



City of
Moonee Valley

Ordinary Meeting of Council

Thursday, 23 June 2011

Minutes

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Minutes of the Ordinary Meeting of Council

Thursday, 23 June 2011 at 7.02pm
held at the Moonee Valley Civic Centre

PRESENT

Members: Cr John Sipek Mayor
 Cr Jan Chantry
 Cr Shirley Cornish
 Cr Jim Cusack
 Cr Paul Giuliano (7.05pm)
 Cr Ange Kenos
 Cr Narelle Sharpe (7.22pm)

Officers: Mr Neville Smith Chief Executive
 Mr Bryan Lancaster Director City Works & Development
 Mr Anthony Smith Director Corporate Services
 Mr Tony Ball Executive Manager Community Services
 Mr Scott Widdicombe Executive Manager Environment & Lifestyle
 Mr Henry Bezuidenhout Manager Strategic & Statutory Planning
 Ms Denise Shearer Manager Community Development
 Ms Yvonne Hansen Acting Manager Governance

1. Opening

The Mayor, Cr Sipek, opened the meeting and welcomed all present to the Council Meeting of Thursday, 23 June 2011.

2. Apologies

An apology for non-attendance was received for Cr James Rankin.

Cr Miriam Gillis has Leave of Absence for this meeting.

3. Confirmation of Minutes

Moved by Cr Kenos, seconded by Cr Chantry that the Minutes of the Ordinary Meeting of Council held on Tuesday, 17 May 2011 be confirmed.

CARRIED

4. Declarations of Conflict of Interest

Nil.

5. Presentations

Cr Kenos acknowledged two previous awards presented to the RoadSafe Inner Northern Group (to which Council was a member). Due to the dissolution of the group, the awards were passed onto Council as custodians.

Council Resolution

Moved by Cr Giuliano, seconded by Cr Cornish that Standing Orders be suspended, to allow an external presentation to be made.

CARRIED

The Mayor announced that the Australian Somali Football Association was the winner of the Moonee Valley Youth Voice Award. The Mayor presented a certificate and voucher to Muluka Said who accepted the award on behalf of the Association.

Council Resolution

Moved by Cr Giuliano, seconded by Cr Cornish that Standing Orders be resumed.

CARRIED

Cr Sipek presented Council with a painting of the City of Moonee Valley created by students of Essendon Primary School.

6. Petitions And Joint Letters

Nil.

Cr Jan Chantry left the meeting at 7.06pm and returned at 7.07pm.

7. Public Question Time

Nil.

8. Reports By Mayor And Councillors

File No. FOL/10/357

Minute No. 2011/56

Council Resolution

Moved by Cr Giuliano, seconded by Cr Chantry that the reports by the Mayor and Councillors be received.

CARRIED

9. Council Advisory Committee Minutes

Minute No. 2011/57

Council Resolution

Moved by Cr Cornish, seconded by Cr Chantry that Council receive and note the Minutes of the Moonee Valley Integrated Waterways Advisory Committee with an amendment to reflect that the next meeting will be held 12 August 2011.

CARRIED

10. Notices of Motion

Nil.

Cr Jan Chantry left the meeting at 7.12pm and returned at 7.13pm.

11. Reports

11.1 MV2020 Community Vision - Mid Term Progress Report

File No: FOL/11/431
Author: Manager Community Development
Directorate: Citizen Services & Information Management
Ward: Municipal
Minute No: 2011/58

Council Resolution

Moved by Cr Cusack, seconded by Cr Giuliano that Council:

1. Notes progress on the Moonee Valley 2020 “Living Together, Living Well” Community Vision.
2. Notes the updated and revised approach to reporting to Council on the Moonee Valley 2020 “Living Together, Living Well” Community Vision.

CARRIED

11.2 Council Plan 2009-2013 Review

File No: FOL/09/577
Author: Manager Citizen & Information Services
Directorate: Citizen Services & Information Management
Ward: Municipal
Minute No: 2011/59

Council Resolution

Moved by Cr Kenos, seconded by Cr Chantry that Council endorse the proposed adjustments to the Council Plan consisting of the revised Resource Plan and Key Strategic Activities for 2011–12 as provided in Appendix A (separately circulated).

CARRIED

Cr Sharpe arrived at the meeting at 7.22pm.

