



City of  
**Moonee Valley**

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# **Ordinary Meeting of Council**

**Tuesday, 25 February 2014**

**Minutes**

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The following reports were considered:

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# Minutes of the Ordinary Meeting of Council

Tuesday, 25 February 2014 at 7:03pm  
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 Mark Hammett Acting Executive Manager Environment & Lifestyle  
Mr Henry Bezuidenhout Manager Strategic & Statutory Planning  
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, 25 February 2014.

### 2. Apologies

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

#### Leave of Absence

Moved by Cr Sipek, seconded by Cr Sharpe that Council grant Cr Paul Giuliano Leave of Absence for all formal meetings during the period 26 February to 9 April 2014 inclusive.

**CARRIED**

### 3. Confirmation of Minutes

Moved by Cr Marshall, seconded by Cr Cusack that the Minutes of the Ordinary Meeting of Council held on Tuesday, 28 January 2014 be confirmed.

**CARRIED**

**4. Declarations of Conflict of Interest**

Bryan Lancaster declared a conflict of interest in Item 9.7 due to an indirect interest because of a residential amenity. He owns a property within the vicinity of the study area.

**5. Presentations**

Nil.

**6. Petitions And Joint Letters**

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

**File No.** FOL/14/200

Cr Cusack tabled a petition signed by 95 individuals requesting that Council review the many different parking restrictions along Roxburgh Street and return the previous regime of parking restrictions; and be less restrictive with granting resident and visitor parking permits.

**6.2 Draft Thematic Heritage Places Study**

**File No.** FOL/14/200

Cr Sharpe tabled a joint letter signed by 84 individuals requesting that Council does not proceed with the proposed precinct Heritage Overlay comprising 1-21 Arthur Street and 2-22 Caroline Street, Aberfeldie.

*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.*

Cr Sipek tabled a letter seeking the removal of 2 street trees affecting Mallinson Court, Airport West.

**7. Public Question Time**

Mr Andrew Gunter of West Essendon raised the following question:

In relation to the tree-removal, car-park construction and landscaping works under Planning permit MV/479/2013, which have just started-

1. Does Council propose any works and /or landscaping on the public land (road reserve) fenced in with St Bernard's College's land at the corner of the Hampton Road and Buckley Street road reserves;
2. If Council plans any landscaping or other works (itself, or by anyone else) on the public road reserve either together with or following the private works on the College's land, are there any timelines or other details regarding the works proposed; and

3. Now that a number of mature trees have been removed under the permit, does Council have a schedule for replacing the 15 damaged or removed street trees on the west side of Hampton Road, planted in 2011 opposite Ruby Street and 57 – 63 Hampton Road, and to secure them against casual damage?

The Chief Executive informed Mr Gunter that:

1. Planning Permit MV/479/2013 does not authorise the removal of any trees outside of the subject site's Title Boundaries. Council has no works proposed on the public land (road reserve) fenced in with St.Bernard's College land. (This land, currently occupied by the College is subject to a proposed sale of land to the College. This needs to occur through a public process.) Formal approval is required from Council to remove any trees on Council's Land. If trees are or have been removed unlawfully this will be an enforcement matter;
2. There is nothing proposed on this land at present; and
3. Appropriate replacement landscaping in accordance with an approved landscape plan is to be carried out on the land at St.Bernard's College. Council has no plans to replace trees along Ruby Street at present and this is not related to the approved works at St.Bernard's College.

