



MINUTES

ORDINARY COUNCIL MEETING

MAROONDAH CITY COUNCIL

MONDAY 23 MARCH 2015

Minutes of the Council Meeting held in the Council Chamber, Braeside Avenue, Ringwood, on Monday 23 March 2015 at 7:30 pm.

PRESENT

Cr Tony Dib, JP (Mayor)	Arrabri Ward
Cr Christina Gleeson	Arrabri Ward
Cr Mary-Anne Lowe	Mullum Ward
Cr Nora Lamont	Mullum Ward
Cr Rob Steane	Wyreena Ward
Cr Liam Fitzgerald	Wyreena Ward
Cr Les Willmott, JP	Wyreena Ward
Steve Kozlowski	Chief Executive Officer
Marianne Di Giallonardo	Director Corporate Services
Phil Turner	Director Planning & Community
Trevor Welsh	Director Operations, Infrastructure & Leisure
Stephen Onans	Team Leader Governance

The prayer was read by Pastor Sean Morris, Grow Church

The Acknowledgement of Country was read by the Mayor.

APOLOGIES

Cr Natalie Thomas	Arrabri Ward
Cr Samantha Marks	Mullum Ward

DECLARATION OF INTERESTS

Nil

CONFIRMATION OF MINUTES

MOVED CR WILLMOTT, SECONDED CR LOWE 15/15

THAT THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON MONDAY, 16 FEBRUARY 2015 BE CONFIRMED.

CARRIED

PUBLIC QUESTION TIME

Nil

OFFICERS' REPORTS**DIRECTOR CORPORATE SERVICES**

ATTENDANCE REPORTS

Cr Les Willmott

- 18 Feb Official Opening of Science & Maths Building, Yarra Valley Grammar School by Sir Peter & Lady Cosgrove & Dedication by Rev Dr Philip Freier
- 18 Feb Public Consultation: 43 Jarvis Avenue, Croydon
- 25 Feb Metropolitan Waste & Resource Recovery Group Board Meeting Jan-Dec 2015
- 27 Feb Regional Waste & Resource Recovery Group Meeting with Executive Officers and Chairpersons
- 27 Feb Regional Department of Environment, Land, Water & Planning Meeting with Waste & Resource Recovery Group Chairpersons
- 02 Mar Victoria Grants Commission visit, Council Chamber, Ringwood
- 02 Mar Meeting with U3A Croydon
- 03 Mar Public Consultation: 3 Alexander Court, Warranwood
- 05 Mar Croydon Rotary Club 26th Annual Charity Golf Day 2015
- 05 Mar Retirement Function for Mr Ray Tonisson (Bendigo Bank, Ringwood East)
- 05 Mar Australian Citizenship Ceremony, Karralyka
- 10 Mar Business Advisory Committee Meeting
- 10 Mar Public Consultation: 5-7 Kardinia Crescent, Warranwood
- 11 Mar Audit and Risk Advisory Committee Meeting
- 13-15 Mar Councillor Conference 2015, Lakes Entrance
- 20 Mar Wyreena *'Picnic in the Park'* - Movie night at Wyreena Community Arts Centre

Cr Willmott also congratulated Council employees on the Wyreena Picnic in the Park event.

Cr Rob Steane

- 18 Feb Public Consultation: 43 Jarvis Avenue, Croydon
- 02 Mar Meeting with U3A Croydon
- 03 Mar Public Consultation: 3 Alexander Court, Warranwood
- 05 Mar Meeting with Croydon U3A
- 05 Mar Maroondah Alcohol Accord
- 05 Mar Retirement Function for Mr Ray Tonisson (Bendigo Bank, Ringwood East)
- 05 Mar Australian Citizenship Ceremony, Karralyka
- 10 Mar Public Consultation: 5-7 Kardinia Crescent, Warranwood
- 13-15 Mar Councillor Conference 2015, Lakes Entrance
- 20 Mar Wyreena *'Picnic in the Park'* - Movie night at Wyreena Community Arts Centre
- 23 Mar Meeting with Consultant for review and discussion of the new Councillor extranet, CamNet