11.3 Adoption of the 2011-2012 Annual Budget

File No: 19/008/006
Author: Manager Finance
Directorate: Corporate Services
Ward: Municipal
Minute No: 2011/60

Council Resolution

Moved by Cr Giuliano, seconded by Cr Chantry that Council:

1. Having received and considered submissions on the Proposed Budget, adopt the 2011-2012 Budget, attached separately as Appendix A.
2. Authorise the Chief Executive to give public notice of this decision in accordance with section 146 (1) of the *Local Government Act 1989*.
3. In accordance with section 223 (1)(e) of the Local Government Act 1989, notify in writing all people who lodged separate submissions of Council's decision, the reasons for the decision and thank them for their submission.
4. Borrow the amount of \$2.00 million during the financial year. The total amount projected to be redeemed during the 2011-2012 financial year is \$3.92 million.
5. Grant a rebate in relation to rates to all Moonee Valley pensioners eligible to participate in the State Government Pensioner Remission Scheme. The rebate will be a maximum of \$15.70.

6. Formally declare the Rates Levies and Annual Service Charges for the 2011-2012 rating year as set out in Appendix B.

CARRIED

11.4 General Revaluation 2012 and Valuer's Declaration of Impartiality

File No: 37/020/001
Author: Coordinator Revenue Services
Directorate: Corporate Services
Ward: Municipal
Minute No: 2011/61

Council Resolution

Moved by Cr Sharpe, seconded by Cr Kenos that Council:

1. In accordance with Section 6(1) of the Valuation of Land Act 1960, undertake a General Revaluation of all rateable properties within the City of Moonee Valley, and that the valuation is to be returned at the levels of value as at 1 January 2012.
2. Provide written advice of Council's resolution to cause a general revaluation to be made to be sent to the Valuer General, State Revenue Office and every other rating authority within Council's adjoining area.
3. Note receipt of the Contract Valuer's statutory declaration.

CARRIED

11.5 Amendment C106 - Hotham Road Niddrie Part Rezoning

File No: FOL/11/585
Author: Strategic Research and Planning Officer
Directorate: City Works & Development
Ward: Buckley
Minute No: 2011/62

Council Resolution

Moved by Cr Giuliano, seconded by Cr Chantry that Council:

1. Seek authorisation from the Minister for Planning to prepare Moonee Valley Planning Scheme Amendment C106.
2. Subject to obtaining Ministerial consent, Council exhibit Moonee Valley Planning Scheme Amendment C106.

3. Following the completion of the exhibition of the Moonee Valley Planning Scheme Amendment C106, a further report be presented to Council.

CARRIED

11.6 Moonee Valley Planning Scheme Amendment C99 - Corrections

File No: FOL/10/323
Author: Strategic Planner
Directorate: City Works & Development
Ward: Buckley & Myrnong
Minute No: 2011/63

Council Resolution

Moved by Cr Giuliano, seconded by Cr Chantry that Council:

1. Split Amendment C99 into two parts, as outlined below in accordance with the Planning and Environment Act 1987:
 - 1.1. Part 1 – Includes amendments to 5 and 7 Donald Avenue, Essendon; 1-3 Moreland Road, Essendon; 181-187 Pascoe Vale Road, Moonee Ponds and 17 Lethbridge Street, Moonee Ponds.
 - 1.2. Part 2 – Includes amendments to 3 Donald Avenue, Essendon.
2. Having compiled with Part 3, Division 1 and 2 of the Planning and Environment Act 1987, and in accordance with Section 29(1), adopt Moonee Valley Planning Scheme Amendment C99 – Part 1 with the changes recommended by the Independent Panel.
3. Pursuant to Section 31(1) of the Planning and Environment Act 1987, submit Moonee Valley Planning Scheme Amendment C99 – Part 1 to the Minister for Planning for approval.
4. Abandon Amendment C99 – Part 2 (in relation to 3 Donald Avenue, Essendon).
5. In accordance with Section 28 of the Planning and Environment Act 1987, write to the Minister for Planning advising that Amendment C99 – Part 2 has been abandoned.

CARRIED

11.7 Maribyrnong River Master Plan

File No: 17/009/048
Author: Manager Leisure & Open Space Planning
Directorate: Environment & Lifestyle
Ward: Municipal
Minute No: 2011/64

Council Resolution

Moved by Cr Cornish, seconded by Cr Kenos that Council:

1. Adopt the Maribyrnong River Master Plan.
2. Consider the progressive implementation of the master plan through Council's annual budget process and the annual revision of the Ten Year Capital Works Plan.

A division on the motion was called and voting was as follows:

For: Crs Cusack, Chantry, Cornish and Kenos.

Against: Crs Giuliano, Sipek and Sharpe.

CARRIED

11.8 2012 Community Grants Program Funding Round

File No: FOL/11/385
Author: Community Building Officer
Directorate: Citizens Services & Information Management
Ward: Municipal
Minute No: 2011/65

Council Resolution

Moved by Cr Chantry, seconded by Cr Sharpe that Council:

1. Invites applications for the 2012 Community Grants Program from 18 July 2011 to 29 August 2011.
2. Nominates Portfolio Councillors to participate in the Assessment Panel.
3. Notes that Council will receive recommendations from the Assessment Panel on 18 October 2011.

