



MINUTES

COUNCIL MEETING

MAROONDAH CITY COUNCIL

MONDAY

18 SEPTEMBER 2017

UNCONFIRMED MINUTES

It should be noted that these minutes are not in their final form until Council has formally resolved to confirm them.

These minutes will be presented to Council for confirmation on 16 October 2017

Minutes of the Council Meeting held in the Council Chamber, Braeside Avenue, Ringwood, on Monday 18 September 2017 at 7:30pm.

PRESENT

Cr Tony Dib, JP (Mayor)	Arrabri Ward
Cr Nora Lamont (Deputy Mayor)	Mullum Ward
Cr Kylie Spears	Arrabri Ward
Cr Paul Macdonald	Arrabri Ward
Cr Mike Symon	Mullum Ward
Cr Marijke Graham	Wyreena Ward
Cr Michael Macdonald	Wyreena Ward
Cr Rob Steane	Wyreena Ward
Steve Kozlowski	Chief Executive Officer
Marianne Di Giallonardo	Director Corporate Services
Phil Turner	Director Planning & Community
Adam Todorov	Acting Director Operations, Infrastructure & Leisure
Stephen Onans	Team Leader Governance

The prayer was read by Pastor Peter Keep, Ringwood Community Church

The Acknowledgement of Country was read by the Mayor.

The Chief Executive Officer read the following Statement of Recording -

“Ladies & Gentlemen - Please note that this meeting is being recorded. All care is taken to maintain your privacy; however, as a visitor in the public gallery, your presence may be recorded. Also, unlike State and Federal Government, Local Government is not afforded the benefit of parliamentary privilege, for comments made during meetings that are subsequently determined to be slanderous.”

APOLOGIES

Cr Samantha Marks	Mullum Ward (Leave of Absence)
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DECLARATION OF INTERESTS

Nil

CONFIRMATION OF MINUTES

MOVED CR LAMONT, SECONDED CR SPEARS

122/17

THAT THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON MONDAY, 28 AUGUST 2017 BE CONFIRMED.

CARRIED

PUBLIC QUESTION TIME

Nil

OFFICERS' REPORTS**DIRECTOR CORPORATE SERVICES**

ATTENDANCE REPORT ITEM 1

MOVED CR STEANE, SECONDED CR M MACDONALD 123/17

THAT COUNCIL RECEIVES AND NOTES THE REPORTS AS PRESENTED BY COUNCILLORS**CARRIED**

Councillors who spoke to their reports – Crs Dib, Lamont, Symon, Steane, Spears, P Macdonald, M Macdonald and Graham

Cr Dib (Mayor)

29/08 Meeting with the Hon Michael Sukkar MP
 30/08 Maroondah Leader Media Briefing
 30/08 Green Army Meet and Greet with the Hon Michael Sukkar MP
 30/08 Audit & Risk Advisory Committee Meeting
 30/08 HE Parker Multi Sports Complex - Community Engagement
 31/08 Meals on Wheels Photo Opportunity
 01/09 Meeting with Mr Shaun Leane MLC
 02/09 Chin Community Celebrates their New Shared Home - The Coppersmith Pavillion, East Ringwood Reserve
 04/09 Meeting with Elishacare
 05/09 Australian Red Cross Croydon Branch 60th Birthday Celebrations
 05/09 Mayoral visit to Bayswater North Primary School
 08/09 Irabina Autism Services AFL Grand Final Luncheon
 10/09 Community Planting Day at HE Parker Reserve
 15/09 Municipal Association Victoria Metro East Representatives, Mayors & CEO session
 16/09 Ringwood Croquet Club Season Opening Day
 17/09 Ringwood Diving Club Open Day at Aquanation

Cr Lamont (Deputy Mayor)

16/09 Ringwood Croquet Club Season Opening Day
 17/09 Ringwood Diving Club Open Day at Aquanation
 17/09 Maroondah District Scouts Special Youth and Adult Award Presentation

Cr Symon

30/08 Audit & Risk Advisory Committee Meeting
 31/08 State Memorial Service for the Hon Fiona Richardson MP

