



Maribyrnong City Council

COUNCIL MEETING MINUTES

**Tuesday 18 July, 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 15 August, 2023

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1. COMMENCEMENT OF MEETING AND WELCOME

The meeting commenced at 6:36pm.

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

IN ATTENDANCE

Chief Executive Officer, Celia Haddock
Director Community Services, Lucas Gosling
Director Infrastructure Services, Patrick Jess
Manager Governance and Commercial Services, Phil McQue
Manager City Futures, Francesca O'Brien
Governance Officer, Michelle McCulloch

2. APOLOGIES

Apologies were received from Councillors Sarah Carter and Michael Clarke.

3. LEAVE OF ABSENCE

Nil.

4. DISCLOSURES OF CONFLICTS OF INTEREST

Nil.

5. PUBLIC QUESTION TIME

Public Question Time commenced at 6:38pm and Council received 4 questions.

Harry Williams asked the following question:

1. Are there plans to improve cycling infrastructure along Buckley St & Napier St? I travel from West Footscray Station to the city, and the bike lanes stop at random, critical points along Buckley & Napier making getting to and joining the bike path at Shepherd Bridge a rather perilous ordeal. Outbound isn't as bad but inbound is a bit of a nightmare. Thanks for your time.

Response

The Director of Infrastructure Services responded by advising the Napier and Buckley St corridor is an arterial road that falls under the management responsibility of the Department of Transport and Planning. Council over many years have advocated for improved bike lanes along this route.

The Maribyrnong Bicycle Strategy notes that Buckley Street has bikes lanes (which often disappear at intersections) and Napier Street is for 'Advocacy and Future Connections'. The Strategy aims to provide an alternative route on upgraded local streets or Hopkins to connect towards the city via Shepherds Bridge or Dynon Road.

Council are investigating alternative routes to the Buckley/Napier Street corridor to improve connections and rider safety.

Glen Yates asked the following 2 questions:

1. At the council meeting held on the 16 May 2023, all councillors unanimously voted in favour of declaring a health emergency in the City of Maribyrnong. Can council please update the community with what they have achieved in the past eight weeks and what future actions are being planned in 2023 to support the motion?

Response

The Chief Executive Officer advised that in June, the Mayor, Deputy Mayor and members of the Executive attended the Australian Local Government Association's National General Assembly in Canberra and met with several Federal Government Ministers and government departments. They met with Ged Kearney, Assistant Minister for Health and Aged Care, and Minister for Health and Aged Care Mark Butler's Chief of Staff. They also met with the Chief Executive Officer of the Climate Change Authority and the Department of Infrastructure, Transport, Regional Development, Communications and the Arts. In these discussions the public health impact of air pollution on our community was raised as a key priority and Council will work with the State and Federal Government to get bold action fast.

On 26 July 2023, Council is participating in a tri-Council Air Quality Community Forum together with Hobsons Bay and Brimbank City Councils, to further understand local air quality challenges and work together to propose solutions to those challenges. Following this forum, Council will be preparing a community advocacy campaign.

The declaration of the health emergency also builds on Maribyrnong's Air Quality Improvement Plan that was adopted by Council in August 2022. Work which progressed in 2022/23 includes:

- Installation of 7 air quality sensors across the municipality with two additional locations being planned*
- Targeted tree planting to create 'active' walking paths to schools as part of the capital works program and urban forest development*
- Working with the Department of Transport and Planning (DTP) to roll out the trial of the Pop Up Bike Lanes*

Council is also actively participating in and supporting the implementation of the Victorian Government's Air Quality Strategy released in October 2022 including:

- \$2.84 million to establish Air Quality Improvement Precincts in Melbourne's Inner and Outer West in partnership with EPA, businesses, local government and the community to identify and implement actions to reduce localised PM10 and PM2.5 air pollution. Maribyrnong is part of both the Inner and Outer West Precincts.
- Options analysis for wood heater policy reform to reduce the impact of wood smoke on people's health
- Advocating for the moving of more freight containers by rail – removing more trucks from our roads
- Advocating for the transition of new buses to zero emissions vehicles
- Establishing an Environmental Health Tracking Network (led by the EPA)
- Working with community groups to develop information and education materials to encourage active transport and to reduce pollution from idling cars in locations such as school zones.

