

# Unconfirmed Minutes

## Council Meeting

**Tuesday, 28 March 2023**

**Commencing at 7:00 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

Stephen Wall	Chief Executive Officer
Peter McKinnon	Director Planning & Liveability
Liana Thompson	Director City Life
Stephen Thorpe	Director City Operations
Mark Stoermer	Director Corporate Services
Justine Cook	Chief Information Officer
Andrew Davis	Executive Manager Finance (Confidential items only)
Emily Keogh	Executive Manager Corporate Affairs
Renée Smith	Council Business Officer
Megan Bartolo	Governance Policy and Projects Advisor

### 1. Opening Prayer and Welcome

The Mayor, Cr Susan McIntyre, welcomed all in attendance to the meeting.

### 2. Apologies and Requests for Leave

The Chief Executive Officer, Stephen Wall advised that there no apologies for the meeting.

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

Nil.

### 4. Confirmation of Minutes of Previous Meeting

MOTION:

CR MIA SHAW / CR PETER MAYNARD

That the Minutes of the Council Meeting held at 7pm on Tuesday 28 February 2023 as prepared and circulated, be confirmed.

(CARRIED)

**5. Deputations and Presentations**

Nil.

**6. Petitions**

- 6.1. Petition 01/23 - Duplication of footpath Penny Crescent and Carolyn Drive, Hoppers Crossing

MOTION:

CR PETER MAYNARD / CR MARCEL MAHFOUD

That Council:

1. Receive and note the Petition in relation to the proposed duplication of footpath in Penny Crescent and Carolyn Drive, Hoppers Crossing.
2. Receive a report at a future Council Meeting.

(CARRIED)

- 6.2. Petition 02/23 - The Wyndham Plan 2040

MOTION:

CR ADELE HEGEDICH / CR MARCEL MAHFOUD

That Council:

1. Receive and note the Petition in relation to the Wyndham Plan 2040.
2. Receive a report at a future Council Meeting.

(CARRIED)

COUNCILLOR 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 ADELE HEGEDICH
CR JASMINE HILL	CR MIA SHAW
CR MARCEL MAHFOUD	
CR JOSH GILLIGAN	
CR JENNIE BARRERA	
CR PETER MAYNARD	
CR ROBERT STZATKOWSKI	
CR HEATHER MARCUS	
CR SUSAN McINTYRE	
TOTAL (9)	TOTAL (2)

(CARRIED)

**Officers' Reports**

**7. Strategic Reports**

7.1. Draft Wyndham Public Toilet Policy

MOTION:

CR HEATHER MARCUS / CR JASMINE HILL

That Council approves the release of the Draft Public Toilet Policy for public comment for a period of four (4) weeks from 12 April 2023 to 9 May 2023 under a community engagement process hosted on The Loop.

(CARRIED)

**8. Policy/Advocacy**

8.1. Policy Review - Draft Geographic Naming Policy

MOTION:

CR JENNIE BARRERA / CR PETER MAYNARD

That Council:

1. Places the Draft Geographic Naming Policy on public exhibition via The Loop for three weeks from 30 March 2023 to 20 April 2023 and invites community feedback.
2. Considers a further report following the public exhibition period.

(CARRIED)

8.2. Municipal Association of Victoria (MAV) State Council Meeting - May 2023

MOTION:

CR SAHANA RAMESH / CR JASMINE HILL

That Council:

1. Endorse the following motion for consideration at the Municipal Association of Victoria (MAV) State Council Meeting to be held on Friday 19 May 2023:

- that the MAV call upon the State Government to implement Infrastructure Victoria's recommendation to fund a third of the cost of the construction of library and aquatic centres in and reform to Growth Areas Infrastructure Contribution (GAIC) funds in line with the recommendations of the Victorian Auditor General.

(CARRIED)

**9. Strategic and Town Planning**

- 9.1. Planning Scheme Amendment C262 Wyndham West Development Contributions Plan

MOTION:

CR MIA SHAW / CR JOSH GILLIGAN

That Council:

1. Note the exhibition of Amendment C262 Wyndham West DCP.
2. Adopt the Planning Scheme Amendment C262wynd with corrections as agreed with the parties to the submission to the Amendment.
3. Note that the Amendment will then be submitted to the Minister for Planning for approval and Gazettal in accordance with the *Planning and Environment Act 1987*.

