

MINUTES COUNCIL MEETING MAROONDAH CITY COUNCIL MONDAY 19 FEBRUARY 2024

Minutes of the Council Meeting held in the Council Chamber, Realm, on Monday 19 February 2024 at 7:30pm.

PRESENT

Wombolano Ward Cr Kylie Spears (Mayor) Cr Paul Macdonald (Deputy Mayor) Tarralla Ward Cr Chris Jones Barngeong Ward Cr Tony Dib OAM JP **Bungalook Ward** Cr Mike Symon Jubilee Ward Cr Suzy Stojanovic McAlpin Ward Cr Tasa Damante Wicklow Ward Cr Linda Hancock Wonga Ward Cr Rob Steane OAM Yarrunga Ward

Steve Kozlowski

Tony Rocca
Adam Todorov

Marianne Di Giallonardo

Chief Executive Officer
Chief Financial Officer
Director Assets & Leisure
Director People & Places

Andrew Fuaux Director Strategy & Development

Emma Hills Governance Officer
Dan Glass Multimedia Officer

The Mayor, Cr Spears welcomed all to the February Council meeting.

The Chief Executive Officer read the following Statement of Recording -

"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."

A prayer was read by Pastor Shebu John from Canterbury Gardens Community Church.

The Councillor Pledge was read by the Mayor.

The Acknowledgement of Country was read by the Mayor.

APOLOGIES

Nil

DECLARATION OF INTERESTS

Nil

CONFIRMATION OF MINUTES

MOVED CR STOJANOVIC, SECONDED CR HANCOCK

1/24

THAT THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON MONDAY, 11 DECEMBER 2023 BE CONFIRMED.

CARRIED

PUBLIC QUESTION TIME

Jendi Hall

"Can you please explain the reasoning behind an increase of rent from \$7000 to \$100,000 for MVC boxing located at Jubilee Park. My kids attended this centre when they were young and I have no affiliation to the club but I appreciated them at a time when accessing sport in the ward was prohibitive, both in cost and availability. The club works tirelessly with minorities and kids at risk and as the Mayor represents access, inclusion, equality local business AND disability I have no idea why this centre would not be protected for the service it provides, for many, the only activity they can afford."

Resident

"Is it standard practice for Maroondah Council to act upon the findings of a draft audit of a community group, without a right of reply from them? As this was the case with MVC Boxing Club."

Dean Hurlston

"Can the council explain why it has deemed MVC a commercial operation for the purposes of a lease and why it forced MVC to disclose their membership list which breaches the ASSOCIATIONS INCORPORATION REFORM ACT 2012?"

Director Assets & Leisure

"Council has been in discussions with MVC Boxing since November 2022 regarding the terms of a proposed new lease at the premises. During this time, an independent audit was undertaken to determine whether MVC Boxing was operating as a not-for-profit entity as required in accordance with Council's Community Facilities Occupancy Policy.

Some membership information was provided to the Independent Auditors and reviewed as part of the audit, for the sole purposes of understanding the quantum of the member base, and the governance associated with that membership information.

Based on the information that was provided and/or made available throughout the audit process, the Independent Auditor was not able to confirm that the operations of MVC Boxing were for not-for-profit purposes only.

On Wednesday 14 February, a representative acting on behalf of MVC Boxing contacted Council confirming their agreement to commence negotiations. Council has now entered into these conversations in good faith."

OFFICERS' REPORTS

CHIEF EXECUTIVE OFFICER

AFFIRMATION OF OFFICE - RESULT OF BY-ELECTION - BARNGEONG WARD

ITEM 1

MOVED CR STEANE, SECONDED CR MACDONALD

2/24

THAT COUNCIL NOTES THE AFFIRMATION OF OFFICE MADE BY COUNCILLOR CHRIS JONES ON 12 DECEMBER 2023 AND RESOLVES THAT SUCH DOCUMENT BECOMES PART OF THE OFFICIAL MINUTES TO THE COUNCIL MEETING HELD ON 19 FEBRUARY 2024

CARRIED

Councillors who spoke to the motion - Crs Steane, Stojanovic, Macdonald and Hancock

