



City of
Moonee Valley

Ordinary Meeting of Council

Tuesday, 16 December 2014

Minutes

Report Index

The following reports were considered:

9.1	1 Dudley Street, North Essendon (Lot 362 on LP8660) - Construction of seven dwellings within a design and development overlay (DDO7).....	5
9.2	32 Earl Street, Airport West (Lot 806 on LP 8376) - Construction of seven dwellings and a reduction to the visitor car parking requirement	6
9.3	6 & 8 Lamb Street, Moonee Ponds (Lot 1 TP592477 & Lot 1 444622) - Construction of a three storey building with basement parking accommodating eleven dwellings	7
9.4	1 Ascot Vale Road, Flemington - Construction of a multi storey building comprising 346 dwellings, 63 serviced apartments, food and drink premises, convenience store, medical centre (1 practitioner), a reduction in car parking and alteration to a road zone category 1 (Lot 1 on Title Plan 213153Y)	8
9.5	136 Mt Alexander Road, Travancore (Lot 1 on TP439336E) - Continuation of an existing use (office). demolition of the existing building. construction of a four storey, mixed use development (office and dwellings) in a heritage overlay and design and development overlay and a reduction in the standard car parking requirements.....	9
9.6	28-30 Young Street, Moonee Ponds (Lot 1 on TP321545C and Lot 1 on TP423800U) - Buildings and works (including a five level addition) and a reduction in car parking requirements.....	15
9.7	Planning Scheme Amendment C149 - Significant Tree Review	16
9.8	Daisy Street, Essendon - Review of Parking and Traffic Issues	17
9.9	2014-15 Capital Works and New Initiatives Status (December 2014).....	17
9.10	Housing Strategy Update	18
9.11	Sports Development Plan 2014-23	19
9.12	Moonee Valley Early Years Plan 2014-22	19
9.13	Strathmore Men's Shed	19
9.14	Lincoln Park 66-68 Lincoln Road Essendon - Expression of Interest for Community Use	20
9.15	Treadwell Road - Council Property Land Use Options.....	20
9.16	Review of Footpath Trading Policy	21
9.17	Review of Resources, Facilities and Reimbursement of Expenses to Councillors Policy.....	22
9.18	Report on Assemblies of Council	22
9.19	Report on Advisory Committees	22
9.20	Report on Audit Committee.....	23

Notices of Motion

10.1	Notice of Motion No. 2014/19	23
10.2	Notice of Motion No. 2014/20	24
10.3	Notice of Motion No. 2014/21	25
10.4	Notice of Motion No. 2014/22	26
10.5	Notice of Motion No. 2014/23	26
10.6	Notice of Motion No. 2014/24	28
10.7	Notice of Motion No. 2014/25	28

Minutes of the Ordinary Meeting of Council

Tuesday, 16 December 2014 at 7:06pm
held at the Moonee Valley Civic Centre

PRESENT

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

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

1. Opening

The Mayor, Cr Sharpe, opened the meeting and welcomed all present to the Council Meeting of Tuesday, 16 December 2014.

2. Apologies

Nil.

3. Confirmation of Minutes

Moved by Cr Surace, seconded by Cr Cusack that the Minutes of the Ordinary Meeting of Council held on Tuesday, 25 November 2014 be confirmed.

CARRIED

4. Declarations of Conflict of Interest

Nil.

5. Presentations

Cr Nation presented Council with a framed photo and certificate from the Victoria Police in appreciation of Council's commitment and support of the Victoria Police Kokoda Trek held 20 June – 30 June 2014.

6. Petitions And Joint Letters

Nil.

7. Public Question Time

Nil.

8. Reports by Mayor and Councillors

File No. FOL/14/195

Minute No. 2014/180

Council Resolution

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

CARRIED

9. Reports

9.1 1 Dudley Street, North Essendon (Lot 362 on LP8660) - Construction of seven dwellings within a Design and Development Overlay (DDO7)

File No: MV/289/2014

Author: Town Planner

Directorate: City Works & Development

Ward: Buckley

Minute No: 2014/181

Council Resolution

Moved by Cr Giuliano, seconded by Cr Chantry that Council issue a Refusal to Grant a Permit in relation to Planning Permit Application No. MV/289/2014 for the construction of seven dwellings within a Design and Development Overlay, Schedule 9 (DDO7) at 1 Dudley Street, North Essendon (Lot 362 on LP8660) on the following grounds:

1. The development would present a visually dominant and unsympathetic built form character to the area contrary to Clause 21.05 (Build Environment) of the Moonee Valley Planning Scheme.

2. The proposed development does not meet the requirements of the requirements of Clause 55 of the Moonee Valley Planning Scheme:
 - a) Clause 55.02-1 (Neighbourhood Character)
 - b) Clause 55.03-1 (Street setback)
 - c) Clause 55.03-8 (Landscaping)
 - d) Clause 55.04-6 (Overlooking)
 - e) Clause 55.05-5 (Solar access to open space).