Cr Mary-Anne Lowe

- 21 Feb *'Pink Stumps Day'* - South Croydon Cricket Club
- 23 Feb Heathmont Uniting Church Community Lifestyle Centre Annual General Meeting
- 24 Feb Maroondah Citizens Advice Bureau Meeting
- 25 Feb Public Consultation: 301 Maroondah Highway, Ringwood
- 26 Feb Eastern Regional Libraries Board Meeting
- 27 Feb Story time and animal presentation – *'Cooee'*, at Federation Estate

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- 28 Feb *'Teddy Bear's Picnic at the Circus'* – Karralyka
 - 28 Feb Ringwood Cricket Club President's lunch
 - 02 Mar Meeting with representative from Heathmont Uniting Church
 - 04 Mar International Women's Day Personal Safety & Wellbeing morning
 - 05 Mar International Women's Day Breakfast, Karralyka
 - 5 Mar Liquor Accord Meeting at Ringwood Bowls Club
 - 05 Mar Australian Citizenship Ceremony, Karralyka
 - 10 Mar Business Advisory Committee Meeting
 - 11 Mar Small Business Forum, Special Guest Speaker: The Hon Bruce Billson MP
Minister for Small Business
 - 13-15 Mar Councillor Conference 2015, Lakes Entrance
 - 17 Mar Uniting Care Ringwood Biala 34th Annual General Meeting
 - 17 Mar Meeting at RALAC Lionsbrae, East Ringwood
 - 18 Mar *'Women on the Go'* Expo & Forum
 - 20 Mar Wyreena *'Picnic in the Park'* - Movie night at Wyreena Community Arts Centre
 - 23 Mar Meeting with Consultant for review and discussion of the new Councillor
extranet, CamNet

Cr Nora Lamont

- 25 Feb Public Consultation: 301 Maroondah Highway, Ringwood
- 26 Feb Ainslie Park Cricket Club dinner
- 28 Feb Ringwood Cricket Club President's lunch
- 05 Mar International Women's Day Breakfast, Karralyka
- 05 Mar Maroondah Disability Advisory Committee Meeting
- 05 Mar Eastern FM Radio Broadcast
- 10 Mar Business Advisory Committee Meeting
- 13-15 Mar Councillor Conference 2015, Lakes Entrance
- 23 Mar Meeting with Consultant for review and discussion of the new Councillor
extranet, CamNet

Cr Christina Gleeson

- 21 Feb *'Pink Stumps Day'* - South Croydon Cricket Club
- 24 Feb Public Consultation: 20 Trawalla Road, Croydon
- 05 Mar Croydon Rotary Club 26th Annual Charity Golf Day 2015
- 13-15 Mar Councillor Conference 2015, Lakes Entrance
- 19 Mar *'IMPACT Neighbour Day'*, Glen Park Community Centre, Bayswater North

Cr Liam Fitzgerald

- 19 Feb Eastern Transport Coalition Meeting
- 02 Mar Meeting with U3A Croydon
- 03 Mar Public Consultation: 3 Alexander Court, Warranwood
- 05 Mar Maroondah Disability Advisory Committee Meeting
- 12 Mar Meeting with Resident
- 13-15 Mar Councillor Conference 2015, Lakes Entrance
- 20 Mar *'Wyreena Picnic in the Park'* - Movie night at Wyreena Community Arts Centre
- 23 Mar Meeting with Consultant for review and discussion of the new Councillor
extranet, CamNet

Cr Tony Dib

- 18 Feb Media Briefing
- 18 Feb Official Opening of Science & Maths Building, Yarra Valley Grammar School by Sir Peter & Lady Cosgrove & Dedication by Rev Dr Philip Freier
- 21 Feb *'Pink Stumps Day'* - Sth Croydon Cricket Club
- 23 Feb Heathmont Uniting Church Community Lifestyle Centre Annual General Meeting
- 24 Feb Public Consultation: 20 Trawalla Road, Croydon
- 26 Feb EACH: Launch of *'Strengthening Support to Families'* Report
- 27 Feb Eastern Region Mayors & CEOs Meeting
- 28 Feb Ringwood Cricket Club President's lunch
- 01 Mar Ringwood Spiders Cricket Social Day & BBQ
- 05 Mar International Women's Day Breakfast, Karralyka
- 05 Mar Retirement Function for Mr Ray Tonisson (Bendigo Bank, Ringwood East)
- 05 Mar Australian Citizenship Ceremony, Karralyka
- 07 Mar Function - El Marada Melbourne
- 11 Mar ANZAC Centenary funding announcement with The Hon Michael Sukkar, Liberal MP for Deakin
- 11 Mar Audit and Risk Advisory Committee Meeting
- 11 Mar Small Business Forum, Federation Estate with The Hon Bruce Billson MP Minister for Small Business
- 13-15 Mar Councillor Conference 2015, Lakes Entrance
- 17 Mar Uniting Care Ringwood Biala 34th Annual General Meeting
- 18 Mar Women on the Go Expo & Forum
- 19 Mar *'IMPACT Neighbour Day'*, Glen Park Community Centre, Bayswater North