- 31/08 Municipal Association Victoria Transport & Infrastructure Committee
- 31/08 Eastern Metro Partnership Annual Assembly
- 01/09 'Meals on Wheels' Media Event
- 04/09 Australian Institute of Company Directors – 'Preparing for Success' e-Learning Training Course
- 04/09 Australian Institute of Company Directors – 'The Director Mindset' e-Learning Training Course
- 04/09 Australian Institute of Company Directors – 'Interpreting Financial Statements' e-Learning Training Course
- 06/09 Australian Institute of Company Directors - Company Directors Course Day 1
- 06/09 Summer Sporting Forum at Karralyka
- 08/09 Australian Institute of Company Directors 'Changing Responsibilities for Whistleblowing Procedures' Webinar
- 11/09 'Automation and the Future of Work' - Parliament House
- 11/09 House of Representatives Question Time – Parliament House
- 12/09 Victoria Grants Commission Regional Information Session
- 13/09 Australian Institute of Company Directors Course - Day 2
- 13/09 Heatherdale Community Action Group Annual General Meeting & Election of New Committee
- 14/09 Annualised Centralised Valuations Consultation Session
- 15/09 Municipal Association Victoria Metro East Representatives, Mayors & CEO's Session
- 16/09 Ringwood Croquet Club Season Opening Day
- 17/09 Maroondah District Scouts Special Youth and Adult Award Presentation
- 17/09 Ringwood Diving Club Open Day at Aquanation

Cr Symon tabled the report on Councillors attendance at the National General Assembly of Local Government held in Canberra from 18 – 21 June 2017

Cr Steane

Spoke of his experience of observing a sky rail network in Dubai, whilst on a recent trip overseas.

Cr Steane also made reference to the decision of Victorian Civil and Administrative Tribunal (VCAT) for 19 Pascoe Avenue Croydon, dated 18 September 2017, which upheld Councils decision to reject the multi-unit development application.

Cr Spears

- 29/09 Meeting with Heathmont Historical Society
- 30/09 Local Government Act Review - Information Session
- 30/08 HE Parker Multi Sports Complex - Community Engagement
- 01/09 'Meals on Wheels' Media Event
- 02/09 'Tapestry' Show at Karralyka
- 06/09 Summer Sporting Forum at Karralyka
- 08/09 Irabina Autism Services AFL Grand Final Luncheon
- 14/09 Glen Park Community Pantry Opening
- 26/08 HE Parker Community Engagement on Saturday

Cr P Macdonald

29/08 Maroondah Environment Advisory Committee Meeting
30/08 'Thirty Nine' Performance by Fresh Theatre at Realm
31/08 'Meals on Wheels' Media Event
31/08 Eastern Metropolitan Partnership Annual Assembly
07/09 Eastern FM Radio Broadcast
07/09 Eastern Affordable Housing Alliance Executive Meeting
10/09 Community Planting Day at HE Parker Reserve
13/09 Book Launch at Maroondah Sports Club, Author Mr Les Twentyman
14/09 Glen Park Community Pantry Opening
16/09 Mullum Mullum Indigenous Gathering Place Gala Dinner
17/09 Heathmont Football Club Grand Final

Cr M Macdonald

02/09 Theatre Event at Karralyka
17/09 Heathmont Football Club Grand Final

Cr Graham

29/08 Maroondah Environment Advisory Committee Meeting
31/08 Eastern Regional Libraries Special Event with a Prize Winning Author
06/09 City of Wellbeing Steering Committee Meeting
13/09 Book Launch at Maroondah Sports Club, Author Mr Les Twentyman

GRAFFITI – RAIL BRIDGE MOUNT DANDENONG ROAD, CROYDON

The Mayor took the opportunity of referring to recent questions being posed in the media on the issue of graffiti and the railway bridge, then proceeded to provide an update on the matter, advising that Council had been successful in its advocacy to Metro Trains Melbourne and Public Transport Victoria in seeking to have the illegal graffiti removed from the railway bridge at Mount Dandenong Road in Croydon.

REPORTS OF ASSEMBLY OF COUNCILLORS

ITEM 2

MOVED CR LAMONT, SECONDED CR GRAHAM

124/17

THAT COUNCIL RECEIVES AND NOTES THE PUBLIC RECORD OF THE ASSEMBLY OF COUNCILLORS BRIEFINGS HELD ON 28 AUGUST 2017 AND 4 SEPTEMBER 2017