CARRIED

9.2 32 Earl Street, Airport West (Lot 806 on LP 8376) - Construction of seven dwellings and a reduction to the visitor car parking requirement

File No: MV/232/2014
Author: Town Planner
Directorate: City Works & Development
Ward: Rose Hill
Minute No: 2014/182

Council Resolution

Moved by Cr Surace, seconded by Cr Cornish that Council issue a Refusal to Grant a Permit in relation to Planning Permit Application No. MV/232/2014 for the construction of seven dwellings and a reduction in visitor car parking requirements at No. 32 Earl Street, Airport West (Lot 806 on LP 8376), on the following grounds:

1. The development would present a visually dominant and unsympathetic built form character to the area contrary to Clause 21.05 (Built Environment) of the Moonee Valley Planning Scheme.
2. The proposed development does not meet the requirements of the following requirements of Clause 55 of the Moonee Valley Planning Scheme:
 - a) Clause 55.02-1 (Neighbourhood Character)
 - b) Clause 55.03-2 (Building Height)
 - c) Clause 55.04-1 (Side and Rear Setbacks)
3. The proposal fails to comply with Clause 52.06 (Car Parking) of the Moonee Valley Planning Scheme as the proposal fails to provide adequate visitors car parking.

CARRIED

9.3 6 & 8 Lamb Street, Moonee Ponds (Lot 1 TP592477 & Lot 1 444622) - Construction of a three storey building with basement parking accommodating eleven dwellings

File No: MV/610/2013
Author: Principal Town Planner
Directorate: City Works & Development
Ward: Myrnong
Minute No: 2014/183

Council Resolution

Moved by Cr Marshall, seconded by Cr Cusack that Council issue a Refusal to Grant a Permit in relation to Planning Permit Application No. MV/610/2013 for the construction of a three storey building with basement parking accommodating eleven dwellings at 6 and 8 Lamb Street, Moonee Ponds (Lot 1 TP592477 & Lot 1 444622) on the following grounds:

1. The development would present a visually dominant and unsympathetic built form character to the area contrary to Clause 21.05 (Built Environment) of the Moonee Valley Planning Scheme.
2. The proposed development does not meet the requirements of the following requirements of Clause 55 of the Moonee Valley Planning Scheme:
 - a) Clause 55.02-1 (Neighbourhood Character)
 - b) Clause 55.03-1 (Street Setback)
 - c) Clause 55.03-3 (Site coverage)
 - d) Clause 55.03-4 (Permeability)
 - e) Clause 55.04-1 (Side and rear setbacks)
 - f) Clause 55.04-2 (Walls on boundaries)
 - g) Clause 55.04-3 (Daylight to existing windows)
 - h) Clause 55.04-4 (North-facing windows)
 - i) Clause 55.05-4 (Private open space)
 - j) Clause 55.05-5 (Solar access to open space).

CARRIED

Cr Surace left the meeting at 8.18pm and returned at 8.21pm.

- 9.4** **1 Ascot Vale Road, Flemington - Construction of a multi storey building comprising 346 dwellings, 63 serviced apartments, food and drink premises, convenience store, medical centre (1 practitioner), a reduction in car parking and alteration to a Road Zone Category 1 (Lot 1 on Title Plan 213153Y)**

File No: MV/19743/2008
Author: Principal Town Planner
Directorate: Strategic & Statutory Planning
Ward: City Works & Development
Minute No: 2014/184

Council Resolution

Moved by Cr Cusack, seconded by Cr Nation that Council resolves to advise the Victorian Civil and Administrative Tribunal (VCAT) and other parties to the application, that it does not support the Section 87A application to amend Planning Permit Application No. MV/19743/2008 for the 1 Ascot Vale Road, Flemington - Construction of a multi storey building comprising 346 dwellings, 63 serviced apartments, food and drink premises, convenience store, medical centre (1 practitioner), a reduction in car parking and alteration to a Road Zone Category 1 at 1 Ascot Vale Road, Flemington on the following grounds:

1. The parking allocation and traffic generation fails to adequately satisfy the provisions of Clause 52.06 (Car Parking) of the Moonee Valley Planning Scheme.
2. The amended layout provides insufficient detail on how pedestrian access across Ascot Vale Road will be achieved.
3. The amended design fails to provide adequate levels of internal amenity for a number of the proposed apartments as required by the Residential Development of Four or More Storeys Policy at Clause 22.01 of the Moonee Valley Planning Scheme, with many apartments having balconies of inadequate size, proportion and orientation, and many living areas having poor access to natural sunlight.

