



Maribyrnong City Council

COUNCIL MEETING MINUTES

**Tuesday 20 February, 2024
6.30pm**

**Community Hall
Braybrook Community Hub
107–139 Churchill Avenue
Braybrook**

MEMBERSHIP

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

To be confirmed at the Council Meeting
to be held on 19 March, 2024

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1. COMMENCEMENT OF MEETING AND WELCOME

The meeting commenced at 6.34pm.

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 Cuc Lam (Chair)
Councillor Sarah Carter
Councillor Michael Clarke
Councillor Simon Crawford
Councillor Jorge Jorquera
Councillor Bernadette Thomas (Online)
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
Acting Director Planning and Environment, Ashley Minniti
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.

SUSPENSION OF STANDING ORDERS

A motion was moved by Cr Jorge Jorquera, seconded by Cr Michael Clarke, that Council suspend standing orders.

CARRIED

Standing Orders were suspended at 6.39pm

Council acknowledged the passing of Joan Coxsedg, former member of the Victorian Legislative Council and Francine Riches, former Maribyrnong Citizen of the year and local aboriginal elder. Two significant individuals within the Maribyrnong community who have passed away.

Francine Riches was an artist and respected local aboriginal elder born and raised in the Western Kimberley coast in Western Australia. Francine was the Maribyrnong Citizen of the Year 2014. Francine was also a Co-Health indigenous worker and a passionate community and First Nations Church activist.

Francine assisted numerous organisations in establishing reconciliation plans including Co-Health, Maribyrnong Secondary College and Maribyrnong City Council. Her contribution will be remembered and provides an example for the whole community.

Joan Coxsedg was a professional artist who served as a board member of the Footscray Community Arts Centre from 1980-1989 and chaired the Board from 1990 – 1993, and also a board member of West Theatre from 1989 – 1990. Joan joined the Labor Party in 1967, a leading figure in the left wing of the Victorian ALP. Joan was heavily involved in the Save our Sons movement which opposed conscription in the Vietnam War.

In 1979, Joan was the first women elected to the Victorian Legislative Council. Whilst in Parliament she produced the newsletter "Hard Facts for Hard Times". A lifelong social justice campaigner, Joan leaves a beautiful legacy behind for us all.

RESUMPTION OF STANDING ORDERS

A motion was moved by Cr Sarah Carter, seconded by Cr Anthony Tran, that Council resume standing orders.

CARRIED

Standing Orders resumed at 6.43pm.

5. PUBLIC QUESTION TIME

Public Question Time commenced at 6.44pm and 39 questions were received.

Chris Evans asked the following questions:

On Tuesday 13 February 2024, six high-voltage transmission lines collapsed in a storm at Anakie near Geelong. Those collapses cut power to 500,000 homes and disconnected the Loy Yang A Power Station from the grid.

On Friday 16 February 2024, The Age newspaper reported that there were 13,000 such towers across Victoria. It also reported that some 8000 towers would reach their 70-year use-by date within the next decade.

On Saturday 17 February 2024, The Age reported that AusNet had failed to properly prioritise maintenance along high-voltage transmission lines.

There are four high-voltage transmission towers in Maribyrnong township, shown in Melway map 28 as: T18 (opposite 87 Chifley Drive), T19 (behind 44 The Esplanade), T20 (at 39 The Esplanade) and T21 (at 10 Oakland Street).

1. How many other such towers are there elsewhere in Maribyrnong City?

Response:

The Chief Executive Officer noted that this would be a question for AusNet as this infrastructure is not the responsibility of Council.

2. What has Maribyrnong City Council done to satisfy itself that all of these towers have been and are being properly maintained and that Aus Net will remove or replace the towers when or before they reach 70 years of age?

Response:

The Chief Executive Officers noted against that this would be AusNet's responsibility, and Council does not have the risk auditing process for these tower and a question more appropriately directed to the Local MP.

3. Has Council considered undertaking a risk assessment involving a collapse scenario at T21? a scenario which would involve total tramway and traffic disruption on the intersection of Raleigh Road and Van Ness Avenue, likely damage to adjacent houses and commercial premises, and a massive loss of power to surrounding suburbs and the entire Highpoint precinct?

Response:

The Chief Executive Officer advised that this question would be more appropriately addressed to AusNet.

Fendi Liwang asked the following question:

1. While acknowledging the tragedy in Israel and Palestine, will Council commit to not unilaterally cancel contracts with businesses that only have tenuous links to a country far beyond the reach of this level of government. During this cost of living crisis, Maribyrnong Council ratepayers must not bear the financial burden of contract breaches and a smaller pool of suppliers from which to draw upon. Israeli innovation and technology are embedded in many of the goods and services we need to address the climate emergency, improve future employability of our residents and liveability of our local area.