CHIEF FINANCIAL OFFICER

ATTENDANCE REPORT

ITEM 1

MOVED CR STEANE, SECONDED CR DAMANTE

3/24

THAT COUNCIL RECEIVES AND NOTES THE REPORTS AS PRESENTED BY COUNCILLORS

CARRIED

Councillors who spoke to their reports - Crs Spears, Macdonald, Jones, Dib, Symon, Stojanovic, Damante, Hancock and Steane

Cr Spears (Mayor)

12/12	Declaration of the Poll - Barngeong Ward by-election				
12/12	Mayoral Video Filming				
12/12	Stroke a Chord Christmas Singalong				
12/12	Women In Public Office meeting				
13/12	Your Library End of Year Celebration				
14/12	Australian Local Government Women's Association (ALGWA) members -				
	Feedback session - Planned reforms to increase confidence in local government.				
18/12	Australian Local Government Women's Association (ALGWA) Victoria 2024 -				
	Women For Election Pre-Meet				
10/01	Women In Public Office update				
12/01	Australian Local Government Women's Association (ALGWA) Victoria 2024				
. —	Victoria - Executive catch up				
17/01	Australian Local Government Women's Association (ALGWA) Victoria 2024				
40/04	planning				
18/01	Meeting with Ringwood Swimming Club				
24/01	Australian Local Government Women's Association (ALGWA) Victoria 2024				
05/04	mentoring program launch				
25/01	Women In Public Office Peer Mentoring Circle 1 review				
26/01 29/01	Maroondah City Council Australia Day event				
30/01	Councillor Studio Video filming Australia Day Reception				
05/02	Mayoral Video filming				
06/02	Eastern Region Group of Councils Mayors meeting				
06/02	Eastern Region Group of Council's - Pre-meeting with Chair and Deputy				
07/02	Maroondah City Council Audit & Risk Committee Meeting				
07/02	Ringwood East Traders Association Annual General Meeting 2024				
07/02	Maroondah Photographic Society - Annual Awards Presentation Invitation				
09/02	Tintern Grammar 2024 Foundation Service				
09/02	Meeting at Daisy Homes				
12/02 Australian Local Government Women's Association (ALGWA) Victoria					
	Committee meeting				
13/02	Croydon U3A Musical Instrument Library Opening				
13/02	Meeting with Residents				
16/02	Eastern Region Group of Council's Meeting				
16/02	Municipal Association of Victoria (MAV) - Local Government Reform -				
	Consultation with Mayors, Councilor's & CEOs				
17/02	Chin National Day Celebration				
17/02	Heathmont Cricket Club Pink Stumps Day				
19/02	Meeting with Communities of Wellbeing Chair				

Cr Macdonald (Deputy Mayor)				
12/12	Declaration of the Poll - Barngeong Ward by-election			
12/12	Stroke a Chord Christmas Singalong			
12/12	FReeZA graduation event			
13/12	Municipal Association of Victoria (MAV) Free From Violence Local Government Forum 2023			
14/12	Meeting with resident			
26/01	Maroondah City Council Australia Day event			
02/02	Councillor Studio Video Filming			
07/02	Maroondah City Council Audit & Risk Committee Meeting			
07/02	Communities of Wellbeing February meeting			
13/02	Croydon U3A Musical Instrument Library Opening			
16/02	Eastern Region Group of Council's Meeting			
17/02	Chin National Day Celebration			
17/02	Chinese New Year Celebration "How to make sweet dumplings"			
Cr Jones				
14/12	The Hon. David Hodgett MP, State Member for Croydon Christmas Community function			
18/12	Councillor Introduction Video Filming			
19/12	Councillor Induction Program			
21/12	Councillor Video Studio Filming			
09/01	Meeting with Croydon North Mount Lilydale Old Collegians Football Club			
22/01	Meeting with Maroondah United Soccer Club			
22/01	Meeting with Maroondah Rugby Club			
26/01	Maroondah City Council Australia Day event			
01/02	Eastern FM broadcast			
02/02	Meeting with resident			
05/02	Councillor Video Studio filming			
10/02	Wicklow Ward - Celebrate Maroondah - Movie Night			
13/02	Meeting with residents			
17/02	Chin National Day Celebration			

