



**MINUTES**

**COUNCIL MEETING**

**MAROONDAH CITY COUNCIL**

**MONDAY**

**16 SEPTEMBER 2019**

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Minutes of the Council Meeting held in the Council Chamber, Braeside Avenue, Ringwood, on Monday 16 September 2019 at 7:30pm.

**PRESENT**

|                                |                                       |
|--------------------------------|---------------------------------------|
| Cr Rob Steane (Mayor)          | Wyreena Ward                          |
| Cr Kylie Spears (Deputy Mayor) | Arrabri Ward                          |
| Cr Paul Macdonald              | Arrabri Ward                          |
| Cr Nora Lamont                 | Mullum Ward                           |
| Cr Marijke Graham              | Wyreena Ward                          |
| Cr Tasa Damante                | Wyreena Ward                          |
| Steve Kozlowski                | Chief Executive Officer               |
| Tony Rocca                     | Acting Director Corporate Services    |
| Phil Turner                    | Director Strategy & Community         |
| Adam Todorov                   | Director Operations, Assets & Leisure |
| Andrew Fuaux                   | Director Development & Amenity        |
| Chloe Messerle                 | Governance Officer                    |

The Chief Executive Officer read the following Statement of Recording -

*“Ladies & Gentlemen - Please note that this meeting is being recorded and streamed live on the internet. All care is taken to maintain your privacy; however, as a visitor in the public gallery, your presence may be recorded.”*

The prayer was read by Pastor Scott Hawkins, Urban Life Church.

The Acknowledgement of Country was read by the Mayor.

**APOLOGIES**

|                         |                                |
|-------------------------|--------------------------------|
| Cr Mike Symon           | Mullum Ward (Leave of Absence) |
| Cr Tony Dib, OAM JP     | Arrabri Ward                   |
| Cr Samantha Mazzuchelli | Mullum Ward                    |
| Marianne Di Giallonardo | Director Corporate Services    |

**DECLARATION OF INTERESTS**

Nil

**CONFIRMATION OF MINUTES**

MOVED CR LAMONT, SECONDED CR SPEARS

124/19

**THAT THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON MONDAY, 19 AUGUST 2019 BE CONFIRMED.**

**CARRIED**

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**SUSPENSION OF STANDING ORDERS**

MOVED CR LAMONT, SECONDED CR GRAHAM 125/19

**THAT STANDING ORDERS BE SUSPENDED TO PRESENT A LETTER OF ACKNOWLEDGMENT TO MR BRIAN MORGAN****CARRIED****PRESENTATION**

The Mayor, Cr Rob Steane presented Mr Brian Morgan with a Letter of Acknowledgment celebrating his 44 years of volunteer service to the Ringwood Athletics Centre Special Committee of Council.

**RESUMPTION OF STANDING ORDERS**

MOVED CR SPEARS, SECONDED CR LAMONT 126/19

**THAT STANDING ORDERS BE RESUMED****CARRIED****PUBLIC QUESTION TIME**

Nil

**OFFICERS' REPORTS****ACTING DIRECTOR CORPORATE SERVICES**

ATTENDANCE REPORT ITEM 1

MOVED CR LAMONT, SECONDED CR SPEARS 127/19

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

Councillors who spoke to their reports - Cr Steane, Spears, Lamont, Graham and Damante

Cr Steane

20/08 Maroondah Business Advisory Committee (MBAC) Quarterly Meeting  
21/08 Meeting with All Star Disability Choir, Keystone Hall  
21/08 Ringwood RSL Women's Auxiliary '75th Birthday' Celebrations  
22/08 Victorian Chamber of Commerce Industry 'Workplace Assured' Briefing, Sage Hotel  
22/08 Silcock Sporting Pavilion Redevelopment - Proposed Letter to Residents  
23/08 Meeting with The Hon. Michael Sukkar MP, Federal Member for Deakin  
30/08 Ringwood Spiders All-Abilities Sports Club, 2019 Trophy Presentation