Response:

The Chief Executive Officer advised that Council officers are currently reviewing and determining next steps in regards to this action from the Notice of Motion.

A future report will be presented to Council once Officers have completed their investigation into current contacts.

Samantha Meredith asked the following questions:

1. What measures does the council plan to implement to address the lack of safe crossings and pathways on Whitehall Street, Hallenstein Street, Warde Street, Joseph Road, Neilson Place, Wightman Street, and Hopkins Street?

Response:

The Chief Executive Officer advised that Council Officers have prepared a program of works to address traffic and safety issues in both the immediate and longer term, as the Joseph Road Precinct experiences growth and change with ongoing development activities. These treatments include but are not limited to pedestrian crossings, signage, and on-road painting and linemarking.

We will continue to work closely with the Joseph Road Action Group and other stakeholders in the Precinct to deliver remedial solutions, including those raised in your question.

2. What steps is the Council currently taking to address the safety concerns for pedestrians in the Joseph Road Precinct?

Response:

The Chief Executive Officer advised that Council is committed to enhancing the precinct with a range of improvements, including road upgrades, pedestrian paths, traffic signals, bike lanes, landscaping, and drainage. To minimise disruptions, the current works program will be staged starting from March/April. Stage 1 involves reconstructing Joseph Road, expected to finish by late December 2024. Stage 2 will address drainage and footpaths on Hopkins Street.

Lilardia Park improvements are slated for completion by June this year. Council continue to work with the Department of Transport and Planning and the Local Police to improve safety along Hopkins Street.

3. Are there plans to install traffic lights and pedestrian crossings at Hopkins Street and Hallenstein Street, as well as upgrade signals at Hopkins Street and Whitehall Street?

Response:

The Chief Executive Officer advised that Council officers are working with the Department of Transport and Planning (DTP) to progress design submissions and approvals for intersection upgrades at both Joseph's Road and the Hallenstein Street / Moreland Road / Hopkins Street intersections, and have met with DTP to discuss safety issues along Hopkins Street, including the reduction of speed limit to 40kph. These discussions have been positive and are progressing well.

Ash Brown asked the following questions:

1. The Council bicycle strategy outlines major projects (protected bike lanes) to be built 2020-2025. By now 6 major projects should be built or underway (page 54). These projects would form a basic network, making cycling in the city less dangerous, and therefore enabling greater numbers of people to feel comfortable to ride. None of these projects are built or being constructed. How does the Council plan to break the current deadlock in getting major projects built, so it can recover the schedule, complete the bicycle strategy as planned within the 10-year period?

Response:

The Director Infrastructure Services advised that Council's Bicycle Strategy was prepared in 2019 with feedback incorporated in consultation in late 2019. The onset of the COVID-19 Pandemic started in March 2020 and the final Bicycle Strategy was adopted in May 2020. The COVID-19 pandemic significantly impacted the City of Maribyrnong, altering commuting patterns, finances, and priorities for project delivery.

In the face of these challenges, Council remains steadfast in transforming our city into a safe, cycle-friendly municipality.

At the 17 October 2023 Council Meeting, Council resolved to request Officers to progress the review and update of Council's Integrated Transport Strategy.

This approach signals a strategic review to ensure that our cycling infrastructure enhancements are not viewed in isolation but considered as part of a comprehensive plan to improve mobility across all modes of transport.

2. The bicycle strategy expects a public mid-program review in 2024 to assess the effectiveness of major projects built to date, and to determine projects for 2026-2030 (page 28). How will this review assess progress without any major projects being completed, and then determine which projects to build in the second half of the strategy period?

Response:

The Director Infrastructure Services advised that the Bicycle Strategy mid-program review will be incorporated into the review and update of Council's Integrated Transport Strategy.

This will allow for a comprehensive evaluation of transport initiatives to guide future project selection and prioritisation, considering changing transport patterns and preferences, what's been achieved to date, and future transport demand trends and funding.

3. One of the tasks within the bicycle strategy is for Council to publish major project progress annually, tracked against the strategy targets and budget (page 29). Does the Council publish this, and if so, where can I find it?

Response:

The Director Infrastructure Services advised that Council recognises the importance of transparency and accountability in the delivery of Active Transport and is committed to keeping the community informed about our progress. Officers will be briefing Councillors with an update by June 2024.

In addition, the Chief Executive Officer advised each year in our annual report Council reports on the progress and expenditure in several areas and lists completed projects.