## **8. Reports By Mayor And Councillors**

**File No.** FOL/12/1435

**Minute No.** 2014/12

### **Council Resolution**

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

**CARRIED**

## 9. Reports

- 9.1 **249 - 253 Union Road, Moonee Ponds (Lot 1 on TP245861P & Lot 1 on TP345866V) - Construction of a three storey building comprising eight dwellings and a reduction in car parking requirements.**

**File No:** MV/138/2013  
**Author:** Senior Town Planner  
**Directorate:** City Works & Development  
**Ward:** Myrnong  
**Minute No:** 2014/13

### **Council Resolution**

Moved by Cr Nation, seconded by Cr Cusack that with respect to an Application for Review against Council's Refusal to Grant a Permit, Council resolves to advise the Victorian Civil and Administrative Tribunal (VCAT) and other parties to the application, that the substituted plans prepared by Achieve Design Group all Job No:13/3115 and comprising: S1 - S3 and P1 - P10, Dated 24/01/2014, fail to address the previous Grounds of Refusal in relation to Planning Application MV/138/2013 for the Construction of a three storey building comprising seven units and a reduction in car parking requirements at 249-253 Union Road, Moonee Ponds. It is recommended that VCAT refuse the application on the following grounds:

1. The development would present a visually dominant and unsympathetic built form character to the area contrary to Clauses 55.02-1 (Neighbourhood Character) and 21.05-3 (Objectives and Strategies – Urban Design) of the Moonee Valley Planning Scheme.
2. The development does not comply with the following provisions of Clause 55 (ResCode) of the Moonee Valley Planning Scheme:
  - a) Clause 55.03-1 - Street Setback
  - b) Clause 55.04-1 - Side and Rear Setbacks
  - c) Clause 55.04-2 - Walls on boundary
  - d) Clause 55.05-5 - Solar access to Open Space
3. The proposal provides inadequate car parking pursuant to Clause 52.06 (Carparking) of the Moonee Valley Planning Scheme and will exacerbate parking problems in the surrounding area.
4. The development is not site responsive and would represent an overdevelopment of the land including a height and density which is unresponsive to the existing and preferred neighbourhood character.

**CARRIED**

**9.2 12 McKenna Street, Avondale Heights (Lot 122 on PS041874) - Construction of three dwellings.**

**File No:** MV/665/2013  
**Author:** Senior Town Planner  
**Directorate:** City Works & Development  
**Ward:** Rose Hill  
**Minute No:** 2014/14

**Council Resolution**

Moved by Cr Marshall, seconded by Cr Nation that Council issue a Notice of Decision to Grant a Permit in relating to Planning Permit Application No. MV/665/2013 for the construction of three dwellings at No. 12 McKenna Street, Avondale Heights (Lot 122 on PS041874), 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) All references to 'unit' replaced with 'dwelling';
  - b) The relocation of the first floor west facing windows associated with Dwellings 2 and 3 in accordance with the plans submitted to Council on 24 December 2013 (TPA03 of 5 and TPA04 of 5, Revision A);
  - c) The width of all crossovers to be 3.0 metres;
  - d) The crossover associated with Dwelling 1 to be made into a double crossover with 14 McKenna Street's crossover;
  - e) The boundary fences to 9 Norma Court and 14 McKenna Street to be modified to be no greater than 1.2 metres high for a distance of 5 metres from the front property boundary;
  - f) The length of all walls on boundary;
  - g) The letterbox associated with Dwelling 1 referenced correctly;
  - h) The southern elevation of Dwelling 3;
  - i) The northern elevation of Dwelling 2;
  - j) A 1.8 metre high fence between the secluded private open space of Dwellings 2 and 3;
  - k) The bin location for each dwelling, within the Secluded Private Open Space for each dwelling;
  - l) A schedule of all external material and finishes. The schedule must show the material, colour (including colour samples) and finishes of all external walls, roof, fascias, windows frames, fences and paving.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. Floor levels shown on the endorsed plan(s) must not be altered or modified without written consent of the Responsible Authority.
5. Building or works must not be constructed over or adjacent to any easement or within one metre of an existing Council drainage asset without the written consent of the relevant authorities or agencies to the satisfaction of the Responsible Authority.
6. The privacy screens as shown on the endorsed plans must be installed prior to the occupation of the building.
7. 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.
8. 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.
9. 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.
10. 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.



