



Maribyrnong City Council

ORDINARY MEETING OF COUNCIL MINUTES

**Tuesday 21 April, 2020
6.30pm**

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

MEMBERSHIP

Councillor Sarah Carter (Chair)
Councillor Megan Bridger-Darling
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 19 May, 2020

1. COMMENCEMENT OF MEETING AND WELCOME

The meeting commenced at 6.31pm.

The Chair, Cr Sarah Carter 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

Councillor Sarah Carter (Chair)
Councillor Megan Bridger-Darling
Councillor Simon Crawford
Councillor Gina Huynh
Councillor Cuc Lam
Councillor Martin Zakharov

IN ATTENDANCE

Chief Executive Officer, Stephen Wall
Director Corporate Services, Celia Haddock
Manager Governance and Commercial Services, Lisa King
Coordinator Governance, Danny Bilaver

2. APOLOGIES

An apology for the meeting was received from Councillor Mia McGregor.

3. LEAVE OF ABSENCE

Nil.

4. DISCLOSURES OF CONFLICTS OF INTEREST

Nil.

5. PUBLIC QUESTION TIME

Question

Mr Ken Betts asked the following questions:

1. Has a date finally been set aside for a New Footscray Senior Citizens Centre? As you know it's been over 7years since State Government compensated the Council for claiming of property in middle Footscray For VicRail new country train line infrastructure

2. In banking jargon, the invested money is sitting in a dormant account. Will council reactivate and allocate for community benefit this decade rather than sitting idle for another 7 years?

Response

The Chief Executive Officer, Mr Stephen Wall confirmed that when the regional rail link was developed, the Footscray senior citizens centre was demolished and its members relocated to the community centre at Raleigh Road. Since then, Council has been actively looking for opportunities to house the senior citizens in a shared building to get better utilisation out of Council buildings. A number of potential redevelopments may prove Council has the ability to house the senior citizens in shared community facilities such as the proposed town hall redevelopment, the proposed redevelopment of Footscray library, or the RecWest redevelopment.

Further to this, Mr Wall confirmed that while the money was sitting in reserve, when Council confirms the next significant project, he was confident that it would involve a great outcome for the Footscray senior citizens.

Question

Mr Brian Sandersen, asked the following questions:

1. Can you please explain to the public why you have chosen to terminate, rather than stand down, 150 casual employees in the wake of the COVID-19 crisis? Other Councils have stood down employees, allowing them to return to work when this epidemic is over. Why has Maribyrnong made the decision to terminate 150 casual employees?
2. Can you advise the cost of recruitment for 150 new employees once this epidemic is over.

Response

The Chief Executive Officer, Mr Stephen Wall confirmed that as a result of the Federal Government's decision to direct Council to close services and facilities, Council suffered a work stoppage and were unfortunately forced to cease the engagement of a number of casual staff. With not knowing when the COVID-19 pandemic will be over, Council was not able to ensure for casual staff when the services would reopen and be able to reengage these staff. By ceasing to engage these casuals, staff would be able to access government support. Mr Wall noted that local government staff are not eligible for JobKeeper payments, which may have changed how Council dealt with casual staff.

Mr Wall continued by noting that Council made the decision to honour the existing rosters when the decision was made to close the customer facing services and facilities, and that Council was doing its best to ensure that permanent staff are kept in gainful employment. When the current restrictions are lifted, and Council is able to determine future service and staffing requirements, Council will offer work in the first instance to former casual staff, rather than undertaking recruitment as such.

6. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

The purpose of this report was to present for confirmation, the minutes of the Ordinary Meeting of Council held on 17 March 2020.

Council Resolution

That Council confirms the minutes of Ordinary Meeting of Council held on the on 17 March 2020.

Moved: Cr Gina Huynh
Seconded: Cr Cuc Lam

CARRIED

7. REPORTS FROM COMMITTEES

7.1. Noting of the Confirmed Minutes of Special Committees

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

Council Resolution

That Council notes the confirmed minutes of the Enterprise Maribyrnong Special Committee held on 8 October 2019.

Moved: Cr Cuc Lam
Seconded: Cr Martin Zakharov

CARRIED

8. PETITIONS

Nil.

9. OFFICER REPORTS

9.1. Response to COVID-19 Pandemic Business and Community Support Program

The purpose of this report was to seek endorsement of a support package of up to \$6.5m across a range of programs and initiatives in response to the impacts of the COVID-19 pandemic.

Council Resolution

That Council:

1. *Adopts the COVID-19 Financial Hardship Policy at Attachment 1 to this report.*
2. *Endorses the Business Support Program at Attachment 2 to this report.*
3. *Endorses the Community Support Program at Attachment 3 to this report.*

Moved: Cr Simon Crawford

Seconded: Cr Martin Zakharov

CARRIED

9.2. Quarterly Performance and Financial Report - March 2020

The purpose of this report was to present the Third Quarter, Performance Report on the Annual Council Action Plan 2019-2020 of the Council Plan 2017-2021 along with Council's financial operations and the Capital and Asset Improvement Program.