Cr Natalie Thomas (submitted prior to the Meeting)

- 18 Feb MAV Workshop - Social Enterprise & Economic Development in Local Govt
- 20 Feb Documentary launch – *'The Carer'*
- 21 Feb *'Pink Stumps Day'* – South Croydon Cricket Club
- 24 Feb Public Consultation: 20 Trawalla Road, Croydon
- 26 Feb Eastern Regional Libraries Board Meeting
- 01 Mar Ringwood Spiders Cricket Social Day & BBQ
- 05 Mar International Women's Day Breakfast, Karralyka
- 11 Mar Small Business Forum, Federation Estate with The Hon Bruce Billson MP Minister for Small Business
- 13-15 Mar Councillor Conference 2015, Lakes Entrance
- 19 Mar *'IMPACT Neighbour Day'*, Glen Park Community Centre, Bayswater North

Cr Samantha Marks (submitted prior to the Meeting)

- 20 Feb Mullum Mullum Indigenous Gathering Group
- 23 Feb Maroondah Partners in Community Wellbeing Committee
- 25 Feb Public Consultation: 301 Maroondah Highway, Ringwood
- 26 Feb Eastern Regional Library Board Meeting
- 28 Feb *'Teddy Bear's Picnic'* – Mullum Ward Picnic in the Park – Federation Estate
- 05 Mar International Women's Day Breakfast, Karralyka
- 05 Mar Retirement Function for Mr Ray Tonisson (Bendigo Bank, Ringwood East)
- 13-15 Mar Councillor Conference 2015, Lakes Entrance
- 19 Mar Professional Development

ATTENDANCE REPORTS ITEM 1

MOVED CR WILLMOTT, SECONDED CR STEANE 16/15

THAT COUNCIL RECEIVES AND NOTES THE REPORTS AS PRESENTED BY COUNCILLORS

CARRIED

Councillors who spoke to their reports – Crs Willmott, Steane, Gleeson & Dib

REPORTS OF ASSEMBLY OF COUNCILLORS ITEM 2

MOVED CR GLEESON, SECONDED CR FITZGERALD 17/15

THAT COUNCIL RECEIVES AND NOTES THE PUBLIC RECORD OF THE ASSEMBLY OF COUNCILLORS BRIEFINGS HELD 16 FEBRUARY, 2 MARCH AND THE WEEKEND OF 14 AND 15 MARCH 2015

CARRIED

COUNCILLOR REPRESENTATION REPORTS ITEM 3:

MOVED CR LAMONT, SECONDED CR LOWE 18/15

THAT COUNCIL RECEIVES AND NOTES THE MINUTES OF

- **MAROONDAH ENVIRONMENT ADVISORY COMMITTEE HELD 3 FEBRUARY 2015**
- **METROPOLITAN LOCAL GOVERNMENT WASTE FORUM HELD 12 FEBRUARY 2015**
- **MAROONDAH DISABILITY ADVISORY COMMITTEE HELD 5 MARCH 2015**

CARRIED

Councillors who spoke to the motion – Cr Lamont

DELEGATIONS - PLANNING ITEM 4

MOVED CR STEANE, SECONDED CR FITZGERALD 19/15

THAT IN THE EXERCISE OF THE POWERS CONFERRED BY SECTION 98(1) OF THE LOCAL GOVERNMENT ACT 1989 ('THE ACT') AND THE OTHER LEGISLATION REFERRED TO IN THE ATTACHED INSTRUMENT OF DELEGATION, MAROONDAH CITY COUNCIL ('COUNCIL') RESOLVES THAT:

1. **THERE BE DELEGATED TO THE MEMBER OF COUNCIL STAFF HOLDING, ACTING IN OR PERFORMING THE DUTIES OF THE OFFICES OR POSITIONS REFERRED TO IN THE ATTACHED *INSTRUMENT OF DELEGATION TO MEMBERS OF COUNCIL STAFF*, THE POWERS, DUTIES AND FUNCTIONS SET OUT IN THAT INSTRUMENT, SUBJECT TO THE CONDITIONS AND LIMITATIONS SPECIFIED IN THAT INSTRUMENT**

2. THE INSTRUMENT COMES INTO FORCE IMMEDIATELY THE COMMON SEAL OF COUNCIL IS AFFIXED TO THE INSTRUMENT AND REMAINS IN FORCE UNTIL COUNCIL DETERMINES TO VARY OR REVOKE IT
3. ON THE COMING INTO FORCE OF THE INSTRUMENT ALL PREVIOUS DELEGATIONS – DIRECT FROM COUNCIL TO COUNCIL STAFF - UNDER THE PLANNING AND ENVIRONMENT ACT 1987 AND ASSOCIATED REGULATIONS ARE REVOKED
4. THE DUTIES AND FUNCTIONS SET OUT IN THE INSTRUMENT MUST BE PERFORMED, AND THE POWERS SET OUT IN THE INSTRUMENT MUST BE EXECUTED, IN ACCORDANCE WITH ANY GUIDELINES OR POLICIES OF COUNCIL THAT IT MAY FROM TIME TO TIME ADOPT
5. THE INSTRUMENT OF DELEGATION AS ATTACHED TO THIS REPORT OF THE DIRECTOR CORPORATE SERVICES SUBMITTED TO COUNCIL AT ITS MEETING HELD ON 23 MARCH 2015, BE EXECUTED UNDER THE SEAL OF COUNCIL.

CARRIED

DELEGATIONS - ROAD MANAGEMENT ACT 2004 AND REGULATIONS ITEM 5

MOVED CR GLEESON, SECONDED CR LOWE 20/15

THAT IN THE EXERCISE OF THE POWERS CONFERRED BY SECTION 98(1) OF THE LOCAL GOVERNMENT ACT 1989 ('THE ACT') AND THE OTHER LEGISLATION REFERRED TO IN THE ATTACHED INSTRUMENT OF DELEGATION, MAROONDAH CITY COUNCIL ('COUNCIL') RESOLVES THAT:

1. THERE BE DELEGATED TO THE MEMBER OF COUNCIL STAFF HOLDING, ACTING IN OR PERFORMING THE DUTIES OF THE OFFICES OR POSITIONS REFERRED TO IN THE ATTACHED *INSTRUMENT OF DELEGATION TO MEMBERS OF COUNCIL STAFF*, THE POWERS, DUTIES AND FUNCTIONS SET OUT IN THAT INSTRUMENT, SUBJECT TO THE CONDITIONS AND LIMITATIONS SPECIFIED IN THAT INSTRUMENT
2. THE INSTRUMENT COMES INTO FORCE IMMEDIATELY THE COMMON SEAL OF COUNCIL IS AFFIXED TO THE INSTRUMENT AND REMAINS IN FORCE UNTIL COUNCIL DETERMINES TO VARY OR REVOKE IT
3. ON THE COMING INTO FORCE OF THE INSTRUMENT ALL PREVIOUS DELEGATIONS – DIRECT FROM COUNCIL TO COUNCIL STAFF - UNDER THE ACT/REGULATIONS SET OUT IN THE SCHEDULE IN THE INSTRUMENT ARE REVOKED
4. THE DUTIES AND FUNCTIONS SET OUT IN THE INSTRUMENT MUST BE PERFORMED, AND THE POWERS SET OUT IN THE INSTRUMENT MUST BE EXECUTED, IN ACCORDANCE WITH ANY GUIDELINES OR POLICIES OF COUNCIL THAT IT MAY FROM TIME TO TIME ADOPT