11. Prior to the commencement of buildings and works, a drainage layout plan, including stormwater outlets and legal points of discharge, must be prepared 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.
12. 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.
13. 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.
14. 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.
15. Prior to the occupation of the development hereby permitted, all landscaping, (including trees, shrubs and lawn) must be completed in accordance with any approved landscape plan to the satisfaction of the Responsible Authority.
16. The following street tree/nature strip protection measures must be undertaken:
  - a) the nature strip and street tree within the Norma Court frontage of the site must be barricaded out using portable cyclone fencing for the duration of the development. Costs of such fencing must be borne by the developer and/or permit holder.
  - b) no pruning of the existing street tree located within the naturestrip within the Norma Court frontage of the site shall be undertaken by any party other than Moonee Valley City Council.
  - c) no building materials are to be stacked and/or dumped on any naturestrip during construction.
17. 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 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.
- No on street parking permits will be provided to the occupiers of the subject site.
- An Asset Protection Permit must be obtained from Council prior to commencement of works to ensure that Council assets in the vicinity of the works are not damaged during construction.
- It is recommended that the required on-site detention system be designed to limit the rate of stormwater discharge from the property to pre-development levels in accordance with the following calculation;  $C=0.4$ ,  $t_c=5$ mins, ARI 1 in 5. An ARI of 1 in 10 should be used for storage and the greater of post development C or  $C=0.80$ .
- 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.
- Council will not accept any modifications to existing levels within the road reserve. Any change in levels to match existing surface levels along the property boundary line must be made within the property boundary.

**CARRIED**

**9.3 Amendment C136 to the Moonee Valley Planning Scheme  
(Schedule 5 & 6 to the Neighbourhood Character Overlay)**

**File No:** FOL/13/943  
**Author:** Strategic Planner  
**Directorate:** City Works & Development  
**Ward:** Myrnong  
**Minute No:** 2014/15

### **Council Resolution**

Moved by Cr Marshall, seconded by Cr Cusack 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) of the *Planning and Environment Act 1987*, adopt Amendment C136 to the Moonee Valley Planning Scheme. The revised amendment will incorporate Panel recommendations a) and b) as outlined in page 7 of the Panel Report included in Appendix C - (separately circulated) and in accordance with amendment documents included in Appendix E - (separately circulated).
2. Pursuant to Section 31(1) of the *Planning and Environment Act 1987*, submit Amendment C136 to the Moonee Valley Planning Scheme to the Minister for Planning for approval.
3. Note the status of the implementation of Significant Character Areas.

**CARRIED**

Cr Giuliano left the meeting at 8.04pm and returned at 8.08pm.

Cr Marshall left the meeting at 8.30pm and returned at 8.31pm.

### **9.4 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:** 2014/16

### **Council Resolution**

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

1. In accordance with Section 8A(3) of the Planning and Environment Act 1987, prepare and exhibit Planning Scheme Amendment C137 (New Residential Zones), which makes the following changes to the Moonee Valley Planning Scheme:
  - a) Applies the Neighbourhood Residential Zone to:
    - i) All residential land affected by a Heritage Overlay precinct or Neighbourhood Character Overlay precinct.
    - ii) All residential land identified in the Draft Heritage Gap Study as a heritage precinct, with the exception of post-war housing precincts.