CARRIED

- 9.5** **136 Mt Alexander Road, Travancore (Lot 1 on TP439336E) - Continuation of an existing use (Office). Demolition of the existing building. Construction of a four storey, mixed use development (office and dwellings) in a Heritage Overlay and Design and Development Overlay and a reduction in the standard car parking requirements.**

File No: MV/321/2014
Author: Principal Town Planner
Directorate: City Works & Development
Ward: Myrnong
Minute No: 2014/185

Council Resolution

Moved by Cr Nation, seconded by Cr Cusack that Council issue a Notice of Decision to Grant a Permit in relation to Planning Permit Application No. MV/321/2014 for the continuation of an existing use (Office), demolition of the existing building, construction of a four storey, mixed use development (office and dwellings) in a Heritage Overlay and Design and Development Overlay and a reduction in the standard car parking requirements at 136 Mt Alexander Road, Travancore (Lot 1 on TP439336E), subject to the following conditions:

1. Before the use and development starts, amended plans (three copies) must be submitted 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) A fence with a minimum height of 1.8m from Natural Ground Level to be erected along the boundary with 138 Mt Alexander Road.
 - b) A fence with a minimum height of 2.5m from Natural Ground Level, measured from within the site to be erected along the northern boundary with 9 Flemington Street.
 - c) The boundary wall located along the northern boundary with 9 Flemington Street to be finished in a soft green or beige colour, to the satisfaction of the Responsible Authority.
 - d) The provision of pedestrian visibility splays in accordance with Clause 52.06 (Car Parking) of the Moonee Valley Planning Scheme.
 - e) The front boundary of 9 Flemington Street to be correctly reflected.
 - f) All screening devices to comply with Clause 55.04-6 (Overlooking) of the Moonee Valley Planning Scheme, such a notation to be placed on the plans.
 - g) All screening devices to be glare resistant, such a notation to be placed on the plans.

- h) The removal of the 1 in 8 grade footpath along Flemington Street.
- i) The extent of the Tree Protection Zones as indicated within the arboriculture assessment and root investigation reports prepared by Tree Logic, dated 20 May 2014 and 8 July 2014.
- j) The gas booster to be relocated away from the boundary with 9 Flemington Street.
- k) The gate access to the bin store area to be setback a minimum of 1m from the property boundary.
- l) The extent of the roof catchment area/s that is/are nominated in the STORM report must be graphically shown on the drawings, and must note which WSUD treatment measure each area connects to.
- m) The size and location of any rainwater tank on the plans and elevations. Provide a note outlining the roof catchment area being collected by each rainwater tank and note connection to the number of toilets, as per the STORM report.
- n) Any alterations as a result of condition 22.

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 boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
- 4. The materials, colours, decoration and/or finishes to be applied to the exterior of the building or works as described on the drawings or schedules endorsed to this permit must not be altered without the consent of the Responsible Authority.
- 5. Service units, including air conditioning units, must not be located on any of the balconies or terrace areas unless appropriately visually and acoustically screened to the satisfaction of the Responsible Authority.
- 6. Within a minimum 30 days prior to any building or works commencing, a Construction and Site Management Plan (CSMP) must be submitted to and be approved by the responsible authority detailing the construction activity proposed and the site and environmental management methods to be used. The plan must include, but not be limited to:
 - a) Hours of construction;
 - b) Parking and traffic movement of all workers vehicles and construction vehicles;
 - c) Scaffolding and hoarding for the site;
 - d) Allocated areas for loading and unloading;
 - e) Site evacuation plan and procedure;
 - f) Occupational health and safety policy;
 - g) Hazard identification and control;

- h) Environmental management and waste minimisation;
- i) Management of onsite stormwater and contamination: a statement or report outlining all construction measures to be taken to prevent litter, sediments and pollution from entering the stormwater systems;
- j) Protection of surrounding roads from site contamination and damage including rumble grid and or wash down bay facility;
- k) Chemical storage;
- l) Noise and vibration;
- m) Risk assessment;
- n) Works timetable; and
- o) Number of workers expected of work on the site at any one time.

Once submitted and approved the works detailed by the Construction and Site Management Plan must be carried out to the satisfaction of the responsible authority.

- 7. Floor levels shown on the endorsed plan(s) must not be altered or modified without written consent of the Responsible Authority.
- 8. The privacy screens as shown on the endorsed plans must be installed prior to the occupation of the building.
- 9. All piping and ducting, excepting for gutters and rainwater downpipes, above the ground floor storey of the building must be concealed to the satisfaction of the Responsible Authority.
- 10. The use hereby permitted must not commence until not less than 26 car parking spaces have been provided to the satisfaction of the Responsible Authority.
- 11. Prior to the commencement of buildings and works, the Owner must enter into an Agreement under Section 173 of the Planning and Environment Act 1987 satisfactory to the Responsible Authority. That agreement must be registered on the title to the land, be free of cost to the Responsible Authority (by the Owner paying the costs and expense of negotiation, preparation, execution and registration of the Agreement and the Section 181 Application) and include provisions that:
 - a) The dwellings approved under Planning Permit MV/321/2014 shall be used only for the provision of specialised aged care housing for the elderly, homeless and those at risk of homelessness unless otherwise agreed to in writing by Moonee Valley City Council.
 - b) Should the dwellings approved under Planning Permit MV/321/2014 be sold or leased as private dwelling houses sufficient car parking is to be provided to the satisfaction of Moonee Valley City Council.
- 12. The area set aside for the parking of vehicles, together with the associated access lanes as delineated on the endorsed plan(s) must be to the satisfaction of the Responsible Authority:
 - a) Be provided and completed prior to the commencement of the use hereby permitted;