2. In early May, Cleanaway engaged with the local community to openly discuss their involvement in the state governments Cash Deposit Scheme or "cash for cans". A planning permit to renovate the existing building located at 416 Somerville Rd was approved in late November 2022 as insufficient objections were received by local residents. A planning permit has now been submitted to MCC by Cleanaway for the building to operate as a transfer station with the expected operation date of November 2023. EPA is yet to receive a permit request. Why has the Cleanaway permit received by MCC not been advertised and have the councillors been briefed in on the project?

Response

The Chief Executive Officer responded by advising Planning Permit Application TP228/2023 was received by Council on 6 June 2023 and seeks permission to use the existing warehouse at 1/416 Somerville Road, Tottenham as Transfer Station in association with Victoria's new container deposit scheme.

Clause 52.13 of the Planning Scheme exempts applications from public notice for transfer stations in association with the container deposit scheme provided the land is located in an industrial zone and does not abut a residential zone. 416 Somerville Road is located within the Industrial 1 Zone and is approximately 700 metres from the nearest residential zone. Clause 52.13 is a State level provision which Maribyrnong City Council does not have the ability to alter at a local level.

Councillors are provided a weekly planning report listing all applications which have been received to ensure they remain up-to-date on all planning permit applications."

Council has received a public question from Kelvin Granger and Dean Hurlston, representing Council Watch Inc.

Can Council please advise the dollar (\$) amount of "cost shifting from State Government" they estimate they incurred in 2022/23 Financial Year?

Response

Council is unable to provide a specific response to this question, as it does not have an annual financial estimate to Maribyrnong Council of cost shifting, dollar by dollar, from state government readily available.

As noted in Council's 2021/2022 to 2030/2031 Financial Plan and the 2021/22 Annual Report, Council acknowledges the complexity and issues of cost shifting, and the challenge in continuing to provide high quality services, infrastructure and programs within this constrained financial environment.

Further, the Victorian Legislative Council in May 2023 announced an 'Inquiry into Local Government Funding and Service Delivery in Victoria', which includes consideration on the effects of cost shifting from the state and federal governments to local councils in an examination of vertical and horizontal fiscal imbalances. Council will participate in this inquiry via the Municipal Association of Victoria when submissions open.

The Chair, Cr Cuc Lam, declared Public Question Time closed at 6:48pm.

6. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

6. Confirmation of the Minutes of the Previous Council Meeting - 20 June 2023

To present for confirmation, the minutes of the Council Meeting held on 20 June 2023.

Council Resolution

That Council confirms the minutes of the Council Meeting held on 20 June 2023.

Moved: Cr Anthony Tran
Seconded: Cr Bernadette Thomas

CARRIED

7. REPORTS FROM COMMITTEES

7.1. Noting the Confirmed Minutes of the Audit and Risk Committee - 11 April 2023

To present for noting the confirmed minutes of the Audit and Risk Committee meeting, held 11 April 2023.

Council Resolution

That Council notes the confirmed minutes of the Audit and Risk Committee held on 11 April 2023.

Moved: Cr Simon Crawford
Seconded: Cr Bernadette Thomas

CARRIED

8. PETITIONS

Nil

9. OFFICER REPORTS

9.1. 2023-2026 Triennial Arts Partner Funding Recommendations

To present the recommendations of the Triennial Arts Partner independent peer assessment panel on funding for not-for-profit arts organisations from 1 July 2023 – June 2026.

Council Resolution

That Council endorse the recommendations of the Peer Assessment Panel, for the Triennial Arts Partner funding from 1 July 2023 – June 2026, with the following amendment:

- a) Remove the funding recommendation for the Footscray Community Arts allocation,*
- b) Request officers to seek a separate negotiated funding position, to be presented to Council for further consideration.*

Moved: Cr Bernadette Thomas
Seconded: Cr Jorge Jorquera

CARRIED

9.2. Library Plan 2023-25

To inform Council on the key findings from the second phase of community engagement undertaken to seek endorsement of the final Maribyrnong City Council Library Plan 2023 – 2025 (Attachment 1) for adoption.

Council Resolution

That Council:

1. *Notes the feedback from community on the Draft Maribyrnong City Council Library Plan (2023-25); and*
 2. *Endorse the Maribyrnong City Council Library Plan (2023-25).*
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Moved: Cr Anthony Tran
Seconded: Cr Simon Crawford

CARRIED

9.3. Geographic Naming Policy

To provide an update on the outcome of the draft Geographic Naming Policy (Policy) community engagement process and present the Policy for Council adoption.