- iii) All residential land that does not meet the criteria outlined below.
- b) Include a schedule to the Neighbourhood Residential Zone which varies the maximum number of dwellings on a lot from two dwellings per lot to one dwelling per 300m<sup>2</sup> for lots which consist of a total land parcel area of greater than 900m<sup>2</sup> with a frontage width of greater than 20 metres.
- c) Applies the General Residential Zone (with no mandatory height) to:
  - i) Residential land that fronts tram lines, arterial roads and smart bus routes (one block deep from the road frontage), where not affected by criteria 1. a) i and ii for the Neighbourhood Residential Zone, or the criteria for the Residential Growth Zone.
  - ii) Residential land affected by Design and Development Overlay – Schedule 3 (Mt Alexander Road Corridor) and Development Plan Overlay - Schedule 2 (Valley Lake Estate Medium Density Housing Sites) and Development Plan Overlay – Schedule 4 (Ascot Chase, Newsom Street, Ascot Vale).
  - iii) The Council car park at 1-3 Hotham Road, Niddrie (also fronting Carrington Road), within the Keilor Road Activity Centre boundary.
  - iv) Residential land on the north side of Queen Street, North Essendon, within the North Essendon Activity Centre Boundary.
  - v) Residential land within the Moonee Ponds Activity Centre boundary.
  - vi) Residential land within the Airport West Activity Centre boundary.
- d) Applies the General Residential Zone (with a mandatory maximum height of 10 metres) to:
  - i) The remainder of residential land within the Keilor Road and North Essendon Activity Centre boundaries not affected by criteria 1. a) i and ii for the Neighbourhood Residential Zone or criteria 1 c) i, ii, iii, or iv for the General Residential Zone.
  - ii) Residential land within 400 metres of a rail station not affected by criteria 1. a) i and ii for the Neighbourhood Residential Zone or criteria 1 c) i and ii for the General Residential Zone, with the exception of some land surrounding the Moonee Ponds and Ascot Vale Rail Stations.
  - iii) Land adjoining and nearby the following Neighbourhood Activity Centres, not affected by criteria 1. a) i and ii for the Neighbourhood Residential Zone or criteria 1 c) i and ii for the General Residential Zone, which have been recognized as having value to apply the General Residential Zone within easy walking distance of the commercial zones:

- i) McNamara Avenue, Airport West
  - ii) Centreway, East Keilor
  - iii) Milleara Mall, East Keilor
  - iv) Buckley Street, Essendon
  - v) Military Road shops, Avondale Heights
  - vi) Napier Street, Strathmore
  - vii) Residential land not affected by criteria 1. a) i and ii for the Neighbourhood Residential Zone or criteria 1 c) i and ii for the General Residential Zone, in the following areas:
    - i) Between the Maribyrnong River and Leonard Crescent, Ascot Vale.
    - ii) Between Burrowes Street, Union Road and Epsom Road, Ascot Vale.
    - iii) Between Dunlop Avenue, Ascot Vale Road and Epsom Road, Ascot Vale.
    - iv) Strathmore Heights.
    - v) Between Brosnan Crescent and Willonga Street, Strathmore.
    - vi) Close to the Airport West Activity Centre
    - vii) Between the Calder Freeway/Keilor Road and Hotham Road, Niddrie.
    - viii) Between the Calder Freeway and Woorite Place, East Keilor
    - ix) Fronting Cooper Street, Essendon
    - x) Talbot Road, Wallace Crescent and Woodland Street, to the east side of Pascoe Vale Road.
    - xi) Adjacent to Flemington Street, Travancore.
  - e) Applies the Residential Growth Zone to the Flemington Public Housing Estate, Racecourse Road, Flemington.
2. Endorse the map titled Residential Zones Map and dated 25 February 2014 to demonstrate the above changes, and make this map available to the public.
  3. Refer all submissions to the Residential Zones Standing Advisory Committee for their consideration.
  4. Endorse the inclusion of the following information within Council's submission to the Standing Advisory Committee:
    - a) The City of Moonee Valley is a City in "transition". In the "Plan Melbourne document", it estimates that Moonee Valley's population will grow by 1% per year by 2030. However we are experiencing much faster growth than anticipated and expect that this figure will be 2% growth per year by 2030.

