

Minutes

Council Meeting

Tuesday, 23 April 2024

Commencing at 6:00 PM

Council Chamber
Functions Centre
45 Princes Highway
Werribee

BUSINESS

Attendance

Councillors

Cr Jennie Barrera
 Cr Adele Hegedich
 Cr Jasmine Hill
 Cr Josh Gilligan
 Cr Marcel Mahfoud
 Cr Heather Marcus
 Cr Peter Maynard
 Cr Susan McIntyre
 Cr Sahana Ramesh
 Cr Mia Shaw
 Cr Robert Szatkowski

Officers

Liana Thompson	Acting Chief Executive Officer
Mark Ward	Acting Director Planning & Liveability
David Dudart-Aberdeen	Acting Director Corporate Services
Fiona Hando	Executive Manager Corporate Affairs
Martina Simkin	Coordinator Governance
Renée Smith	Council Business Officer

1. Opening Prayer and Welcome

The Mayor, CR JENNIE BARRERA, welcomed all in attendance to the meeting.

2. Apologies and Requests for Leave

The Acting Chief Executive Officer, Liana Thompson advised that there are no apologies for the meeting and that CR JOSH GILLIGAN and CR HEATHER MARCUS are attending the meeting virtually.

3. Declaration by Councillors of Disclosure of Conflict of Interest/Conflicting Personal Interest in Any Item of the Agenda

CR HEATHER MARCUS declared a general interest (public) in accordance with s127(2) of the *Local Government Act 2020* in item 10.2 Werribee City Centre Strategic Framework Refresh.

CR JENNIE BARRERA declared a general interest (private) in accordance with s127(2) of the *Local Government Act 2020* in item 10.2 Werribee City Centre Strategic Framework Refresh.

4. Confirmation of Minutes of Previous Meeting

Confirmation of Minutes Meeting held at 6pm on Tuesday 26 March 2024.

MOTION:

CR SUSAN McINTYRE / CR SAHANA RAMESH

That the Minutes of the Council Meeting held at 6pm on 28 March 2024 as prepared and circulated, be confirmed.

(CARRIED)

5. Deputations and Presentations

Nil.

6. Petitions

- 6.1. Response to Petition 01/24 - request for non construction of proposed footpath along Torquata Court Hoppers Crossing.

MOTION:

CR SUSAN MCINTYRE / CR ADELE HEGEDICH

That Council:

1. Note that the proposed footpath along Torquata Court has been removed from the current active transport program.
2. Notify the lead petitioner accordingly.

(CARRIED)

Officers' Reports

7. Strategic Reports

Nil.

8. Policy/Advocacy

- 8.1. Electric Vehicle Policy

MOTION:

CR SAHANA RAMESH / CR JASMINE HILL

That Council:

1. Adopt the Electric Vehicle Policy
2. Undertake an annual review of the Electric Vehicle policy.

(CARRIED)

9. Strategic and Town Planning

- 9.1. Amendment C269 - Wyndham Planning Scheme Review

MOTION:

CR MIA SHAW / CR SAHANA RAMESH

That Council:

1. Endorse the recommendations outlined in the Wyndham Planning Scheme Review 2024 – Final Report.
2. Approves the Wyndham Planning Scheme Review 2024 – Final Report, to be submitted to the Minister for Planning.
3. Seek authorisation from the Minister for Planning to prepare and exhibit Planning Scheme Amendment C269.
4. Prepare and give notice of the amendment in accordance with the Minister's authorisation and relevant sections of the *Planning and Environment Act 1987*.
5. Authorise Council officers to refine the wording and the formatting and update any maps of proposed Amendment C269, and to replace any redundant wording based on any new Council or State Government policies or strategies adopted prior to exhibition of the amendment relevant to the amendment.

(CARRIED)

9.2. Amendment C265 - Update to Tarneit North PSP

MOTION:

CR ADELE HEGEDICH / CR MIA SHAW

That Council:

1. Abandon Amendment C265wynd and notify the Minister for Planning in writing and publish a notice of the decision, pursuant to Section 28 of the *Planning and Environment Act 1987*.
2. Requests officers to prepare a new piece of work to address housing density and diversity issues around the Regional Rail Link Stations that seeks to align planning and development outcomes with The Wyndham Plan.
3. Note that this new piece of work may ultimately form the basis for a new planning scheme amendment, subject to a future decision of Council.

