



Maribyrnong City Council

CITY DEVELOPMENT DELEGATED COMMITTEE MINUTES

**Wednesday 26 April, 2023
6.30pm**

**Community Hall
Braybrook Community Hub
107–139 Churchill Avenue
Braybrook**

MEMBERSHIP

Councillor Sarah Carter
Councillor Michael Clarke (Chair)
Councillor Simon Crawford
Councillor Cuc Lam
Councillor Jorge Jorquera
Councillor Bernadette Thomas
Councillor Anthony Tran

To be confirmed at the City Development Delegated Committee Meeting
to be held on 23 May, 2023

TABLE OF CONTENTS

1. Commencement of Delegated Meeting and Welcome	3
2. Apologies	3
3. Disclosures of Conflicts of Interest.....	3
4. Public Question Time	4
5. Confirmation of Minutes of Previous Meeting.....	6
7. Councillor Question Time	10
8. Urgent Business	11
9. Delegated Meeting Closure	11

1. COMMENCEMENT OF DELEGATED MEETING AND WELCOME

The meeting commenced at 6:34pm.

The Chair, Cr Michael Clarke made the following acknowledgement statement:

"We acknowledge that we are on the traditional lands of the Kulin Nation. We offer our respect to the Elders of these traditional lands, and through them to all Aboriginal and Torres Strait Islander peoples, past and present".

PRESENT

Councillor Sarah Carter
Councillor Michael Clarke (Chair)
Councillor Simon Crawford
Councillor Cuc Lam
Councillor Jorge Jorquera
Councillor Bernadette Thomas
Councillor Anthony Tran

IN ATTENDANCE

Chief Executive Officer, Celia Haddock
Director Community Services, Lucas Gosling
Director Infrastructure Services, Patrick Jess
Director Corporate Services, Lisa King
Director Planning and Environment, Laura Jo Mellan
Manager City Places, Ashley Minniti
Manager Governance and Commercial Services, Phil McQue
Governance Officer, Michelle McCulloch

2. APOLOGIES

Nil.

3. DISCLOSURES OF CONFLICTS OF INTEREST

Nil.

SUSPENSION OF STANDING ORDERS

That Council suspend Standing Orders to acknowledge the passing of Sika Kerry OAM.

Moved Cr Tran
Seconded Cr Carter

CARRIED

Councillors Clarke, Tran and Lam each acknowledged Sika Kerry OAM.

RESUMPTION OF STANDING ORDERS

That Council resume Standing Orders.

Moved Cr Lam
Seconded Cr Thomas

CARRIED

4. PUBLIC QUESTION TIME

Public Question Time commenced at 6:46pm. Council received 6 questions.

Victoria Da Vinci

1. Can you assure bicycle path users safety once they conclude their ride down Melon Street and turn into Ballarat Road? There is no safe bike crossing or laneway on Ballarat for cyclists to use once they reach this road with 6 lanes of heavy traffic and a speed of 70km/hr.
2. Are you aware that Darnley Street is already a designated bike path in the Braybrook area with an established crossing at Ballarat Road? This street requires extra funding to upgrade the safety for the cyclists who routinely use to access schools and shopping precincts in the area.
3. Are you aware that there have been no bicycle accidents in Melon Street involving cyclists since it has been made a 40Kmh zone and had speed humps and roundabouts installed? It is already a very safe street as it is.

The Chair responded to the first question by advising that a signalised crossing at Ballarat Road, linking Melon Street and Lacy Street, is identified as an advocacy project in the Maribyrnong Bicycle Strategy. As Ballarat Road is a State Government managed road, Council must engage with and seek approval from the Department of Transport and Planning (DTP) for any changes. Council officers have spoken to their counterparts at DTP who have provided indicative support for a new crossing at the Melon Street, subject to future budget allocation.

The Chair responded to the second question by noting that Darnley Street has bike line markings and is nominated in the Bicycle Strategy as an existing cycling route. Unlike Melon Street and Lacy Street, Darnley Street does not link to the Maribyrnong River Trail and the Cranwell Reserve connection. Melon Street, along with improvements to Churchill Avenue, will provide connections to existing shops, schools and community facilities in both the north-south and east-west directions.

The Chair responded to the third question by noting that a key barrier to increased cycling is safe infrastructure. The desire for comfortable cycling facilities was recently reinforced by the results of the 'Cycling in our City' community engagement, with poor perception of safety being the main reason (54%) for not cycling. There are up to 3,000 vehicles per day using Melon Street, which has an average speed of 42 km/hr and the 85th percentile being 50km/hr.

