



City of
Moonee Valley

Ordinary Meeting of Council

Tuesday, 23 July 2013

Minutes

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Minutes of the Ordinary Meeting of Council

Tuesday, 23 July 2013 at 7:02pm
held at the Moonee Valley Civic Centre

PRESENT

Members Cr Narelle Sharpe Mayor
Cr Jim Cusack
Cr Shirley Cornish
Cr Paul Giuliano
Cr Nicole Marshall
Cr Cam Nation
Cr John Sipek
Cr Andrea Surace

Officers: Mr Neville Smith Chief Executive
Mr Bryan Lancaster Director City Works & Development
Mr Stuart Gillespie Executive Manager Citizen Services & Information Management
Mr Tony Ball Executive Manager Community Services
Mr Scott Widdicombe Executive Manager Environment & Lifestyle
Mr Henry Bezuidenhout Manager Statutory & Strategic Planning
Mr Ralph Anania Manager Governance & Local Laws

1. Opening

The Mayor, Cr Sharpe, opened the meeting and welcomed all present to the Council Meeting of Tuesday, 23 July 2013.

2. Apologies

Nil.

Cr Jan Chantry has been granted Leave of Absence for this meeting.

3. Confirmation of Minutes

Moved by Cr Surace, seconded by Cr Nation that the Minutes of the Ordinary Meeting of Council held on Tuesday, 25 June 2013 be confirmed.

CARRIED

4. Declarations of Conflict of Interest

Nil.

5. Presentations

Nil.

6. Petitions And Joint Letters

6.1 Strathmore Heights Pre-School

File No. 12/251161

Cr Giuliano tabled a petition signed by 205 individuals, urging Council to reconsider the closure/relocation of the Strathmore Heights Pre-School.

6.2 Parking Restrictions, Middle Street, Ascot Vale

File No. 13/113948

Cr Marshall tabled a petition signed by 55 residents of Middle Street, Ascot Vale (bordered by East and West Sts), calling on Council to abolish the permit only parking from 7pm to 7am and instead allowing unrestricted parking during the week and weekends during this time.

In tabling a petition, the Appropriate Officer is required to undertake the necessary action and if necessary provide a further report to Council.

7. Public Question Time

Nil.

8. Reports by Mayor and Councillors

File No. FOL/12/1435

Minute No. 2013/109

Council Resolution

Moved by Cr Surace, seconded by Cr Cusack that the reports by the Mayor and Councillors be received.

CARRIED

Cr Sipek left the meeting at 7.26pm and returned at 7.34pm.

9. Reports

9.1 Racecourse Road Planning Scheme Amendment C118

File No: FOL/12/1445
Author: Senior Strategic Planning Officer
Directorate: City Works & Development
Ward: Myrnong
Minute No: 2013/110

Council Resolution

Moved by Cr Marshall, seconded Cr Cusack that Council:

1. Abandon Amendment C118 in accordance with Section 23(1) of the Planning and Environment Act 1987.
2. In accordance with Section 28 of the Planning and Environment Act 1987, advise the Minister for Planning in writing that Council has decided to abandon Amendment C118.
3. Advise those who provided a submission to the amendment of Council's decision.

CARRIED

9.2 Union Road Planning Scheme Amendment C119

File No: FOL/12/1445
Author: Senior Strategic Planning Officer
Directorate: City Works & Development
Ward: Myrnong
Minute No: 2013/111

Council Resolution

Moved by Cr Marshall, seconded by Cr Nation that Council:

1. Abandon Amendment C119 in accordance with Section 23(1) of the Planning and Environment Act 1987.
2. In accordance with Section 28 of the Planning and Environment Act 1987, advise the Minister for Planning in writing that Council has decided to abandon Amendment C119.
3. Advise those who provided a submission to the amendment of Council's decision.

CARRIED

**9.3 Moonee Valley Planning Scheme Amendment C121 -
Essendon Airport Overlays**

File No: FOL/12/962
Author: Strategic Planner
Directorate: City Works & Development
Ward: Buckley and Myrnong
Minute No: 2013/112

Council Resolution

Moved by Cr Giuliano seconded by Cr Marshall that Council:

1. Having complied 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 C121. The revised amendment will incorporate Panel recommendations 1(a) and 1(b) as outlined in page 19 of the Panel Report included in Appendix B – (separately circulated) and in accordance with the amendment documents included in Appendix A – (separately circulated).
2. Pursuant to Section 31(1) of the *Planning and Environment Act 1987*, submit Moonee Valley Planning Scheme Amendment C121 to the Minister for Planning for approval.
3. Confirm that Essendon Airport should be the determining referral authority in accordance with Section 55 of the *Planning and Environment Act 1987*.