- b) Thereafter be maintained;
 - c) Be made available for such use at all times and not used for any other purpose;
 - d) Be properly formed to such levels that it can be used in accordance with the endorsed plan;
 - e) Be drained and sealed with an all weather seal coat.
13. 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.
14. 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.
15. All stormwater runoff from the proposed roof area, must be harvested via rainwater tank(s) and reused for the building's facilities (toilets, irrigation etc.). All stormwater overflow from the rainwater tank(s) must drain via an underground drainage system and discharge to an approved legal point of discharge to the satisfaction of the Responsible Authority.
16. A maximum 30 days following completion of the building or works, a WSUD Maintenance Program must be submitted to and approved by the Responsible Authority which sets out future operational and maintenance arrangements for all WSUD measures. The program must include, but is not limited to:
- inspection frequency
 - cleanout procedures
 - as installed design details/diagrams including a sketch of how the system operates
 - a report confirming completion and commissioning of all WSUD Response initiatives by the author of the WSUD Response and STORM or MUSIC model approved pursuant to this permit, or similarly qualified person or company. This report must be to the satisfaction of the Responsible Authority and must confirm that all initiatives specified in the WSUD Response and STORM or MUSIC model have been completed and implemented in accordance with the approved report.

The WSUD Maintenance Program may form part of a broader Maintenance Program that covers other aspects of maintenance such as a Builder' User's Guide or a Building Maintenance Guide.

17. Prior to the issue of an Occupancy Permit, all boundary fencing must be erected as per the endorsed plans. The cost of such fencing must be met by the owner and carried out to the satisfaction of the Responsible Authority.
18. To the satisfaction of the Responsible Authority all external lights must be of a limited intensity to ensure no nuisance is caused to and adjoining or nearby residents and must be provided with approved baffles, so that no direct light is emitted outside the site.
19. The recommendations and actions contained within the arboriculture assessment and root investigation report prepared by Tree Logic, dated 20 May 2014 and 8 July 2014 must be implemented to the satisfaction of the Responsible Authority.
20. Before the development starts, or any trees or vegetation removed, an amended landscape plan (three copies) prepared by a suitably qualified person or firm shall 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 with the application but modified to show:
 - a) Plans to accord with Condition 1 of this permit.
 - b) The *Chamaedorea Seifrizii* located within the communal terrace to be replaced with an alternative species which is capable of reaching a height of approximately 5m and will not produce toxic fruit to the satisfaction of the Responsible Authority.
 - c) The *Murraya Paniculata* located along the Level 1 north elevation to be replaced with taller growing screen planting which preferably does not require clipping to the satisfaction of the Responsible Authority.
 - d) All landscaping along the northern boundary to be a species which will reduce foliage dropping onto the adjoining property at 9 Flemington Street.

Once approved these plans become the endorsed plans of this permit. Landscaping in accordance with this approved plan and schedule shall be completed before the building is occupied.

21. The approved Waste Management Plan shall be implemented to the satisfaction of the Responsible Authority.
22. Before the development commences a Sustainability Management Plan (SMP) including STEPS assessment that outlines proposed design initiatives must be submitted to and approved by the Responsible Authority. Upon approval, the SMP will be endorsed as part of this planning permit and the development must incorporate the sustainable design initiatives outlined in the endorsed SMP to the satisfaction of the Responsible Authority.
23. Prior to the occupation of any buildings and works approved under this permit, a report from the author of the Sustainability Management Plan, approved pursuant to this permit, or similarly qualified person or company,

must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm that all measures specified in the Sustainability Management Plan have been implemented in accordance within the approved documentation.

24. The office use must operate only between the hours of:
- a) Monday to Friday and public holidays: 7 am to 7 pm;
 - b) Saturday and Sunday: 8 am to 5 pm;
- unless these hours are varied with the written consent of the Responsible Authority.
25. The amenity of the area must not be detrimentally affected by the use of land as an office, through:
- a) Transportation of materials, goods or commodities to or from the land;
 - b) Appearance of any building, works or materials;
 - c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot ash, dust, waste water, waste produces, grit or oil;
 - d) Presence of vermin;
 - e) or in any other way;
- to the satisfaction of the Responsible Authority.
26. The use of the land as an office must not occupy a floor area exceeding 863.49m², without the written consent of the Responsible Authority.
27. This permit will expire if one of the following circumstances applies:
- a) the development is not commenced within two (2) years from the date of issue of this permit; or
 - b) the development is not completed and the use is not commenced within four (4) years from 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.
- This property is located within a Heritage Overlay control area. Planning permission is required for any additional works to the site in accordance with Clause 43.01 of the Moonee Planning Scheme.

