved: Cr Bernadette Thomas
Seconded: Cr Cuc Lam

CARRIED

10. NOTICES OF MOTION

Nil.

11. COUNCILLOR QUESTION TIME

Nil.

12. URGENT BUSINESS

Nil.

13. CONFIDENTIAL BUSINESS

Council Resolution

That Council, in accordance with section 66(2)(a) of the Local Government Act 2020, close the meeting to members of the public at 7.53pm to consider Confidential Agenda Item 13.1, Chief Executive Officer Interim Performance Review, as it relates to personal information of an identifiable person's contract of employment that would result in the unreasonable disclosure of information about that person and their personal affairs.

Moved: Cr Michael Clarke
Seconded: Cr Bernadette Thomas

CARRIED

CLOSURE OF PUBLIC MEETING

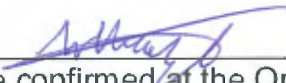
The Chair, Cr Anthony Tran, declared the meeting closed to members of the public at 7.54pm for consideration of confidential agenda item 13.1.

REOPENING OF PUBLIC MEETING

The meeting was reopened to the public at 8.02pm.

14. MEETING CLOSURE

The Chair, Cr Anthony Tran, declared the meeting closed at 8.02pm.



To be confirmed at the Ordinary Council Meeting
to be held on 16 August, 2022.

Chair, Cr Anthony Tran