



MINUTES

COUNCIL MEETING

MAROONDAH CITY COUNCIL

MONDAY

16 OCTOBER 2017

Minutes of the Council Meeting held in the Council Chamber, Braeside Avenue, Ringwood, on Monday 16 October 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 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
Andrew Fuaux	Acting Director Planning & Community
Adam Todorov	Acting Director Operations, Infrastructure & Leisure
Stephen Onans	Team Leader Governance

The Mayor welcomed Mr William (Bill) Wilkins, Freeman of the City of Maroondah and former Mayor and Councillor of the former City of Ringwood, who was in attendance in the Public Gallery

The prayer was read by Rev Marg Goddard, Ringwood Church of Christ

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.”

The Acknowledgement of Country was read by the Mayor.

APOLOGIES

Cr Samantha Marks	Mullum Ward (Leave of Absence)
Cr Paul Macdonald	Arrabri Ward

DECLARATION OF INTERESTS

Cr Spears In Camera Item 1 – Tender Evaluation – Contract 20849 Sport and Recreation Planning Consultant Services
Reason: Cr Spears is President of Melbourne East Netball Association

CONFIRMATION OF MINUTES

MOVED CR M MACDONALD, SECONDED CR STEANE

135/17

THAT THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON MONDAY, 18 SEPTEMBER 2017 BE CONFIRMED.**CARRIED****PUBLIC QUESTION TIME**

Question: Resident Mrs Janice Pope

“Melview Drive between Terrigal and Warrandyte Roads includes school bus traffic and has seen traffic triple in the past 50 years and is a speedway. There are no speed humps or traffic islands and traffic is seen travelling on the wrong side of the road. Why has this area been bypassed by Council compared to new estates?”

Response: Adam Todorov - Acting Director Operations, Infrastructure and Leisure

“Traffic studies have been undertaken in this area in recent years, with the results indicating that traffic is generally travelling at speeds that are at or below the default 50km/h speed limit.

To manage the safe movement of traffic through the Melview Drive / Leslie Grove intersection, a concrete splitter island will be installed at this location. This will be of particular benefit during peak times when the traffic is at its greatest volume.

This project has been referred to Council’s Local Area Traffic Management capital works program for funding prioritisation and future construction, which is not likely, based on current competing priorities, to occur within the next few years. Council’s Engineers review the priorities associated with this program on an annual basis, and will communicate any changes to the priority to Mrs Pope accordingly.”

Question: Resident Mrs Janice Pope

“The intersections of Dickson Crescent and Melview Drive with Warrandyte Road are dangerous. I give Council and Vic Roads 18 months before a vehicle drives into the commonwealth bank or into the Japanese restaurant or someone is killed or seriously injured. Why can’t the pedestrian lights be moved and made into traffic lights to deal with the huge increase of traffic and congestion in and out of Dickson Crescent and Melview Drive? I haven’t seen anyone monitoring those corners at peak times or on the weekends for years.”

Response: Adam Todorov - Acting Director Operations, Infrastructure and Leisure

“Both Warrandyte Road, as an arterial road, and the traffic signals, which are a Major Traffic Control Item, are the responsibility of VicRoads.

As such Council will arrange to forward this issue to VicRoads for investigation and response.”

OFFICERS' REPORTS**CHIEF EXECUTIVE OFFICER**

EASTERN REGIONAL GROUP OF COUNCILS (ERG) GOVERNANCE AND STRATEGIC PLAN 2018-2020	ITEM 1
MOVED CR LAMONT, SECONDED CR SPEARS	136/17

THAT COUNCIL

- 1. ENDORSES THE DRAFT STRATEGIC PLAN 2018-2020 AND PROPOSED GOVERNANCE ARRANGEMENTS FOR THE EASTERN REGIONAL GROUP OF COUNCILS (ERG)**
- 2. AUTHORISES THE CHIEF EXECUTIVE OFFICER TO EXECUTE THE FORMAL REGIONAL AGREEMENT IN THE FORM OF ATTACHMENT 4 TO THIS COUNCIL REPORT.**

CARRIED**DIRECTOR CORPORATE SERVICES**

ATTENDANCE REPORT	ITEM 1
MOVED CR LAMONT, SECONDED CR STEANE	137/17

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

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

Cr Tony Dib (Mayor)