CARRIED

11.9 Moonee Valley Community Safety Program

File No: FOL/11/187
Author: Manager Community Development
Directorate: Citizen Services & Information Management
Ward: Municipal
Minute No: 2011/66

Council Resolution

Moved by Cr Kenos, seconded by Cr Chantry that Council:

1. Notes the report on community safety in Moonee Valley, and the development of a coordinated and collaborated approach to community safety programming.
2. Endorses the proposed Community Safety Program 2011–2014 and Community Action Plan 2011/2012.

CARRIED

11.10 Proposed Part Road Discontinuance Abutting 41 Combermere Street and 22 Aberfeldie Street, Aberfeldie

File No: 41/3/30
Author: Coordinator Property Services
Directorate: Corporate Services
Ward: Buckley
Minute No: 2011/67

Council Resolution

Moved by Cr Giuliano, seconded by Cr Sharpe that Council:

1. Note after having given notice pursuant to sections 223 and 206 and clause 3 of Schedule 10 to the *Local Government Act* 1989 of a proposal to discontinue a section of right of way abutting 41 Combermere Street and 22 Aberfeldie Street, Aberfeldie one written submission was received.
2. After having considered the written submission, has formed the opinion that the proposal should be amended to align with the northern boundary fence of 24 Aberfeldie Street, Aberfeldie.
3. Resolves that the section of road (as amended) contained on Certificate of Title Volume 2905 Folio 885 and shown in the amended plan at Appendix A is no longer required for public use and that the road should be discontinued and the land sold by private treaty to the owners of 41 Combermere Street and 22 Aberfeldie Street, Aberfeldie.

4. Publish a notice, pursuant to clause 3(a) of Schedule 10 to the *Local Government Act 1989* in the Victorian Government Gazette.
5. Authorise the Chief Executive to execute the transfer and other associated documents.
6. Advise the submitter of Council's decision.

CARRIED

11.11 Review of Footpath Trading Policy

File No: FOL/10/14
Author: Manager Governance & Local Laws
Directorate: Corporate Services
Ward: Municipal
Minute No: 2011/68

Council Resolution

Moved by Cr Giuliano, seconded by Cr Cornish that Council defer the matter to the Ordinary Meeting of Council to be held on 19 July 2011.

CARRIED

11.12 Procurement Policy

File No: FOL/09/1283
Author: Coordinator Corporate Asset Management
Directorate: Corporate Services
Ward: Municipal
Minute No: 2011/69

Council Resolution

Moved by Cr Cusack, seconded by Cr Giuliano that Council:

1. Receives and adopts the Procurement Policy, provided as Appendix A – separately circulated.
2. Notes the Green Procurement Policy is contained within the adopted Procurement Policy, provided in Appendix A – separately circulated.

CARRIED

11.13 Review of Councillor Code of Conduct

File No: 20/005/021
Author: Acting Manager Governance
Directorate: Corporate Services
Ward: Municipal
Minute No: 2011/70

Council Resolution

Moved by Cr Chantry, seconded by Cr Cornish that Council:

1. Adopt the updated Councillor Code of Conduct as provided in Appendix A.
2. Request the Acting Chief Executive Officer, to ensure that a copy of the updated Councillor Code of Conduct is provided to each Councillor and a copy is also available for inspection at Council's Civic Centre.

CARRIED

Cr Giuliano left the meeting at 8.03pm.

11.14 Report on Assemblies of Councillors

File No: FOL/09/1245
Author: Acting Manager Governance
Directorate: Corporate Services
Ward: Municipal
Minute No: 2011/71

Council Resolution

Moved by Cr Chantry, seconded by Cr Sharpe that Council receive and note the written records of Assembly of Councillors, provided as Appendix A, received since the last report to Council in May 2011.

CARRIED

11.15 Report on Tenders and Contracts Awarded

File No: 18/19/3
Author: Acting Manager Governance
Directorate: Corporate Services
Ward: Municipal
Minute No: 2011/72

Council Resolution

Moved by Cr Cornish, seconded by Cr Chantry that Council receive and note the report of Council's Tenders Committee and tenders awarded at its meetings held on 24 May 2011.

CARRIED

11.16 Report on Audit Committee

File No: FOL/09/1556
Author: Coordinator Governance
Directorate: Corporate Services
Ward: Municipal
Minute No: 2011/73

Council Resolution

Moved by Cr Cornish, seconded by Cr Chantry that Council receive and note the confirmed Minutes of the Audit Committee Meeting held 21 February 2011 and the unconfirmed Minutes of the Audit Committee Meeting held 2 May 2011.

CARRIED

12. Urgent Business

Nil.

13. Confidential Report

Nil.

The meeting concluded at 8.05pm.

CONFIRMED

**CR JOHN SIPEK
CHAIRPERSON**