Daniel Barr

1. Why has Melon Street and for that matter Eldridge St (which actually kept the vast majority of parking) been selected as a priority to have a protected bike lane where it is a residential street, a speed limit of 40km/h, low traffic flow and leads to Ballarat Road which is a 3 lane, high speed arterial road with no crossing and no evidence that VicRoads will ever put one in. Is it because of the demographic of these streets and council possibly believing there would be no negative response from residents?
2. Do Council and Councillors believe that spending \$800,000 on a protected bike lane in a residential street where it will have an impact on residents quality of life, reduce the value of houses and is not wanted by the vast majority of residents a wise use of funds when as described by council reps the bike lanes on streets such as Churchill Ave, Mitchell Streets in Maribyrnong and Maidstone which are high traffic flow and roads that lead to school, shops and parklands are not safe or ideal for bike users. Why isn't this money being put towards these roads where there would be more bike usage and which more appropriate for protected bike lane?
3. In the second round of consultation regarding the protected bike lane for Melon St, it was indicated by council representatives that consultation would occur that engaged all residents of Melon Street by visiting each resident to present information and gain feedback, however there was not even any sessions actually held in Melon Street, only in the Hub and on South Road which excluded a vast majority of residents from finding out what was proposed in their street. Does council and councillors believe this is acceptable knowing the demographic of Melon and surrounding streets?

The Chair responded to the first question by advising that the Maribyrnong Bicycle Strategy 2020-2030 provides the framework for cycling improvements, which seek to provide a connected network across the whole municipality. The key factors considered in developing the desired network is Council's ability to deliver upgrades on roads, which includes road width, usage, parking and a variety of other factors.

The Chair responded to the second question by advising that the Bicycle Strategy outlines the need for protected bicycle facilities to be delivered as it improves safety and makes people feel more comfortable, encouraging people to start cycling or to cycle more. As mentioned previously, the poor perception of safety is the main reason (54%) for people not cycling more. Providing protected cycling facilities was nominated as the key driver for encouraging cycling. The Bicycle Strategy outlines that Churchill Avenue is planned to be upgraded around 2025, while other routes near Mitchell Street are proposed to have protected bike lanes delivered from 2025-2030.

EXTENSION OF PUBLIC QUESTION TIME

That Council extend Public Question Time for a further 15 minutes.

Moved Cr Lam
Seconded Cr Tran

CARRIED

Public Question Time was extended at 6:52pm

The Chair responded to the third question by advising that Council Officers held a total of four in-person information sessions within walking distance of Melon Street. Door knocking individual properties is not a standard part of Council's community consultation, though this was suggested by some residents who attended the information sessions. In addition to in-person consultation, signs were placed along Melon Street and surrounding streets and letters were distributed in English, Vietnamese and Mandarin. Further, Council Officers have engaged with the Braybrook-Maidstone Community House to ensure they and their users were aware of the proposal and able to provide feedback including via paper surveys. Officers made clear that responses to the survey could be made in any language.

That Chair, Cr Michael Clarke, declared Public Question Time closed at 6:54pm

5. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

5. Confirmation of the Minutes of the Previous City Development Delegated Committee Meeting - 28 March 2023

The purpose of this report was to present for confirmation the minutes of the City Development Delegated Committee Meeting held on 28 March 2023.

Committee Resolution

That the Delegated Committee confirms the minutes of the City Development Delegated Committee Meeting held on 28 March 2023.

Moved: Cr Sarah Carter
Seconded: Cr Cuc Lam

CARRIED

6. Officer Reports

6.1. Melon Street Bicycle Facility

The purpose of this report was to report to Council on the consultation outcomes for Melon Street proposed bicycle infrastructure and to consider next steps.

Motion

That the City Development Delegated Committee:

- 1. Endorse the proposed 'Option G' for Melon Street, which provides a physically separated bi-direction bicycle lane on the east side, parking on the west side and single shared use two-way traffic lane on Melon Street subject to a commitment by the Department of Transport to fund and deliver a signalised crossing at Ballarat Road.*
- 2. Authorise the responsible director to advocate to and enter into an agreement with the Department of Transport and Planning for the construction of a signalised crossing on Ballarat Road.*
- 3. Note that should Department of Transport and Planning commit to the signalised crossing additional funding may be required and would be considered during the 2023/24 budget process.*
- 4. Note that if the Department of Transport do not commit to fund and deliver a signalised crossing at Ballarat Road that Council endorses 'Option A' for Melon Street.*
- 5. Note that Council Officers will reassess the operation of Melon Street after construction (at the three, six and twelve month points).*

