



City of  
**Moonee Valley**

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# **Ordinary Meeting of Council**

**Tuesday, 17 December 2013**

**Minutes**

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# Minutes of the Ordinary Meeting of Council

Tuesday, 17 December 2013 at 7.02pm  
held at the Moonee Valley Civic Centre

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## PRESENT

**Members:** Cr Jan Chantry Mayor  
Cr Nicole Marshall  
Cr Shirley Cornish  
Cr Jim Cusack  
Cr Paul Giuliano  
Cr Cam Nation  
Cr Narelle Sharpe  
Cr John Sipek

**Officers:** Mr Neville Smith Chief Executive  
Mr Bryan Lancaster Director City Works & Development  
Mr Anthony Smith Director Corporate Services  
Mr Stuart Gillespie Executive Manager Citizen Services & Information Management  
Mr Tony Ball Executive Manager Community Services  
Mr Scott Widdicombe Executive Manager Environment & Lifestyle  
Ms Yvonne Hansen Manager Governance & Local Laws

### 1. Opening

The Mayor, Cr Chantry opened the meeting and welcomed all present to the Council Meeting of Tuesday, 17 December 2013.

### 2. Apologies

An apology for non-attendance was received for Cr Andrea Surace.

### 3. Confirmation of Minutes

Moved by Cr Sipek, seconded by Cr Marshall that the Minutes of the Ordinary Meeting of Council held on Tuesday, 26 November 2013 and Special Meeting held on Tuesday, 3 December 2013 be confirmed.

**CARRIED**

### 4. Declarations of Conflict of Interest

Nil.

**5. Presentations**

**Council Resolution**

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

**CARRIED**

The Mayor, Cr Chantry announced the beneficiaries of this year's Mayoral Charity Community Race Night. The Caroline Chisholm Society and The Moonee Valley Foundation were both nominated by last years Mayor, Cr Sharpe who stepped forward and presented each group with a cheque.

**Council Resolution**

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

**CARRIED**

Cr Cornish left the meeting at 7.08pm and returned at 7.10pm.

**6. Petitions And Joint Letters**

**6.1 Parking Restrictions – Rothwell Street, Ascot Vale**

**File No.** 63/018/020

Cr Cusack tabled a petition signed by 5 residents of Rothwell Street, Ascot Vale requesting that Council modify current parking restrictions during the Royal Melbourne Show.

**6.2 Parking Restrictions – Grosvenor Street, Moonee Ponds**

**File No.** 63/007/001

Cr Marshall tabled a petition signed by 33 residents of Grosvenor Street, Moonee Ponds requesting that Council extend parking restrictions currently in place on the western side of Grosvenor Street, to include the eastern side of Grosvenor Street, Moonee Ponds.

**6.3 Operation of Business – Aberdeen Crescent, Essendon**

**File No.** PR24212

Cr Sharpe tabled a joint letter signed by 18 residents of Aberdeen Crescent, Essendon seeking that Council investigate the operation of an automotive business at a property located in Aberdeen Crescent.

*In tabling a petition or joint letter, 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.** 2013/214

**Council Resolution**

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

**CARRIED**

**9. Reports**

**9.1 East - West Link Submission to Comprehensive Impact Statement**

**File No:** FOL/12/1274

**Author:** Senior Strategic Planning Officer

**Directorate:** City Works & Development

**Ward:** Municipal

**Minute No:** 2013/215

**Council Resolution**

Moved by Cr Cusack, seconded by Cr Marshall that Council endorse the response to the East West Link Comprehensive Impact Statement as outlined in Appendix A (separately circulated).

**CARRIED**

**9.2 Flemington Neighbourhood Renewal Board Submission on the East West Link**

**File No:** FOL/11/1329

**Author:** Manager Community Development

**Directorate:** Citizen Services & Information Management

**Ward:** Myrnong

**Minute No:** 2013/216

### **Council Resolution**

Moved by Cr Marshall, seconded by Cr Cusack that Council note the Flemington Neighbourhood Renewal submission prepared in response to the East West Link Comprehensive Impact Statement, as outlined in Appendix A (separately circulated).