Stephanie Cockayne asked the following questions:

1. What is the hold up for delivering the rest of the pop up bicycle lanes? Council passed a resolution for the DTP works to be delivered but only half have been completed? Many of these routes are in the bicycle strategy and DTP had conducted the consultation but nothing happened. The Coroner recommended that Hyde Street should be upgraded after a bike fatality with a truck on the parallel Whitehall Street over six years ago so it is disappointing to see that Council has done nothing on their local road.

Councillor Clarke left the meeting at 6.55pm

Response:

The Director Infrastructure Services advised that the Department of Transport and Planning trialled almost 100 kilometres of new and improved pop-up bike routes across key inner-Melbourne suburbs. The trial is now completed.

Almost 13 kilometres of new and improved pop-up bike routes around Footscray, Seddon, and Yarraville were included in the trial to provide better local connections in and around central Footscray and make it easier for bike riders to get to and from Melbourne's CBD.

Council continues to work with the Department on exploring how these bike network improvements can be implemented on a permanent basis following the trial period.

The Hyde Street bike lane upgrade was proposed, but not delivered in the trial. Changed transport movements resulting from the West Gate Tunnel Project and the new cycleway will impact the design, budget and timing of the Hyde street upgrade.

Council continues to investigate road safety issues across the City with our Transport Partners and implement recommendations from the Coroner and location specific Road Safety Audits.

2. When will the pop-up bike lanes be made permanent? There were rolled out around two years ago, the routes are safer for bikes, there appears to be less cars rat-running and residents still have access to their properties. When will the trial end and the bike lanes become permanent?

Response:

The Director Infrastructure Services advised that Council will continue to work with the Department of Transport and Planning on evaluating the trial and exploring how the pop-up bike network improvements can be implemented on a permanent basis following the trial period.

Council's commitment is to create a cycling-friendly environment that benefits all members of our community, and we look forward to continuing this progress.

Councillor Clarke returned to the meeting at 6.57pm.

3. When are the Dempster Street bike path and Moreland Street bike lane going to be implemented? Dempster Street (route from railway path to creek trail) had consultation a year ago but not further action appears to have happened. There is no other safe or practical route to ride to Tottenham Station. Moreland Street has seen an increase in cyclists due to the Footscray Road closure and with delay in the delivery of the Hopkins Street path. It would be great to see this built so bikes can get from Bunbury/Hyde St to the Dynon Road path.

EXTENSION OF PUBLIC QUESTION TIME

A motion was moved by Cr Sarah Carter, seconded by Cr Anthony Tran, That Council extend Public Question Time for a further 15 minutes.

CARRIED

Public Question Time was extended at 6.58pm.

Response:

The Director Infrastructure Services advised that Dempster Street is in the design phase and an Council are progressing design options and approvals with the Department of Transport and Planning. We are working through options which minimise environmental impact, preserve trees, consider the impacts on individual properties and service infrastructure, and ensure safe local traffic environments with clear lines of sight.

In regard to Moreland Street, Council are progressing design options which need to take account current land developments along Moreland Street, the pop-up bike lane trial and future installation of traffic signals at the Hopkins Street intersection.

Both projects will be considered for delivery in future capital budgets.

Pierre Vairo asked the following questions:

1. The eastern end of Hopkins Street has retained its historical 60km/h speed limit despite the area's transformation from industrial to residential in the past five years. Thousands of people now call it home and thousands more will do so over the next five. Does Council support reducing the speed limit on this street to 40km/h to ensure the safety of the people who live & travel through the area? Noting that the street recently claimed the life of 22-year-old Frances Jeyann Ramirez who was killed attempting to cross the road on her way home.

Response:

The Director Infrastructure Services advised that Council supports the reduction of the speed limit on Hopkins Street from 60kph to 40kph.

In late January 2024, Mayor Cr Cuc Lam reached out to Minister Melissa Horne, Minister for Roads and Road Safety advocating for the reduction of the speed limit to 40kph as an important measure to enhance road safety in light of the area's transformation.

Council officers and the Department of Transport and Planning are currently examining traffic management strategies and speed limit options, ensuring a holistic approach to safety and mobility in this changing precinct.

2. The speed limit on Whitehall Street outside St Monica's primary school is 60km/h. The school has recently resorted to petitioning government for safety improvements on Whitehall. Whitehall's is set to become more residential with apartments slated for the old Ryco site. Does Council support a reduction of the speed limit to 40km/h on Whitehall Street between Hopkins & Bunbury?

Response:

The Director Infrastructure Services advised that Council Officers, in collaboration with the Department of Transport Planning, are actively exploring measures to implement a reduced speed limit of 40km/h on Whitehall Street, particularly in the stretch near St Monica's School.