- A permit must be obtained from Council for all vehicular crossings.
- No on street parking permits will be provided to the occupiers of the subject site.
- Owners of properties may be asked to pay an inspection fee and provide a bond to ensure that Council assets in the vicinity of their works are not damaged during construction.
- All drainage works undertaken must be in accordance with the requirements of stormwater drainage requirements for development works) as prepared by the Moonee Valley City Council.
- This permit does not authorise any advertising signs except those which are exempted by the Moonee Valley Planning Scheme.

CARRIED

9.6 28-30 Young Street, Moonee Ponds (Lot 1 on TP321545C and Lot 1 on TP423800U) - Buildings and Works (including a five level addition) and a reduction in car parking requirements.

File No: MV/344/2014
Author: Manager Strategic & Statutory Planning
Directorate: City Works & Development
Ward: Buckley
Minute No: 2014/186

Council Resolution

Moved by Cr Marshall, seconded by Cr Cusack that Council refuse to grant a Permit in relation to Planning Permit Application No. MV/344/2014 for buildings and works (including a five level addition) and a reduction in car parking requirements at 28-30 Young Street, Moonee Ponds (Lot 1 on TP 321545C and Lot 1 on TP 423800U), based on the following grounds.

1. The proposal fails to meet the objectives and strategies of the State Planning Policy Framework Clause 18.02-5 carparking.
2. The proposal fails to meet the Local Planning Policy Framework objectives and strategies as relates to carparking contained within Clause 21.06 of the Moonee Valley Planning Scheme for the Moonee Ponds Priority Activity Centre.
3. The proposal fails to provide sufficient car parking as required under Clause 52.06 (Car Parking) of the Moonee Valley Planning Scheme and would exacerbate parking problems in the surrounding area.
4. The proposal will set an unwanted precedent for future residential developments as it requires a 100% reduction in car parking for both the residential and visitor component of the development.

5. The proposal fails to meet the following design standards contained within Clause 52.34 (Bicycle Facilities) of the Moonee Valley Planning Scheme.

CARRIED

Cr Giuliano left the meeting at 8.52pm and returned at 8.55pm.

9.7 Planning Scheme Amendment C149 - Significant Tree Review

File No: FOL/14/722

Author: Strategic Planner

Directorate: City Works & Development

Ward: Municipal

Minute No: 2014/187

Council Resolution

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

1. In accordance with Section 8A(3) of the Planning and Environment Act 1987, seek authorisation from the Minister for Planning to prepare and exhibit Planning Scheme Amendment C149 – Significant Tree Review, which includes the following:
 - Update the Moonee Valley Significant Tree Register Review 2013 to reflect the additional inclusions recommended in this report.
 - Apply the Environmental Significance Overlay to the additional trees identified in this report.
 - Delete the Environmental Significance Overlay from areas where significant trees have been removed.
2. Subject to obtaining authorisation from the Minister for Planning, exhibit Moonee Valley Planning Scheme Amendment C149 in accordance with Section 19 of the Planning and Environment Act 1987.
3. Refer submissions which request changes to the amendment, and are not resolved, to an independent Planning Panel in accordance with Section 23(1) (b) of the Planning and Environment Act 1987.

CARRIED

9.8 Daisy Street, Essendon - Review of Parking and Traffic Issues

File No: 63/004/002
Author: Senior Traffic Engineer
Directorate: City Works & Development
Ward: Buckley
Minute No: 2014/188

Council Resolution

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

1. Note the community feedback received in response to the revised parking proposal for Daisy Street, between Miller Street and Florence Street.
2. Adopt the further revised parking arrangements in Daisy Street, Essendon between Miller Street and Florence Street, as presented in Appendix C.
3. Undertake consultation with Daisy Street residents between Miller Street and Florence Street regarding the proposal to install road humps in Daisy Street, as presented in Appendix D.
4. Note that should support be received for the proposal to install road humps in Daisy Street, it will be incorporated into the adopted Traffic Management Plan for the St Therese's Local Area Traffic Management Study and referred to future Capital Works Budgets for funding consideration.
5. Advise all residents and property owners fronting and abutting Daisy Street between Miller Street and Florence Street of the outcome of this report.

