



City of
Moonee Valley

Ordinary Meeting of Council

Tuesday, 28 January 2014

Minutes

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Minutes of the Ordinary Meeting of Council

Tuesday, 28 January 2014 at 7.07pm
held at the Moonee Valley Civic Centre

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 Bryan Lancaster Acting Chief Executive
Mr Carey Patterson Acting 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, 28 January 2014.

2. Apologies

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

Leave of Absence

Moved by Cr Giuliano, seconded by Cr Cornish that Council grant Cr Jim Cusack Leave of Absence for all formal meetings during the period 29 January to 7 February 2014 inclusive.

CARRIED

3. Confirmation of Minutes

Moved by Cr Marshall, seconded by Cr Giuliano that the Minutes of the Ordinary Meeting of Council held on Tuesday, 17 December 2013 be confirmed.

CARRIED

4. Declarations of Conflict of Interest

Nil.

5. Presentations

Council Resolution

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

CARRIED

The Mayor announced that Mackenzie Lowe was the winner of the Dick Reynolds Youth Sports Scholarship for 2013/14 and presented him with his award.

Cr Nation presented Council with a plaque from the Inner North West Blue Light Foundation, for its partnership approach and support in the planning and delivery of the 'Aussie Fun in the Sun' Festival held at Debneys Park on 21 December 2013.

Council Resolution

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

CARRIED

6. Petitions And Joint Letters

Nil.

7. Public Question Time

Nil.

8. Reports By Mayor And Councillors

File No. FOL/12/1435

Minute No. 2014/01

Council Resolution

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

CARRIED

9. Reports

9.1 Moonee Valley Racecourse Proposal - Response to Advisory Committee Report

File No: FOL/11/404
Author: Coordinator Strategic Planning
Directorate: City Works & Development
Ward: Myrnong
Minute No: 2014/02

Council Resolution

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

1. Prepare a Memorandum of Understanding to be entered into with the Moonee Valley Racing Club, Vic Roads and Public Transport Victoria, which outlines a process to consider and, as appropriate, act on the Advisory Committee's recommendations.
2. Notify the Advisory Committee of the draft Memorandum of Understanding, and request a meeting to discuss the process.
3. With respect to Amendment C120:
 - a) Endorse the recommendations of the Advisory Committee with respect to the location of zones across the site, including:
 - i) Apply the Activity Centre Zone (ACZ) to the land to be developed in the western part of the site.
 - ii) Apply the Special Use Zone (SUZ) – Schedule 2 to the land to be retained for horse racing activities.
 - b) Rather than apply a Mixed Use Zone to the north-east corner of the site, as recommended by the Advisory Committee, apply the General Residential Zone, as this will still allow for a small range of non-residential uses that could be appropriate for this location, including a convenience shop.
 - c) Work with the Moonee Valley Racing Club and the Advisory Committee to determine the final versions of the ACZ, SUZ and Design and Development Overlay (DDO) schedules to apply to the land, taking into account the recommendations of the Advisory Committee but with a number of changes, some of which include:
 - i) Where possible to outline measures to mitigate the impact of the development on the community.
 - ii) The heights outlined at Table 1 of Clause 5.9-3 of the Advisory Committee's recommended ACZ schedule to be mandatory heights.
 - iii) a preferred cap on dwelling numbers within the ACZ schedule, in line with Council's submission to the Advisory Committee.