(CARRIED)

**10. Other Reports**

- 10.1. Response to Notice of Motion 627 - Cottrell Street Ford Flood Closures - Assessment of Alternative River Crossing Options

MOTION:

CR MARCEL MAHFOUD / CR PETER MAYNARD

That Council:

1. Note the status update on Notice of Motion 627 Assessment of Alternative River Crossings.
2. Support the actions listed in Option 2 as follows:
  - a. Review and enhance Council's flood response plan.
  - b. Write to Tim Pallas MP as the local member for Werribee, Melissa Horne MP, Minister for Roads and Road Safety and Ben Carroll, Minister for Public Transport to advocate for a network resilience and emergency response review to be included in the Department of Transport and Planning's (DTP) Traffic Management Action Plan for Wyndham.
  - c. Progress the Armstrong Road extension (Westlink Stage 2) project planning and that Council support and advocate for the Ison Road Werribee River bridge and the Outer Metropolitan Ring Transport Corridor (OMRTC), as detailed in longer term strategic network plans.
  - d. Defer consideration of a bridge to replace the existing Cottrell Street Ford until after completion of the DTP Traffic Management Action Plan for Wyndham.

(CARRIED)

COUNCILLOR 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 MIA SHAW
CR JASMINE HILL	
CR JOSH GILLIGAN	
CR MARCEL MAHFOUD	
CR JENNIE BARRERA	
CR ADELE HEGEDICH	
CR PETER MAYNARD	
CR ROBERT STATKOWSKI	
CR HEATHER MARCUS	
CR SUSAN McINTYRE	
TOTAL (10)	TOTAL (1)

(CARRIED)

#### 10.2. Informal Meeting of Councillors

MOTION:

Cr Gilligan requested that it be noted that the Councillor Briefing held on 21 March 2023, Item 1. School Provisions Truganina PSP that the Department of Education was in attendance.

CR PETER MAYNARD / CR SAHANA RAMESH

That Council note the record of the Informal Meetings of Councillors for meetings held between 7 December 2022 and 22 March 2023.

(CARRIED)

#### 10.3. Portfolio Committee Report

MOTION:

CR PETER MAYNARD / CR JASMINE HILL

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

- Community Safety - 7 December 2022
- Active City - 12 December 2022
- Destination Wyndham - 12 December 2022
- Welcoming City - 19 December 2022
- Climate Futures & Environment - 30 January 2023
- City Design - 2 February 2023

- Learning City - 15 February 2023
- Community Safety - 16 February 2023
- Active City - 21 February 2023
- Smart Cities - 21 February 2023
- Creative City - 22 February 2023
- Welcoming City - 27 February 2023
- Healthy City - 28 February 2023

(CARRIED)

## 11. Notices of Motion

- 11.1. Notice of Motion - 629 - Reaffirming our pledge to fight for the right to a proper education for children in Truganina and in Wyndham

Cr Gilligan requested that items 1- 7 of the Notice of Motion be deferred to the April Council Meeting to enable the Department of Education to provide requested information to Council to then enable this Motion to be fully considered.

MOTION:

CR JOSH GILLIGAN/ CR HEATHER MARCUS

That Council defer this item to the 26 April Council Meeting.

(CARRIED)

COUNCILLOR 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 JASMINE HILL	CR MIA SHAW
CR JOSH GILLIGAN	CR PETER MAYNARD
CR SAHANA RAMESH	CR ROBERT SZATKOWSKI
CR MARCEL MAHFOUD	CR ADELE HEGEDICH
CR HEATHER MARCUS	
CR JENNIE BARRERA	
CR SUSAN McINTYRE	
TOTAL (7)	TOTAL (4)

(CARRIED)

## 2. Council Seal

Nil.

## 13. Questions with Notice from Public Gallery

Cr JOSH GILLIGAN left the Chamber at 7.59pm.

Cr JOSH GILLIGAN returned to the Chamber at 8.04pm.

**From Patrizia Barcatta**

We have two questions from Patrizia Barcatta..