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- 31/08 Ringwood Bowls Club Season Opening Day
  - 03/09 Planning Consultation regarding 86 Hull Road, Croydon
  - 07/09 Australia Chin Community, Australia Chin Championship Cup, Manson Reserve, Ringwood
  - 09/09 Function with The Hon. Michael Sukkar MP, Federal Member for Deakin
  - 10/09 Meeting with Ms Kristine Kaukomaa, Arts Advisor from Office of The Hon Paul Fletcher MP, Member for Bradfield, Minister for Communications, Cyber Safety and the Arts
  - 10/09 Meeting with The Hon Richard Colbeck, Senator for Tasmania, Minister for Aged Care and Senior Australians, Minister for Youth and Sport
  - 11/09 Summer Sporting Club Forum, meeting with various clubs, Croydon Park Pavilion
  - 12/09 Swinburn University - Young Mums Year 11 & 12 students '*Mummafly*' social enterprise Open Day
  - 12/09 Maroondah City Council Audit & Risk Advisory Committee Meeting
  - 14/09 Ringwood Croquet Club Season Opening Day
  - 27/08 Meeting with resident regarding fencing issue
  - 16/09 Meeting with business owner regarding the '*65<sup>th</sup> Annual Ringwood Eisteddfod*'

#### Cr Spears

- 20/08 Eastern Regional Libraries Corporation Audit & Risk Advisory Committee Meeting with Auditors regarding Financial Report
- 20/08 Meeting with Resident
- 20/08 Maroondah Business Advisory Committee (MBAC) Quarterly Meeting
- 20/08 Post Meeting de-brief at Realm
- 21/08 Rowville Community Library Celebrates '*30 Years*' Event
- 22/08 Eastern Regional Libraries (ERL) Corporation Board Meeting
- 23/08 Children's Book Week at Belgrave Library with The Hon James Merlino MP, Minister for Education
- 24/08 Heathmont Football and Netball Club Presidents Function
- 26/08 Ringwood Highland Games Inc. 2019 Annual General Meeting
- 30/08 Ringwood Spiders All-Abilities Sports Club, 2019 Trophy Presentation
- 02/09 Maroondah Arts Advisory Committee Meeting
- 03/09 Meeting with Ladybirds Golf Group
- 03/09 Arrabri Community House Annual General Meeting
- 09/09 Glen Park Event '*Powerful Us*', Glen Park Community Centre
- 11/09 Heatherdale Community Action Group Meeting
- 12/09 Maroondah Disability Advisory Committee (MDAC) Meeting
- 12/09 Swinburn University - Young Mums Year 11 & 12 students '*Mummafly*' Social Enterprise Open Day
- 12/09 3rd. Heathmont Scout Group '*Grey Wolf*' Presentation, HE Parker Reserve

#### Cr Symon

- 28-29/08 Institute of Public Administration Australia and Australian Institute of Company Directors Public Sector Governance Forum, Canberra
- 30/08 Australian Institute of Company Directors (AICD) Webinar '*Minutes in the Spotlight*'
- 02/09 Maroondah Arts Advisory Committee Meeting
- 06/09 Municipal Association of Victoria (MAV) September Board Meeting
- 07/09 '*Out of Viewfinder*' Community Closing Event

## Cr Macdonald

- 24-31/08 National Housing Conference, Darwin
- 05/09 Eastern FM Radio Broadcast
- 07/09 'Out of Viewfinder' Community Closing Event
- 10/09 Maroondah Business Group Function
- 23/08 Children's Book Week at Belgrave Library with The Hon James Merlino MP, Minister for Education
- 04/09 South Croydon Football Club Event
- 07/09 Croydon versus Blackburn Football Club Event
- 12/09 South Croydon Football Club Event
- 14/09 Croydon versus East Doncaster Grand Final

## Cr Mazzuchelli

- 04/09 Maroondah Communities of Wellbeing Meeting
- 10/09 Planning Consultation 1/13 Old Lilydale Road, Ringwood East

## Cr Lamont

- 24/08 Norwood Football Club Presidents Function
- 31/08 Ringwood Bowls Club Season Opening Day
- 10/09 Planning Consultation 1/13 Old Lilydale Road, Ringwood East
- 14/09 Ringwood Croquet Club Season Opening Day

*Cr Lamont tabled a Certificate of Appreciation from Ringwood Croquet Club.*

## Cr Graham

- 22/08 Silcock Sporting Pavilion Redevelopment, Proposed Letter to Residents
- 29/08 Eastern Alliance for Greenhouse Action Executive (EAGA) Committee Meeting
- 02/09 Maroondah Arts Advisory Committee Meeting
- 03/09 Planning Consultation regarding 86 Hull Road, Croydon
- 04/09 Maroondah Communities of Wellbeing Meeting
- 10/09 Maroondah Business Group Function
- 16/09 Meeting with Dorset Golf Ladybirds