- iv) the requirement for 5 per cent affordable housing within the ACZ schedule, and also requiring the applicant to submit a Housing Diversity Report under Application Requirements, in line with Council's recommended ACZ schedule.
 - d) Receive a further report to consider the final version of Amendment C120 following completion of the Conservation Management Plan and Incorporated Plan for consideration with Amendment C124, and finalisation of the amendment documentation.
- 4. With respect to Amendment C124:
 - a) Endorse the recommendation of the Advisory Committee including:
 - i) Apply the Heritage Overlay to the entire racecourse site, with the exception of the land in the north-east corner.
 - ii) Prepare a Conservation Management Plan and Incorporated Plan for the Heritage features of the racecourse site.
 - b) Continue to work with a heritage consultant to prepare a Conservation Management Plan and Incorporated Plan based on the Moonee Valley Racecourse Heritage Assessment prepared by David Helms Heritage Planning and Management.
 - c) Liaise with the MVRC in relation to the final version of the Conservation Management Plan and Incorporated Plan.
 - d) Receive a further report to consider the final version of Amendment C124 following completion of the Conservation Management Plan and Incorporated Plan.
- 5. With respect to the Moonee Ponds Activity Centre Structure Plan:
 - a) Endorse in principle the recommendation of the Advisory Committee with respect to the Moonee Ponds Activity Centre Structure Plan. Prepare a final version of Precinct J of the Moonee Ponds Activity Centre Structure Plan, generally based on the recommendations of the Moonee Valley Racecourse Advisory Committee, and with further discussion with the Moonee Valley Racing Club.
 - b) Receive a further report to consider the final version of Precinct J of the Moonee Ponds Activity Centre Structure Plan.
- 6. Write to the Minister for Planning seeking an update on Planning Scheme Amendment C100, which seeks to introduce the Activity Centre Zone – Schedule 1 to the Moonee Ponds Activity Centre, for which Amendment C120 is reliant upon.
- 7. Ensure that the community is kept informed and up to date as Council progresses through the next stages of the proposal.

CARRIED

Moved by Cr Giuliano, seconded by Cr Sharpe that Council bring Report No. 9.5 forward for consideration.

CARRIED

9.5 Boeing Reserve Sports Facility Allocation - Melbourne University Baseball Club

File No: FOL/13/1166
Author: Manager Leisure & Open Space Planning
Directorate: Environment & Lifestyle
Ward: Buckley
Minute No: 2014/03

Council Resolution

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

1. Authorise the Chief Executive to continue negotiations with Sport and Recreation Victoria to locate Melbourne University Baseball Club temporarily at Boeing Reserve, subject to an appropriate financial contribution from Sport and Recreation Victoria.
2. Continue to work with the local community in regard to the proposed updated Master Plan for Boeing Reserve.

CARRIED

Cr Giuliano left the meeting at 7.55pm.

9.2 6-14 Young Street and 17-23 Puckle Street Moonee Ponds (Lot 1 on TP 319757Y, Lot 1 on TP 338734E, Lot 1 on TP 128317T, Lot 3 on PS 055118, Lot 4 on PS 026936, Lot 2 on PS 05118) - Partial demolition of existing buildings and development of the land for two mixed use, multi-level buildings, a reduction in carparking requirements and a reduction in loading bay requirements in a Heritage Overlay.

File No: MV/221/2013
Author: Senior Town Planner
Directorate: City Works & Development
Ward: Myrnong
Minute No: 2014/04