20/09	Maroondah Leader Media Briefing
21/09	Open House Viewing of Revamped Multiservice Centre in Boronia
21/09	The Footmen Foundation Annual Footy Finals Lunch at Karralyka
21/09	Heathmont Interchurch Help General Meeting
23/09	Eastern Football League 2017 Grand Final Lunch
24/09	Run Maroondah at HE Parker Reserve
27/09	Australian Citizenship Ceremony at Karralyka
30/09	Croydon Cinema Grand Final Screening
03/10	International Day of Older Persons Lunch at Kerrabee
04/10	Maroondah Leader Media Briefing
05/10	Ringwood Art Society Opening
06/10	Night of Light Event at Realm
10/10	Formal Opening of the Sage Hotel
01/10	Visit to Ringwood Uniting Church Pre-School

- 13/10 Meeting at MVC Boxing Club Ringwood
- 13/10 Meeting with Mr Frank Sullivan from Ringwood Spiders Football Club
- 16/10 Presentation to 'Nude Food Challenge' Winner - Yarra Road Primary School Students

Cr Nora Lamont (Deputy Mayor)

- 19/09 'Matchworks and The Cellar Door' - Celebrating an Evening of Disability Employment Opportunity
- 23/09 Norwood Sporting Club 2017 Presentation Night
- 05/10 Ringwood Art Society Opening
- 06/10 'Night of Light' Event at Realm
- 10/10 Mullum Ward Councillors Public Consultation: 13 & 14 McKay Court, Ringwood

Cr Mike Symon

- 20/09 Australian Institute of Company Directors Course - Day 3
- 21/09 Open House Viewing of Revamped Multiservice Centre in Boronia
- 24/09 Run Maroondah at HE Parker Reserve
- 27/09 Australian Institute of Company Directors Course - Day 4
- 27/09 Australian Citizenship Ceremony at Karralyka
- 03/10 International Day of Older Persons Lunch at Kerrabee
- 04/10 Australian Institute of Company Directors Course - Day 5
- 05/10 Ringwood Art Society Opening
- 06/10 'Night of Light' Event at Realm
- 10/10 Formal Opening of the Sage Hotel
- 10/10 Site Inspection for Public Consultation Meeting
- 10/10 Meeting with Resident - Giana Court, Ringwood North
- 10/10 Mullum Ward Councillors Public Consultation: 13 & 14 McKay Court, Ringwood
- 11/10 Heatherdale Community Action Group Meeting

Cr Rob Steane

- 20/09 Wyreena Ward Public Consultation: 2 Astor Court, Kilsyth
- 27/09 Australian Citizenship Ceremony at Karralyka
- 05/10 Ringwood Art Society Opening
- 09/10 Maroondah Community Safety Committee Meeting
- 10/10 Formal Opening of the Sage Hotel
- 12/10 Wyreena Ward Councillors - Croydon Main Street Traders Annual General Meeting

Cr Steane drew attention to this meeting being the last Council Meeting in the current Mayoral term and extended his appreciation to the Mayor, Cr Dib, and Deputy Mayor, Cr Lamont, for the contributions they have made in meeting the many challenges that have arisen over the past twelve months.

Cr Kylie Spears

- 21/09 Disability Advisory Committee Meeting
- 21/09 The Footmen Foundation Annual Footy Finals Lunch at Karralyka
- 21/09 Heathmont Inter Church Help General Meeting

03/10 International Day of Older Persons Lunch at Kerrabee
04/10 City of Wellbeing Steering Committee Meeting
05/10 Eastern FM Radio Broadcast
05/10 Ringwood Art Society Opening
09/10 Meeting with The Hon Michael Sukkar MP
10/10 Formal Opening of the Sage Hotel
11/10 HE Parker Multipurpose Complex follow up Meeting
13/10 Lipscombe Park Kindergarten Special 50th Birthday Event

Cr Michael Macdonald

20/09 Wyreena Ward Public Consultation: 2 Astor Court, Kilsyth
21/09 Eastern Transport Coalition Meeting
27/09 Australian Citizenship Ceremony at Karralyka

Cr Marijke Graham

20/09 Public Consultation: Astor Court Kilsyth
24/09 Run Maroondah at HE Parker Reserve
27/09 Australian Citizenship Ceremony at Karralyka
04/10 City of Wellbeing Steering Committee Meeting
06/10 'Night of Light' Event at Realm
10/10 Formal Opening of the Sage Hotel
12/10 Wyreena Ward Councillors - Croydon Main Street Traders Annual General Meeting
13/10 Lipscombe Park Kindergarten Special 50th Birthday Event

Cr Paul Macdonald (submitted prior to the meeting)

21/09 The Footmen Foundation Annual Footy Finals Lunch at Karralyka
21/09 South Croydon Football Club Training & Dinner
23/09 South Croydon 1st Division Football Grand Final
24/09 Run Maroondah at HE Parker Reserve

REPORTS OF ASSEMBLY OF COUNCILLORS

ITEM 2

MOVED CR SPEARS, SECONDED CR M MACDONALD

138/17

THAT COUNCIL RECEIVES AND NOTES THE PUBLIC RECORD OF THE ASSEMBLY OF COUNCILLORS BRIEFINGS HELD ON 18 SEPTEMBER 2017 AND 2 OCTOBER 2017

CARRIED

Councillors who spoke to the motion – Crs M Macdonald, Dib

Additional time was granted to Cr M Macdonald to speak with the leave of the Chair.