*Cr Graham tabled an ALGA Councillor Professional Development & Conference Report that was held from the 16 - 19 June 2019*

## Cr Dib

- 24/08 Heathmont Football & Netball Club Presidents Function
- 12/09 Maroondah Disability Advisory Committee (MDAC) Meeting
- 14/09 Ringwood Croquet Club Season Opening Day

Cr Damante

|       |  |
|-------|--|
| 20/08 | Maroondah Business Advisory Committee (MBAC) Quarterly Meeting       |
| 22/08 | Eastern Regional Libraries (ERL) Corporation Board Meeting           |
| 30/08 | Ringwood Spiders All-Abilities Sports Club, 2019 Trophy Presentation |
| 03/09 | Planning Consultation regarding 86 Hull Road, Croydon                |
| 04/09 | Maroondah Communities of Wellbeing Meeting                           |
| 11/09 | Summer Sporting Club Forum at Croydon Park Pavilion                  |

REPORTS OF ASSEMBLY OF COUNCILLORS ITEM 2

MOVED CR GRAHAM, SECONDED CR DAMANTE 128/19

**THAT COUNCIL RECEIVES AND NOTES THE PUBLIC RECORD OF THE ASSEMBLY OF COUNCILLORS BRIEFINGS HELD ON 19 AUGUST 2019 AND 2 SEPTEMBER 2019**

**CARRIED**

SALE OF LAND AT REAR 14 BRIDGET COURT WARRANWOOD ITEM 3

MOVED CR GRAHAM, SECONDED CR DAMANTE 129/19

**THAT COUNCIL, ACTING UNDER SECTION 189 OF THE LOCAL GOVERNMENT ACT 1989 (ACT) RESOLVES;**

1. **THAT THE STATUTORY PROCEDURES BE COMMENCED TO THE SALE OF THE LAND AT THE REAR OF 14 BRIDGET COURT WARRANWOOD, AS CONTAINED IN CERTIFICATE OF TITLE VOLUME 11090 FOLIO 354, BEING SHOWN AS LOT 11 ON PLAN OF SUBDIVISION PS 610395W (LAND), AS DEPICTED IN SCHEDULE 2 OF THIS REPORT;**
2. **THAT PUBLIC NOTICE BE GIVEN IN ACCORDANCE WITH SECTIONS 189, 207A AND 223 OF THE ACT AND WITH COUNCIL'S PUBLIC EXHIBITION POLICY; SUCH NOTICE TO STATE THAT COUNCIL PROPOSES TO SELL THE LAND TO THE OWNERS OF 14 BRIDGET COURT WARRANWOOD (OWNERS) FOR NO LESS THAN THE MARKET VALUATION HELD BY COUNCIL;**
3. **THAT IN ACCORDANCE WITH SECTION 223 OF THE ACT:**
  - i. **A COMMITTEE COMPRISING COUNCILLORS MAYOR STEANE, DAMANTE AND GRAHAM, 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**

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- iii. THE DIRECTOR CORPORATE SERVICES BE AUTHORISED 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. THAT SHOULD NO SUBMISSIONS BE RECEIVED, COUNCIL FURTHER RESOLVES;
- i. THAT HAVING FOLLOWED ALL THE REQUIRED STATUTORY PROCEDURES PURSUANT TO SECTION 189, 207A, AND 223 OF THE ACT, AGREES TO SELL THE LAND COMPRISING LOT 11 ON PLAN OS SUBDIVISION PS 610394W TO THE OWNERS OF 14 BRIDGET COURT WARRANWOOD FOR NO LESS THAN THE MARKET VALUATION HELD BY COUNCIL;
- ii. THAT THE OWNERS BE REQUIRED TO CONSOLIDATE THE TITLE OF THE LAND WITH THE TITLE OF THEIR PROPERTY;
5. THAT 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 THE LAND TO THE OWNERS OF 14 BRIDGET COURT WARRANWOOD.