Council Resolution

Moved by Cr Cusack, seconded by Cr Marshall that Council issue a Notice of Decision to Grant a Permit in relation to Planning Permit Application No. MV/221/2013 for the partial demolition of existing buildings and development of the land for two mixed use, multi-level buildings, a reduction in carparking requirements and a variation in loading bay requirements in a Heritage Overlay at 6-14 Young Street and 17-23 Puckle Street, Moonee Ponds (Lot1 on TP 319757Y, Lot 1 on TP 338734E, Lot 1 on TP 128317T, Lot 3 on PS 05118, Lot 4 on PS 05117), 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, be clearly legible and be generally in accordance with the plans submitted and assessed with the application but modified to show:
 - a) The elevation plans must specify natural ground level, finished ground level, finished floor level and total building heights measured relative to a level taken from a defined point on the footpath at the frontage of the site or in relation to Australian Height Datum (AHD).
 - b) The provision of south facing windows for the bedrooms associated with Apartments 8 and 9, along the southern elevation of levels 6 to 10.
 - c) The provision of south facing balconies associated with Apartments 8 and 9, along the southern elevation of levels 6 to 10.
 - d) Any internal alterations to the building as a result of condition 1(c).
 - e) The clear delineation of the satin horizontal anodized aluminium louvers to the southern elevation of levels 6 to 10.
 - f) The provision of a ground level connection for the rock climbing wall. The ground level connection to be clearly accessible from the court yard area.
 - g) The electronic parking display sign notated to the southern elevation of the Young Street building and to be clearly legible from vehicles travelling east on Young Street.
 - h) The zebra crossings located within the car park areas to continue a further 9.8metres south into the gap between the relevant car spaces.
 - i) The basement car park area to be signposted as 'staff only'.
 - j) The relevant vehicle height clearances to be clearly signposted at entry to the car park area.
 - k) The basement car park area to be suitably line marked.
 - l) The clear notation of car park grilles and barriers at the car park exit and entry points.

- m) The capacity of the restaurant/function room to be limited to 100 patrons, such a notation to be placed on the plans.
- n) Revised elevations to include the entry/exit ramp to the basement level.
- o) A detailed elevation at a scale of 1:100 of the facade works to 17-23 Puckle Street. The elevation must clearly outline the proposed finishes and materials to be used and include detailed specifications.
- p) A schedule of all external material and finishes. The schedule must show the material, colour (including colour samples) and finishes (including paint) of all external walls, roof, fascias, windows frames, fences, paving (including the arcade walkway) and security grilles.
- q) The glazed canopy along the Puckle Street facade to be provided with no more than a 5 degree gradient to allow rainwater runoff.
- r) The ground floor Puckle Street arcade entry modified to incorporate a double column to match the width of the upper floor central column.
- s) Any alteration to the ground floor shopfront widths as a result of condition 1(r).
- t) The provision of articulation to the exposed eastern and western elevations of the Puckle Street building in the form of horizontal stratification and verticality.
- u) The retention of the front fence associated with 14 Young Street.
- v) The provision of staff lockers and shower facilities within the basement car park area in accordance with Condition 13.
- w) Pedestrian entry doors to be clearly notated to each retail and office unit within the development.
- x) The ground floor retail units to be provided with clear glazing along the internal arcade walkway.
- y) A detailed plan at a scale of 1:50 to be provided for the central court/ROW area. The plan must clearly outline the design treatments to be applied and include the key public components of the area showing paving, planter box locations, public furniture and lighting configuration and traffic calming measures. The design of the public spaces to meet Council's Urban Design technical notes and details.
- z) The clear notation of the security grilles at the relevant arcade entries and exits.
 - i) The size of the rainwater tanks delineated to the plans.
 - ii) The pedestrian ramp gradients notated to the plans and to comply with the relevant Australian Standard.
 - iii) Any alterations to the plans as a result of Condition 32.

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. A minimum of 30 days prior to any building or works commencing, a Construction Management Plan must be submitted to and approved by the Responsible Authority detailing the construction activity proposed. 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) Protection of surrounding roads from site contamination and damage including rumble grid and or wash down bay facility.
 - j) On site stormwater contamination.
 - k) Chemical storage.
 - l) Noise and vibration.
 - m) Risk assessment.
 - n) Works timetable.
 - o) Number of workers expected of work on the site at any one time.

