



**Maribyrnong City Council**

**COUNCIL MEETING MINUTES**

**Tuesday 16 May, 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 20 June, 2023

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

The meeting commenced at 6:40pm.

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 (*online*)  
Councillor Simon Crawford  
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  
Governance Officer, Jessica Abela

## **2. APOLOGIES**

Nil.

## **3. LEAVE OF ABSENCE**

Nil.

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

Nil.

## **5. PUBLIC QUESTION TIME**

Public Question Time commenced at 6.44pm and Council received 7 questions.

## **Annie Wormald**

1. Please can you provide an update on how the Council is progressing towards the medium term (4-6yr) action point 1.2 from the Stony Creek Future Directions Plan 2020: to construct a sedimentation pond and wetland south of Duke Street (Melbourne Water approvals required)?

2. Following the Victorian Government's support of bush kinder programs and recent announcement of \$3.6 million to provide \$6,000 grants to 150 kindergartens each year to help them establish bush kinder programs, what proactive steps is Maribyrnong Council doing to identify these potential future bush kinder sites and plant the trees there now that will need time to grow to benefit these spaces for the growth in bush kinder programs in the municipality?

## **Response**

*The section of the wetland on the east side of Duke Street was delivered by the developer as part of the townhouse development. This wetland is intended to connect to larger planned wetlands on the west side of Duke Street. The proposed wetland would partly form part of Matthews Hill Reserve which falls within the Brimbank City Council boundary. Any development would require support and approval from Brimbank Council and Melbourne Water as the responsible authority.*

*At this point as a medium-term priority in the Stony Creek Future Directions Plan, Council has not commenced with planning for this initiative.*

*Council will continue to partner with Melbourne Water and Brimbank Council on agreed priorities, and this site will be considered for planning among all priorities during the 2023/2024 financial year.*

*Thanks for the question and Council acknowledges that bush kinder programs are an important and welcome addition to the suite of early learning offering that support children's early education in our community. Council is aware of a couple of programs that already operate within Maribyrnong, (such as the Clare courts out and about program, Maribyrnong Kinder and Braybrook ELC which operates adjacent to us here in skinner reserve).*

*Council invests significantly in additional tree planning in open space and over the last 5 years, 2491 additional trees have been planted in Council's existing open space reserves, with 322 of those being planted in existing spaces that are suitable for programs of this kind, such as Braybrook Park, Cruickshank Reserve and Pipemakers Park.*

*Council has an urban forest strategy that aims to not only adapt to climate change and maximise environmental outcomes but also seeks to maximise community health and wellbeing outcomes. We recognise that our current open spaces must respond to a diverse range of community needs, and that this can be challenging to ensure that the needs of all in community are met. Council will continue to invest in these spaces in the coming years.*

### **Kerrie Forber**

1. Considering the recent flood and associated emergency response measures, is Council prepared in such emergencies to respond to the needs of all our community, including residents who may have specific needs in this regard?
2. Does Council have an Emergency Plan for people with disabilities living independently in the community, including a register of their details?
3. If such emergency planning is not in place, will Councillors ensure this becomes a priority action for Council?

### **Response**

*Council does not work alone in responding to emergencies. At the relief centre during the flood, there were representatives from CoHealth including two nurses who supported those residents that required health and wellbeing care.*

*Council does not have a register of people living with disability and it is not practicable to do so. People living with disabilities will have their own capacities and capabilities to manage their daily lives and whilst may be at higher risk of the consequences of an emergency, not all are considered vulnerable. We take a strengths based approach.*

*Furthermore, any NDIA recipient is supported by a worker who is required to undertake emergency planning with their client under the NDIS regulations. The NDIS Quality and Safeguards Commission introduced the Emergency and Disaster Management Standard and since 24 January 2022 all NDIS providers must comply with this new standard.*

*The Council Disability Action Plan 2022-2026 also includes an action 3.3.2 which is to facilitate emergency management planning that includes issues of disability.*

*Council does recognise that people living with disability may require assistance with planning for emergencies and this is captured in our Disability Action Plan and encourage anyone including disability advocates to seek out the Person-Centred Emergency Preparedness Toolkit through Collaborating 4 Inclusion and can speak to our Coordinator Emergency Management.*

### **Glen Yates**

1. MTAG (Maribyrnong Truck Action Group) has been made aware of Cleanaway being allocated as the recycling collector for Maribyrnong City Council as a result of the recently announced state Container Deposit Scheme. Cleanaway are proposing a site on Somerville Rd in Tottenham for the consideration of Council. Can Council guarantee that if the site is approved that council will not issue any permits allowing Cleanaway to operate within the existing Somerville Road and Francis Street truck curfews? The curfews in place are Monday -Friday 8am-- 9:30am, 2:30pm-4pm, 8pm-6am and Saturday 1pm-Monday 6am.