It is proposed to establish a "remote school zone" on Whitehall Street and to officially classify the area as a 40km/h zone. Implementation is subject to Budget allocation.

In the interim, the Department of Transport Planning are addressing safety concerns raised by the school by delivering signage and line marking improvements on Whitehall Street to highlight the existing Pedestrian Operated Signal crossing. This is anticipated to be completed by the end of June 2024.

3. There are no direct and safe connections from Footscray towards the city with cyclists either needing to brave Hopkins Road with heavy vehicles or take a circuitous route via Seddon. Does Council have any plans to build the Franco Cozzo cycling link on Hopkins Street between the Maribyrnong River and Footscray's CBD? (either in its entirety or in-part). If so, what is Council's anticipated timeframe for construction?

Response:

The Director Infrastructure Services advised this is a partnership discussion with the Department of Transport and Planning on Council's road network and safety issues across the City.

This has included the Popup bike lane trials in Hopkins Street and adjoining local roads. We will continue to plan, deliver and assess road network changes to meet the needs of all road users across the City.

Christopher Xuereb asked the following questions:

1. Last year Council endorsed plans to improve the streetscape of Barkly St in West Footscray, do council have plans to improve the streets and amenity in Footscray CBD? If not why is this the case since Footscray CBD is showing the most obvious signs of an area needing TLC in the City Of Maribyrnong.

Response:

The Acting Director Planning and Environment advised that Council has undertaken several public realm improvements in the Footscray CBD in the past and plans to continue incremental upgrades subject to available budget. Projects completed last financial year include upgrades to Byron Plaza – with new lighting, seating and landscaping, Dalmahoy Street – with a complete reconstruction of the road as a shared space with seating and tree planting and installation of the Nicholson Street Playspace – a temporary installation to attract families with small children to the area. This financial year there will be upgrades to Blackstone Lane to provide a more inviting pedestrian space with a new lighting installation in Nicholson Street, between Paisley and Irving Streets.

In terms of longer term projects, Council is working with the State Government to centralise buses in the Footscray CBD along Irving Street, allowing direct connections between buses, trains and trams. Once buses are removed from Paisley Street a complete reconstruction of the street can take place, including new drainage, extended footpaths and more greening. This project is subject to State Government funding be provided for the relocation of buses. Council is also working with the State Government on the upgrade of the Route 82 Tram, which will provide opportunities along the route for more pedestrian friendly streets and tree planting.

2. Back in February 2020 I received an email from council in response to my email regarding the atrocious state of Paisley St Footscray particular after rain causes the uneven footpath to pool causing problems for people especially with mobility issues.

The email from council stated that the job was earmarked to be renewed in 2021/2022 subject to approval from relevant authority. It's now 2024 and still nothing has changed why was this job not renewed in 2021/2022? How much longer do our community have to accept facilities that don't meet basic minimum standards?

Response:

The Director Infrastructure Services advised that Council officers have prepared a detailed design to address the drainage issues on Paisley Street.

The works will entail regrading and renewal of the footpath in similar materials, improving the drainage and stormwater runoff, and lifting the level of service pits as required.

Officers are currently looking to procure a contractor for the works. Once a contractor is engaged we will be in a better position to provide a detailed program of their works and service authority alterations. Our preferred option is to undertake works at night to minimise disruption to traders and the general public.

We are hoping for these works to be completed in the next few months.

Brian Sanderson asked the following questions:

1. Late last year Council approved a motion to cancel contracts with companies, businesses and individuals who support Israel. Can the CEO please outline what progress has been made regarding this action, how many contracts have been cancelled and if there have been any challenges from this businesses regarding a breach of contract?

Response:

The Chief Executive Officer advised that the Council resolution was in fact to investigate which contracts Council had with Israeli related companies and to report back to Council.

Council officers are currently reviewing and determining next steps in regards to this action from the Notice of Motion. A future report will be presented to Council once Officers have completed their investigation into current contacts.

2. Further to the above, what steps is Council taking to support Israeli and Jewish citizens and employees to feel safe and supported given the current conflict and pro-Palestinian rhetoric of Councillors?

Response:

The Director Community Services advised that Council is committed to supporting all members of the community to have a culturally safe and inclusive Municipality. To this end, Council recently adopted the Maribyrnong Intercultural cities Strategy, which sets out Councils commitment to improving inclusion, supporting diversity and addressing racism and discrimination in all forms by:

1. *Raising awareness of racism and how it affects individuals and the broader community.*
2. *Identifying, promoting, and building on positive programs to prevent and reduce racism.*
3. *Empower communities and individuals to build resilience and take action to prevent and reduce racism and to seek help when it occurs.*

Council's adopted Notice of Motion from 21 November included a statement condemning all forms of racism, including Islamophobia and Anti-Semitism.