(CARRIED)

10. Other Reports

10.1. Proposed Annual Plan and Budget 2024-25

MOTION:

CR ADELE HEGEDICH / CR MIA SHAW

That Council resolve:

1. That in accordance with Section 94 of the *Local Government Act 2020* and Section 7 and 8 of the Local Government (Planning & Reporting) Regulations 2020, Council notes the proposed Annual Plan and Budget 2024-25 for the period 1 July 2024 to 30 June 2025.
2. That the Proposed Annual Plan and Budget 2024-25 be placed on public exhibition for community feedback from 25 April 2024 to 26 May 2024 before it is finally adopted, after consideration of public submissions and comments, at the Council Meeting on 25 June 2024.

(CARRIED)

10.2. Werribee City Centre Strategic Framework Refresh

CR HEATHER MARCUS declared a general interest (public) in accordance with s127(2) of the *Local Government Act 2020* in this item and was absent for the discussion and vote on Item 10.2.

CR JENNIE BARRERA declared a general interest (private) in accordance with s127(2) of the *Local Government Act 2020* in this item and was absent for the discussion and vote on Item 10.2.

The Deputy Mayor CR JOSH GILLIGAN chaired the meeting for this item.

CR PETER MAYNARD left the Chamber at 6.49pm. CR PETER MAYNARD returned to the Chamber at 6.51pm and was present for the vote on Item 10.2.

CR ROBERT SZATKOWSKI left the Chamber at 6.50pm. CR ROBERT SZATKOWSKI returned to the Chamber at 6.53pm and was present for the vote on Item 10.2.

MOTION:

CR MARCEL MAHFOUD / CR MIA SHAW

That Council place the following documents that make up the Werribee City Centre Strategic Framework Refresh on public exhibition for community feedback from 24 April 2024 to 22 May 2024:

- Werribee City Centre Structure Plan
- Werribee City Centre Parking Strategy
- Werribee City Centre Streetscape Framework & Design Manual
- Schedule 1 to Clause 37.08 - Activity Centre Zone
- Schedule 1 to Clause 45.09 - Parking Overlay.

(CARRIED)

The Mayor, CR JENNIE BARRERA returned to the Chamber at 6.56pm and chaired the remainder of the meeting.

10.3. Learning Community Strategy 2024-2029

At the Council meeting held on 26 March 2024, this matter was adjourned to the Council meeting on 23 April 2024.

At the Council meeting on 26 March 2024, the officer recommendation as printed, was moved by CR ROBERT SZATKOWSKI and seconded by CR ADELE HEGEDICH. This is the current motion before the meeting.

MOTION:

CR ROBERT SZATKOWSKI / CR ADELE HEGEDICH

That Council:

1. Note the feedback received during the public exhibition period of the development of the Learning Community Strategy 2024-2029.
2. Note the consultation with community members and stakeholders and thank those who gave their time, shared insights, and participated in the engagement.
3. Adopt the final version of the Learning Community Strategy 2024-2029.

PROCEDURAL MOTION:

CR JOSH GILLIGAN / CR MIA SHAW

That the motion be now put.

(CARRIED)

MOTION:

CR ROBERT SZATKOWSKI / CR ADELE HEGEDICH

That Council:

1. Note the feedback received during the public exhibition period of the development of the Learning Community Strategy 2024-2029.
2. Note the consultation with community members and stakeholders and thank those who gave their time, shared insights, and participated in the engagement.
3. Adopt the final version of the Learning Community Strategy 2024-2029.

(CARRIED)

CR MIA SHAW CALLED FOR A **DIVISION** ON THE VOTE.

The **DIVISION** was taken and the names of the Councillors voting FOR and AGAINST were as follows:

FOR	AGAINST
CR SAHANA RAMESH	CR JOSH GILLIGAN
CR JASMINE HILL	CR MIA SHAW
CR MARCEL MAHFOUD	
CR SUSAN McINTYRE	
CR ADELE HEGEDICH	
CR PETER MAYNARD	
CR ROBERT SZATKOWSKI	
CR HEATHER MARCUS	
CR JENNIE BARRERA	
TOTAL (9)	TOTAL (2)

(CARRIED)

10.4. Wyndham Annual Community Satisfaction Survey 2023-24

MOTION:

CR MIA SHAW / CR SUSAN MCINTYRE

That Council:

1. Receive and note the results of the 2023-24 Annual Community Satisfaction Survey.
2. Note that the results will be included in the 2023-24 Wyndham City Council Annual Report.