CARRIED

COUNCILLOR REPRESENTATION REPORTS ITEM 3

MOVED CR M MACDONALD, SECONDED CR P MACDONALD 125/17

THAT COUNCIL RECEIVES AND NOTES MINUTES OF THE METROPOLITAN LOCAL GOVERNMENTS' WASTE FORUM HELD ON 10 AUGUST 2017

CARRIED

MUNICIPAL ASSOCIATION OF VICTORIA STATE COUNCIL MEETING
- MOTIONS ITEM 4

MOVED CR DIB, SECONDED CR LAMONT 126/17

THAT COUNCIL

1. SUBMITS THE FOLLOWING FIVE MOTIONS ON BEHALF OF MAROONDAH CITY COUNCIL FOR CONSIDERATION AND DEBATE AT THE MUNICIPAL ASSOCIATION OF VICTORIA STATE COUNCIL MEETING:

i. PROGRAM FOR YOUNGER PEOPLE - PYP

Motion:- THAT THE MUNICIPAL ASSOCIATION OF VICTORIA STATE COUNCIL CALLS UPON THE STATE GOVERNMENT TO COMMIT TO FUNDING THE CURRENT PROGRAM FOR YOUNGER PEOPLE (PYP) AFTER JUNE 2019.

ii. SUGAR SWEETENED DRINKS

Motion:- THAT THE MUNICIPAL ASSOCIATION OF VICTORIA STATE COUNCIL REITERATES TO THE STATE GOVERNMENT THE IMPORTANCE OF WORK BEING UNDERTAKEN BY LOCAL AND STATE GOVERNMENT TO REDUCE THE CONSUMPTION OF SUGAR SWEETENED DRINKS AS A POPULATION LEVEL INTERVENTION TO REDUCE OBESITY AND ASSOCIATED BURDENS OF DISEASE.

iii. COST SHIFTING – BUILDING ACT AND REGULATIONS – LOCAL GOVERNMENT IMPACTS

Motion:- THAT THE MUNICIPAL ASSOCIATION OF VICTORIA STATE COUNCIL MEETING CALLS UPON THE STATE GOVERNMENT TO ENSURE THAT THE RECENT AMENDMENTS TO BOTH THE BUILDING ACT AND BUILDING REGULATIONS DO NOT CREATE A FINANCIAL IMPOST UPON THE LOCAL GOVERNMENT SECTOR IN TERMS OF COST SHIFTING RESULTING IN THE ROLE OF MONITORING AND COMPLIANCE OF BUILDING WORKS BEING TRANSFERRED FROM THE VICTORIAN BUILDING AUTHORITY TO COUNCILS.

iv. MODEL ACCOUNTS – ANNUAL FINANCIAL REPORT TEMPLATE

Motion:- THAT THE MUNICIPAL ASSOCIATION OF VICTORIA STATE COUNCIL MEETING CALLS UPON THE STATE GOVERNMENT TO ENSURE THAT THE LOCAL GOVERNMENT ANNUAL FINANCIAL REPORT

TEMPLATE, NOTE 17 'CASH AND CASH EQUIVALENTS' AND NOTE 18 'OTHER FINANCIAL ASSETS' BE AMENDED TO REFLECT A MORE ACCURATE PRESENTATION OF THE NOTES AND OVERALL POSITION.

v. MAINTENANCE OF STATE GOVERNMENT ASSETS

Motion:- THAT THE MUNICIPAL ASSOCIATION OF VICTORIA STATE COUNCIL CALLS UPON THE STATE GOVERNMENT TO ENSURE THAT THE MAINTENANCE AND UPKEEP OF STATE GOVERNMENT OWNED AND/OR MANAGED ASSETS BE ADEQUATELY FUNDED SO THAT EXPECTED COMMUNITY STANDARDS ARE ABLE TO BE ACHIEVED.

- 2. AUTHORISES THE MAYOR, CR SYMON AND THE CHIEF EXECUTIVE OFFICER TO CONSIDER THE MERITS AS TO MAROONDAH SUPPORTING ANY MOTIONS CIRCULATED BY REGIONAL COUNCILS.**

CARRIED

AUDIT & RISK ADVISORY COMMITTEE REPORT

ITEM 5

MOVED CR SYMON, SECONDED CR SPEARS

127/17

THAT COUNCIL RECEIVES AND NOTES THE REPORT FROM THE AUDIT & RISK ADVISORY COMMITTEE MEETING HELD ON WEDNESDAY 30 AUGUST 2017