Once submitted and approved the works detailed by the Construction 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 area set aside for the parking of vehicles, together with the associated access lanes as delineated on the endorsed plan 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, and
 - f) Have the boundaries of all vehicle spaces clearly indicated on the ground in conformity with the endorsed plan.
9. Before the commencement of the use a directional sign not exceeding 0.3 m² in area must be provided directing drivers to the area(s) set aside for car parking and must be located and maintained to the satisfaction of the Responsible Authority.
10. Before the commencement of the use signs must be erected in association with the car parking hereby provided, allowing for the identification of the car park, to the satisfaction of the Responsible Authority.
11. To the satisfaction of the Responsible Authority the loading and unloading of goods (including waste collection) from any vehicles must only be carried out within the designated loading bays on the land and must not disrupt the circulation and parking of vehicles, pedestrian circulation or access.
12. Prior to the use commencing, a Car Parking Management Plan prepared by an appropriately qualified traffic consultant must be submitted to and approved by the Responsible Authority. The Car Parking Management Plan must include:
 - a) The car parking layout generally in accordance with the relevant requirements of the Australian Standards for Off-Street Car Parking AS/NZS 2890.1-2004 (including ramp grades and dimensions, column location, headroom clearance, etc).
 - b) The provision of 147 car spaces with a suitable number of car spaces allocated to staff:
 - i) The management of both short and long term parking spaces.
 - ii) Lighting of parking areas, entries and exits.
 - iii) Proposed signage to direct staff and visitors to their designated spaces.
 - iv) The loading and unloading of goods and materials for the commercial uses.
 - c) Entitlements to the use of loading dock areas by all retail and office uses on the land.

- d) No charge being made for car parking without the consent of the Responsible Authority.
- e) Traffic calming measures for inclusion within the accessways and car parking areas on site, including rubber speed humps and speed restrictions as appropriate.
- f) The closure of any car parking areas a minimum of 30 minutes after the closure of the last use(s) approved on the land.
- g) The movements of trucks and other vehicles to the loading docks showing likely access routes and movements from adjacent roads.

The Car Parking Management Plan must be to the satisfaction of the Responsible Authority. Once submitted and approved the plan must be carried out to the satisfaction of the Responsible Authority.

- 13. Bicycle parking spaces, access, lockers and compounds, associated showers and change rooms, must provided, maintained and kept available for these purposes at all times to the satisfaction of the Responsible Authority.
- 14. The electronic parking display on the southern elevation of the Young Street building must be constructed and maintained to the satisfaction of the Responsible Authority.
- 15. Prior to the commencement of construction, a Green Travel Plan must be prepared to the satisfaction of the Responsible Authority. The Plan must be prepared by a suitably qualified person and must encourage the use of non-private vehicle transport modes by the occupiers of the land. The Plan must include, but not be limited to the following:
 - a) a description of the location in the context of alternative modes of transport and objectives for the Green Travel Plan.
 - b) outline Green Travel Plan measures for the development including, but not limited to:
 - c) employee welcome packs – tram, train and bus timetables relevant to the local area and the location of surrounding bicycle networks must be included in the pack of information provided to employees upon occupation of the development.
 - d) bicycle parking and facilities available in proximity to the site.
 - e) monitoring and review.
- 16. 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.

17. 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.
18. 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.
19. A Council barrel drain minimum 300mm dia (RCP RRJ) must be constructed within to reach the approved point of discharge. Engineering Design Plans prepared by a qualified Civil Engineer must be submitted to and approved by the Responsible Authority prior to the commencement of any building or works (including drainage). The Engineering Design Plans must accord with Council's Drainage Design Guidelines.

A drainage layout plan prepared by a Civil Engineer together with computations, indicating the pump specifications and location is to be submitted to and approved by the Responsible Authority prior to the commencement of any buildings and works (including drainage). All costs associated with the preparation of the plan and installation and construction of the required drainage works must be borne by the permit holder.

20. Part of the Right of Way (L = 55m) on Young Street is to be constructed in accordance with Council's Standards and to the satisfaction of the Responsible Authority and thereafter after become an asset maintained by Moonee Valley City Council.

The Right of Way is to be surveyed and designed by qualified Surveyors/Civil Engineers respectively. Construction plans are to be submitted to Councils Technical Services department for approval. Plans are to indicate, existing surface levels, proposed surface levels, construction of the ROW in accordance with Moonee Valley City Council Standard Drawing No MV43. (Asphalt Construction).