Council Resolution

That Council:

1. *Notes that no feedback was received during community engagement; and*
 2. *Adopts the Geographic Naming Policy.*
-

Moved: Cr Bernadette Thomas
Seconded: Cr Simon Crawford

CARRIED

9.4. Lease and Licence Policy

To provide an update on the outcome of the draft Lease and Licence Policy (Policy) community engagement process and present the revised Policy for Council adoption.

Council Resolution

That Council:

- 1. Notes the outcomes of community engagement; and*
- 2. Adopts the Lease and Licence Policy.*

Moved: Cr Anthony Tran
Seconded: Cr Bernadette Thomas

CARRIED

9.5. Property Sale, Transfer and Acquisition Policy

To provide an update on the outcome of the draft Property Sale, Transfer and Acquisition Policy (Policy) community engagement process and present the revised Policy for Council adoption.

Council Resolution

That Council:

- 1. Notes the outcomes of community engagement; and*
- 2. Adopts the Property Sale, Transfer and Acquisition Policy.*

Moved: Cr Bernadette Thomas
Seconded: Cr Simon Crawford

CARRIED

9.6. Henry Turner South Pavilion Construction - Approval of Contract Variations

To seek Council approval for contract variations under construction contract (Contract No. 1149-22 Provision of Henry Turner South Reserve Pavilion) with May Constructions Pty. Ltd.

Council Resolution

That Council approve contract variations totalling \$600,142.30 (excl. GST) to Contract 1149-22 Provision of Henry Turner South Reserve Pavilion construction to May Constructions Pty. Ltd., to increase the adjusted Contract sum from \$6,552,913 (excl. GST) to \$7,153,055.30 (excl. GST).

Moved: Cr Anthony Tran
Seconded: Cr Simon Crawford

CARRIED

9.7. Audit and Risk Committee Bi-Annual Report - June 2023

This report presents the Audit and Risk Committee Bi-Annual Report – June 2023 for noting by Council.

Council Resolution

That Council note the Audit and Risk Committee Bi-Annual Report – June 2023.

Moved: Cr Bernadette Thomas
Seconded: Cr Simon Crawford

CARRIED

9.8. Governance Report - June 2023

To receive and note the record of informal meetings of Councillors and Councillor delegates' for June 2023, and other statutory compliance and governance matters.

Council Resolution

That Council notes the June 2023 Governance Report containing the record of informal meetings of Councillors and Councillor Delegates' Reports, to be made available on Council's website for the term of the current Council.

Moved: Cr Bernadette Thomas
Seconded: Cr Simon Crawford

CARRIED

10. NOTICES OF MOTION

Nil

11. COUNCILLOR QUESTION TIME

Councillor Question Time opened at 7:12pm

Cr Bernadette Thomas requested the Chief Executive Officer to provide clarification on the response provided during Public Question Time regarding Clause 52.13 of the Planning Scheme exempting applications from public notice, in reference to 1/416 Somerville Road, Tottenham. Further, Cr Thomas asked the Chief Executive Officer if Council has other options, regardless of the exemption, to notify the community of the planning application.

Response

Clause 52.13 of the Planning Scheme exempts applications from public notice for transfer stations in association with the Victoria's new container deposit scheme provided the land is located in an industrial zone and does not abut a residential zone. 416 Somerville Road (the proposed Cleanaway Tottenham transfer station) is located within the Industrial 1 Zone and is approximately 700 metres from the nearest residential zone. Clause 52.13 is a State level provision which Maribyrnong City Council does not have the ability to alter at a local level.

In accordance with s 49 of the Planning and Environment Act 1987, Council keeps a register of all planning permit applications which is available for the public to view on Council's website. The register provides an opportunity for the residents to keep abreast of planning permit applications in their local area, even if the application is not subject to public notice.

The Chair, Cr Cuc Lam, declared Councillor question Time closed at 7:15pm

12. URGENT BUSINESS

Nil.

13. CONFIDENTIAL BUSINESS

Nil

14. MEETING CLOSURE

The Chair, Cr Cuc Lam, declared the meeting closed at 7:15pm



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to be held on 15 August, 2023.

Chair, Cr Cuc Lam