CARRIED

9.9 2014-15 Capital Works and New Initiatives Status (December 2014)

File No: FOL/13/877
Author: Manager Infrastructure
Directorate: City Works & Development
Ward: Municipal
Minute No: 2014/189

Council Resolution

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

1. Approve the 2014-15 Capital Works Budget Revision – December 2014 as outlined in Appendix B and Appendix C.

2. Note the status the new initiatives adopted within the 2014-15 budget as outlined in Appendix D.

CARRIED

9.10 Housing Strategy Update

File No: FOL/14/678
Author: Senior Strategic Planning Officer
Directorate: City Works & Development
Ward: Municipal
Minute No: 2014/190

Council Resolution

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

1. Endorse the process as outlined in **Appendix A** to develop the Housing Strategy.
2. Proceed with the preparation of a revised Housing Strategy and any future planning scheme amendment to introduce the three residential zones on the following basis:
 - a) The Housing Strategy must be informed by a housing capacity analysis.
 - b) The Housing Strategy must spatially show where future housing growth should occur across the municipality, including areas of low, moderate and high housing change in residential areas. The Housing Strategy must be based on adopted policies at both a state and local level, as well existing overlays (or those awaiting approval) and taking into account Practice Note 78 (Applying the Residential Zones).
 - c) The Housing Strategy must encourage a variety of housing types to meet current and future community needs including detached dwellings, units, townhouses and apartments in suitable locations.
 - d) Any adopted new Housing Strategy will be used to inform any subsequent application of the residential zones.
3. Include a reference in the new Housing Strategy that the Strategy will be reviewed following any significant relevant planning policy change at a State or Federal Government level noting that any review will be dependent on provision of resources and budget.
4. To consult on a draft housing issues and opportunities paper in early 2015, following a Council workshop.

CARRIED

9.11 Sports Development Plan 2014-23

File No: FOL/12/846
Author: Coordinator Sport & Recreation
Directorate: Environment & Lifestyle
Ward: Municipal
Minute No: 2014/191

Council Resolution

Moved by Cr Sipek, seconded by Cr Nation that Council adopt the Sports Development Plan 2014-23.

CARRIED

9.12 Moonee Valley Early Years Plan 2014-22

File No: FOL/14/449
Author: Coordinator Family & Children Services Planning
Directorate: Community Services
Ward: Municipal
Minute No: 2014/192

Council Resolution

Moved by Cr Marshall, seconded by Cr Sipek that Council adopt the Moonee Valley Early Years Plan 2014-22.

CARRIED

9.13 Strathmore Men's Shed

File No: FOL/14/757
Author: Manager Aged & Disability
Directorate: Community Services
Ward: Buckley
Minute No: 2014/193

Council Resolution

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

1. Allocate a portion of underutilised land at Nursery Corner site, 144A Mascoma St, Strathmore for the development of a community men's shed.

2. Allocate an additional budget of \$135,000 for the establishment and construction of a community operated men's shed subject to latent conditions and all building requirements.

CARRIED

9.14 Lincoln Park 66-68 Lincoln Road Essendon - Expression of Interest for Community Use

File No: PR22337
Author: Coordinator Property Services
Directorate: Corporate Services
Ward: Buckley
Minute No: 2014/194

Council Resolution

Moved by Cr Giuliano, seconded by Cr Chantry that Council invite expressions of interest from community organisations and commercial operators for the provision of community use activities at Lincoln Park, in accordance with the Expressions of Interest Brief at Appendix A.

CARRIED

9.15 Treadwell Road - Council Property Land Use Options

File No: PR 45583 & 11/363632
Author: Manager Building, Health & Property Services
Directorate: Corporate Services
Ward: Buckley Ward
Minute No: 2014/195

Council Resolution

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

1. Explore the possibility to use existing dwelling for community purposes if feasible.
2. Make a planning permit application for a planning permit to consolidate the titles of 1-5 Treadwell Road, Niddrie.
3. Seek a rezoning of the combined site to ensure an appropriate zoning applies to the site at 1-5 Treadwell Road, Niddrie.
4. If the application for rezoning is successful then it can be used as a car park until further plans or the possibility of a library or other public use are explored.

5. Require a minimum of 68 public car parks to be retained for public use in any future development of the combined allotment.

Division Called

A Division was called and voting was as follows:

For: Crs Surace, Sipek, Nation, Giuliano and Sharpe.

Against: Crs Marshall, Cusack, Cornish and Chantry.

CARRIED

Cr Sipek left the meeting at 10.22 and returned at 10.25pm

9.16 Review of Footpath Trading Policy

File No: FOL/14/709

Author: Coordinator Economic Development

Directorate: Corporate Services

Ward: Municipal

Minute No: 2014/196

Council Resolution

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

1. Endorse the draft Footpath Trading Policy for the purposes of consulting with and seeking feedback from Trader Associations, business operators and other members of the community from Monday, 16 February to Friday, 13 March 2015.
2. Receive a further report and final draft of the policy, upon completion of the consultation period with any key stakeholders and other interested persons.

CARRIED

Reports Considered En Bloc

Minute No: 2014/197

Council Resolution

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

- 9.17 Review of Resources, Facilities and Reimbursement of Expenses to Councillors Policy
- 9.18 Report on Assemblies of Council
- 9.19 Report on Advisory Committees
- 9.20 Report on Audit Committee

CARRIED

9.17 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: 2014/197

Council Resolution

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

CARRIED

9.18 Report on Assemblies of Council

File No: FOL/09/1245

Author: Manager Governance & Local Laws

Directorate: Corporate Services

Ward: Municipal

Minute No: 2014/197

Council Resolution

Moved by Cr Surace, 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 November 2014.