**CARRIED**

COUNCIL HONOURS / RECOGNITION OF MILESTONES & ACHIEVEMENTS POLICY

ITEM 4

MOVED CR DAMANTE, SECONDED CR LAMONT

130/19

**THAT THE HONOURS/RECOGNITION OF MILESTONES AND ACHIEVEMENTS POLICY AS ATTACHED TO THIS REPORT, BE ADOPTED**

**CARRIED**

Councillors who spoke to the motion - Cr Steane

MUNICIPAL ASSOCIATION OF VICTORIA STATE COUNCIL  
MEETING - MOTIONS

ITEM 5

MOVED CR SPEARS, SECONDED CR MACDONALD

131/19

THAT COUNCIL SUBMITTS THE FOLLOWING THREE (3) MOTIONS FOR CONSIDERATION AND DEBATE AT THE NEXT MUNICIPAL ASSOCIATION OF VICTORIA STATE COUNCIL MEETING ON 19 OCTOBER 2019:

Motion 1:

**COST RECOVERY FOR PROPERTIES WITH HOARDING AND SQUALOR**

**THAT THE MUNICIPAL ASSOCIATION OF VICTORIA STATE COUNCIL CALLS UPON THE STATE GOVERNMENT TO AMEND SECTION 197 (5) OF THE PUBLIC HEALTH AND WELLBEING ACT TO ALLOW COUNCILS THE OPTION TO RECOVER THE COSTS AND EXPENSES FROM REGULATORY ACTION AND ORDERS BY ISSUING A CHARGE TO THE LAND OR PROPERTY THAT IS THE SUBJECT THE ORDER, ALONG WITH THE EXISTING ABILITY TO PURSUE THE PERSON ON WHOM THE ORDER IS MADE**

Motion 2:

**DERELICT PROPERTIES**

**THAT THE MUNICIPAL ASSOCIATION OF VICTORIA STATE COUNCIL CALLS UPON THE STATE GOVERNMENT TO AMEND THE EXISTING BUILDING REGULATIONS TO PROVIDE COUNCILS THE NECESSARY POWER TO REQUIRE THE RECTIFICATION OR ULTIMATELY DEMOLITION OF PROPERTIES THAT ARE IN A SIGNIFICANT STATE OF NEGLECT AND DERELICTION**

Motion 3:

**WASTE MANAGEMENT IN VICTORIA**

**THAT THE MUNICIPAL ASSOCIATION OF VICTORIA STATE COUNCIL CALLS UPON THE STATE GOVERNMENT TO RE-PRIORITISE AND RE-FOCUS WHAT IS CRITICAL IN THE WASTE AND RESOURCE RECOVERY SPACE, INCLUDING:**

- **DEEMING WASTE AND RESOURCE RECOVERY AS AN ESSENTIAL SERVICE**
- **EXPANDING LEGISLATIVE REFORM ON PLASTIC BAGS TO INCLUDE THE PHASING OUT OF PROBLEMATIC SINGLE-USE PLASTIC PRODUCTS, INCLUDING PLASTIC WRAPPINGS ON FOOD AT SUPERMARKETS**
- **ESTABLISHING A CONTAINER DEPOSIT SCHEME BY LEGISLATION IN LINE WITH OTHER STATES AND TERRITORIES**
- **ADVOCATING TO THE FEDERAL GOVERNMENT FOR EFFECTIVE NATIONAL PRODUCT STEWARDSHIP ARRANGEMENTS, INCLUDING CONTAINER DEPOSIT FRAMEWORK, TO DRIVE RECYCLING OF DRINK CONTAINERS, TEXTILES, POLYSTYRENE, PAPER, CUPBOARD AND ALL ELECTRONIC GOODS**



- **GIVING SPECIAL CONSIDERATION FOR THOSE COUNCILS SPENDING A PREMIUM TO MAINTAIN RECYCLING WITH CURRENT CONTRACTORS, THAT THEY ARE ALSO CONSIDERED AS PART OF ANY GRANT FUNDING**
- **ESTABLISHING CONSISTENT MARKETING TOOLS AND TECHNIQUES THAT CAN BE SHARED WITH THE WIDER COMMUNITY BY ALL COUNCILS - TO ENSURE RECYCLING IS NOT FORGOTTEN (OTHER THAN JUST CONSISTENT BIN COLOURS)**
- **ENSURING THAT THE MESSAGING REGARDING FOOD ORGANICS IN THE GREEN BIN (FOGO) AND ALTERNATIVE WASTE SOLUTIONS IS CLEAR AND WELL UNDERSTOOD - TO ENSURE THAT THESE TWO METHODS OF WASTE PROCESSING ARE NOT PERCEIVED TO BE IN CONFLICT WITH ONE-ANOTHER**