- b) The Moonee Ponds Activity Centre is expected to cater for a substantial amount of growth. Including the significant re-development of the Moonee Valley Racecourse and the former 'Readings' site.
- c) The Keilor Road, North Essendon and Airport West Activity Centres where growth and density is substantial.
- d) A small amount of residential growth zone will apply to the Flemington Public Housing Estate with no mandatory height limit.
- e) A significant amount of growth is allowed on our main transport routes, particularly linking to our activity centres.
- f) Main road development is extremely important and makes a huge contribution to housing diversity.
- g) The proposed General residential zone schedule 1 follows key roads, links commercial areas, structure plans and transport routes with no mandatory height limit.
- h) There is an emerging demographic, as we have an ageing population, that are looking for townhouse developments – the General Residential Zone schedule 2 is aiming to cater for this group.
- i) Maintaining Moonee Valley's liveability and protecting neighbourhood character – especially in our heritage precincts - is a key consideration in applying the new zones.
- j) Housing is critical to the future of our city. Moonee Valley's current residential amenity is one of it's strengths and we need to protect it.
- k) It is proposed to protect "high quality" housing and "heritage" areas through the Neighbourhood Residential Zone.
- l) A large amount of development is provided for throughout our municipality and certainly a percentage of development in the Neighbourhood Residential Zone as there are many large blocks of land within this zone.
- m) Council is proposing to apply the new zones taking into consideration existing conditions and current and proposed policy revisions, and existing planning controls.
- n) The Housing Strategy will be reviewed and updated to reflect that the application of new residential zones meets the strategic planning principles in the State Government practice note "Applying the Residential Zones". In particular:
  - i) new housing demand, growth and diversity are able to be accommodated through an application of the new residential zones and policy encouraging development in activity centres, along main roads and on a range of infill sites;
  - ii) identification of heritage constraints;

- iii) linking development to transport infrastructure and activity centres; and the use of the appropriate residential zone to achieve housing growth and protection of heritage areas of importance to the future of the municipality.
- o) Moonee Valley residents want and need clarity in regards to the zones and what we are proposing meets the aspirations of our citizens.

**CARRIED**

Cr Sipek left the meeting at 8.45pm.

Cr Giuliano left the meeting at 8.45pm and returned at 8.46pm.

Cr Sharpe left the meeting at 8.46pm and returned at 8.47pm.

Cr Giuliano left the meeting at 8.48pm.

**9.5 Amendment C140 to the Moonee Valley Planning Scheme (Gaming Policy)**

**File No:** FOL/14/169  
**Author:** Strategic Planner  
**Directorate:** City Works & Development  
**Ward:** Municipal  
**Minute No:** 2014/17

**Council Resolution**

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

1. Seek authorisation from the Minister for Planning to prepare Moonee Valley Planning Scheme Amendment C140 which introduces the following changes:
  - Inserts a new Local Planning Policy for Gaming at Clause 22.05.
  - Makes changes to Clause 21.07 (Economic Development) of the Municipal Strategic Statement through the inclusion of new strategies and objectives for gaming.
2. Subject to obtaining authorisation from the Minister for Planning, exhibit Moonee Valley Planning Scheme Amendment C140 and all associated reference documents in accordance with Section 19 of the *Planning and Environment Act 1987*.
3. Refer submissions to an independent Panel in accordance with Section 23(1)(b) of the Planning and Environment Act 1987, if submissions are received which request to change the amendment and they are not resolved.

**CARRIED**

Cr Nation left the meeting at 8.49pm and returned at 8.50pm.

**9.6 Local Area Traffic Management – Fletcher Draft Plan for community consultation**

**File No:** FOL/13/171  
**Author:** Acting Coordinator Transport  
**Directorate:** City Works & Development  
**Ward:** Buckley  
**Minute No:** 2014/18

**Council Resolution**

Moved by Cr Sharpe, seconded by Cr Marshall that Council endorse the Draft Fletcher Local Area Traffic Management Plan, as per Appendix A and Appendix C, for community consultation with the following amendments to Appendix D:

- a) Glass Street (North Side) – Location – replace No.14 with Napier Street to Hesleden Street
- b) Nicholson Street (East side) -- Brewster Street to Essendon Primary School – Proposed Restriction – 2P, 9 am – 5.30 pm, Mon – Fri, 9am – 12 pm, Sat.