From an organisational perspective senior Council officers have enacted cultural and psychological safety plans for staff who may be affected by the current conflict including those of Jewish heritage, of which Council has a number of staff. In addition to a clear and inclusive staff code of conduct, support includes regular management check ins, modified duties where required and access to the Employee Assistance program.

3. On 26 January Council posted on its Instagram a photo of five Councillors in front of the flags at half-mast. Can the two Councillors not in attendance please explain why they did not attend this important ceremony?

Response:

The two Councillors advised that they were both on leave at the time and unable to attend.

Warren Penna asked the following question:

2. Does Council have a planting strategy or policy for Footscray Gardens to booster its botanical diversity into the future to coexist with the Masterplan? Would Council actively develop a partnership with the Royal Botanic Gardens or The Growing Friends of the Botanical Gardens to ensure, botanical diversity, rare and threatened plants and uniquely interesting flora is represented alongside current garden maintenance?

Response:

The Director Infrastructure Services advised that Council operates within the heritage guidelines for Footscray Gardens to retain its Edwardian gardens with annual planting and maintenance programs, these plantings are not dedicated by a policy or strategy within the organisation.

With respect to point two Council would become greater community involvement in the site.

EXTENSION OF PUBLIC QUESTION TIME

A motion was moved by Cr Sarah Carter, seconded by Cr Michael Clarke, That Council extend Public Question Time for a further 15 minutes.

CARRIED

Public Question Time was extended at 7:13pm

Council received 17 questions in relation to the Footscray Park Western Lawn and provided a single response to address the queries raised.

Diana Valencia asked the following questions:

1. When the Western Lawn dog park will reopen for public use?
2. According to the Masterplan 2011, the Western Lawn is expected to remain as an off-leash dog area. Why are parts of the lawn being paved?

Scott Lyon asked the following questions:

1. Why has the community not been consulted in relation to this significant change to the Footscray Park Masterplan 2011?
2. By what authority has Council made a significant unendorsed change to the Footscray Park Masterplan 2011?
3. What process did Council go through to seek a significant change to the Footscray Park Masterplan 2011?

Warren Penna asked the following question:

1. The renovation of Footscray Park's Western Lawn has seen the scope of the work go beyond the vision of the Masterplan, to include a path system that leads nowhere and serves little purpose. This decision has gone against all community consultation recommendations. How did this happen, how will Council ensure such decisions are not made into the future and how do Council plan to fix the problem?

Rafaela Lopez asked the following questions:

1. How can Council make decisions related to the Pond and Gardens, as well as constructing a compact gravel path around the edges of the Western Lawn of the park, without any kind of community consultation at all?
2. How are will these changes affect the heritage nature of Footscray Park?

Maree Pardy asked the following questions:

1. Is there a governance problem at MCC? How does it happen that Council officers (and presumably Chief Executive Officer) can approve expenditure for works that violate Council endorsed commitments? I ask this in relation to the decision to construct a gravel path on the edge of Footscray Park Western Lawn. It is well known that this proposal was previously rejected by council, and it deviates significantly from the existing Masterplan. Yet works have been contracted and are underway, degrading the heritage values of the park and smuggling in potential for alternative priorities for the use of the western lawn. Can officers simply overturn council decisions?
2. As a matter of procedure, could you please inform the community about whether the brief to consultants or contractors for upgraded turf works on the Western Lawn aligned with the Footscray Park's Community Advisory Panel's Report which serves as the council endorsed guide to the future development of the western lawn; and why did council choose not to publicly display plans for the Western Lawns?
3. How quickly can these works be stopped, and the turf upgrade be continued as per the Master Plan, and in accordance with the already endorse Council commitments to the park as minuted in previous council meetings and resolutions? I am sorry that this may incur costs, but the intangible costs of running roughshod over the heritage values and future benefit of the park will ensure greater long term costs. The long term costs of lack of trust in council decisions, Councillor authority and council offers accountability, may be even greater for our community. When can the work be stopped?

Sharon Schwab asked the following questions:

1. In relation to Footscray Park's western lawn, was the design consultant asked to include, and/or did Council suggest to include, any items that do not form part of the Footscray Masterplan 2011? If yes, what were those items and who authorised this?