COUNCILLOR REPRESENTATION REPORTS ITEM 3

MOVED CR LAMONT, SECONDED CR SPEARS 139/17

THAT COUNCIL RECEIVES AND NOTES MINUTES OF THE MAROONDAH DISABILITY ADVISORY COMMITTEE HELD ON 21 SEPTEMBER 2017

CARRIED

SALE OF LAND AT REAR OF 26 BRIDGET COURT WARRANWOOD TO THE OWNERS OF 26 BRIDGET COURT WARRANWOOD ITEM 4

MOVED CR STEANE, SECONDED CR GRAHAM 140/17

THAT COUNCIL ACTING UNDER SECTION 189 OF THE LOCAL GOVERNMENT ACT 1989 ('THE ACT') RESOLVES THAT:

1. **THE STATUTORY PROCEDURES BE COMMENCED TO THE SALE OF THE LAND AT THE REAR OF 26 BRIDGET COURT WARRANWOOD, AS DEPICTED IN THE ATTACHMENTS 1 & 2 OF THIS REPORT**
2. **PUBLIC NOTICE BE GIVEN IN ACCORDANCE WITH SECTIONS 189, 207A AND 223 OF THE ACT AND WITH COUNCIL POLICY; SUCH NOTICE TO STATE THAT COUNCIL PROPOSES TO SELL THE LAND TO THE OWNERS OF 26 BRIDGET COURT WARRANWOOD FOR MARKET VALUE;**
3. **IN ACCORDANCE WITH SECTION 223 OF THE ACT:**
 - i. **A COMMITTEE COMPRISING COUNCILLORS GRAHAM, M MACDONALD AND STEANE BE APPOINTED TO HEAR ANY PERSON WISHING TO BE HEARD IN SUPPORT OF THEIR SUBMISSION, ON A DATE TO BE DETERMINED;**
 - ii. **CONSIDERS ALL WRITTEN SUBMISSIONS, INCLUDING A WRITTEN REPORT ON THE PROCEEDINGS OF ANY COMMITTEE HEARING CONDUCTED, FOLLOWING WHICH IT SHALL DETERMINE WHETHER TO SELL THE LAND AS PROPOSED; AND**
 - iii. **THE DIRECTOR CORPORATE SERVICES BE AUTHORIZED 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;**
4. **SHOULD NO SUBMISSIONS BE RECEIVED, COUNCIL FURTHER RESOLVES THAT:**
 - i. **HAVING FOLLOWED ALL THE REQUIRED STATUTORY PROCEDURES PURSUANT TO SECTION 189, 207A AND 223 OF THE ACT, AND AGREES TO SELL THE LAND COMPRISING LOT 5 ON PLAN OF SUBDIVISION 610395W TO THE OWNERS OF 26 BRIDGET COURT WARRANWOOD FOR MARKET VALUE;**

- ii. **YARRA VALLEY WATER BE GRANTED AN EASEMENT OVER ITS ASSET AS A CONDITION OF SALE OF LOT 5 ON PLAN OF SUBDIVISION 610395W**
5. **THE CHIEF EXECUTIVE OFFICER, OR ANY OTHER PERSON WITH THE NECESSARY DELEGATION, SIGN ANY TRANSFER OF THE LAND AND ANY OTHER DOCUMENTS REQUIRED TO BE SIGNED IN CONNECTION WITH THE SALE OF LAND TO THE OWNERS OF 26 BRIDGET COURT WARRANWOOD**

CARRIED

Councillors who spoke to the motion – Cr Steane

SALE OF DISCONTINUED RIGHT OF WAY (DROW) AT 40A CUTHBERT STREET HEATHMONT TO THE OWNERS IN HARDY CRESCENT, WATERLOO STREET AND CUTHBERT STREET HEATHMONT

ITEM 5

MOVED CR SPEARS, SECONDED CR LAMONT

141/17

THAT COUNCIL ACTING UNDER SECTION 189 OF THE LOCAL GOVERNMENT ACT 1989 ('THE ACT') RESOLVES THAT:

1. **THE STATUTORY PROCEDURES BE COMMENCED TO THE SALE OF THE DISCONTINUED RIGHT OF WAY AT 40A CUTHBERT STREET HEATHMONT, AS DEPICTED IN ATTACHMENTS 1 & 2 OF THIS REPORT**
2. **PUBLIC NOTICE BE GIVEN IN ACCORDANCE WITH SECTIONS 189, 207A AND 223 OF THE ACT AND WITH COUNCIL POLICY; SUCH NOTICE TO STATE THAT COUNCIL PROPOSES TO SELL THE LAND TO THE OWNERS OF HARDY CRESCENT, WATERLOO STREET, AND CUTHBERT STREET FOR MARKET VALUE**
3. **IN ACCORDANCE WITH SECTION 223 OF THE ACT:**
 - i. **A COMMITTEE COMPRISING COUNCILLORS DIB, P MACDONALD, K SPEARS, BE APPOINTED TO HEAR ANY PERSONS WISHING TO BE HEARD IN SUPPORT OF THEIR SUBMISSION, ON A DATE TO BE DETERMINED;**
 - ii. **CONSIDERS ALL WRITTEN SUBMISSIONS, INCLUDING A WRITTEN REPORT ON THE PROCEEDINGS OF ANY COMMITTEE HEARING CONDUCTED, FOLLOWING WHICH IT SHALL DETERMINE WHETHER OR NOT TO SELL THE LAND AS PROPOSED; AND**
 - iii. **THE DIRECTOR CORPORATE SERVICES BE AUTHORIZED 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;**

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4. **SHOULD NO SUBMISSIONS BE RECEIVED, COUNCIL FURTHER RESOLVES THAT:**
 - i. **HAVING FOLLOWED ALL THE REQUIRED STATUTORY PROCEDURES PURSUANT TO SECTION 189, 207A AND 223 OF THE ACT, LAND COMPRISING OF LOT 1 AND LOT 3 ON PLAN OF SUBDIVISION 801426Y BE SOLD TO THE OWNERS OF HARDY CRESCENT, WATERLOO STREET AND CUTHBERT STREET FOR MARKET VALUE**
 - ii. **COUNCIL AND YARRA VALLEY WATER BE GRANTED AN EASEMENT OVER ITS ASSETS AND FUTURE ASSETS AS A CONDITION OF SALE OF LOT 1 AND LOT 3 ON PLAN OF SUBDIVISION 801426Y**
 5. **THE CHIEF EXECUTIVE OFFICER, OR ANY OTHER PERSON WITH THE NECESSARY DELEGATION, SIGN ANY TRANSFER OF THE LAND AND OTHER DOCUMENTS REQUIRED TO BE SIGNED IN CONNECTION WITH THE SALE OF LAND TO THE OWNERS OF HARDY CRESCENT, WATERLOO STREET AND CUTHBERT STREET HEATHMONT**

CARRIED

SALE OF DISCONTINUED RIGHT OF WAY (DROW) AT THE REAR OF 2-42
GREY STREET RINGWOOD EAST TO THE OWNERS OF GREY STREET
AND EASTFIELD ROAD RINGWOOD EAST

ITEM 6

MOVED CR SYMON, SECONDED CR LAMONT

142/17

THAT COUNCIL ACTING UNDER SECTION 189 OF THE LOCAL GOVERNMENT ACT 1989 ('THE ACT') RESOLVES THAT:

1. **THE STATUTORY PROCEDURES BE COMMENCED TO THE SALE OF THE DISCONTINUED RIGHT OF WAY BETWEEN 2-42 GREY STREET RINGWOOD EAST, AS DEPICTED IN ATTACHMENTS 1 & 2 OF THIS REPORT**
2. **PUBLIC NOTICE BE GIVEN IN ACCORDANCE WITH SECTIONS 189, 207A AND 223 OF THE ACT AND WITH COUNCIL POLICY; SUCH NOTICE TO STATE THAT COUNCIL PROPOSES TO SELL THE LAND TO THE OWNERS OF GREY STREET AND EASTFIELD ROAD RINGWOOD EAST FOR MARKET VALUE**
3. **IN ACCORDANCE WITH SECTION 223 OF THE ACT:**
 - i. **A COMMITTEE COMPRISING COUNCILLORS LAMONT, AND SYMON BE APPOINTED TO HEAR ANY PERSONS WISHING TO BE HEARD IN SUPPORT OF THEIR SUBMISSION, ON A DATE TO BE DETERMINED;**
 - ii. **CONSIDERS ALL WRITTEN SUBMISSIONS, INCLUDING A WRITTEN REPORT ON THE PROCEEDINGS OF ANY COMMITTEE HEARING CONDUCTED, FOLLOWING WHICH IT SHALL DETERMINE WHETHER OR NOT TO SELL THE LAND AS PROPOSED; AND**