CARRIED

ACTING DIRECTOR OPERATIONS, INFRASTRUCTURE & LEISURE

SPECIAL COMMITTEES OF COUNCIL INSTRUMENT OF DELEGATION

ITEM 1

MOVED CR P MACDONALD, SECONDED CR SPEARS

128/17

THAT COUNCIL

- 1. REVOKES THE EXISTING INSTRUMENTS OF DELEGATION FOR THREE (3) OF COUNCIL'S SPECIAL COMMITTEES OF COUNCIL**
- 2. REVOKES ITS RESOLUTION MADE AT THE COUNCIL MEETING ON 25 AUGUST 2014 ESTABLISHING THE WARRANWOOD RESERVE SPECIAL COMMITTEE OF COUNCIL, WARRIEN RESERVE SPECIAL COMMITTEE OF COUNCIL & RINGWOOD ATHLETIC CENTRE SPECIAL COMMITTEE OF COUNCIL**
- 3. IN THE EXERCISE OF THE POWERS CONFERRED BY SECTION 86(1) OF THE LOCAL GOVERNMENT ACT 1989 (THE ACT) ESTABLISHES THE FOLLOWING SPECIAL COMMITTEES OF COUNCIL EFFECTIVE FROM THE DATE OF THIS RESOLUTION**
 - i. RINGWOOD ATHLETIC CENTRE SPECIAL COMMITTEE OF COUNCIL**

- ii. **WARRIEN RESERVE SPECIAL COMMITTEE OF COUNCIL**
 - iii. **WARRANWOOD RESERVE SPECIAL COMMITTEE OF COUNCIL**
4. **IN THE EXERCISE OF THE POWERS CONFERRED BY SECTION 86(3) OF THE ACT DELEGATES TO THE COMMITTEE THE FUNCTIONS, DUTIES AND POWERS SET OUT IN THE ATTACHED INSTRUMENT OF DELEGATION (THE INSTRUMENT) SUBJECT TO THE EXCEPTIONS, CONDITIONS AND LIMITATIONS SET OUT IN THE SCHEDULE TO THE INSTRUMENT**
 5. **EXTEND FOR A TWELVE (12) MONTH PERIOD, THE EXISTING INSTRUMENT OF DELEGATION FOR CHEONG PARK SPECIAL COMMITTEE OF COUNCIL MADE BY COUNCIL RESOLUTION ON 25 AUGUST 2014**

CARRIED

MAROONDAH FESTIVAL 2017

ITEM 2

MOVED CR GRAHAM, SECONDED CR STEANE

129/17

THAT COUNCIL

1. **IN ACCORDANCE WITH THE PROVISIONS OF SCHEDULE 11, CLAUSE 10(B) OF THE LOCAL GOVERNMENT ACT 1989, RESOLVES TO TEMPORARILY CLOSE THE FOLLOWING ROADS ON SUNDAY 12 NOVEMBER 2017, FROM 6.00AM TO 8.00PM**
 - i. **NORTON ROAD - MT DANDENONG ROAD TO JESMOND ROAD**
 - ii. **CIVIC SQUARE - AT SOUTH ENTRANCE TO ARNDALE SHOPPING CENTRE CAR PARK TO THE SOUTH WEST CORNER OF THE AQUAHUB CAR PARK**
2. **SEEKS APPROVAL FROM VICROADS AND VICTORIA POLICE FOR PROPOSED CHANGES TO TRAFFIC CONDITIONS**
3. **PROHIBITS THE CONSUMPTION OR POSSESSION OF OPENED CONTAINERS OF ALCOHOL ON SUNDAY 12 NOVEMBER 2017, AT THE FESTIVAL**
4. **PROHIBITS SMOKING ON SUNDAY 12 NOVEMBER 2017, AT THE FESTIVAL**
5. **APPROVES THE PROHIBITION OF DOGS DURING THE MAROONDAH FESTIVAL ON SUNDAY 12 NOVEMBER 2017 BETWEEN 10.00A.M. AND 6.00P.M. IN THE FOLLOWING AREAS**
 - i. **TOWN PARK**
 - ii. **NORTON ROAD (FROM MT DANDENONG ROAD TO LEIGH ROAD)**
 - iii. **CIVIC SQUARE (SOUTH ENTRANCE TO ARNDALE SHOPPING CENTRE CAR PARK TO THE SOUTH WEST CORNER OF AQUAHUB CAR PARK)**
6. **PROMOTES INFORMATION REGARDING ROAD CLOSURES, ALCOHOL AND SMOKE FREE EVENT AND DOG BAN ON ALL FESTIVAL MARKETING MATERIAL PRIOR TO THE EVENT**