Moved: Cr Bernadette Thomas

Seconded: Cr Simon Crawford

MOTION LOST

Committee Resolution

Cr Cuc Lam moved an amendment:

That the City Development Delegated Committee:

- 1. Resolve not to proceed with any improvements to cycling infrastructure on Melon Street.*
- 2. As per Council's Bicycle Strategy continue to advocate to the State Government to prioritise improved cycling infrastructure on Ashley Street.*
- 3. Request and authorise the responsible Director to advocate to and enter into any agreement with the Department of Transport and Planning (DTP) for the construction of a signalised crossing on Ballarat Road including the potential reallocation of the Sunshine Precinct Activation Grant funding from Melon Street to the construction of the signalised intersection.*
- 4. Note that Council Officers will notify the community about the Council decision.*

Moved: Cr Cuc Lam
Seconded: Cr Sarah Carter

CARRIED

Cr Lam called for a **DIVISION**.

Councillors Michael Clarke, Sarah Carter, Cuc Lam and Anthony Tran voted **FOR** the motion.

Councillors Simon Crawford, Jorge Jorquera and Bernadette Thomas voted **AGAINST** the motion.

CARRIED

Cr Crawford left the meeting at 08:00pm.

**6.2. Application to Amend Planning Permit TP578/2020(1) at REAR 220
Barkly Street (also known as 120 Donald Street) Footscray**

The purpose of this report was to consider a request by the Vietnamese Museum Australia to amend Planning Permit TP578/2020(1) by making changes to Condition 18.

Committee Resolution

That the City Development Delegated Committee:

- 1. Refuse to amend Planning Permit TP578/2020(1) based on the following grounds:**
 - a. The amendment would not form an orderly planning outcome, restricting loading and emergency access to the adjoining property at 216-226 Barkly Street, Footscray (Adjoining Property) in circumstances where the owner of the adjoining property and its predecessors have used the car park for access to its property over many years.**
 - b. The amendment would deprive the owner of the Adjoining Property of its only access to the rear of the building, restricting the adjoining owner's ability to carry out its business and rendering the building non-compliant with building regulations.**
 - c. The permit would not have been issued without a condition in the form 18 and therefore, condition 18 cannot be severed from the permit.**
- 2. Delegate to the Manager City Places the authority to settle any matter before the Victorian Civil and Administrative Tribunal which may arise as a result of the issuing of this planning permit.**

Moved: Cr Bernadette Thomas
Seconded: Cr Sarah Carter

CARRIED

Cr Crawford returned to the meeting at 08:04pm.

Cr Jorquera left the meeting at 08:19pm.

6.3. Maribyrnong Medium Density Design Guidelines

The purpose of this report was to present the results of recent community engagement on the draft and seek adoption of the finalised Maribyrnong Medium Density Design Guide 2023.

Committee Resolution

That the City Development Delegated Committee:

- 1. Adopt the Maribyrnong Medium Density Design Guide 2023.**
- 2. Note that the objectives, standards and guidelines contained within the guide will form the basis for future work to amend the Maribyrnong Planning Scheme.**
- 3. Delegate to the Manager City Places the ability to make any minor changes to the Maribyrnong Medium Density Design Guide 2023 as a result of changes to the Maribyrnong Planning Scheme and/or industry standards.**

Moved: Cr Sarah Carter
Seconded: Cr Simon Crawford

CARRIED

6.4. Submission to the Parliamentary Inquiry into the 2022 Victoria Floods

The purpose of this report was to seek Council's endorsement of a submission to the Parliamentary Inquiry into the 2022 Victorian Floods.

Committee Resolution

That the City Development Delegated Committee endorses the submission to the Parliamentary Inquiry into the 2022 Victorian Floods, at Attachment 1.

Moved: Cr Anthony Tran
Seconded: Cr Sarah Carter

CARRIED

Cr Jorquera returned to the meeting at 08:24pm.

7. COUNCILLOR QUESTION TIME

Nil.

8. URGENT BUSINESS

Nil.

9. DELEGATED MEETING CLOSURE

The Chair, Cr Michael Clarke, declared the meeting closed at 8:34pm.

A handwritten signature in blue ink, appearing to be 'M Clarke', positioned above a horizontal line.

To be confirmed at the City Development Delegated Committee Meeting
to be held on 23 May, 2023.

Chair, Cr Michael Clarke