**CARRIED**

Councillors who spoke to the motion - Cr Spears and Cr Steane

VICTORIAN ELECTORAL COMMISSION - ELECTORAL REPRESENTATION REVIEW PRELIMINARY REPORT

ITEM 6

MOVED CR LAMONT, SECONDED CR GRAHAM

132/19

**THAT COUNCIL LODGES A SUBMISSION TO THE VICTORIAN ELECTORAL COMMISSION'S PRELIMINARY REPORT, WHICH SUPPORTS RETENTION OF THE CURRENT MULTI-MEMBER WARD MODEL, WHICH IN ITS VIEW PROVIDES A FAIR REPRESENTATION TO VOTERS IN MAROONDAH**

**CARRIED**

**DIRECTOR OPERATIONS, ASSETS & LEISURE**

EQUALLY ACTIVE POLICY AND STRATEGY

ITEM 1

MOVED CR SPEARS, SECONDED CR GRAHAM

133/19

**THAT COUNCIL ADOPTS THE EQUALLY ACTIVE POLICY AND STRATEGY**

**CARRIED**

Councillors who spoke to the motion - Cr Graham

**DIRECTOR STRATEGY & COMMUNITY**

CROYDON MAIN ST SHOPPING CENTRE - DECLARATION OF  
SPECIAL RATE AND CHARGE SCHEME

ITEM 1

MOVED CR DAMANTE, SECONDED CR GRAHAM

134/19

**THAT**

1. **COUNCIL NOTES THE SUBMISSIONS RECEIVED FOLLOWING EXHIBITION OF THE PROPOSED CROYDON MAIN STREET SHOPPING CENTRE SPECIAL RATE AND CHARGE SCHEME**
2. **COUNCIL HAVING UNDERTAKEN THE NECESSARY STATUTORY PROCEDURES, AND CONSIDERING ALL WRITTEN SUBMISSIONS, DECLARES A SPECIAL RATE AND CHARGE SCHEME FOR THE CROYDON MAIN STREET SHOPPING CENTRE**
3. **THE FOLLOWING SPECIAL RATE AND CHARGE BE DECLARED:**
  - i. **A SPECIAL RATE AND CHARGE SCHEME IS DECLARED FOR THE PERIOD COMMENCING ON THE DAY WHICH COUNCIL ISSUES A NOTICE LEVYING PAYMENT OF THE SPECIAL RATE AND CHARGE AND CONCLUDING ON THE FIFTH ANNIVERSARY OF THAT DAY.**
  - ii. **THE SPECIAL RATE AND CHARGE IS DECLARED FOR THE PURPOSE OF DEFRAYING ANY EXPENSES IN RELATION TO THE PROMOTION, ADVERTISING, MARKETING AND DEVELOPMENT OF BUSINESSES WITHIN THE CROYDON MAIN STREET SHOPPING CENTRE WHICH PROJECT:**
    - **COUNCIL CONSIDERS THERE IS OR WILL BE A SPECIAL BENEFIT TO THOSE PERSONS REQUIRED TO PAY THE SPECIAL RATE AND CHARGE (AND WHO ARE DESCRIBED IN SUCCEEDING PARTS OF THIS RESOLUTION)**
    - **ARISES OUT OF COUNCIL'S FUNCTION OF PLANNING FOR AND PROVIDING SERVICES AND FACILITIES FOR THE LOCAL COMMUNITY AND THE ENCOURAGEMENT OF COMMERCE**
  - iii. **THE TOTAL**
    - **COST OF PERFORMING THE FUNCTION DESCRIBED IN PART ii OF THIS RESOLUTION BE RECORDED AS \$666,093 (OVER A 5 YEAR PERIOD) AND**
    - **AMOUNT FOR THE SPECIAL RATE AND CHARGE TO BE LEVIED BE RECORDED AS \$666,093 OR SUCH OTHER AMOUNT AS IS LAWFULLY LEVIED AS A CONSEQUENCE OF THIS RESOLUTION**