Council Resolution

That Council endorse the 2019-2020 Third Quarter Performance and Financial report.

Moved: Cr Martin Zakharov

Seconded: Cr Simon Crawford

CARRIED

9.3. Maribyrnong Bicycle Strategy

The purpose of this report was to present community feedback on the Draft Maribyrnong Bicycle Strategy and an updated Strategy for Council consideration.

Council Resolution

That Council:

1. *Endorses the Maribyrnong Bicycle Strategy 2020-2030.*
2. *Note the community engagement summary and the review undertaken by the Australian Road Research Board (ARRB) at Attachment 3 and 4.*

Moved: Cr Simon Crawford

Seconded: Cr Martin Zakharov

CARRIED

9.4. Tottenham and West Footscray Employment Precinct Framework Plans Amendment C166

The purpose of this report was to endorse the draft Tottenham and West Footscray Employment Precinct Framework Plans 2020 and seek authorisation from the Minister for Planning to prepare and exhibit Amendment C166.

Council Resolution

That Council:

1. *Endorse the draft Tottenham Employment Precinct Framework Plan 2020 (Attachment 1), draft West Footscray Employment Precinct Framework Plan 2020 (Attachment 2) for the purpose of public consultation, and to form the basis of Amendment C166 (Attachment 4).*
2. *Prior to requesting authorisation seek feedback from the Environmental Protection Authority on Amendment C166 and associated planning scheme changes in accordance with Ministerial Direction 19.*
3. *Requests authorisation from the Minister for Planning to prepare and exhibit Amendment C166 to the Maribyrnong Planning Scheme under section 8A of the Planning and Environment Act 1987.*
4. *Note the delegation and authorise the Chief Executive Officer to make any necessary minor changes to the relevant documentation, in preparation to request authorisation from the Minister for Planning to prepare and exhibit Amendment C166 to the Maribyrnong Planning Scheme.*
5. *Subject to authorisation being granted by the Minister for Planning, resolve to place Amendment C166 on exhibition as prescribed under section 19 of the Planning and Environment Act 1987.*
6. *Note the delegation of the Chief Executive Officer to consider any submissions received in relation to Amendment C166, in accordance with section 22 of the Planning and Environment Act 1987, and under section 23 of the Planning and Environment Act 1987 refer any submissions that cannot be resolved, along with other submissions, to an independent panel appointed by the Minister for Planning.*
7. *Note the Tottenham and West Footscray Background Report (Attachment 3) and Tottenham and West Footscray prospectus 'Melbourne's New Urban Manufacturing Hub' (Attachment 6).*

Moved: Cr Cuc Lam
Seconded: Cr Martin Zakharov

CARRIED

SUSPENSION OF STANDING ORDERS

A motion was moved by Cr Gina Huynh, seconded by Cr Martin Zakharov, that Council suspend standing orders to hear submissions in regards to Agenda Item 9.5 – 11 Neylon Street, Yarraville.

CARRIED

The Chief Executive Officer, Mr Stephen Wall, read out submissions received in relation to Agenda Item 9.5 – 11 Neylon Street, Yarraville from Mr Darryn and Mrs Merryn Brown and from Mr Graham Hose.

RESUMPTION OF STANDING ORDERS

A motion was moved by Cr Martin Zakharov, seconded by Cr Simon Crawford, that Council resume standing orders.

CARRIED

9.5. 11 Neylon Street Yarraville

The purpose of this report was to present for consideration a planning application for 11 Neylon Street Yarraville which has received 19 objections.

Council Resolution

That Council issue a Notice of Decision to Grant a Permit for the construction of three dwellings at 11 Neylon Street Yarraville subject to the conditions contained in Attachment 1.

Moved: Cr Martin Zakharov
Seconded: Cr Simon Crawford

CARRIED

9.6. Awarding of Contract No 1048-20 Footscray Wharf and Promenade Redevelopment

The purpose of this report was to seek Council approval to award Contract No 1048-20 Footscray Wharf and Promenade Redevelopment to Simpsons Construction Pty Ltd.

Council Resolution

That Council:

- 1. Awards Contract No 1048-20 Footscray Wharf and Promenade Redevelopment to Simpsons Construction Pty Ltd for the total contract sum of \$7,998,800.00 excluding GST.*
- 2. Authorises the Chief Executive Officer to execute Contract 1048-20 Footscray Wharf and Promenade Redevelopment with Simpsons Construction Pty Ltd.*
- 3. Note that a comprehensive stakeholder project information plan will be undertaken throughout the project to update all stakeholders including residents and businesses prior to commencement, during construction and particularly at major milestones.*

Moved: Cr Megan Bridger-Darling
Seconded: Cr Simon Crawford

CARRIED

9.7. Public Interest Disclosure Procedure

The purpose of this report was to present the updated Public Interest Disclosure Procedure, formerly known as the Protected Disclosure Procedure for consideration.