(CARRIED)

10.5. Naming of Regional Football Facility Reserve and Pavilion (Adoption)

MOTION:

CR PETER MAYNARD / CR MARCEL MAHFOUD

That Council:

1. Approve the names Ironbark Fields and Ironbark Pavilion for the Regional Football Facility Reserve and Pavilion.
2. Submit the names to the Registrar of Geographic Names for consideration and inclusion in VICNAMES.

3. Advise stakeholders of the names once gazetted and official registration has occurred.

(CARRIED)

- 10.6. Re-naming of existing road Lucky Walk to Lyra Lane, Truganina (Adoption)

MOTION:

CR ADELE HEGEDICH / CR SUSAN MCINTYRE

That Council:

1. Approve re-naming the road currently known as Lucky Walk, Truganina as Lyra Lane.
2. Submit the name to the Registrar of Geographic Names for consideration and inclusion in VICNAMES.
3. Advise stakeholders of the name once gazetted and official registration has occurred.

(CARRIED)

- 10.7. Portfolio Committee Report

MOTION:

CR MARCEL MAHFOUD / CR JASMINE HILL

That Council note the minutes of the following Portfolio Committee meetings:

- Creative City - 1 November 2023
- Creative City - 14 February 2024
- Community Safety - 15 February 2024
- Healthy City - 20 February 2024
- Climate Futures & Environment - 26 February 2024
- Welcoming City - 26 February 2024
- City Design - 29 February 2024
- Learning City - 13 March 2024
- Smart Cities - 19 March 2024
- Destination Wyndham - 25 March 2024

(CARRIED)

- 10.8. Councillor Expense Report - 1 October 2023 to 31 December 2023

MOTION:

CR PETER MAYNARD / CR SAHANA RAMESH

That Council note the Councillor expenses for the period 1 October 2023 to 31 December 2023 as attached to this report.

(CARRIED)

11. Notices of Motion

Nil.

12. Council Seal

12.1. Awarding of Contract - N400378 - K Road Drainage & Risk Mitigation Works

MOTION:

CR PETER MAYNARD / CR JASMINE HILL

That Council:

1. Award contract N400378 – K Road Drainage and Risk Mitigation Works to Fulton Hogan Industries Pty. Ltd. for the lump sum of \$5,985,532.30 (GST inclusive)
2. Authorise the Chief Executive Officer to approve additional expenditure to allow further variations to the contract in accordance with the value of the approved project budget.
3. Authorise the Manager of Facilities & Projects to approve variations and contingencies to contract N400378.
4. Sign and seal the contract.
5. Advise all tenderers accordingly.

(CARRIED)

12.2. Awarding of Contract - N400478 - Collaborative Reveal and Processing of Commingled Recyclables and Glass (T2300082)

MOTION:

CR SAHANA RAMESH / CR JASMINE HILL

That Council:

1. Award contract for N400478 - Collaborative Reveal and Processing of Commingled Recyclables and Glass (T2300082) to VISY Paper Pty Ltd (ACN: 005 803 234; ABN: 49 984 541 896) under a schedule of rates for commingled recycling reveal and processing (and not a separate glass processing service) from 26 August 2024 to 25 August 2027 with two (2) one (1) year extension options.
2. Authorise the Manager Refuse Disposal Facility to negotiate and approve contract departures that arise from changes to the Recycling Victoria Policy.
3. Authorise the Manager Refuse Disposal Facility to approve variations and extensions to contract N400478 - Collaborative Reveal and Processing of Commingled Recyclables and Glass (T2300082) in accordance with Council's financial delegations and Council's allocated budget.
4. Approve the Manager Refuse Disposal Facility to authorise payments as per the approved Schedule of Rates, in accordance with Council's allocated budget.
5. Sign and seal the contract.
6. Advise all tenderers accordingly.