- iv. THE FOLLOWING BE SPECIFIED AS THE AREA FOR WHICH THE SPECIAL RATE AND CHARGE IS SO DECLARED:

THE AREA WITHIN MUNICIPAL DISTRICT OF COUNCIL HIGHLIGHTED IN THE PLAN ATTACHED TO THIS RESOLUTION (“THE AREA”)

- v. THE FOLLOWING BE SPECIFIED AS THE LAND IN RELATION TO WHICH THE SPECIAL RATE AND CHARGE SO DECLARED:

ALL LAND WITHIN THE AREA PRIMARILY USED OR ADAPTED OR DESIGNED TO BE USED FOR COMMERCIAL PURPOSES

- vi. THE FOLLOWING BE SPECIFIED AS THE CRITERIA WHICH FORM THE BASIS OF THE SPECIAL RATE AND CHARGE SO DECLARED:

OWNERSHIP OF ANY LAND DESCRIBED IN PART 3iv OF THIS RESOLUTION

- vii. THE FOLLOWING BE SPECIFIED AS THE MANNER IN WHICH THE SPECIAL RATE AND CHARGE SO DECLARED WILL BE ASSESSED AND LEVIED:

– A SPECIAL CHARGE OF \$487.65 PER ANNUM PER PRIMARY BENEFICIARY CONTRIBUTOR WITH GROUND FLOOR FRONTAGES TO MAIN ST (UNLESS OTHERWISE STATED). A SPECIAL CHARGE OF \$243.83 PER ANNUM FOR ALL SECONDARY BENEFICIARIES, DEFINED AS GROUND FLOOR PROPERTIES WITHOUT FRONTAGES TO MAIN ST AND THOSE LOCATED ON MT DANDENONG ROAD, THOMAS BREW LANE, HEWISH ROAD, SAN CARLOS WALK, HEWMART ARCADE, LACEY ST AND CENTREWAY ARCADE, AND THOSE PROPERTIES LOCATED BETWEEN AND INCLUDING 12 TO 44-48 MAIN ST. A SPECIAL CHARGE OF \$121.91 PER ANNUM FOR ALL THIRD-TIER BENEFICIARIES, DEFINED AS ALL FIRST FLOOR PROPERTIES.

– A FURTHER RATE PER CONTRIBUTOR BASED ON .000541987 CENTS IN THE DOLLAR OF THE CIV OF THE RATED PROPERTY.

- viii. HAVING REGARD TO THE PRECEEDING PARTS OF THIS RESOLUTION BUT SUBJECT TO SECTION 166(1) OF THE ACT, IT BE RECORDED THAT THE OWNERS OF THE LAND DESCRIBED IN PART 3IV OF THIS RESOLUTION WILL PAY THE SPECIAL RATE AND CHARGE IN THE AMOUNTS SET OUT IN THE TABLE ATTACHED TO 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 S 163(4) OF THE ACT OR

– ONE MONTH AFTER THE DATE OF ANY DETERMINATION BY THE VICTORIAN CIVIL AND ADMINISTRATIVE APPEALS TRIBUNAL FOLLOWING THE HEARING OF ANY APPLICATION FOR REVIEW UNDER SECTION 185 OF THE ACT

WHICHEVER DAY LAST OCCURS OR

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**PAYMENT BY FOUR INSTALLMENTS TO BE PAID BY THE DATES WHICH ARE FIXED BY THE COUNCIL IN THE NOTICE LEVYING PAYMENT UNDER S 163(4) OF THE ACT.**