Cr Dib

26/01	Maroondah City Council Australia Day event
17/02	Chin National Day Celebration

Cr Symon

12/12	Declaration of the Poll - Barngeong Ward by-election
12/12	FReeZA graduation event
08/01	Councillor Studio Video Filming
07/02	Maroondah City Council Audit & Risk Committee Meeting
16/02	Municipal Association of Victoria (MAV) 2024 LG Reform - Consultation
	Session 1
16/02	Eastern Regional Group of Councils and Municipal Association of Victoria (MAV)
	Eastern Metropolitan Delegates meeting
19/02	Reverse Art Truck Meeting

Cr Stojanovic

12/12	Declaration of the Poll - Barngeong Ward by-election
13/12	Municipal Association of Victoria (MAV) Free From Violence Local Government
	Forum 2023
21/01	Midsumma Carnival - Meeting
31/01	Midsumma Pride March Participant Briefing (online)
01/02	Councillor Studio Video filming
04/02	Midsumma Pride March - Maroondah Pride
05/02	Ruth McGowan Professional Development Session 8
07/02	Maroondah City Council Audit & Risk Committee Meeting
10/02	Wicklow Ward - Celebrate Maroondah - Movie Night
16/02	Recalibrate 2024 Professional Development Session
17/02	Poolside Pride

EXTENSION OF TIME

MOVED CR STEANE, SECONDED CR MACDONALD

4/24

CR SPEARS REQUESTED AN EXTENSION OF TIME ON BEHALF OF CR STOJANOVIC

CARRIED

Cr Damante

16/12	Wyreena Summer Markers Market
26/01	Maroondah City Council Australia Day event
07/02	Councillor Video Studio filming
10/02	Wicklow Ward - Celebrate Maroondah - Movie Night
17/02	Chin National Day Celebration

Cr Hancock

12/12	Declaration of the Poll - Barngeong Ward by-election
12/12	FReeZA graduation event
14/12	North Ringwood Oval - Sportsfield Lighting Consultation Session
26/01	Maroondah City Council Australia Day event
01/02	Councillor Video Studio filming
07/02	Maroondah City Council Audit & Risk Committee Meeting
08/02	Your Library Strategic Planning Day
17/02	Chin National Day Celebration
17/02	Chinese New Year Celebration "How to make sweet dumplings"

Cr Steane

12/12	Declaration of the Poll - Barngeong Ward by-election
14/12	The Hon. David Hodgett MP, State Member for Croydon Christmas Community
	function
14/12	The Foothills Foundation Board Members
26/01	Maroondah City Council Australia Day event
31/01	Councillor Studio Video Filming

REPORTS OF COUNCILLOR BRIEFINGS

ITEM 2

MOVED CR JONES, SECONDED CR SYMON

5/24

THAT COUNCIL RECEIVES AND NOTES THE PUBLIC RECORD OF THE COUNCILLOR BRIEFINGS HELD ON 11 DECEMBER 2023, 5 FEBRUARY 2024 AND 12 FEBRUARY 2024

CARRIED

COUNCIL ADVISORY COMMITTEES - REPORT ON 2023 ACTIVITIES

ITEM 3

MOVED CR STOJANOVIC, SECONDED CR HANCOCK

6/24

THAT COUNCIL

- 1. ACKNOWLEDGE THE SIGNIFICANT CONTRIBUTIONS MADE BY COUNCIL'S ADVISORY COMMITTEES DURING THE 2023 CALENDAR YEAR
- 2. RECOGNISE THE CONTRIBUTIONS MADE BY ALL THE EXTERNAL COMMITTEE MEMBERS DURING THE 2023 CALENDAR YEAR

CARRIED

Councillors who spoke to the motion - Crs Stojanovic and Spears

FINANCIAL REPORT: SIX MONTHS ENDING DECEMBER 2023

ITEM 4

MOVED CR SYMON, SECONDED CR HANCOCK

7/24

THAT COUNCIL RECEIVES AND NOTES THE REPORT ON THE FINANCIAL PERFORMANCE AGAINST BUDGET FOR THE SIX MONTHS ENDING 31 DECEMBER 2023