- iii. **THE DIRECTOR CORPORATE SERVICES BE AUTHORIZED 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.**
4. **SHOULD NO SUBMISSIONS BE RECEIVED, COUNCIL FURTHER RESOLVES THAT:**
- i. **HAVING FOLLOWED ALL THE REQUIRED STATUTORY PROCEDURES PURSUANT TO SECTION 189, 207A AND 223 OF THE ACT, LAND COMPRISING OF LOT 1 AND LOT 3 ON PLAN OF SUBDIVISION 739652J BE SOLD TO THE OWNERS OF GREY STREET AND EASTFIELD ROAD RINGWOOD EAST FOR MARKET VALUE;**
- ii. **COUNCIL AND YARRA VALLEY WATER BE GRANTED AN EASEMENT OVER THEIR ASSETS AND FUTURE ASSETS AS A CONDITION OF SALE OF LOT 1 AND LOT 3 ON PLAN OF SUBDIVISION 739652J**
5. **THE CHIEF EXECUTIVE OFFICER, OR ANY OTHER PERSON WITH THE NECESSARY DELEGATION, SIGN ANY TRANSFER OF LAND AND OTHER DOCUMENTS REQUIRED TO BE SIGNED IN CONNECTION WITH THE SALE OF LAND TO THE OWNERS OF GREY STREET AND EASTFIELD ROAD RINGWOOD EAST**

CARRIED

RATING STRATEGY REVIEW 2018-2022

ITEM 7

MOVED CR STEANE, SECONDED CR SPEARS

143/17

THAT COUNCIL PREPARE A DRAFT RATING STRATEGY 2018-2022 FOR CONSIDERATION AT THE NOVEMBER 2017 COUNCIL MEETING

CARRIED

COUNCILLORS QUARTERLY EXPENSE AND REIMBURSEMENT REPORT - JULY TO SEPTEMBER 2017

ITEM 8

MOVED CR SYMON, SECONDED CR GRAHAM

144/17

THAT COUNCIL NOTES THE COUNCILLORS EXPENSE AND REIMBURSEMENT REPORT FOR JULY TO SEPTEMBER 2017

CARRIED

ACTING DIRECTOR OPERATIONS, INFRASTRUCTURE & LEISUREMAROONDAH CAROLS 2017 ITEM 1MOVED CR LAMONT, SECONDED CR STEANE 145/17**THAT COUNCIL**

1. **APPROVES THE PROHIBITION OF SMOKING DURING THE MAROONDAH CAROLS ON SATURDAY 2 DECEMBER 2017 BETWEEN 4.00PM AND 10.00 PM**
2. **APPROVES THE PROHIBITION OF DOGS DURING THE MAROONDAH CAROLS ON SATURDAY 2 DECEMBER 2017 BETWEEN 4.00PM AND 10.00PM EXCEPT IN THE FOLLOWING AREAS:**
 - i. **NORTON ROAD (FROM MT DANDENONG ROAD TO LEIGH ROAD)**
 - ii. **CIVIC SQUARE**
3. **PROMOTES INFORMATION REGARDING A SMOKE FREE EVENT AND THE PROHIBITION OF DOGS ON ALL MAROONDAH CAROLS MARKETING MATERIAL PRIOR TO THE EVENT**

CARRIED**ACTING DIRECTOR PLANNING & COMMUNITY**FORMAL CONSIDERATION OF ANNUAL REPORT 2016/17 ITEM 1MOVED CR SPEARS, SECONDED CR M MACDONALD 146/17**THAT COUNCIL**

1. **FORMALLY ENDORSES THE MAROONDAH CITY COUNCIL ANNUAL REPORT 2016/17**
2. **NOTES THAT THE RELEVANT STATUTORY REQUIREMENTS HAVE BEEN MET**

CARRIED

Councillors who spoke to the motion – Cr Spears

AMENDMENT C110 - 29 BEDFORD ROAD, RINGWOOD HERITAGE OVERLAY:
PANEL REPORT AND ADOPTION OF AMENDMENT ITEM 2MOVED CR LAMONT, SECONDED CR SYMON 147/17**THAT COUNCIL ADOPTS AMENDMENT C110 IN THE ATTACHED FORM AND SUBMITS IT TO THE MINISTER FOR PLANNING FOR CONSIDERATION AND APPROVAL IN ACCORDANCE WITH THE PANEL'S RECOMMENDATION****CARRIED**