**CARRIED**

Mr Lancaster had declared an interest in Item 9.6 and therefore left the meeting before any discussion or voting had taken place on the item.

**9.7 Local Area Traffic Management - St. Therese’s Draft Plan for community consultation**

**File No:** FOL/13/171  
**Author:** Acting Coordinator Transport  
**Directorate:** City Works & Development  
**Ward:** Buckley  
**Minute No:** 2014/19

**Council Resolution**

Moved by Cr Sharpe, seconded by Cr Cusack that Council endorse the Draft St Therese’s Local Area Traffic Management Plan, as per Appendix A and Appendix C, for community consultation with the following amendments to Appendix D:

- a) Daisy Street (West side) – Proposed Restriction – 1P, 9am – 5.30 pm, Mon – Fri.,
- b) Thorn Street (South side) – Richardson Street to Edward Street – Proposed Restriction – 4P, 9 am – 5.30 pm, Mon – Fri, 9am – 12 pm, Sat.

**CARRIED**



**9.8 Arts & Culture Plan 2014-18**

**File No:** FOL/12/1301  
**Author:** Manager Arts & Culture  
**Directorate:** Environment & Lifestyle  
**Ward:** Municipal  
**Minute No:** 2014/20

**Council Resolution**

Moved by Cr Sharpe, seconded by Cr Nation that Council adopts the Arts and Culture Plan 2014-18.

**CARRIED**

**9.9 Health Plan 2013-17 Progress Report**

**File No:** 14/11658  
**Author:** Manager Community Development  
**Directorate:** Citizen Services & Information Management  
**Ward:** Municipal  
**Minute No:** 2014/21

**Council Resolution**

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

1. Note the Health Plan Progress Report January 2014.
2. Note that the Progress Report will be made publically available on Council's webpage.

**CARRIED**

**9.10 Moonee Valley Learning Community Board Membership**

**File No:** 14/6370  
**Author:** Manager Community Development  
**Directorate:** Citizen Services & Information Management  
**Ward:** Municipal  
**Minute No:** 2014/22

**Council Resolution**

Moved by Cr Cusack, seconded by Cr Marshall that Council appoint Terry Kennedy (Department of Employment), Randal Symons (Primary Schools) and Kate Dullard (Secondary Schools) to Council's Learning Community Board for the period of two years.

**CARRIED**

**9.11 Council Plan Key Strategic Activities Performance Report - December 2013**

**File No:** FOL/09/577

**Author:** Business Performance Officer

**Directorate:** Citizen Services & Information Management

**Ward:** Municipal

**Minute No:** 2014/23

**Council Resolution**

Moved by Cr Cornish, seconded by Cr Sharpe that Council receive and note the Council Plan Key Strategic Activities Performance Report for the December 2013 quarter.

**CARRIED**

Cr Sipek returned re-entered the meeting at 9.00pm.

**9.12 Financial Performance Report December 2013**

**File No:** 19/004/001

**Author:** Manager Finance

**Directorate:** Corporate Services

**Ward:** Municipal

**Minute No:** 2014/24

**Council Resolution**

Moved by Cr Nation, seconded by Cr Cornish that Council receive and note the Financial Performance Report for the period 1 July 2013 to 31 December 2013.

**CARRIED**

**9.13 Galbraith Close, Strathmore (Formerly Lamart Street Southern Section) - Proposed Road Declaration and Land Exchange**