**Question 1**

Each time a new proposal is placed on the website, the council says it has fulfilled it's obligation in advising the residents of what they are working on. That is not correct. Just putting something up on the internet is never enough. Information gets lost in the shuffle as there is so much information out there. We have over 300,000 residents in this city. You cannot simply say that everyone is happy with the proposal when only a few hundred people have commented upon it. How do you propose to rectify this situation and prove that you have informed all of the residents of the Wyndham Plan 2040?

**Response:**

The Wyndham Plan (Draft) was placed on public consultation from 30 November 2022 to 3 March 2023. The community has had the opportunity to provide feedback through a variety of forums over a three month period, which is one of the longest and most comprehensive consultation programs undertaken at Wyndham. A thorough approach was taken to inform all residents of Wyndham about The Wyndham Plan (Draft), including:

- An addressed letter to all residential addresses in Wyndham
- A flyer to all residential addresses in Wyndham (with accessibility to translation services)
- Council's Web Page – The Wyndham Loop, where there have been over 19,600 views of the website (and accessibility to translation services)
- The Wyndham News Newsletter delivered to all households in Wyndham (Article on page 5 of Jan-Feb 2023 Edition)
- Media Release featured in the Star Weekly local newspaper in 30 November 2022 issue
- Media coverage by the Herald Sun on 15 February 2023 – Title: "Wyndham City Council have launched a plan to create multiple Urban hubs to cater for a massive population boom"
- Val Morgan Video Screens – 5 week campaign in Shopping Centres located in Tarneit, Manor Lakes, Hoppers Crossing, and Werribee Plaza from 18 December to 23 February 2023 (screenings on alternate weeks)
- Video Screens in Council Community Centres, Libraries and Aqua Pulse
- Council Facebook Posts – 1 December 2022, 20 December 2022, 15 February 2023 and 28 February 2023
- Multiple community information sessions, held both in person and online

**Question 2**

We are the fastest growing city in Australia. We have expanded with so many new estates. The infrastructure has not been able to catch up and you cannot get around without a car. How is the council proposing to pay for all this change under the Wyndham Plan 2040? Are you making promises you cannot keep?

**Response:**

The outcomes sought through The Wyndham Plan (Draft) are proposed to be funded by all levels of government (State, Federal and Local) and the private sector. As noted in many of the community consultation sessions much of the change proposed by The Wyndham Plan will in fact be funded through investment by the private sector. The Wyndham Plan as drafted is a long term plan and is designed to focus expenditures and investments in ways that are best able to support the people of Wyndham over the long term. The Wyndham Plan(Draft) proposes changes that will also make investments in infrastructure and services



more cost effective over time.

**From Charlene Naylor**

We have two questions from Charlene Naylor.

**Question 1**

May I ask why the presence of security guards at the last council meeting? Were they paid from tax payer's money?

**Response**

Council's Governance Rules include provisions for the appropriate behaviour of everyone in attendance at Council meetings to ensure that meetings are not disrupted and the business of the meeting can continue in a courteous and respectful manner. Council has made arrangements for security guards to be present at every Council meeting and Planning Committee meeting. This is an expense which is included in Council's annual operational budget.

**Question 2**

Public consultation for Wyndham plan is not sufficient and no translation for non English residents which is racist. Please explain !

**Response**

Translation services have been made available for non-English speaking residents of Wyndham as part of the consultation process for The Wyndham Plan.

Specifically:

- A flyer to all residential addresses in Wyndham about The Wyndham Plan with accessibility to translation services; and
- Council's Web Page – The Wyndham Loop, provided accessibility to translation services for The Wyndham Plan and also included the capacity for an automatic translation of the website and its contents.

**From Senthill Sundaram**

We have two questions from Senthill Sundaram.

**Question 1**

Glyphosate is a widely used herbicide in agriculture and residential settings, but it has been linked to cancer, environmental damage, and other health risks. Several studies have suggested that glyphosate exposure may increase the risk of cancer. The International Agency for Research on Cancer (IARC) classified glyphosate as "probably carcinogenic to humans" in 2015. Additionally, glyphosate has been linked to other health issues such as liver and kidney damage, reproductive problems, and birth defects.