ENDORSEMENT OF MAROONDAH HEALTH AND WELLBEING PLAN
2017-2021

ITEM 3

MOVED CR GRAHAM, SECONDED CR SPEARS

148/17

THAT COUNCIL, HAVING CONSIDERED ALL SUBMISSIONS PURSUANT TO THE PROVISIONS OF SECTION 223 OF THE LOCAL GOVERNMENT ACT 1989

- 1. NOTE THE SUBMISSIONS ON THE MAROONDAH HEALTH AND WELLBEING PLAN 2017-2021**
- 2. AUTHORISE THE MANAGER INTEGRATED PLANNING TO WRITE TO EACH SUBMITTER IN ACCORDANCE WITH SECTION 223 OF THE LOCAL GOVERNMENT ACT 1989 ADVISING OF THE PURPOSE OF THIS RECOMMENDATION**
- 3. ADOPTS THE MAROONDAH HEALTH AND WELLBEING PLAN 2017-2021**
- 4. PUBLISHES A PUBLIC NOTICE IN LOCAL PAPERS ADVISING OF THE ADOPTION OF THE MAROONDAH HEALTH AND WELLBEING PLAN 2017-2021**
- 5. FORWARDS A COPY OF THE MAROONDAH HEALTH AND WELLBEING PLAN 2017-2021 TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES**
- 6. AUTHORISES OFFICERS TO ARRANGE FOR THE SUITABLE PUBLICATION AND DISTRIBUTION OF THE MAROONDAH HEALTH AND WELLBEING PLAN 2017-2021 TO COMMUNITY GROUPS AND RELEVANT STAKEHOLDERS**

CARRIED

Councillors who spoke to the motion – Cr Spears

SOLAR SAVERS PROGRAM: DECLARATION OF SPECIAL CHARGE
SCHEME FOR SOLAR SAVERS HOUSEHOLDS

ITEM 4

MOVED CR STEANE, SECONDED CR GRAHAM

149/17

THAT

- 1. COUNCIL HAVING COMPLIED WITH THE REQUIREMENTS OF SECTIONS 163A, 163B AND 223 OF THE LOCAL GOVERNMENT ACT 1989 (“ACT”), AND OTHERWISE ACCORDING TO LAW, HEREBY DECLARES A SPECIAL CHARGE (“SPECIAL CHARGE”) UNDER SECTION 163 OF THE ACT AS FOLLOWS:**
 - i. A SPECIAL CHARGE IS DECLARED FOR THE PERIOD COMMENCING ON THE DAY ON WHICH COUNCIL ISSUES A NOTICE LEVYING PAYMENT OF THE SPECIAL RATE AND CONCLUDING ON THE TENTH ANNIVERSARY OF THAT DAY**

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- ii. **THE SPECIAL CHARGE BE DECLARED FOR THE PURPOSE OF DEFRAYING ANY EXPENSE INCURRED BY COUNCIL IN RELATION TO THE PROVISION OF SOLAR ENERGY SYSTEMS ON RESIDENTIAL PROPERTIES PARTICIPATING IN THE SOLAR SAVER SCHEME, WHICH PROJECT:**
- **COUNCIL CONSIDERS IS OR WILL BE A SPECIAL BENEFIT TO THOSE PERSONS REQUIRED TO PAY THE SPECIAL CHARGE (AND WHO ARE DESCRIBED IN SUCCEEDING PARTS OF THIS RESOLUTION); AND**
 - **ARISES OUT OF COUNCIL'S FUNCTIONS OF ADVOCATING AND PROMOTING PROPOSALS WHICH ARE IN THE BEST INTERESTS OF THE COMMUNITY AND ENSURING THE PEACE, ORDER AND GOOD GOVERNMENT OF COUNCIL'S MUNICIPAL DISTRICT**
- iii. **THE TOTAL:**
- **COST OF PERFORMING THE FUNCTION DESCRIBED IN PARAGRAPH 1(B) OF THIS RESOLUTION BE RECORDED AS \$49,787.09; AND**
 - **AMOUNT FOR THE SPECIAL CHARGE TO BE LEVIED BE RECORDED AS \$49,787.09, OR SUCH OTHER AMOUNT AS IS LAWFULLY LEVIED AS A CONSEQUENCE OF THIS RESOLUTION**
- iv. **THE SPECIAL CHARGE BE DECLARED IN RELATION TO ALL RATEABLE LAND DESCRIBED IN THE TABLE INCLUDED AS ATTACHMENT B TO THIS REPORT, IN THE AMOUNT SPECIFIED IN THE TABLE AS APPLYING TO EACH PIECE OF RATEABLE LAND**
- v. **THE FOLLOWING BE SPECIFIED AS THE CRITERIA WHICH FORM THE BASIS OF THE SPECIAL CHARGE SO DECLARED:**
- **OWNERSHIP OF ANY LAND DESCRIBED IN PARAGRAPH 1(IV) OF THIS RESOLUTION**
- vi. **THE FOLLOWING BE SPECIFIED AS THE MANNER IN WHICH THE SPECIAL CHARGE SO DECLARED WILL BE ASSESSED AND LEVIED:**
- **A SPECIAL CHARGE CALCULATED BY REFERENCE TO THE SIZE OF THE SOLAR ENERGY SYSTEM BEING INSTALLED AND THE PARTICULAR COSTS OF INSTALLATION AT EACH PROPERTY PARTICIPATING IN THE SOLAR SAVER SCHEME, IN RESPECT OF WHICH A HOUSEHOLDER AGREEMENT HAS BEEN EXECUTED, TOTALLING \$49,787.09, BEING THE TOTAL COST OF THE SCHEME TO COUNCIL;**
 - **TO BE LEVIED EACH YEAR FOR A PERIOD OF 10 YEARS**