CARRIED

DIRECTOR PLANNING & COMMUNITY

MAROONDAH CITY COUNCIL ANNUAL REPORT 2016/17 ITEM 1

MOVED CR LAMONT, SECONDED CR M MACDONALD 130/17

THAT COUNCIL

1. **NOTES THE PREPARATION OF THE ANNUAL REPORT 2016/17**
2. **ENDORSES THE ANNUAL REPORT 2016/17 FOR SUBMISSION TO THE MINISTER FOR LOCAL GOVERNMENT**
3. **ENSURES COPIES OF THE ANNUAL REPORT 2016/17 ARE MADE AVAILABLE FOR PUBLIC INSPECTION FROM 20 SEPTEMBER 2017 AT COUNCIL SERVICE CENTRES AND ON COUNCIL'S WEBSITE**
4. **WILL FORMALLY CONSIDER THE ANNUAL REPORT 2016/17 AT A COUNCIL MEETING ON MONDAY 16 OCTOBER 2017 IN ACCORDANCE WITH SECTION 134 OF THE LOCAL GOVERNMENT ACT 1989**

CARRIED

PLANNING SCHEME AMENDMENTS C96 & C97 - RINGWOOD EAST AND HEATHMONT STRUCTURE PLANS ITEM 2

MOVED CR P MACDONALD, SECONDED CR SPEARS 131/17

THAT COUNCIL ADOPTS AMENDMENTS C96 & C97 IN ACCORANCE WITH THE ATTACHED AND SUBMITS THE AMENDMENTS TO THE MINISTER FOR PLANNING FOR CONSIDERATION AND APPROVAL

CARRIED

Councillors who spoke to the motion – Crs P Macdonald and Spears

NORTH EAST LINK ITEM 3

MOVED CR SYMON, SECONDED CR STEANE 132/17

THAT

1. **COUNCIL SUPPORTS THE NORTH EAST LINK PROJECT SUBJECT TO APPROPRIATE TRAFFIC CONSIDERATIONS BEING APPLIED FOR THOSE AREAS AFFECTED BY THE PROPOSED ROUTE AND ANY ANCILLIARY WORKS**
2. **COUNCIL CALLS FOR THE GOVERNMENT TO ENSURE THAT THE ALIGNMENT SELECTED BEST MEETS THE HIGH LEVEL OBJECTIVES OF THE PROJECT, AND THE TRANSPORT INTEGRATION ACT 2010**

3. **APPROPRIATE ANCILLARY PROJECTS, SUCH AS UPGRADED / DUPLICATE TUNNEL ACCESS TO THE RINGWOOD BYPASS, THE NORTHERN ARTERIAL, EASTLINK RIGHT TURN EXIT ONTO MAROONDAH HIGHWAY, RAPID BUS TRANSIT BETWEEN ACTIVITY CENTRES, RAIL UPGRADES AND ACTIVE TRANSPORT BE INCLUDED AS NEEDED, SUBJECT TO APPROPRIATE COMMUNITY CONSULTATION**
4. **COUNCIL PROVIDES THE NORTH EAST LINK AUTHORITY WITH A COPY OF THIS COUNCIL REPORT, WHICH CONTAINS ITS RECOMMENDATIONS AND THE O'BRIEN TRAFFIC ADVICE DATED 8 SEPTEMBER 2017**

CARRIED

DOCUMENTS FOR SEALING

Nil

MOTIONS TO REVIEW

Nil

LATE ITEMS

Nil

REQUESTS / LEAVE OF ABSENCE

Nil

IN CAMERA

MOVED CR SPEARS, SECONDED CR M MACDONALD

133/17

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.

ACTING DIRECTOR OPERATIONS, INFRASTRUCTURE AND LEISURE

*TENDER EVALUATION REPORT - CONTRACT 20844 JUBILEE OVAL
RECONSTRUCTION*

ITEM 1

THIS REPORT AND ALL DISCUSSIONS IN RELATION TO IT REMAINS CONFIDENTIAL INDEFINITELY AND THIS RESOLUTION REMAINS CONFIDENTIAL UNTIL THE EXECUTION OF THIS CONTRACT AT WHICH TIME THE RESOLUTION BE MADE PUBLIC, AND THAT THIS DECISION OF CONFIDENTIALITY BE REFLECTED IN THE MINUTES OF THE OPEN FORUM OF THIS MEETING

The open forum closed at 8:41pm.

Confirmed

Date