2. Installation of drainage and irrigation systems, plus aeration, fertilisation, scarifying, herbicide and top soiling of high grade turf, plus line markings on grass is being used by Council as an effective way to manage and maintain 'high functioning open spaces', without a track. This maintenance and management approach can be seen at Johnson Reserve, Henry Turner Reserve South and Yarraville Gardens, just to name a few. Can council use these ground maintenance and management approaches on Footscray Park's western lawn?
3. Footscray Park's western lawn is designated for use by residents for informal recreation and play and off leash dogs. What area of the western lawn is being permanently allocated for resident's use benefits, separate to organised sporting use, where clubs receive priority use in all peak use periods?

Wendy Davidson asked the following questions:

1. Did Council disclose or release the design plans for Footscray Park's western lawn to community or any council staff member, including councillors, outside of the immediate project team? If so, when?
2. Are plans and / or works to Footscray Park's western lawn subject to, or have they ever been subject to, confidentiality? If so when and by whom?
3. Is or will council conduct an investigation of its upper management in relation to poor management and maintenance of Footscray Park's playground and water gardens, and now the commissioning and progressing of plans outside of the scope of the Footscray Park Masterplan?

Response:

The Chief Executive Officer acknowledged that she was disappointed that the community were not informed about the plans for Western Lawn and that this was an oversight which should not have happened.

The Chief Executive Officer advised that Council will be reviewing its processes to ensure that this will never happen again.

The granitic sand path around the perimeter of the newly upgraded Western Lawn was made based on three key criteria:

- 1. Community access and functionality*
- 2. Asset management and maintenance*
- 3. Heritage Impact*

The Western Lawn when complete, will be used for a range of uses including community events, informal use such as an off lead dog area and formal walking as well as community sports. It is expected to be a highly utilised space.

When in use for the previously mentioned activities, the path will provide access for alternative uses such as walking or running, and will be accessible for those requiring wheel chair access, and for example, parents pushing a pram. Walking is the number one recreational pursuit among Maribyrnong residents and the path enables this activity to occur even when the western lawn is in use, greatly increasing participation opportunities and the return on Councils \$8M investment for the community to upgrade the Western Lawn.

The inclusion of the path aligns with the strategic priorities in the Council Plan, the Municipal Public Health and Wellbeing Plan – in particular healthy and active outcomes, and Councils recently adopted Walking Strategy.

In regards to asset management and maintenance, the newly laid turf is a high quality couch grass able to withstand high levels of wear and tear. The existing turf outside of the Western Lawn is a different grass species that if not controlled, will take over the new turf area. The path provides a physical barrier allowing protection of the new turf and enabling for more efficient and cost effective maintenance. You will see this turf being used in neighbouring municipalities such as Werribee Mansion.

The new Western Lawn area has been engineered with a highly technical drainage system. The existing turf outside the Western Lawn area does not have existing drainage infrastructure. This means that in the case of rain events the grassed area outside of the new Western Lawn surface would be largely unusable. Without the granitic path there will be no access for wheelchairs, prams and all ability people to exercise outside the western lawn.

In regards to the decision making process, as a Master Plan is implemented it is subject to change as required at the time of detailed design investigation and site due diligence. This has been the case with the Western Lawn upgrade, and at its December meeting of 2022 Council awarded the contract with the inclusion of the perimeter path.

The Council resolved to undertake the works on the Western Lawn in its budget and in October 2022 when we found issues with the site, that were not known at the time of the masterplan, had to return to Council with an increased figure for the cost.

The path is considered an operational requirement aligned with Councils strategic imperatives, and within Councils decision making remit as the land manager. The designs were also approved through relevant external authorities such as Melbourne Water and Heritage Victoria, being respectful of the sites historical significance.

The Western Lawn is expected to be open for community use from June 2024.

The Chair, Cr Cuc Lam, declared Public Question Time closed at 7.26pm

6. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

6.1. Confirmation of the Minutes of the Previous Council Meeting - 12 December 2023

To present for confirmation, the minutes of the Council Meeting held on 12 December 2023.

Council Resolution

That Council confirms the minutes of the Council Meeting held on 12 December 2023.

Moved: Cr Sarah Carter
Seconded: Cr Simon Crawford

CARRIED

7. REPORTS FROM COMMITTEES

Nil

8. PETITIONS

8.1. Petition: Introduce a Cat Curfew in Maribyrnong

The purpose of this report is to table a Petition: Introduce a Cat Curfew in Maribyrnong.

Council Resolution

That Council:

- 1. Receives and notes the Petition: Introduce a Cat Curfew in Maribyrnong; and*
- 2. Requests the Chief Executive Officer to consider the petition and determine the appropriate response.*

Moved: Cr Michael Clarke
Seconded: Cr Simon Crawford

CARRIED

8.2. Petition: Improve Joseph Road Precinct, Footscray

The purpose of this report it to table a Petition: Improve Joseph Road Precinct.