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- vii. **HAVING REGARD TO THE PRECEDING PARAGRAPHS OF THIS RESOLUTION AND SUBJECT TO SECTION 166(1) OF THE ACT, IT BE RECORDED THAT THE OWNERS OF THE LAND DESCRIBED IN PARAGRAPH 1(IV) OF THIS RESOLUTION WILL PAY THE SPECIAL CHARGE IN THE AMOUNT SET OUT IN PARAGRAPH 1(VII) OF THIS RESOLUTION IN THE FOLLOWING MANNER:**
- PAYMENT ANNUALLY BY A LUMP SUM ON OR BEFORE ONE MONTH FOLLOWING THE ISSUE BY COUNCIL OF A NOTICE LEVYING PAYMENT UNDER SECTION 163(4) OF THE ACT; OR**
 - PAYMENT ANNUALLY BY FOUR INSTALMENTS TO BE PAID BY THE DATES WHICH ARE FIXED BY COUNCIL IN A NOTICE LEVYING PAYMENT UNDER SECTION 163(4) OF THE ACT**
2. **COUNCIL CONSIDERS THAT THERE WILL BE A SPECIAL BENEFIT TO THE PERSONS REQUIRED TO PAY THE SPECIAL CHARGE BECAUSE THERE WILL BE A BENEFIT TO THOSE PERSONS THAT IS OVER AND ABOVE, OR GREATER THAN, THE BENEFIT THAT IS AVAILABLE TO PERSONS WHO ARE NOT SUBJECT TO THE PROPOSED SPECIAL CHARGE, AS A RESULT OF THE EXPENDITURE PROPOSED BY THE SPECIAL CHARGE, IN THAT THE PROPERTIES WILL HAVE THE BENEFIT OF A SOLAR ENERGY SYSTEM BEING INSTALLED**
3. **COUNCIL, FOR THE PURPOSES OF HAVING DETERMINED THE TOTAL AMOUNT OF THE SPECIAL CHARGE TO BE LEVIED:**
- i. CONSIDERS AND FORMALLY RECORDS THAT ONLY THOSE RATEABLE PROPERTIES INCLUDED IN THE SOLAR SAVER SCHEME AS PROPOSED WILL DERIVE A SPECIAL BENEFIT FROM THE IMPOSITION OF THE SPECIAL CHARGE, AND THERE ARE NO COMMUNITY BENEFITS TO BE PAID BY COUNCIL; AND**
 - ii. FORMALLY DETERMINES FOR THE PURPOSES OF SECTION 163(2)(A), (2A) AND (2B) OF THE ACT THAT THE ESTIMATED PROPORTION OF THE TOTAL BENEFITS OF THE SPECIAL CHARGE TO WHICH THE PERFORMANCE OF THE FUNCTION OR THE EXERCISE OF THE POWER RELATES (INCLUDING ALL SPECIAL BENEFITS AND COMMUNITY BENEFITS) THAT WILL ACCRUE AS SPECIAL BENEFITS TO THE PERSONS WHO ARE LIABLE TO PAY THE SPECIAL CHARGE IS 100%**
4. **COUNCIL DIRECTS THAT NOTICE BE GIVEN TO ALL OWNERS AND OCCUPIERS OF PROPERTIES INCLUDED IN THE SCHEME AND ALL PERSONS WHO HAVE LODGED A SUBMISSION AND/OR AN OBJECTION IN WRITING OF THE DECISION OF COUNCIL TO DECLARE AND LEVY THE SPECIAL CHARGE, AND THE REASONS FOR THE DECISION. FOR THE PURPOSES OF THIS PARAGRAPH, THE REASONS FOR THE DECISION OF COUNCIL TO DECLARE THE SPECIAL RATE ARE THAT –**
- i. THERE IS NO OBJECTION TO THE SCHEME AND IT IS OTHERWISE CONSIDERED THAT THERE IS A BROAD LEVEL OF SUPPORT FOR THE SPECIAL CHARGE FROM ALL PROPERTY OWNERS AND OCCUPIERS;**