CARRIED

9.19 Report on Advisory Committees

File No: FOL/14/202

Author: Manager Governance & Local Laws

Directorate: Corporate Services

Ward: Municipal

Minute No: 2014/197

Council Resolution

Moved by Cr Surace, seconded by Cr Cornish that Council receive and note the following confirmed Advisory Committee Meeting Minutes, received since the last report to Council in November 2014:

- a) Disability Reference Group held 23 June 2014 (Appendix A);
- b) Arts and Culture Advisory Committee held 1 September 2014 (Appendix B);
- c) Integrated Waterways Advisory Committee held 19 September 2014 (Appendix C);
- d) Disability Reference Group held 29 September 2014 (Appendix D); and
- e) Integrated Transport Committee held 20 October 2014 (Appendix E).

CARRIED

9.20 Report on Audit Committee

File No: FOL/09/1556

Author: Manager Governance & Local Laws

Directorate: Corporate Services

Ward: Municipal

Minute No: 2014/197

Council Resolution

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

1. Receive the unconfirmed Minutes of the Audit Committee Meeting held on 17 November 2014.
2. Adopt the Risk Management Policy (provided as Appendix B – separately circulated).

CARRIED

10. Notices of Motion

10.1 Notice of Motion No. 2014/19

Title: Interim Heritage Protection for 80-82 Richardson Street, Essendon

From: Cr Jan Chantry

Ward: Buckley

File No: FOL/14/204

Minute No: 2014/198

Council Resolution

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

1. Write to the Minister for Planning requesting interim and permanent heritage controls for properties at 80 and 82 Richardson Street, Essendon, in accordance with Section 20(4) of the *Planning and Environment Act 1987*.
2. Give a high priority to listing these two properties in the current Heritage Gap Study or future heritage studies for further analysis due to the significance of these historical homes.
3. Write to the Federal Member for Maribyrnong, the Hon. Mr Bill Shorten MP, and the State Member for Essendon, Mr Danny Pearson MP, seeking the protection of these two properties from demolition and the destruction of neighbourhood character in this area.
4. Inform the community that Council is endeavouring to protect these two significant properties by seeking to implement possible protection measures.

CARRIED

Cr Cornish left the meeting at 10.31pm.

10.2 Notice of Motion No. 2014/20

Title: ANZAC Centenary Committee

From: Cr Jim Cusack

Ward: Municipal

File No: FOL/14/204

Minute No: 2014/199

Council Resolution

Moved by Cr Cusack, seconded by Cr Sipek that Council

1. Requests that the Chief Executive prepares a report for the Ordinary Meeting of Council to be held 27 January 2015, which outlines the progress of ANZAC Centenary Community Co-ordinating Committee to date.
2. Allocates \$30,000 from the current 2014/15 budget to:
 - a) Develop promotional products (hardcopy, electronic & social media) to communicate ANZAC commemoration to Moonee Valley residents and also advertise specific events in 2015;
 - b) Develop written/electronic materials for specific commemorative events;
 - c) Facilitate specific Council commemorative activities;
 - d) Undertake joint Council and community projects; and
 - e) Offset costs to Council business units (including if necessary hiring a project worker/consultant).

CARRIED

10.3 Notice of Motion No. 2014/21

Title: Buckley Street Level Crossing & Essendon Junction Grade Separation

From: Cr Cam Nation

Ward: Municipal

File No: FOL/14/204

Minute No: 2014/200

Council Resolution

Moved by Cr Nation seconded by Cr Marshall that Council write to The Honourable Daniel Andrews, Premier of Victoria, The Honourable Jacinta Allan, Minister for Public Transport, The Honourable Luke Donnellan, Minister for Roads and Road Safety, Mr Danny Pearson, Member for Essendon, and Mr Ben Carroll, Member for Niddrie, to:

1. Ascertain the following specifics in regards to their pledge during the Victorian State Election of 2014 to “fix the Buckley Street Level crossing”:
 - a) A finite timeline in regards to the planning, construction, and completion of the Buckley Street grade separation;
 - b) The priority placed on the Buckley Street grade separation within the list of fifty level crossings earmarked for removal as part of the Project 10,000 plan;
 - c) Design specifics, in particular whether a rail-under-road alignment is favoured over a road-under-rail alignment;
 - d) Details of any traffic and public transport route management implications that may occur during the construction phase of the grade separation, and any proposed measures to lessen the impact on Moonee Valley residents; and
 - e) Any cost implications that may be borne by Moonee Valley City Council as part of the project.
2. Provide them with a copy of with Moonee Valley City Council’s Essendon Junction Grade Separation Feasibility Study, endorsed by Council on 27 May 2014, noting in particular:
 - a) Council’s preferred option of a rail-under-road alignment;
 - b) Council’s preliminary project costings of approximately \$186 million; and
 - c) Council’s ongoing progress with the Essendon Junction Activity Centre Structure Plan.