CARRIED

Councillors who spoke to the motion - Cr Symon

COUNCIL REPRESENTATION 2023/24 VACANCIES

ITEM 5

MOVED CR SYMON, SECONDED CR STOJANOVIC

8/24

THAT WITH RESPECT TO COMMITTEES/BODIES/ADVISORY GROUPS WITH A VACANT DELEGATE COUNCIL MAKES THE FOLLOWING APPOINTMENTS

Maroondah Access, Inclusion and Equity Advisory Committee

CR JONES AS A COUNCIL REPRESENTATIVE ON THE MAROONDAH ACCESS, INCLUSION AND EQUITY ADVISORY COMMITTEE.

Maroondah Community Health and Wellbeing Committee

CR JONES AS A COUNCIL REPRESENTATIVE ON THE MAROONDAH COMMUNITY HEALTH AND WELLBEING COMMITTEE.

Maroondah Environment Advisory Committee

CR JONES AS A COUNCIL REPRESENTATIVE ON THE MAROONDAH ENVIRONMENT ADVISORY COMMITTEE.

Eastern Alliance for Greenhouse Action

CR JONES AS THE DESIGNATED SUBSTITUTE REPRESENTATIVE FOR THE EASTERN ALLIANCE FOR GREENHOUSE ACTION.

CARRIED

Councillors who spoke to the motion - Cr Stojanovic

AMENDING COUNCIL MEETING SCHEDULE 2024

ITEM 6

MOVED CR STEANE, SECONDED CR JONES

9/24

THAT THE 2024 COUNCIL MEETING SCHEDULE, AS ADOPTED BY COUNCIL ON 11 DECEMBER 2023, BE AMENDED AS FOLLOWS

1. THE COUNCIL MEETING THAT WAS SCHEDULED FOR MONDAY 15 JULY 2024 BE AMENDED TO MONDAY 22 JULY 2024

2. NEW COUNCIL MEETING DATES 2024

Month	Day	Date	Time
FEBRUARY	Monday	19	7:30pm
MARCH	Monday	18	7:30pm
APRIL	Monday	22	7:30pm
MAY	Monday 27		7:30pm
JUNE	Monday	24 (for the purposes of adopting Budget & Council Plan)	7:30pm
JULY	Monday	22*	7:30pm
AUGUST	Monday	19	7:30pm
SEPTEMBER	Monday	16	7:30pm
OCTOBER	Monday	14 (for the purposes of adopting the Annual Report)	7:30pm
NOVEMBER	Wednesday	13 or 20 Statutory Meeting - Election of Mayor & Deputy Mayor (dependant on when 2024 Council Election results are declared)	7:30pm
NOVEMBER	Monday	25	7:30pm
DECEMBER Monday * NOTES NEW DATES		9	7:30pm
			CARRIED

REPORT OF AUDIT AND RISK COMMITTEE MEETING - 7 FEBRUARY 2024 ITEM 7

MOVED CR SYMON, SECONDED CR STOJANOVIC

10/24

THAT COUNCIL RECEIVES AND NOTES THE REPORT FROM THE AUDIT & RISK COMMITTEE MEETING HELD ON 7 FEBRUARY 2024

CARRIED

COUNCIL PLAN 2021-2025 (YEAR 3: 2023/24) PRIORITY ACTION PROGRESS REPORT - QUARTER 2, 2023/24

ITEM 8

MOVED CR STOJANOVIC, SECONDED CR MACDONALD

11/24

THAT COUNCIL NOTES THE PROGRESS MADE TOWARDS THE DELIVERY OF 2023/24 PRIORITY ACTIONS IDENTIFIED IN THE COUNCIL PLAN 2021-2025 AS AT 31 DECEMBER 2023

CARRIED

LOCAL GOVERNMENT PERFORMANCE REPORTING FRAMEWORK - SERVICE PERFORMANCE INDICATOR REPORT - QUARTER 2, 2023/24

ITEM 9

MOVED CR JONES, SECONDED CR DAMANTE

12/24

THAT COUNCIL NOTES THE LOCAL GOVERNMENT PERFORMANCE REPORTING FRAMEWORK SERVICE PERFORMANCE QUARTERLY RESULTS FOR THE 2023/24 FINANCIAL YEAR AS AT 31 DECEMBER 2023

CARRIED

DIRECTOR ASSETS & LEISURE

COMMUNITY FACILITIES LEASE AGREEMENT FOR THE RINGWOOD CROQUET CLUB INC.