- ii. **COUNCIL CONSIDERS THAT IT IS ACTING IN ACCORDANCE WITH THE FUNCTIONS AND POWERS CONFERRED ON IT UNDER THE LOCAL GOVERNMENT ACT 1989, HAVING REGARD TO ITS ROLE, PURPOSES AND OBJECTIVES UNDER THE ACT, PARTICULARLY IN RELATION TO ITS FUNCTIONS OF ADVOCATING AND PROMOTING PROPOSALS WHICH ARE IN THE BEST INTERESTS OF THE COMMUNITY AND ENSURING THE PEACE, ORDER AND GOOD GOVERNMENT OF COUNCIL'S MUNICIPAL DISTRICT**
 - iii. **ALL PERSONS WHO ARE LIABLE OR REQUIRED TO PAY THE SPECIAL CHARGE AND THE PROPERTIES RESPECTIVELY OWNED OR OCCUPIED BY THEM WILL RECEIVE A SPECIAL BENEFIT OF A SOLAR ENERGY SYSTEM BEING INSTALLED AT THE PROPERTY**
5. **WHERE A HOUSEHOLDER WISHES TO WITHDRAW FROM THE SCHEME, COUNCIL AGREES TO SUCH WITHDRAWAL WHERE THE HOUSEHOLDER HAS GIVEN WRITTEN NOTICE OF THEIR DESIRE TO WITHDRAW FROM THE SCHEME BEFORE COUNCIL HAS INCURRED ANY EXPENDITURE IN RELATION TO THE HOUSEHOLDER'S SOLAR PV SYSTEM**
6. **COUNCIL RECEIVE A FURTHER REPORT ON THE SOLAR SAVER PROJECT IN 2018 FOLLOWING INSTALLATION OF SOLAR SYSTEMS AT HOUSEHOLDS**

CARRIED

Councillors who spoke to the motion – Crs Graham, M Macdonald

MAROONDAH BUSINESS ADVISORY COMMITTEE

ITEM 5

MOVED CR LAMONT, SECONDED CR SPEARS

150/17

THAT COUNCIL

1. **APPOINTS THE FOLLOWING BUSINESS REPRESENTATIVES FOR A PERIOD OF THREE YEARS (TO OCTOBER 2020) TO THE MAROONDAH BUSINESS ADVISORY COMMITTEE:**

EDWINA RICCI (CROYDON CHAMBER OF COMMERCE AND INDUSTRY)

KERRY ATHERTON (RINGWOOD CHAMBER OF COMMERCE AND INDUSTRY)

MEL COOK

ANN GAMBETTA

SIMON FULLER

MICHAEL COTTON

MARCUS YOUNG

LINDA KEARLEY

GEOFF DANIEL

STEVE EDGERTON

ROBERT LYON

2. INFORMS ALL APPLICANTS IN WRITING OF THE STATUS OF THEIR NOMINATIONS AND THANKS NOMINEES FOR THEIR INTEREST**CARRIED**

Councillors who spoke to the motion – Cr Lamont

DOCUMENTS FOR SEALING

Nil

MOTIONS TO REVIEW

Nil

LATE ITEMS

Nil

REQUESTS / LEAVE OF ABSENCECR DIB Item 1MOVED CR STEANE, SECONDED CR SPEARS 151/17**THAT CR DIB BE GRANTED A LEAVE OF ABSENCE FROM 16 NOVEMBER 2017 TO 14 DECEMBER 2017, INCLUSIVE****CARRIED****IN CAMERA**MOVED CR SYMON, SECONDED CR GRAHAM 152/17**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 - CONTRACT 20849 SPORT AND RECREATION
PLANNING CONSULTANT SERVICES*

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

*TENDER EVALUATION REPORT - CONTRACT 20852 HEATHMONT ROAD
REHABILITATION & LATM*

ITEM 2

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 8:33pm.

Confirmed

Date