**CARRIED**

### **9.3 Amendment C137 to the Moonee Valley Planning Scheme (Application of the New Residential Zones)**

**File No:** FOL/13/1071  
**Author:** Senior Strategic Planner  
**Directorate:** City Works & Development  
**Ward:** Municipal  
**Minute No:** 2013/217

### **Council Resolution**

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

1. Defer consideration of this report pending a further dedicated and facilitated workshop on the Transition to the New Residential Zones and in the context of a discussion include relevant Council policies and the current Housing Strategy.
2. Hold the workshop on 20 January from 5pm, or another date in January that is suitable.
3. Request that the Chief Executive write to the Minister for Planning to request that:
  - a) Where at 1 July 2014, a Council has a planning scheme amendment process underway in relation to the implementation of the new residential zones, that the Minister allow the amendment process to be completed and not implement the default General Residential Zone pending completion of that process; or
  - b) The Minister extend the period for Councils to implement the new residential zones before applying the default General Residential Zone to December 31 2014.
4. Note that extensive community consultation will occur as part of the amendment process.

**CARRIED**

Cr Cusack left the meeting at 8.14pm and returned at 8.16pm.

**9.4 1 Willonga Street, Strathmore (Lot 2 PS 038853) -  
Construction of three dwellings**

**File No:** MV/434/2013  
**Author:** Statutory Planner  
**Directorate:** City Works & Development  
**Ward:** Buckley  
**Minute No:** 2013/218

**Council Resolution**

Moved by Cr Giuliano, seconded by Cr Sharpe that Council issue a Notice of Decision to Grant a Permit in relation to Planning Permit Application No. MV/434/2013 for the construction of three dwellings at 1 Willonga Street, Strathmore, (Lot 2 on PS 038853), subject to the following conditions:

1. Before the development starts, amended plans (three copies) must be submitted to and approved to the satisfaction of the Responsible Authority. The plans must be drawn to scale, with dimensions, and be generally in accordance with the plans submitted and assessed with the application but modified to show:
  - a) The garage associated with Dwelling 1 to have a minimum internal length of 6 metres.
  - b) Any internal alteration required as a result of Condition 1(a).
  - c) A notation on the plans that a new “No Stopping” sign is to be erected between the crossover of No. 3 Willonga Street and the proposed crossover of Dwelling 1 to the satisfaction of the Responsible Authority.
  - d) The incorporating of a single length on-street car space between the two crossovers associated with Dwellings 1 and 2.
  - e) Any fences or structures within the pedestrian visibility splay should be at least 50% visually permeable in accordance with Clause 52.06 of the Moonee Valley Planning Scheme.
  - f) The south-west portion of the balcony associated with Dwelling 1 to be screened in accordance with Clause 55.04-7 (Internal Views) of the Moonee Valley Planning Scheme.

Once approved these plans become the endorsed plans of this permit.

2. The layout of the site and the size, design and location of the buildings and works permitted must always accord with the endorsed plan and must not be altered or modified without the further written consent of the Responsible Authority.
3. Prior to the issue of an Occupancy Permit, all retaining walls and boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.