Council Resolution

That Council:

- 1. Receives and notes the Petition: Improve Joseph Road Precinct, Footscray; and*
- 2. Requests the Chief Executive Officer to consider the petition and determine the appropriate response.*

Moved: Cr Michael Clarke
Seconded: Cr Simon Crawford

CARRIED

8.3. Petition: Jack's Magazine Reserve

The purpose of this report is to table a Petition: Jack's Magazine Reserve

Council Resolution

That Council:

- 1. Receives and notes the Petition: Jack's Magazine Reserve; and*
- 2. Requests the Chief Executive Officer to consider the petition and determine the appropriate response.*

Moved: Cr Anthony Tran
Seconded: Cr Simon Crawford

CARRIED

9. OFFICER REPORTS

9.1. Quarterly Performance and Financial Report - Period ending 31 December 2023

The purpose of this report is to present the Quarterly Performance and Financial Report for the period ending 31 December 2023.

Council Resolution

That Council:

- 1. Notes the 2023/2024 Second Quarter Performance and Financial Report and that a revised budget pursuant to section 97 (3) of the Local Government Act 2020 is not required; and*
- 2. Notes the continuing impact of the October 2022 flooding event and subsequent financial hardship to affected residents of the Maribyrnong community and resolves, in accordance with Section 169 of the Local Government Act 1989, to continue to provide financial relief to identified residents by offering a rebate of 50% on the 23/24 third and fourth instalments of the Rates and Municipal Charge, upon application (noting this rebate does not apply for the State Government Fire Service Levy).*

Moved: Cr Michael Clarke
Seconded: Cr Anthony Tran

CARRIED

9.2. Nature Strip Landscape Policy and Guidelines Review

To present the findings from the first phase of the review of the Nature Strip Landscape Policy and Guidelines and seek approval to release the draft Policy and Guidelines for community consultation.

Council Resolution

That Council:

- 1. Note the feedback received from the community that informed the revision of the existing Nature Strip Landscape Policy and Guidelines; and*
- 2. Endorse the release of the draft Nature Strip Planting Policy and draft Nature Strip Planting Guidelines for community consultation.*

Moved: Cr Bernadette Thomas

Seconded: Cr Anthony Tran

CARRIED

9.3. Climate Emergency Community Advisory Committee - Terms of Reference

To seek Council approval to establish a Climate Emergency Advisory Committee to provide advice to Council on issues and barriers relevant to achieving the goals and objectives of Council's Climate Emergency Strategy.

Council Resolution

That Council:

- 1. Establish the Climate Emergency Advisory Committee;*
- 2. Approve the Terms of Reference for the Maribyrnong Climate Emergency Advisory Panel, shown in Attachment 1; and*
- 3. Note that an Expression of Interest process for membership of the Maribyrnong Climate Emergency Advisory Panel will be conducted, with a further report to be presented to Council to recommend the selection of Committee members.*

Moved: Cr Simon Crawford

Seconded: Cr Bernadette Thomas

CARRIED

Councillor Crawford left the meeting at 7.50pm.

9.4. Arts Advisory Committee - Terms of Reference

To seek Council approval for the Terms of Reference for the Maribyrnong Arts Advisory Committee, formally known as the Maribyrnong Arts Ambassadors Committee.

Council Resolution

That Council:

- 1. Establish the Maribyrnong Arts Advisory Committee;*
- 2. Adopt the Maribyrnong Arts Advisory Committee Terms of Reference, shown at Attachment 1; and*
- 3. Note that an Expression of Interest process for membership of the Maribyrnong Arts Advisory Committee will be conducted, with a further report to be presented to Council to recommend the selection of Committee members.*

Moved: Cr Sarah Carter
Seconded: Cr Michael Clarke

CARRIED

Councillor Crawford returned to the meeting at 7.53pm.

Councillor Tran left the meeting at 7.55pm.

9.5. Awarding of Contract No 1256-24 Provision of Cowper Street Capital Improvement Plan

To seek Council approval to award Contract No 1256-24 Provision of Cowper Street Capital Improvement Plan (CIP) to Grampians Excavations Pty Ltd.

Council Resolution

That Council:

- 1. Awards Contract No 1256-24 Provision of Cowper Street Capital Improvement Project to Grampians Excavations Pty Ltd. for the total contract sum of \$6,908,909.64 (Exc. GST); and*
- 2. Authorises the Chief Executive Officer to execute Contract No 1256-24 Provision of Cowper Street Capital Improvement Project to Grampians Excavations Pty Ltd.*

Moved: Cr Simon Crawford
Seconded: Cr Michael Clarke

CARRIED

Councillor Tran returned to the meeting at 7.58pm.