2. If Council approves Cleanaway's proposal for a sorting factory on Somerville Rd, Tottenham, what will council do to align Cleanaway's proposal to council's Air Quality Improvement Plan, council's Road Management Plan and what would be some examples?

**Response**

*Council is working with Cleanaway on a number of matters relating to the container deposit scheme roll out including the potential for a transfer station in Tottenham. That proposal will be subject to approvals from both the EPA and Council. The approval process would consider a number of factors including truck movements and air quality. Cleanaway are aware of the truck curfews and sensitivities of operating heavy vehicles in sensitive areas.*

The Chair, Cr Sarah Carter, declared public question time closed at 6.55pm.

**6. CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

**6. Confirmation of the Minutes of the Previous Council Meeting - 18 April 2023**

The purpose of this report was to present for confirmation, the minutes of the Council Meeting held on 18 April 2023.

**Council Resolution**

*That Council confirms the minutes of the Council Meeting held on 18 April 2023.*

Moved: Cr Cuc Lam  
Seconded: Cr Simon Crawford

**CARRIED**

## **7. REPORTS FROM COMMITTEES**

### **7.1. Noting of the Confirmed Minutes of the Audit and Risk Committee - 14 February 2023**

The purpose of this report was to present for noting the confirmed minutes of the Audit and Risk Committee meeting, held 14 February 2023.

#### **Council Resolution**

*That Council notes the confirmed minutes of the Audit and Risk Committee, 14 February 2023.*

Moved: Cr Anthony Tran  
Seconded: Cr Simon Crawford

**CARRIED**

## **8. PETITIONS**

Nil

## **9. OFFICER REPORTS**

### **9.1. Footscray Park - Western Lawn Upgrade - Contract Variation**

The purpose of this report was to seek Council approval for a contract variation to expend additional funds on the Western Lawn Resurfacing project contract No 1205-23 to address site contamination issues.

#### **Council Resolution**

*That Council authorise a variation to Contract No 1205-23 Provision of Western Lawn Resurfacing Works and Services Upgrade, to allow for the total contract sum to be increased from \$4,740,758.50 (ex GST) up to \$8,100,000.00 (ex GST).*

Moved: Cr Anthony Tran  
Seconded: Cr Simon Crawford

**CARRIED**

## **9.2. 2023-2024 Community Grants Program Initiation Report and Assessment Process**

The purpose of this report was to inform Council of the initiation of the 2023-2024 Community Grant Program and seek endorsement for:

- the 2023-2024 Community Grant Program Guidelines and;
- the establishment an Independent Review Panel (IRP) and the Terms of Reference for the IRP.

### **Council Resolution**

*That Council:*

1. *Note the update regarding delivery of the annual 2023-2024 Community Grants Program*
2. *Endorse the (draft) Community Grants Program Guidelines 2023-2024*
3. *Endorse the establishment an Independent Review Panel (IRP)*
4. *Endorse the (draft) Community Grants Independent Review Panel Terms of Reference*

Moved: Cr Cuc Lam  
Seconded: Cr Bernadette Thomas

**CARRIED**

## **9.3. Draft Fraud and Corruption Framework**

The purpose of this report was to report presents the draft Fraud and Corruption Framework for consideration and endorsement by Council.

### **Council Resolution**

*That Council endorse the Fraud and Corruption Framework, May 2023.*

Moved: Cr Simon Crawford  
Seconded: Cr Bernadette Thomas

**CARRIED**



#### **9.4. Review of Enterprise Maribyrnong Delegated Committee**

The purpose of this report was to purpose of this report is to outline a review Council's Enterprise Maribyrnong Delegated Committee (EMDC), with a recommendation on a more effective mechanism to facilitate the same objectives and outcomes, without the requirement for a Delegated Committee.