(CARRIED)

12.3. Instrument of Appointment and Authorisation under the *Planning and Environment Act 1987* - Variation

MOTION:

CR SAHANA RAMESH / CR SUSAN MCINTYRE

That Council:

1. Vary the *Instrument of Appointment and Authorisation under the Planning and Environment Act 1987* adopted by Council on 26 April 2022, to remove Melanie Blake and Stephen Mayne as Planning Investigation Officers and Zoran Jovanovski as a Planning Officer.
2. Authorise the affixing of the common seal of Council to the Instrument as varied and declare that it comes into force with immediate effect.

(CARRIED)

13. Questions with Notice from Public Gallery

Two questions received from Patrizia Barcatta

Question 1

Re: Wyndham Annual Community Satisfaction Survey 2023-24 - based on 1200 surveys in the community

Of the respondents who have raised issues, the most important issues to address and those issues that influence the greatest dissatisfaction with Council's overall performance, have remained relatively consistent since the ACSS commenced in 2013/2014. These issues included: * traffic management (e.g., commuting times, congestion, related issues) (20% down from 22%) * road maintenance and repairs including roadworks (e.g., potholes, road condition, and road work related issues) (8% down from 14%) * parks, gardens, and open space related issues (7% up from 6%) * parking (both availability and enforcement) (7% up from 6%)

If these issues have been consistent since 2013 – why have the Council not addressed them in any meaningful way????

How can you possibly say that community satisfaction is good on the one hand and then say but we have had the same complaints since 2013?

I have seen the same complaints come up in the community again and again where residents have shown public dissatisfaction and the same issues remain 10 years later.

This shows that the reporting and action taken by Council is woefully inadequate. What is being done about it?

Response:

The purpose of the Annual Community Satisfaction Survey is primarily to seek respondent's levels of satisfaction with the delivery of Council's services. A secondary purpose is to get insights into the wide range of issues that affect the quality of life of residents by asking "Can you please list what you consider to be the three most important issues for the City of Wyndham at the moment?"

The provider that Council uses to conduct the survey ensures that they speak to 1200 respondents. Other providers only speak to 400. In addition we also reintroduced face-to-face surveys.

This year, just 56 per cent of respondents raised an issue, (compared to 70 per cent last year), and this correlates with the increased satisfaction with the performance of Council achieved this year.

In addition, when looking at the services Council delivers that relate to the three main issues identified, respondents have indicated good (and increasing) levels of satisfaction with Council's performance.

Council uses the results of this survey to continually improve its services. However, it needs to be acknowledged that the City is growing at a rapid pace, and whilst these are consistent themes, they are broad areas that are consistent with growing pains, which require complex and often longer-term solutions, some of which are reliant on other tiers of Government.

Given this, the job is never done, however, Council will continue to improve the way in which we deliver services and infrastructure to our fast-growing community, and the results achieved this year demonstrate we are doing just that.

Question 2

I have yet to date to receive a satisfactory answer regarding the rationale for recommending new policies such as the Draft Electric Vehicle Policy. This report where the council states the majority of residents want this policy, when in reality only 115 submissions were received out of a city of over 320,000 people.

This is a running theme through all of the policies put forward. Please explain how council can state that an overwhelming majority of residents (wording used in many community engagement reports) when what they really mean is the overwhelming majority of the 115 submissions. I submit yet again that council should be truthful and transparent with their reporting and add in the exact numbers of the "majority" you are talking about. Instead of making it seem that the whole community is behind the decision. What will the council be doing about this oversight?

Please explain what the council will do to improve upon community engagement moving forward?

Response:

The community engagement function of Council continues to try and reach more people through promotion and outreach of opportunities to participate in community engagement. Moving forward, Council will be clearer in their wording as to how many people have responded to the public exhibition of policies and how many of those are supportive.

14. Urgent Business

Nil.

15. Confidential Business

MOTION:

CR ROBERT SZATKOWSKI / CR SAHANA RAMESH

That pursuant to Section 66(1) and (2)(a) of the *Local Government Act 2020*, this meeting of Council be closed to members of the public in order for Council to discuss the following confidential matter:

15.1 Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.

(CARRIED)

The meeting was closed to the public at 7.37pm.

CR MARCEL MAHFOUD left the Council Chamber at 7.37pm and returned at 7.39pm and was present for the discussion and vote on item 15.1.

Resolutions of the confidential information were made whilst the meeting was closed members of the public.

The meeting was re-opened to members of the public at 7.52pm.

16. Close of Meeting

The meeting was declared closed at 7.53pm.