- 5. THE INSTRUMENT OF DELEGATION AS ATTACHED TO THIS REPORT OF THE DIRECTOR CORPORATE SERVICES SUBMITTED TO COUNCIL AT ITS MEETING HELD ON 23 MARCH 2015, BE EXECUTED UNDER THE SEAL OF COUNCIL**

CARRIED

NATANYA WAY, KILSYTH

ITEM 6

MOVED CR GLEESON, SECONDED CR FITZGERALD

21/15

THAT COUNCIL

- 1. ACTING UNDER CLAUSE 3 OF SCHEDULE 10 OF THE LOCAL GOVERNMENT ACT 1989 ('THE ACT') RESOLVES THAT THE STATUTORY PROCEDURES BE COMMENCED TO DISCONTINUE THE ENCLOSED SECTION OF NATANYA WAY, KILSYTH**
- 2. GIVES PUBLIC NOTICE UNDER SECTIONS 207A AND 223 OF THE ACT IN 'THE AGE' NEWSPAPER, STATING THAT IF THE ENCLOSED SECTION IS DISCONTINUED, COUNCIL PROPOSES TO SELL THE LAND BY PRIVATE TREATY AT CURRENT MARKET VALUE TO THE OWNERS OF 5 NATANYA WAY, KILSYTH**
- 3. IN ACCORDANCE WITH SECTION 223 OF THE ACT APPOINTS A COMMITTEE COMPRISING COUNCILLORS DIB, GLEESON AND THOMAS TO HEAR ANY PERSON WISHING TO BE HEARD IN SUPPORT OF THEIR SUBMISSION, ON A DATE TO BE DETERMINED**
- 4. CONSIDERS ALL WRITTEN SUBMISSIONS, INCLUDING A WRITTEN REPORT ON THE PROCEEDINGS OF ANY COMMITTEE HEARING CONDUCTED, FOLLOWING WHICH IT WILL DETERMINE WHETHER OR NOT TO DISCONTINUE THE ENCLOSED SECTION OF THE ROAD AND TRANSFER THE LAND TO ITSELF**
- 5. AUTHORISES THE DIRECTOR CORPORATE SERVICES 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**
- 6. IN THE ABSENCE OF THE RECEIPT OF SUBMISSIONS, PUBLISH A NOTICE OF THE DECLARATION OF THE DISCONTINUANCE IN THE VICTORIA GOVERNMENT GAZETTE AND COUNCIL WILL THEN SELL THE LAND IN ACCORDANCE WITH THE PUBLISHED NOTICE**
- 7. SIGNS AND SEALS ALL DOCUMENTATION IN RELATION TO THE DISCONTINUANCE OF THE ROAD**

CARRIED

DIRECTOR OPERATIONS, INFRASTRUCTURE AND LEISURE

COMMUNITY FACILITIES PRICING POLICY ITEM 1

MOVED CR LAMONT, SECONDED CR FITZGERALD 22/15

THAT COUNCIL ENDORSES THE REVISED COMMUNITY FACILITIES PRICING POLICY AND SUPPORTING LEASES AND LICENCES PRICING SCHEDULE AND SEASONAL AND CASUAL PRICING SCHEDULE AS ATTACHED TO THIS REPORT

CARRIED

MOTIONS TO REVIEW

Nil

LATE ITEM

Nil

REQUESTS / LEAVE OF ABSENCE

Nil

IN CAMERA

MOVED CR STEANE, SECONDED CR WILLMOTT 23/15

THAT IN ACCORDANCE WITH SECTION 89(2) OF THE LOCAL GOVERNMENT ACT 1989 COUNCIL RESOLVES TO MEET IN CAMERA AS THE MATTERS TO BE DISCUSSED MAY PREJUDICE THE COUNCIL OR SOME OTHER PERSON.

CARRIED

COUNCIL RESOLVED THAT THE FOLLOWING DECISIONS BE REFLECTED IN THE MINUTES OF THE OPEN FORUM.

CHIEF EXECUTIVE OFFICER

THE MAROONDAH FOUNDATION ITEM 1

THIS COUNCIL RESOLUTION AND/OR REPORT ARE TO REMAIN CONFIDENTIAL UNTIL 13 MAY 2015

The open forum closed at 7:48pm.

Confirmed

Date