CARRIED

**9.4 Submission on the Preliminary Draft Melbourne Airport
Master Plan 2013**

File No: FOL/13/189
Author: Strategic Planner
Directorate: City Works & Development
Ward: Municipal
Minute No: 2013/113

Council Resolution

Moved by Cr Cusack seconded by Cr Giuliano that Council:

1. Endorse the submission to Melbourne Airport's preliminary draft Master Plan as included in Appendix B – (separately circulated).
2. Lodge the submission with Australia Pacific Airports Corporation (APAC) by 21 August 2013.
3. Advise Maribyrnong City Council, Hume City Council and Brimbank City Council of Moonee Valley City Council's action on this matter.

CARRIED

Cr Sipek left the meeting at 8.09pm.

9.5 Local Area Traffic Management Precinct Priority and Implementation Program

File No: FOL/10/1066
Author: Acting Coordinator Transport
Directorate: City Works and Development
Ward: Municipal
Minute No: 2013/114

Council Resolution

Moved by Cr Marshall, seconded by Cr Surace that Council:

1. Defer completion of the Newmarket LATM precinct until 2015/16 and bring forward St. Therese's LATM to 2013/14 and Holmes LATM to 2014/15.
2. Complete two Local Area Traffic Management Studies each year from 2013/14 in line with the implementation plan contained within Appendix A.

CARRIED

Cr Sipek returned to the meeting at 8.15pm.

9.6 Draft Aberfeldie Park Master Plan 2013

File No: FOL/12/1340
Author: Manager Leisure and Open Space Planning
Directorate: Environment & Lifestyle
Ward: Buckley
Minute No: 2013/115

Council Resolution

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

1. Endorse the Draft Aberfeldie Park Master Plan 2013 for the purpose of community consultation.
2. Receive a further report following the completion of the community consultation.

CARRIED

Cr Surace left the meeting at 8.20pm.

9.7 Draft Loeman Street Precinct Plan

File No: FOL/13/115
Author: Coordinator Open Space & Urban Design
Directorate: Environment & Lifestyle
Ward: Buckley
Minute No: 2013/116

Council Resolution

Moved by Cr Giuliano seconded by Cr Marshall that Council:

1. Endorse the Draft Loeman Street Precinct Plan for the purpose of community consultation.
2. Receive a further report following the completion of the community consultation.

CARRIED

Cr Giuliano left the meeting at 8.22pm and returned at 8.28pm.
Cr Surace returned to the meeting at 8.23pm.
Cr Nation left the meeting at 8.25pm and returned at 8.27pm.

9.8 Draft Tree Management Strategy 2013-17

File No: FOL/13/326
Author: Senior Arborist
Directorate: Environment & Lifestyle
Ward: Municipal
Minute No: 2013/117

Council Resolution

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

1. Endorse the Draft Tree Management Strategy 2013-17 for the purpose of community consultation.
2. Receive a further report following the completion of the community consultation.

CARRIED

Cr Marshall left the meeting at 8.31pm and returned at 8.34pm.

9.9 Avondale Heights Community Precinct

File No: FOL/11/755-3
Author: Executive Manager Community Services
Directorate: Community Services
Ward: Rose Hill

Minute No: 2013/118

Council Resolution

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

1. Receive and note the progress achieved to date on the Avondale Heights Community Precinct – Vision and Master Plan.
2. Commence the statutory procedures under sections 189 and 223 of the Local Government Act 1989 ('the Act') to sell the parcel of land located at 7 Clarendon Street, Avondale Heights (also known as Avondale Heights Pre School facility), as shown on Certificate of Title Volume 8323 Folio 764 (as shown in Appendix A).
3. Consider any submissions at a Special Committee of Council, comprising Crs Cornish, Sipek and Surace to be held on Tuesday 10 December 2013 commencing at 5.30pm (if required).
4. Receive a further report following the consultation period, at the Ordinary Meeting of Council to be held on Tuesday 17 December 2013.

CARRIED

9.10 Healthy Ageing Strategy

File No: FOL/12/646

Author: Aged and Disability Policy Officer

Directorate: Community Services

Ward: Municipal

Minute No: 2013/119

Council Resolution

Moved by Cr Cusack, seconded by Cr Sipek that Council receive and note the report on the update and the key achievements of the Healthy Ageing Strategy 2012-2017.

CARRIED

Cr Surace left the meeting at 8.42pm.