4. Floor levels shown on the endorsed plan(s) must not be altered or modified without written consent of the Responsible Authority.
5. The car parking areas and access ways as shown on the endorsed plans must be formed to such levels so that they may be used in accordance with the plan, and must be properly constructed, surfaced, drained and line-marked (where applicable). The car park area and driveways must be maintained to the satisfaction of the Responsible Authority.
6. Standard concrete vehicular crossing(s) must be constructed to suit the proposed driveway(s) in accordance with the Responsible Authority's standard specification and any vehicle crossing(s) no longer required must be removed and the land, footpath and kerb and channel replaced all to the satisfaction of the Responsible Authority. All vehicle access points must be located a minimum of 1.0 metre from any infrastructure including service pits. Alternatively, such assets may be incorporated into the crossover with the written consent of the Responsible Authority and the relevant servicing authority/agency. Subsequent works and costs in association with relocation and/or amendment must be incurred at the owner's cost, to the satisfaction of the relevant servicing authority/agency and the Responsible Authority.
7. Provision must be made for the drainage of the land including landscaped and pavement areas. The discharge of water from the land must be controlled around its limits to prevent any discharge onto any adjoining or adjacent property or streets other than by means of an underground pipe drain which is discharged to an approved legal point of discharge to the satisfaction of the Responsible Authority.
8. An on-site stormwater detention drainage system must be installed on the subject land to the satisfaction of the Responsible Authority. Prior to the commencement of building and works a drainage layout plan, together with computations and manufacturers specifications, must be prepared by a suitably qualified Civil Engineer and submitted to and approved by the Responsible Authority. Once approved by the Responsible Authority the plan must be carried out to the satisfaction of the Responsible Authority.
9. Stormwater runoff from the development shall drain via an underground system and discharge to the kerb and channel in front of the property (or whatever point nominated by engineering). If discharge to the kerb and channel via gravity is not possible, the discharge to the kerb and channel in front of the property will need to be via a dual pump system in accordance with AS3500.3.2. 1998, Section 9.
10. Prior to the issue of an Occupancy Permit, all fencing identified on the endorsed plans must be erected. The cost of such fencing must be met by the owner and carried out to the satisfaction of the Responsible Authority.
11. The development must be provided with external lighting capable of illuminating access to each garage, car parking space and pedestrian walkways. Lighting must be located, directed and shielded and of limited intensity so that no nuisance or loss of amenity is caused to any person within or beyond the site to the satisfaction of the Responsible Authority.



12. The garden areas shown on the endorsed plan and schedule must only be used as gardens and must be constructed, completed and maintained in a proper, tidy and healthy condition to the satisfaction of the Responsible Authority. Any tree or shrub damaged, removed or destroyed must be replaced by a tree or shrub of similar size and variety to the satisfaction of the Responsible Authority.
13. This permit will expire if:-
  - a) The development does not start within two (2) years of the date of issue of this permit, or
  - b) The development is not completed within four (4) years of the date of issue of this permit.

Before the permit expires or within six (6) months afterwards the owner or occupier of the land may in writing request the responsible authority to extend the expiry date.

Once the development has commenced the owner or occupier of the land may in writing request the Responsible Authority to extend the expiry date within twelve (12) months of the lapse date.

#### Permit Notes

- This is not a building permit under the Building Act. A separate building permit is required to be obtained for any demolition or building works.
- Before commencement of the development occurs, the applicant should contact the Moonee Valley City Council's Technical Services Department regarding legal point of discharge, new crossings, building over easements etc.
- All stormwater runoff from the development is to drain via an underground drainage system and discharge to the Council drainage pit in front of the site on Lebanon Street. Stormwater runoff from impervious paving is to be directed to drain to an underground drainage system.
- Suitable on site detention drainage system must be provided for the open space of all three dwellings in accordance with AS3500.
- All works within the road reserve shall be in accordance with the requirements of the Moonee Valley City Council's Technical Services Department.
- Council will not accept any modification to existing levels within the road reserve or to any ROW. Any change to natural surface levels to match existing levels above the property boundary line must be made within the property boundary.
- The owner/developer is to contact Council's Traffic and Transportation Unit to gain approval for the installation of the 'no stopping' sign and the on-street parking space. All costs associated with the installation of the 'no stopping' sign and on-street parking space is to be borne by the owner/developer.

- No on street parking permits will be provided to the occupiers of the subject site.