**File No:** FOL/13/1041 & 63/012/002 & PR277976

**Author:** Coordinator Property Services

**Directorate:** Corporate Services

**Ward:** Buckley

**Minute No:** 2014/25

**Council Resolution**

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

1. Resolves that the portion of land declared as a road at its Meeting of 29 January 2013 (Minute No: 2013/05) and published in the Victorian Government Gazette on 23 May 2013 be amended by substituting the plan at Appendix D.
2. Notes that the amended plan shall be published as an Erratum in the Victorian Government Gazette.
3. Notes that a plan of subdivision under section 35(8) of the Subdivision Act 1988 shall be prepared setting out the land shown in Certificate of Title Volume 9189 Folio 933 (Council land) as Road and parcel B to be excised and transferred to the applicant.
4. Notes that a plan of subdivision under section 35 of the Subdivision Act 1988 shall be prepared setting out the land shown as Balance of Lot A on PS705374C, but setting parcel A out as road which is to be transferred to Council.
5. Authorises the commencement of statutory procedures under section 189 of the Local Government Act 1989 concerning a proposal for a land exchange being the portion of privately owned land (83m<sup>2</sup>) shown as parcel A and highlighted in yellow and the portion of Council owned land (83m<sup>2</sup>) shown as parcel B and highlighted in green on the plan at Appendix C between Council and the property owner/developer without consideration.
6. Consider any submissions received or requests to be heard at a Committee of Council at a date, time and place to be determined by the Chief Executive.

**CARRIED**

## Reports Considered En Bloc

Minute No: 2014/25

### Council Resolution

Moved by Cr Cusack, seconded by Cr Marshall that the recommendations contained in reports:

9.14 Report on Assemblies of Council

9.15 Report on Advisory Committees

be adopted by Council.

**CARRIED**

### 9.14 Report on Assemblies of Council

**File No:** FOL/09/1245

**Author:** Manager Governance & Local Laws

**Directorate:** Corporate Services

**Ward:** Municipal

**Minute No:** 2014/25

### Council Resolution

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

**CARRIED**

### 9.15 Report on Advisory Committees

**File No:** FOL/12/69

**Author:** Manager Governance & Local Laws

**Directorate:** Corporate Services

**Ward:** Municipal

**Minute No:** 2014/25

### Council Resolution

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

1. Receive and note the following confirmed Advisory Committee Meeting Minutes, received since the last report to Council in December 2013:
  - a) Disability Reference Group held 1 October 2013 (Appendix A);
  - b) Municipal Emergency Management Planning Committee held 14 November 2013 (Appendix B);

- c) Moonee Valley Integrated Waterways Advisory Committee held 22 November 2013 (Appendix C);
  - d) Integrated Transport Committee held 2 December 2013 (Appendix D); and
  - e) Arts & Culture Advisory Committee held 2 December 2013 (Appendix E);
2. Receive and note the update on the Place Naming Committee.

**CARRIED**

## **10. Notices of Motion**

### **10.1 Notice of Motion No. 2014/2**

**Title:** Support for Australian Made and Grown Products

**From:** Cr Jan Chantry

**Ward:** Municipal

**File No:** FOL/12/191

**Minute No:** 2014/26

#### **Council Resolution**

Moved by Cr Chantry, seconded Cr Sipek that Council:

1. Seeks to source Australian produce for its catering needs from an Australian producer (such as SPC), as a show of support for local fruit growers in the Shepparton area and the viability of Australian made and grown products.
2. Procurement policy be amended to include 'Council seeks to source Australian produce for its catering needs from an Australian producer'.
3. Calls on other Councils to support Australian manufacturers, growers and producers, by buying Australian made products.
4. Write to the Community Chef Chairperson requesting Community Chef continue and expand its practise of purchasing Australian produce for the delivery of its business and support its customers in accessing Australian grown produce.

**CARRIED**

**10.2 Notice of Motion No. 2014/3**

**Title:** Domestic Animals Act 1994 Section 84Y Agreements

**From:** Cr Narelle Sharpe

**Ward:** Municipal

**Minute No:** 2014/27

**Council Resolution**

Moved by Cr Sharpe, seconded Cr Nation that the Chief Executive prepares a report on the merits of entering into agreements under Section 84Y of the Domestic Animals Act 1994 with local Veterinarians regarding the detention of dogs and cats.

**CARRIED**

**11. Urgent Business**

Nil.

**12. Confidential Report**

Nil.

The meeting concluded at 9.09pm.

**CONFIRMED**

**CR JAN CHANTRY  
CHAIRPERSON**