ITEM 1

MOVED CR SYMON, SECONDED CR HANCOCK

13/24

THAT COUNCIL

- 1. GRANTS A LEASE TO THE RINGWOOD CROQUET CLUB FOR AN INITIAL FIVE (5) YEAR PERIOD WITH THE OPTION FOR A FURTHER TERM OF FIVE (5) YEARS IN ACCORDANCE WITH COUNCIL'S STANDARD LEASE AGREEMENT AND THE CLUB TO BE CHARGED IN ACCORDANCE WITH COUNCIL'S COMMUNITY FACILITIES PRICING POLICY
- 2. SIGNS AND SEALS ALL REQUIRED DOCUMENTATION AS APPROPRIATE

CARRIED

CAPITAL WORKS REPORT: SECOND QUARTER 2023/24 FINANCIAL YEAR ITEM 2

MOVED CR STEANE. SECONDED CR MACDONALD

14/24

THAT COUNCIL RECEIVES AND NOTES THE REPORT ON THE STATUS OF THE CAPITAL WORKS PROGRAM FOR THE PERIOD 1 JULY TO 31 DECEMBER 2023

DIRECTOR STRATEGY & DEVELOPMENT

MAROONDAH PLANNING SCHEME REVIEW

ITEM 1

MOVED CR STOJANOVIC, SECONDED CR SYMON

15/24

THAT COUNCIL

- ENDORSE THIS PLANNING SCHEME REVIEW AND FORWARD TO THE MINISTER FOR PLANNING AS EVIDENCE MAROONDAH CITY COUNCIL, AS THE PLANNING AUTHORITY FOR MAROONDAH PLANNING SCHEME, HAS MET ITS OBLIGATIONS TO REVIEW THE PLANNING SCHEME IN ACCORDANCE WITH SECTION 12B OF THE PLANNING AND ENVIRONMENT ACT 1987.
- REQUEST THAT THE MINISTER FOR PLANNING PREPARE, ADOPT AND 2. APPROVE PRESCRIBED MAROONDAH PLANNING SCHEME AMENDMENT C153MARO PURSUANT TO SECTION 20A OF THE PLANNING AND **ENVIRONMENT ACT 1987 INCORPORATING THE CHANGES IDENTIFIED IN ATTACHMENT 5.**
- 3. USING ITS POWERS AS A PLANNING AUTHORITY UNDER SECTIONS 8A AND 8B OF THE PLANNING AND ENVIRONMENT 1987, SEEK AUTHORISATION FROM THE MINISTER FOR PLANNING TO PREPARE MAROONDAH PLANNING SCHEME AMENDMENT C155MARO TO INCORPORATE THE CHANGES IDENTIFIED IN ATTACHMENT 5. THIS WILL INCLUDE, BUT NOT BE LIMITED TO
 - REWORDING OF THE MUNICIPAL PLANNING STRATEGY TO PROVIDE **GREATER CLARITY.**
 - ii. REZONING OF LAND OTHER THAN REZONINGS TO CORRECT EVIDENT ERRORS OR MAKE CHANGES REQUIRED BY THE MINISTERIAL DIRECTION ON THE FORM AND CONTENT OF PLANNING SCHEMES.
 - REMOVAL OF REDUNDANT OVERLAY CONTROLS. iii.
 - ALTERING LOCAL SCHEDULES TO ZONES AND OVERLAYS TO INCLUDE iv. OR UPDATE THEIR PURPOSES AND OTHER CONTENT.
 - INCLUDE NEW POLICY TO IMPLEMENT ٧.
 - MAROONDAH 2040 REFRESH OUR FUTURE TOGETHER COMMUNITY VISION
 - **COUNCIL PLAN 2021-2025**
 - MAROONDAH LIVEABILITY WELLBEING AND RESILIENCE **STRATEGY 2021-2031**