9.11 Draft Moonee Valley Public Health & Wellbeing Plan 2013-2017

File No: FOL /12/106

Author: Health & Community Planning Officer

Directorate: Citizen Services & Information Management

Ward: Municipal

Minute No: 2013/120

Council Resolution

Moved by Cr Marshall, seconded by Cr Sipek that Council:

1. Endorse the draft Moonee Valley Public Health & Wellbeing Plan 2013-2017 for public consultation.
2. Receive a further report following the consultation undertaken in Point 1, at the Ordinary Meeting of Council held 24 September 2013.

CARRIED

9.12 Affordable Housing Research and Action Plan

File No: FOL/13/245

Author: Manager Community Development

Directorate: Citizen Services and Information Management

Ward: Municipal

Minute No: 2013/121

Council Resolution

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

1. Receive and note the Affordable Housing Background Research Paper as provided in Appendix A (separately circulated).
2. Adopt the accompanying Affordable Housing Action Plan 2013-14 as provided in Appendix B (separately circulated).

CARRIED

9.13 Protected Disclosure Act 2012

File No: FOL/13/465

Author: Coordinator Governance

Directorate: Corporate Services

Ward: Municipal

Minute No: 2013/122

Council Resolution

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

1. Adopt its Protected Disclosure Procedures (separately circulated as Appendix A) as established under Section 58 of the Protected Disclosure Act 2012.
2. Hereby revokes the Whistleblower Procedures.

CARRIED

Reports Considered En Bloc

Minute No: 2013/123

Council Resolution

Moved by Cr Giuliano, seconded by Cr Cornish that the recommendations contained in reports:

- 9.14 Report on Strategy Groups; and
- 9.15 Report on Assemblies of Councillors;

be adopted by Council.

CARRIED

9.14 Report on Strategy Groups

File No: FOL/12/69

Author: Manager Governance & Local Laws

Directorate: Corporate Services

Ward: Municipal

Minute No: 2013/123

Council Resolution

Moved by Cr Giuliano, seconded by Cr Cornish that Council receive and note the following confirmed Strategy Group Minutes of the Collective Strategy Group Meeting held 4 June 2013 provided as Appendix A.

CARRIED

9.15 Report on Assemblies of Councillors

File No: FOL/09/1245

Author: Manager Governance & Local Laws

Directorate: Corporate Services

Ward: Municipal

Minute No: 2013/123

Council Resolution

Moved by Cr Giuliano, seconded by Cr Cornish that Council receive and note the written records of Assembly of Councillors, provided as Appendix A, received since the last report to Council in June 2013.

CARRIED

Cr Nation left the meeting at 8.56pm and returned at 9.07pm.

10. Notices of Motion

10.1 Notice of Motion No. 2013/03

Title: East West Tunnel Link

From: Cr Nicole Marshall

Ward: Myrnong

File No: FOL/12/1445

Minute No: 2013/124

Council Resolution

Moved by Cr Marshall, seconded by Cr Cusack that Council write to the Minister for Roads, the Hon. Terry Mulder, MP requesting:

1. Details of properties within the City of Moonee Valley that may be affected by the construction and operation of the proposed East West Tunnel Link, including details of any property that may be compulsorily acquired or subject to compensation.
2. Detailed traffic modelling be provided to Council to enable it to assess the likely impact of the project on traffic in the City of Moonee Valley, particularly Flemington Road and Racecourse Road.
3. A briefing with the Chief Executive of Linking Melbourne Authority to discuss details of the proposed interchanges at the western end of the Tunnel and at Elliott Avenue, including the proposed new four lane road west of the existing Citylink structure.
4. An indication of measures which will be undertaken to mitigate the impact of this project on the residents of the City of Moonee Valley.

CARRIED

10.2 Notice of Motion No. 2013/04

Title: Opportunities to Enhance Relationships with the Indigenous Community

From: Cr Jim Cusack

Ward: Municipal

File No: FOL/12/1445

Minute No: 2013/125

Council Resolution

Moved by Cr Cusack, seconded by Cr Giuliano that Council prepare a report for the December 2013 Ordinary Council Meeting that identifies additional opportunities for the City of Moonee Valley to enhance its recognition and advance its relationship

with Indigenous Community Organisations and individual members of the Indigenous community.

CARRIED

11. Urgent Business

Nil.

12. Confidential Report

Council Resolution

Moved by Cr Nation, seconded by Cr Sipek that Council resolve to close the meeting to the public pursuant to Section 89(2) of the Local Government Act 1989 to discuss a matter which the Council considers would prejudice the Council.

CARRIED

Consideration of Confidential Report

12.1 Report on Audit Committee

Council Resolution

Moved by Cr Sipek, seconded by Cr Cusack that the meeting resume in Open Council.

CARRIED

The meeting concluded at 9.22pm.

CONFIRMED

**CR NARELLE SHARPE
CHAIRPERSON**