**CARRIED**

**9.5 125 Vine Street, Moonee Ponds (Lot 1 on TP 080946W) -  
Construction of four dwellings**

**File No:** MV/204/2013  
**Author:** Town Planner  
**Directorate:** City Works & Development  
**Ward:** Myrnong  
**Minute No:** 2013/219

**Council Resolution**

Moved by Cr Marshall, seconded by Cr Cusack that Council issue a Refusal to Grant a Permit in relation to Planning Permit No. MV/204/2013 for the construction of four dwellings at 125 Vine Street, Moonee Ponds (Lot 1 on TP 080946W), based on the following grounds:

1. The proposal would present a visually dominant and unsympathetic built form character to the area and adjoining properties contrary to Clauses 21.05 (Built Environment) and 55.02-1 (Neighbourhood Character) of the Moonee Valley Planning Scheme.
2. The proposal fails to comply with the following objectives of Clause 55 of the Moonee Valley Planning Scheme:
  - Clause 55.03-1 (Street Setback)
  - Clause 55.03-3 (Site Coverage)
  - Clause 55.04-1 (Side and Rear Setbacks)
  - Clause 55.04-2 (Walls on Boundaries)
  - Clause 55.03-8 (Landscaping)
  - Clause 55.05-6 (Storage)
3. Safety concerns raised by the rise in the number of traffic movements in the rear lane.
4. Reduced access to 123 Vine Street, Moonee Ponds.
5. Potential conflicts in access to properties in Vine & Pattison Streets.
6. Neighbourhood character.

**CARRIED**

Cr Giuliano left the meeting at 8.33pm and returned at 8.34pm.

**9.6 Diversity, Access and Equity Policy**

**File No:** FOL/13/1002  
**Author:** Manager Community Development  
**Directorate:** Citizen Services & Information Management  
**Ward:** Municipal  
**Minute No:** 2013/220

**Council Resolution**

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

1. Endorse the draft Moonee Valley Diversity, Access and Equity Policy for public comment from 28 January 2014 to 24 February 2014.
2. Note that the outcomes of this consultation will be presented to Council at its Ordinary Meeting of 25 March 2014.

**CARRIED**

Cr Giuliano left the meeting at 8.34pm.

**9.7 Farnham Street Neighbourhood Learning Centre -  
Committee of Management representation**

**File No:** FOL/13/21909/1255  
**Author:** Manager Community Development  
**Directorate:** Citizen and Information Services  
**Ward:** Myrnong  
**Minute No:** 2013/221

**Council Resolution**

Moved by Cr Marshall, seconded by Cr Cusack that Council nominate Councillor Cam Nation as an ex-officio member of the Farnham Street Neighbourhood Learning Centre Committee of Management.

**CARRIED**

Cr Giuliano returned to the meeting at 8.40pm.

**9.8 Draft Economic Development Strategy**

**File No:** FOL/12/1294  
**Author:** Manager Economic Development & City Sustainability  
**Directorate:** Environment & Lifestyle  
**Ward:** Municipal  
**Minute No:** 2013/222

**Council Resolution**

Moved by Cr Nation, seconded by Cr Cusack that Council endorse the Draft Economic Development Strategy 2014 for public consultation between Monday 3, February and Friday 7, March 2014.

**CARRIED**

**9.9 7 Clarendon Street, Avondale Heights - Proposed Sale of Land**

**File No:** FOL/13/891  
**Author:** Coordinator Property Services  
**Directorate:** Corporate Services  
**Ward:** Rose Hill  
**Minute No:** 2013/223

**Council Resolution**

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

1. Having completed all necessary statutory procedures under sections 189 and 223 of the *Local Government Act 1989* and not having received any written submissions to the proposal, resolve to sell the property known as 7 Clarendon Street, Avondale Heights and described as lots 225 and 226 on Plan of Subdivision 12001 and contained on Certificate Title Volume 8323 Folio 764 by public auction.
2. Authorise the Chief Executive to prepare the property for sale and execute all relevant contract and transfer documents on behalf of Council.

**CARRIED**

**Reports Considered En Bloc**

**Minute No:** 2013/224

**Council Resolution**

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

- 9.10 Review of Resources, Facilities and Reimbursement of Expenses to Councillors Policy
- 9.11 Report on Audit Committee
- 9.12 Report on Advisory Committees
- 9.13 Report on Assemblies of Council
- 9.14 Regional Food Kitchen

be adopted by Council.