The use of glyphosate has been banned or restricted in several countries and regions, including Austria, Belgium, Brazil, Colombia, Denmark, France, Germany, Italy, Luxembourg, Malta, Mexico, the Netherlands, Portugal, Slovenia, Spain, Sweden, Switzerland, and several U.S. states. For example, the cities of Miami, Florida, and Colorado have taken steps to ban glyphosate use on public property. It is time for our progressive community with sustainability goals to follow suit and take action to protect the health and safety of our citizens.

Kindly request the Wyndham council to publish a roadmap for a full glyphosate ban in all public spaces and areas within the jurisdiction of our council along with a roadmap for educating the public about the risks associated with glyphosate and promoting alternatives to its use.

**Response**

Council follows all public health and Worksafe advice in regards to the use of Glyphosate. It is not Council's role to provide public health advice on Glyphosate. The members of the community should follow the advice of State and Federal agencies in relation to the use of Glyphosate.

**Question 2**

Participatory budgeting and empowering citizens to propose key projects using their taxpayer funds is key to a progressive engaging community. Taxpayers in

Wyndham are paying thousands of dollars of taxes every year. The residents do have the opportunity to contribute to projects proposed by Wyndham Council through the loop. However, the residents of Wyndham do not seem to have a formal opportunity to propose new projects using frameworks like "Pick My Project" of Victorian State Government and "Pitch Your Project" of Hobsons Bay Council. For example "Pick My Project" enabled projects like "Point Cook Pop Up Park" (Which has now become a permanent feature and supports activations across Wyndham and improves social cohesion) and "WYNBUS"(which has enabled more on-demand bus services in Wyndham). Kindly request you to share the roadmap for similar programs like "Pick My Project" in Wyndham which enable more grassroots participative democracy and increase engagement and innovation within the community.

**Response**

Community engagement is a crucial input into good decision making at Wyndham. Through our Community Engagement Policy, we combine community feedback with other evidence, including research and customer data, along with expert knowledge and our strategic policies and guiding legislation to come to an informed decision. Through ongoing engagement with residents and community members, Council has a strong understanding of community priorities that we continue to aim to deliver.

To assist community groups and residents in delivering key community projects, Wyndham's Community Grants Program supports not-for-profit organisations and community-based groups to deliver projects and events that build Wyndham's community capacity and contribute to community strengthening while enhancing the liveability of Wyndham. Small, medium and large grants are on offer along with Community Pathway Scholarships to support to individuals who have been selected to pursue achievements in sports and recreation competitions, arts, cultural and academic endeavours.

**From Peter Michaelides**

We have two questions from Peter Michaelides.

The first question does not comply with s 55.9.2 and s 55.9.4 of the Wyndham City Governance Rules and will not be read out.

**Question 2**

Do you have conclusive evidence that climate change exists?

**Response**

Council considers the effects of climate change through several documents include the Council Plan, the Municipal Health and Wellbeing Plan and specifically Resilient Wyndham. Resilient Wyndham outlines our road map for resilience to the effects of climate change.

Within Australia, scientists at the CSIRO and Bureau of Meteorology have provided access to a large amount of scientific evidence regarding climate change in Australia.

**From Monica Dewhurst**

We have two questions from Monica Dewhurst.

**Question 1**

Of the five hundred or so people, asked for their input to the Wyndham City (Draft) in its initial consultation process; how many were Council Staff (permanent, casual, and or out-sourced) who live in the City of Wyndham?

**Response**

Council's interpretation of this question is that it is asking about how many of the submissions received to the Wyndham Urban Framework Plan consultation process conducted in 2019, were Council staff. The Wyndham Urban Framework Plan was the precursor or initial process that preceded The Wyndham Plan (Draft). To the best of Council's knowledge, we are unaware of any feedback

received from people who were Council staff to the Wyndham Urban Framework Plan.

**Question 2**

Does having Council Staff members pose a conflict of interest putting the process into question?

**Response**

Community consultation is open to all residents of Wyndham. Council staff have responsibilities and obligations to declare their conflicts of interest.

**14. Urgent Business**

Nil.

**15. Confidential Business**

MOTION:

CR ROBERT SZATKOWSKI / CR PETER MAYNARD

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/s:

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

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

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

15.4 Legal privileged information, being information to which legal professional privilege or client legal privilege applies.

15.5 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 8.12pm.

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 8.28pm.

**16. Close of Meeting**

The meeting was declared closed at 8.29pm.