Council Resolution

That Council:

1. *Adopts the Public Interest Disclosure Procedure.*
2. *Notes the minor administrative changes to the Fraud and Corruption Control Policy and Fraud and Corruption Control Procedures.*

Moved: Cr Megan Bridger-Darling
Seconded: Cr Simon Crawford

CARRIED

9.8. Proposed Discontinuance and Sale of Road Abutting 57A, 59, 61 Droop Street and 36 Geelong Road, Footscray

The purpose of this report was to seek Council's approval to:

- Remove the land contained in certificate of title volume 869 folio 688 and shown outlined in red on the plan contained in Attachment 1 of this Report (Road) from Council's register of public roads pursuant to section 17(4) of the *Road Management Act 2004* (Vic) (RMA); and
- commence the statutory procedures under the *Local Government Act 1989* (Vic) (Act) to consider discontinuing and selling the Road.

Council Resolution

That Council:

1. *Acting under section 17(4) of the Road Management Act 2004 (Vic) resolves that the road contained in certificate of title volume 869 folio 688, shown outlined red in Attachment 1 (Road), be removed from Council's Register of Public Roads on the basis that the Road is no longer reasonably required for public use for following reasons set out below:*
 - a. *abutting owners have requested that Council consider the discontinuance and sale of the Road; and*
 - b. *the Road is not reasonably required by abutting owners for access to their properties.*
2. *Acting under section 189(4) and clause 3 of Schedule 10 of the Local Government Act 1989 (Act):*
 - a. *Resolve that the required statutory procedures be commenced to*

- consider discontinuing the Road;*
 - b. Direct that public notice of the proposed discontinuance of the Road be given in a local newspaper in accordance with section 207A and 223 of the Act and on Council's website;*
 - c. Resolve that the public notice required to be given under sections 207 and 223 of the Act should state that if the Road is to be discontinued, Council is proposing to sell the Road to the owners of 57A and 59 Droop Street, Footscray for no less than \$40,000 plus GST each;*
 - d. Authorise the Chief Executive Officer or their delegate to undertake the administrative procedures necessary to enable Council to carry out its functions under section 223 of the Act in relation to this matter;*
 - e. Resolves that any submissions received pursuant to section 223 of the Act be heard by a committee consisting of the whole of Council at a date to be determined, if required.*
- 3. Notes that once all section 223 submissions have been considered, a further report will be presented to Council:*
- a. Providing a summary of any submissions received pursuant to section 223 of the Act;*
 - b. Providing an Officer Recommendation as to whether or not Council should proceed with the proposed discontinuance and sale.*

Moved: Cr Gina Huynh
 Seconded: Cr Martin Zakharov

CARRIED

9.9. Naming of New Park Site in Maidstone

The purpose of this report was to seek approval in principle for the proposed name Garrong Park for a new park site in Maidstone and endorse the commencement of community consultation for the naming process.

Council Resolution

That Council:

- 1. Notes that consultation with the relevant Traditional Owner group has resulted in a recommendation of the name Garrong Park from the Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation.*
- 2. Approves in principle the proposed name Garrong Park for the future park site at 82-96 Hampstead Road, Maidstone (as shown in red Attachment 1).*
- 3. Endorses the commencement of community consultation which will involve a newspaper advertisement, a survey to surrounding properties and on Council's website.*
- 4. Following completion of community consultation and if no objections are received, formally endorses the proposed name Garrong Park and authorises Council Officers to submit the proposed name to Geographic Names Victoria for registration.*
- 5. Notes that if one or more objections are received, a report will be presented to Council outlining all objections and recommending steps forward.*

Moved: Cr Gina Huynh
Seconded: Cr Megan Bridger-Darling

CARRIED

9.10. Governance Report - March

The purpose of this report was to receive and note the record of Assemblies of Councillors and Councillor delegates' for the period March 2020 as well as other statutory compliance and governance matters as they arise.

Council Resolution

That Council notes the Governance Report containing the record of Assemblies of Councillors and Councillor Delegates' Reports for March 2020 which will be made available on Council's website for the term of the current Council.

Moved: Cr Cuc Lam
Seconded: Cr Simon Crawford

CARRIED

10. NOTICES OF MOTION

Nil.

11. URGENT BUSINESS

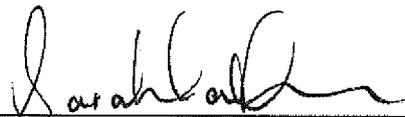
Nil.

12. CONFIDENTIAL BUSINESS

Nil.

13. MEETING CLOSURE

The Chair, Cr Sarah Carter, declared the meeting closed at 7.36pm.



To be confirmed at the Ordinary Council Meeting
to be held on 19 May, 2020.

Chair, Cr Sarah Carter