#### **Council Resolution**

*That Council:*

- 1. Note the review of the Enterprise Maribyrnong Delegated Committee;*
- 2. Note the achievements and contribution of the Enterprise Maribyrnong Delegated Committee to the economic development and regeneration of Maribyrnong;*
- 3. Resolve to disband the Enterprise Maribyrnong Delegated Committee and revoke the Instrument of Delegation, effective 17 May 2023;*
- 4. Thank the Enterprise Maribyrnong Delegated Committee members for their participation and contribution;*
- 5. Establish the Maribyrnong Business, Economic Development and Innovation Advisory Panel to provide strategic advice to Council on the implementation of economic initiatives and provide opportunities for Council to proactively seek expert advice from representatives who are key to real and sustained economic growth in our municipality;*
- 6. Note that an Expression of Interest process will be undertaken to call for members of the Maribyrnong Business, Economic Development and Innovation Advisory Panel and a further report will be presented to Council to advise of the selection of members; and*
- 7. Note the draft Terms of Reference for the Maribyrnong Business, Economic Development and Innovation Advisory Panel, shown at Attachment 2.*

Moved: Cr Anthony Tran  
Seconded: Cr Cuc Lam

**CARRIED**

#### **9.5. Quarterly Performance and Financial Report - Period ending 31 March 2023**

The purpose of this report was to purpose of this report is to present the Quarterly Performance and Financial Report for the period ending 31 March 2022.

##### **Council Resolution**

*That Council notes the 2022/2023 Third Quarter Performance and Financial Report.*

Moved: Cr Simon Crawford  
Seconded: Cr Bernadette Thomas

**CARRIED**

#### **9.6. Councillor Support and Expenses January 2023 to March 2023**

The purpose of this report was to present the Councillor Support and Expense for the January 2023 to March 2023 period.

##### **Council Resolution**

*That Council notes the Councillor Support and Expenses Report for the period January 2023 to March 2023, to be made available via Council's website for the term of the current Council.*

Moved: Cr Cuc Lam  
Seconded: Cr Bernadette Thomas

**CARRIED**

#### **9.7. Governance Report - April 2023**

The purpose of this report was to receive and note the record of informal meetings of Councillors and Councillor delegates' for April 2023 as well as other statutory compliance and governance matters.

##### **Council Resolution**

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

Moved: Cr Simon Crawford  
Seconded: Cr Bernadette Thomas

**CARRIED**

## 10. NOTICES OF MOTION

### 10.1. Notice Of Motion 2023/03 : Health Crisis

#### Council Resolution

*That Council:*

1. *Declares a health emergency due to the health impacts of air and noise pollution from heavy trucks using the City's streets;*
2. *Writes to the Minister for Roads and Road Safety, the Honourable Melissa Horne, requesting that the State Government:*
  - a. *Take proactive steps to reduce the number of heavy trucks using the City of Maribyrnong's residential streets immediately by monitoring and enforcing the current curfews and their conditions.*
  - b. *Immediately take steps to begin monitoring the health effects on the City of Maribyrnong's residents caused by these heavy truck movements; and*
3. *Invites researchers from Deakin University to provide a briefing for Councillors on the results of their Breathe Melbourne 'back pack' study into air quality in the inner west.*

Moved: Cr Bernadette Thomas  
Seconded: Cr Jorge Jorquera

**CARRIED**

### 10.2. Notice Of Motion 2023/04: Better Buses Campaign

#### Council Resolution

*That Council:*

1. *Endorses the Better Buses in the West campaign developed by Friends of the Earth Melbourne (FoEM);*
2. *Support and promote the Better Buses in the West campaign through the actions of:*
  - a. *Promotion through Maribyrnong City Council's engagement channels including social media and community newsletters;*
  - b. *Encourage the City of Maribyrnong community to send pre-written emails to local MP's advocating for support for better buses in Melbourne's west; and*
3. *Support Friends of the Earth Melbourne's advocacy positioning for fast, frequent and connected public transport, to reduce car traffic, improve air quality and community livelihoods.*

Moved: Cr Sarah Carter  
Seconded: Cr Jorge Jorquera

**CARRIED**

**11. COUNCILLOR QUESTION TIME**

Nil.

**12. URGENT BUSINESS**

Nil.

**13. CONFIDENTIAL BUSINESS**

Nil

**14. MEETING CLOSURE**

The Chair, Cr Sarah Carter, declared the meeting closed at 7:38pm.



To be confirmed at the Ordinary Council Meeting  
to be held on 20 June, 2023.

Chair, Cr Sarah Carter