- MAROONDAH HOUSING STRATEGY: 2022 REFRESH
- MAROONDAH VEGETATION STRATEGY 2020-2030
- CLIMATE CHANGE RISK AND ADAPTATION STRATEGY, 2018/19 2021/22
- vi. INCLUDE AN UPDATED CLAUSE 74.02 FURTHER STRATEGIC WORK THAT PRIORITISES THE STRATEGIC WORK PROGRAM BASED ON THE FINDINGS OF THIS REVIEW.
- 4. AUTHORISE THE MANAGER CITY FUTURES TO
 - i. PREPARE THE ASSOCIATED AMENDMENT DOCUMENTATION.
 - ii. MAKE MINOR CHANGES TO THE AMENDMENTS TO GIVE EFFECT TO THIS PLANNING SCHEME REVIEW.
 - iii. MAKE CHANGES TO COMPLY WITH CONDITIONS IMPOSED IN ANY AUTHORISATION GRANTED BY THE MINISTER FOR PLANNING.
- 5. FOLLOWING RECEIPT OF THE MINISTER'S AUTHORISATION, EXHIBIT AMENDMENT C155MARO IN ACCORDANCE WITH SECTION 19 OF THE PLANNING AND ENVIRONMENT ACT 1987.
- 6. ENGAGE WITH TRANSPORT FOR VICTORIA TO ENCOURAGE MORE ACTIVE USE OF THE LAND OWNED BY THE AUTHORITY IN BAYSWATER NORTH AND KILSYTH SOUTH IN THE SHORT-MEDIUM TERM.
- 7. FORMALLY REQUEST THAT THE MINISTER FOR PLANNING ADJUST THE URBAN GROWTH BOUNDARY (UGB) TO ALIGN WITH THE BOUNDARY BETWEEN
 - i. 342 WONGA ROAD WARRANWOOD AND 15 DELANEYS ROAD WARRANWOOD.
 - ii. 281-283 COLCHESTER ROAD KILSYTH SOUTH AND 12B ORMOND PLACE KILSYTH SOUTH.
- 8. FORMALLY REQUEST THAT, IN THE EVENT THAT THE UGB IS ADJUSTED AS REQUESTED, THE MINISTER FOR PLANNING USE THEIR POWERS PURSUANT TO SECTION 20A OF THE PLANNING AND ENVIRONMENT ACT 1987 TO PREPARE AND APPROVE AN AMENDMENT TO THE MAROONDAH PLANNING SCHEME TO LOCATE THE PROPERTY AT
 - i. 15 DELANEYS ROAD WARRANWOOD WHOLLY WITHIN THE LOW DENSITY RESIDENTIAL ZONE SCHEDULE 1, OR ANY ALTERNATIVE ZONE WHICH APPLIES TO THE BULK OF THE PROPERTY AT THE TIME.
 - ii. 342 WONGA ROAD WARRANWOOD WHOLLY WITHIN THE GREEN WEDGE A ZONE SCHEDULE 1, OR ANY ALTERNATIVE ZONE WHICH APPLIES TO THE BULK OF THE PROPERTY AT THE TIME.
 - iii. 281-283 COLCHESTER ROAD KILSYTH SOUTH WHOLLY WITHIN THE GENERAL RESIDENTIAL ZONE SCHEDULE 1, OR ANY ALTERNATIVE ZONE WHICH APPLIES TO THE BULK OF THE PROPERTY AT THE TIME.

CARRIED

DOCUMENTS FOR SEALING

LETTERS UNDER SEAL - RECOGNITION OF 2024 AUSTRALIA DAY HONOURS ITEM 1

MOVED CR DAMANTE, SECONDED CR HANCOCK

16/24

THAT COUNCIL SIGNS AND SEALS A LETTER OF CONGRATULATIONS IN RECOGNITION OF THE 2024 AUSTRALIA DAY HONOURS AWARDED TO MR COLIN HISCOE AM - APPOINTED AS AN HONORARY MEMBER OF THE ORDER OF AUSTRALIA (AM) IN THE GENERAL DIVISION

CARRIED

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Nil

LATE ITEMS

Nil

REQUESTS FOR LEAVE OF ABSENCE

Nil

The open forum closed at 8:28pm.

Confirmed

Date