- ix. **COUNCIL WILL, SUBJECT TO THE ACT, REQUIRE A PERSON TO PAY INTEREST ON ANY SPECIAL RATE AND CHARGE WHICH THAT PERSON IS LIABLE TO PAY AND HAS NOT BEEN PAID BY THE DATE SPECIFIED FOR ITS PAYMENT.**
- x. **COUNCIL CONSIDERS THAT THERE WILL BE A SPECIAL BENEFIT TO THE PERSONS REQUIRED TO PAY THE SPECIAL RATE AND 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 RATE AND CHARGE, DIRECTLY AND INDIRECTLY, AS A RESULT OF THE EXPENDITURE PROPOSED BY THE SPECIAL RATE AND CHARGE, IN THAT THE:**
- **VIABILITY OF THE PRECINCT AS A BUSINESS, COMMERCIAL, RETAIL AND PROFESSIONAL AREA; AND**
  - **VALUE AND USE, OCCUPATION AND ENJOYMENT OF THE PROPERTIES INCLUDED IN THE SCHEME,**
- WILL BE MAINTAINED AND ENHANCED THROUGH INCREASED ECONOMIC ACTIVITY.**
- xi. **COUNCIL FURTHER CONSIDERS, AND FORMALLY DETERMINES FOR THE PURPOSES OF SECTIONS 163(2)(A), (2A) AND (2B) OF THE ACT, THAT THE ESTIMATED PROPORTION OF THE TOTAL BENEFITS OF THE SCHEME 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 ALL OF THE PERSONS WHO ARE LIABLE TO PAY THE SPECIAL RATE AND CHARGE IS IN A RATIO OF 1:1 (OR 100%). THIS IS ON THE BASIS THAT, IN THE OPINION OF COUNCIL, THE COMMUNITY BENEFIT IS NIL BECAUSE EXPENDITURE OF THE SPECIAL RATE AND CHARGE IS MARKETING, PROMOTION, ADVERTISING AND BUSINESS DEVELOPMENT RELATED AND WILL ACCORDINGLY ONLY BENEFIT THE OWNERS AND OCCUPIERS OF THOSE PROPERTIES INCLUDED IN THE SCHEME THAT ARE PRIMARILY USED, ADAPTED OR DESIGNED TO BE USED FOR COMMERCIAL PURPOSES**
- xii. **THE SPECIAL RATE AND CHARGE SO DECLARED WILL REQUIRE THE PREPARATION OF A FUNDING AGREEMENT BETWEEN COUNCIL AND THE CROYDON MAIN STREET TRADERS ASSOCIATION TO FORMALISE THE ADMINISTRATIVE OPERATIONS OF THE SPECIAL RATE AND CHARGE, SUCH AGREEMENT BEING TO ENSURE THAT AT ALL TIMES, AND AS A PRECONDITION TO THE PAYMENT OF ANY FUNDS BY COUNCIL TO THE TRADERS' ASSOCIATION, COUNCIL IS, AND REMAINS, LEGALLY RESPONSIBLE FOR APPROVING, DIRECTING AND CONTROLLING THE EXPENDITURE OF THE PROCEEDS OF THE SPECIAL RATE AND CHARGE IN ACCORDANCE WITH ITS OBLIGATIONS UNDER THE ACT TO DO SO**

4. **COUNCIL WRITES TO ALL SUBMITTERS INFORMING THEM OF COUNCIL'S DECISION**
5. **COUNCIL AUTHORISES THE CHIEF EXECUTIVE OFFICER TO LEVY THE SPECIAL RATE AND CHARGE IN ACCORDANCE WITH SECTION 163(4) OF THE LOCAL GOVERNMENT ACT 1989**

**CARRIED**

Councillors who spoke to the motion - Cr Graham

MAROONDAH CITY COUNCIL ANNUAL REPORT 2018/19 ITEM 2

MOVED CR LAMONT, SECONDED CR DAMANTE 135/19

#### **THAT COUNCIL**

1. **NOTES THE PREPARATION OF THE MAROONDAH CITY COUNCIL ANNUAL REPORT 2018/19**
2. **ENDORSES THE MAROONDAH CITY COUNCIL ANNUAL REPORT 2018/19 FOR SUBMISSION TO THE MINISTER FOR LOCAL GOVERNMENT**
3. **ENSURES COPIES OF THE ANNUAL REPORT 2018/19 ARE MADE AVAILABLE FOR PUBLIC INSPECTION FROM 18 SEPTEMBER 2019 AT COUNCIL SERVICE CENTRES AND ON COUNCIL'S WEBSITE**

**CARRIED**

#### **DIRECTOR DEVELOPMENT & AMENITY**

MUNICIPAL FIRE MANAGEMENT PLAN ITEM 1

MOVED CR LAMONT, SECONDED CR DAMANTE 136/19

**THAT COUNCIL ENDORSES THE MAROONDAH CITY COUNCIL MUNICIPAL FIRE MANAGEMENT PLAN (2019-2022) AS APPROVED BY THE MUNICIPAL FIRE MANAGEMENT PLANNING COMMITTEE**