**CARRIED**

**9.10 Review of Resources, Facilities and Reimbursement of Expenses to Councillors Policy**

**File No:** FOL/11/112  
**Author:** Manager Governance & Local Laws  
**Directorate:** Corporate Services  
**Ward:** Municipal  
**Minute No:** 2013/224

**Council Resolution**

Moved by Cr Giuliano, seconded by Cr Nation that Council adopt the revised Resources, Facilities and Reimbursement of Expenses to Councillors Policy (provided as Appendix A – separately circulated).

**CARRIED**

**9.11 Report on Audit Committee**

**File No:** FOL/09/1556  
**Author:** Manager Governance & Local Laws  
**Directorate:** Corporate Services  
**Ward:** Municipal  
**Minute No:** 2013/224

### **Council Resolution**

Moved by Cr Giuliano, seconded by Cr Nation that Council receive the unconfirmed Minutes of the Audit Committee Meeting held on 18 November 2013.

**CARRIED**

### **9.12 Report on Advisory Committees**

**File No:** FOL/12/69  
**Author:** Manager Governance & Local Laws  
**Directorate:** Corporate Services  
**Ward:** Municipal  
**Minute No:** 2013/224

### **Council Resolution**

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

1. Receive and note the following confirmed Advisory Committee Meeting Minutes, received since the last report to Council in November 2013:
  - a) Youth Advisory Committee held 5 September 2013 (Appendix A).
  - a) Moonee Valley Integrated Waterways held 20 September 2013 (Appendix B).
  - b) Arts & Culture Advisory Committee held 7 October 2013 (Appendix C).
  - c) Early Years Reference Group held 8 October 2013 (Appendix D).
  - d) Integrated Transport Committee held 21 October 2013 (Appendix E).
2. Receive and note the update on the Place Naming Committee.

**CARRIED**

### **9.13 Report on Assemblies of Council**

**File No:** FOL/09/1245  
**Author:** Manager Governance & Local Laws  
**Directorate:** Corporate Services  
**Ward:** Municipal  
**Minute No:** 2013/224

**Council Resolution**

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

**CARRIED**

**9.14 Regional Food Kitchen**

**File No:** FOL/11/888  
**Author:** Manager Aged & Disability  
**Directorate:** Community Services  
**Ward:** Municipal  
**Minute No:** 2013/224

**Council Resolution**

Moved by Cr Giuliano, seconded by Cr Nation that Council authorise the Chief Executive to purchase one additional share in the Regional Food Kitchen.

**CARRIED**

**10. Notices of Motion**

**10.1 Notice of Motion 2013/13**

**Title:** Public Transport Improvements in Avondale Heights and Keilor East  
**From:** Cr Shirley Cornish  
**Ward:** Rosehill  
**File No:** FOL/12/1445  
**Minute No:** 2013/225

**Council Resolution**

Moved by Cr Cornish, seconded Cr Marshall that Council:

1. Request the Chief Executive to prepare a report to Council outlining opportunities to improve public transport provision in Avondale Heights and Keilor East including but not limited to a discussion on the following potential options:
  - a) Extension of Tram services from the Defence site to Avondale Heights and Keilor East
  - b) Provision of public transport services across Maribyrnong River

- c) Extension of Smart Bus Service
  - d) Additional Local Bus Services
  - e) Extension of Train services
  - f) Implementation of Brimbank / Hume / Melton /Moonee Valley Bus Review
  - g) Implementation of Hobsons Bay / Maribyrnong /Moonee Valley Bus Review.
2. Receive a detailed report upon completion of the review of the Integrated Transport Plan.
  3. Develop a comprehensive public transport advocacy campaign aimed at improving public transport in Avondale Heights and East Keilor.
  4. Circulate Council's revised and endorsed Integrated Transport Plan to neighbouring affected Councils.

**CARRIED**

**11. Urgent Business**

Nil.

**12. Confidential Report**

Nil.

The meeting concluded at 8.55pm.

**CONFIRMED**

**CR JAN CHANTRY  
CHAIRPERSON**