CARRIED

10.4 Notice of Motion No. 2014/22

Title: Residential Zones

From: Cr Cam Nation

Ward: Municipal

File No: FOL/14/204

Minute No: 2014/201

Council Resolution

Moved by Cr Nation, seconded by Cr Sipek that Council write to the Honourable Premier of Victoria, Daniel Andrews, the Honourable Richard Wynne, Planning Minister, Mr Danny Pearson, Member for Essendon, and Mr Ben Carroll, Member for Niddrie, requesting information pertaining to the newly elected State Government's pledge during the Victorian State Election of 2014 to 'apply Moonee Valley City Council's residential zones plan, while a widespread review of the system was undertaken', and in particular:

1. When a proposal as outlined in Amendment C137 to the Moonee Valley Planning Scheme – Application of New Residential Zones, endorsed by Council at its meeting on 25 February 2014, will be implemented in place of the current General Residential Zone which was applied across the municipality by the former State Government on 1st July 2014;
2. The process and timeframe of gazetting such changes;
3. The procedures for notifying residents who will be effected by the change; and
4. Any further information regarding the proposed wide-spread review of the state's Residential Zones, and any potential cost implications to Council.

CARRIED

10.5 Notice of Motion No. 2014/23

Title: Tullamarine Freeway Widening

From: Cr Jim Cusack

Ward: Municipal

File No: FOL/14/204

Minute: 2014/202

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

1. Write to the Hon. Jacinta Allan, Minister for Public Transport, and the Hon. Luke Donnellan, Minister for Roads and Road Safety, seeking clarification as to the status of the Tullamarine Freeway widening project and to express Council's strong opinion that this project should not proceed to the detriment of improved alternative transport to the airport, that is, bus in the short term and a future rail service.

2. Request the Chief Executive to prepare a report to be presented at the Ordinary Meeting of Council to be held 24 February 2015 in relation to the Tullamarine Freeway widening project that:
- a) Outlines Council's previous and planned discussions with the responsible government officers, project managers and contractors in respect of the timeframe for construction and modifications suggested by Moonee Valley City Council to the design and location of the project.
 - b) Outlines a communication strategy to inform Moonee Valley residents.
 - c) Identifies potential issues which may impact upon the amenity, social, health, economic and environmental wellbeing of Moonee Valley residents and mitigation options for these to be addressed particularly in relation to and not limited to:
 - i) any call on Moonee Valley City Council resources such as land or facilities during and post construction;
 - ii) increases in traffic movement (rat running) during and post construction;
 - iii) immediate and ongoing health effects due to noise and dust on residents, Strathmore Secondary College and other affected parties in proximity of the freeway during construction and post construction;
 - iv) additional and ongoing costs Moonee Valley City Council may incur due to increased traffic flow and its management in arterial and local roads with the municipality;
 - v) impact on the environment especially in relation to open space, Moonee Ponds Creek, cycle paths and sport and recreation facilities in proximity of the freeway; and
 - vi) potential land acquisitions, if any.
 - d) Reports on previous or planned discussions held with the City of Melbourne, City of Moreland or City of Hume in respect of this project.
 - e) Provides clarification of the agreement the previous government made to increase and extend the period tolls to be charged on the Tullamarine Freeway as a result of this project.

CARRIED

Cr Surace left the meeting at 10.57pm.

10.6 Notice of Motion No. 2014/24

Title: Status of Projects Delayed by Proposed East West Link

From: Cr Jim Cusack

Ward: Municipal

File No: FOL/14/204

Minute No: 2014/203

Council Resolution

Moved by Cr Cusack, seconded by Cr Marshall that Council request the Chief Executive to prepare a report to be presented at the Ordinary Meeting of Council to be held 27 January 2015, that:

1. Identifies all Myrnong Ward based projects postponed due to the previous Government's decision to pursue development of the East West Link.
2. Includes at a minimum:
 - a) details of these projects;
 - b) a status report;
 - c) Council's previous commitments to progress these projects including budget allocations;
 - d) revised timeline (indicative) for roll out; and
 - e) consideration within the 2015/16 budget.

CARRIED

10.7 Notice of Motion No. 2014/25

Title: Avondale Heights Reserve Mobile Stadium Seating

From: Cr John Sipek

Ward: Rose Hill

File No: FOL/14/204

Minute No: 2014/204

Moved by Cr Sipek, seconded by Cr Nation that Council allocate \$30,000 to the capital works program for Avondale Heights Reserve (Doyle Street) for the purpose of purchasing mobile stadium seating, required as a result of the Avondale Heights Soccer Club being promoted to the National Premier League, Division 1.

CARRIED

Cr Surace returned to the meeting here.

12. Urgent Business

Nil.

12. Confidential Reports

Nil.

The meeting concluded at 11.00pm.

CONFIRMED

**CR NARELLE SHARPE
CHAIRPERSON**