9.6. Awarding of Contract No 1257-24 Provision Of Joseph Road - Hopkins Street To Heavenly Queen Temple - Reconstruction Project

To seek Council approval to award Contract No 1257-24 Provision of Joseph Road - Hopkins Street to Heavenly Queen Temple - Reconstruction Project to GP Bluestone Pty Ltd.

Council Resolution

That Council:

- 1. Awards Contract No 1257-24 Provision of Joseph Road - Hopkins Street to Heavenly Queen Temple - Reconstruction Project to GP Bluestone Constructions Pty Ltd for the total contract sum of \$6,245,323 (Exc. GST); and*
- 2. Authorises the Chief Executive Officer to execute Contract No 1257-24 Provision of Joseph Road - Hopkins Street to Heavenly Queen Temple - Reconstruction Project to GP Bluestone Pty Ltd.*

Moved: Cr Michael Clarke
Seconded: Cr Simon Crawford

CARRIED

9.7. Governance Report - December 2023

The purpose of this report is to receive and note the record of informal meetings of Councillors and Councillor delegates' for December 2023, as well as other statutory compliance and governance matters as they arise. It is noted that Council was in recess in January 2024, with no Governance report issued for this period

Council Resolution

That Council notes the Governance Report containing the record of informal meetings of Councillors for December 2023, which will be made available on Council's website for the term of the current Council.

Moved: Cr Sarah Carter
Seconded: Cr Michael Clarke

CARRIED

10. NOTICES OF MOTION

10.1. Notice Of Motion: 2024/01 Speed Limit on Hopkins Street, Footscray

Council Resolution

That Council:

- 1. Notes that the Mayor wrote to the Minister for Roads and Road Safety on 23 January 2024 advocating for a reduction of the current speed limit of 60kmph on Hopkins Street, Footscray (between Moore Street and the Hopetoun Bridge over the Maribyrnong River that connects to Dynon Road in West Melbourne);*
- 2. Acknowledges that in response to the Mayor's letter to the Minister for Roads and Road Safety, the Minister has asked the appropriate Department to meet with Council officers to identify opportunities to address safety concerns within the precinct; and*
- 3. Requests the Chief Executive Officer provide a report to the April 2024 Council Meeting outlining the actions to be taken to address safety concerns within the precinct.*

Moved: Cr Michael Clarke
Seconded: Cr Simon Crawford

CARRIED

10.2. Notice Of Motion: 2024/02 Treaty with First Nations People

Council Resolution

That Council:

- 1. Reaffirms its support for the Uluru Statement from the Heart as part of Council's ongoing commitment to reconciliation;*
- 2. Notes that residents of the City of Maribyrnong voted in support of The Voice to Parliament Referendum in 2023;*
- 2. Encourages all Maribyrnong residents to continue to support First Nations peoples;*
- 3. Continues to support and endorse the Victorian State Government's efforts to achieve a Treaty with the First Nations people of Victoria;*
- 4. Firmly asserts the need for a bipartisan approach for the Victorian State Government's treaty negotiations, and calls on the Victorian Liberal and National Parties to reconsider withdrawing support for a Victorian Treaty process;*
- 5. Through the Office of the Mayor, write to the leaders of the Liberal and National parties of Victoria urging all stakeholders to robustly support the ambitious initiatives of the Victorian State Government in forging a Treaty with the First Nations people of Victoria, and;*
- 6. Submits a motion at the May 2024 Municipal Association of Victoria (MAV) State Council calling on all levels of Government to support the Treaty process.*

Moved: Cr Michael Clarke
Seconded: Cr Bernadette Thomas

CARRIED

10.3. Notice Of Motion: 2024/03 Activity Centre Amenity

Council Resolution

That Council:

- 1. Request the Chief Executive Officer to investigate the current policy framework in relation to public amenity and design of commercial frontages within activity centres and provide a report back to Council.*
- 2. Cease any further compliance or enforcement activities in respect of roller doors/shutters until this report is prepared and considered by Council.*
- 3. Request the Chief Executive Officer to investigate opportunities to provide financial support to business within activity centres to undertake improvement to their commercial street frontage and provide a report back to Council.*

Moved: Cr Sarah Carter
Seconded: Cr Anthony Tran

CARRIED

11. COUNCILLOR QUESTION TIME

Nil.

12. URGENT BUSINESS


Nil.

13. CONFIDENTIAL BUSINESS

Nil.

14. MEETING CLOSURE

The Chair, Cr Cuc Lam, declared the meeting closed at 8.51pm.



To be confirmed at the Council Meeting
to be held on 19 March, 2024.

Chair, Cr Cuc Lam