**CARRIED**

PETITION - THE MALL, CROYDON SOUTH - REQUEST FOR COUNCIL TO CONSTRUCT A DISABILITY DISCRIMINATION ACT COMPLIANT RAMP

ITEM 2

MOVED CR SPEARS, SECONDED CR MACDONALD

137/19

**THAT COUNCIL**

1. **RECEIVES AND NOTES THE FINDINGS ON THE INVESTIGATION INTO DDA IMPROVEMENTS WITHIN THE MALL SHOPPING CENTRE IN CROYDON**
2. **DOES NOT SUPPORT THE REQUEST TO CONSTRUCT THE RAMP AS PROPOSED BY THE PETITION**
3. **DIRECTS OFFICERS TO UNDERTAKE A MORE DETAILED INVESTIGATION, INCLUDING A DESIGN IN THE 2020/2021 FINANCIAL YEAR, TO DETERMINE THE FEASIBILITY OF UPGRADING THE EXISTING RAMP IN THE CARPARK FOR ACCESSIBLE USERS**
4. **DIRECTS OFFICERS TO SURVEY THE SHOP OWNERS TO DETERMINE THE NEED FOR ADDITIONAL DISABLED CAR SPACES ALONG THE SOUTHERN SECTION OF THE CAR PARK**
5. **DIRECTS OFFICERS TO REFER THE UPGRADE OF THE RAMP IF FEASIBLE, AND ADDITIONAL DISABLED PARKING SPACES IF SUPPORTED BY THE SHOP OWNERS, TO THE CAPITAL WORKS DDA PROGRAM FOR FUTURE CONSTRUCTION**
6. **OFFICERS ADVISE THE LEAD PETITIONER ACCORDINGLY**

**CARRIED**

Councillors who spoke to the motion -

PETITION - THE MALL SHOPPING CENTRE - CONVERSION OF UNRESTRICTED PARKING TO 2 HOUR PARKING

ITEM 3

MOVED CR MACDONALD, SECONDED CR SPEARS

138/19

**THAT COUNCIL**

1. **RECEIVES AND NOTES THE REPORT AND FINDINGS ON THE PARKING INVESTIGATION AND SHOP TRADER SURVEY FOR THE MALL SHOPPING CENTRE**
2. **NOT SUPPORT THE INSTALLATION OF PARKING RESTRICTIONS AS PROPOSED BY THE PETITION**
3. **ADVISES THE LEAD PETITIONER ACCORDINGLY**

**CARRIED**

PUBLIC LIGHTING POLICY

ITEM 4

MOVED CR SPEARS, SECONDED CR GRAHAM

139/19

**THAT COUNCIL**

1. **NOTES AND CONSIDERS THE MAROONDAH PUBLIC LIGHTING POLICY AND THE SUPPORTING DOCUMENTS, BEING THE PUBLIC LIGHTING POSITION PAPER, PUBLIC LIGHTING ACTION PLAN AND PUBLIC LIGHTING GUIDELINES**
2. **NOTES AND CONSIDERS THE OUTCOME OF THE PUBLIC CONSULTATION PROCESS AND THE SUBSEQUENT UPDATES TO THE POLICY AND SUPPORTING DOCUMENTS**
3. **ENDORSES THE MAROONDAH PUBLIC LIGHTING POLICY, SUPPORTING DOCUMENTS AND POLICY ACTION PLAN**
4. **MAKES THE DOCUMENTS PUBLICLY AVAILABLE ON THE COUNCIL WEBSITE**

**CARRIED**

Councillors who spoke to the motion - Cr Spears and Cr Graham

**DOCUMENTS FOR SEALING**

Nil

**MOTIONS TO REVIEW**

Nil

**LATE ITEMS**

Nil

**REQUESTS / LEAVE OF ABSENCE**

Nil

**IN CAMERA**

MOVED CR SPEARS, SECONDED CR MACDONALD

140/19

**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.*

**DIRECTOR OPERATIONS, ASSETS & LEISURE**

*TENDER EVALUATION REPORT - CONTRACT 20925 QUAMBEE  
RESERVE OVAL NO.1 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*

The open forum closed at 8:25pm.

Confirmed .....

Date .....