Council will not accept any modifications to existing levels within the road reserve or to any R.O.W. Any change in levels to match existing surface levels along property boundary line must be made within the property boundary.

21. The arcade area must remain open to the public as a thoroughfare seven days per week between the following minimum hours:
 - a) Monday to Sunday: 7.30am to 12.30am.
unless these hours are varied with the written consent of the Responsible Authority.

22. No more than 100 patrons associated with the restaurant/function centre maybe present on the land at any one time unless with the written consent of the Responsible Authority.
23. Equipment, services or other building features (other than those shown on the endorsed plan) must not be erected above the roof level of the building unless otherwise agreed to in writing by the Responsible Authority.
24. 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.
25. External floodlighting must not be installed without the written consent of the Responsible Authority.
26. Noise emitted from the premises must not exceed the permissible noise levels determined in accordance with the State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade) No. N-1.
27. Noise levels emanating from the premises must not exceed those required to be met under State Environment Protection Policy (Control of Music Noise from Public Premises), No. N-2.
28. Prior to the commencement of the development an acoustic report prepared by a qualified acoustics expert must be provided to the Responsible Authority and to its satisfaction. This report must detail the noise attenuation measures required to the cinema to ensure minimal impacts from noise sources external to that use. The recommendations of the acoustic report must be implemented prior to the completion of the development.
29. Prior to the commencement of the development, the applicant shall submit a Waste Management Plan to the Responsible Authority for approval. The Waste Management Plan shall be in accordance with the City of Moonee Valley's "Waste Management Plans – Guidelines for Applicants" and once approved shall be implemented to the satisfaction of the Responsible Authority.
30. Provision must be made for the storage and disposal of garbage to the satisfaction of the Responsible Authority. All garbage storage areas must be screened from public view.
31. Prior to commencement of construction or carrying out of works, the Owner must enter into an Agreement under Section 173 of the Planning and Environment Act 1987 to the satisfaction 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 ensuring that:
 - a) Liability and maintenance for those parts of the development projecting into air space under the care and management of Council and disclaiming any right or intention to make or cause to be made at anytime any claim or application relating to adverse possession of the land. The owner of the property to be developed must pay all Council's reasonable legal costs

and expenses of this Agreement, including preparation, execution and registration on title.

32. Before the development commences a Sustainability Management Plan (SMP) that outlines proposed sustainable design initiatives must be submitted to and approved by the Responsible Authority. Upon approval the SMP will be endorsed as part of the planning permit and the development must incorporate the sustainable design initiatives outlined in the endorsed SMP to the satisfaction of the Responsible Authority.
33. 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 SMP have been implemented in accordance with the approved documentation.
34. 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) A planting schedule of all proposed vegetation (trees, shrubs and ground covers) which includes, botanical names, common names, pot size, mature size and total quantities of each plant.
 - c) The use of drought tolerant species.
 - d) The location of planter boxes within the internal courtyard area and the arcade entrance along Young Street.
 - e) Details of the internal pedestrian sky bridge and if this will impact on the growing potential of the proposed species within the courtyard area.
 - f) Features such as paths, paving and accessways.

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.

35. 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.
- This property is partially located within a Heritage Overlay area. Planning permission is required for any additional works (within the Heritage Overlay) 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.
- This permit does not authorise any advertising signs except those which are exempted by the Moonee Valley Planning Scheme.
- All works undertaken within any existing road reserves must accord with the requirements of the Moonee Valley City Council's Engineering Services Department and to the satisfaction of the Responsible Authority.

CARRIED

9.3 Draft Moonee Valley Heritage Gap Study - Stage 1

File No: FOL/13/768
Author: Senior Strategic Planning Officer
Directorate: City Works & Development
Ward: Municipal
Minute No: 2014/05

Council Resolution

Moved by Cr Cornish, seconded by Cr Nation that Council defer consideration of this project to the Ordinary Council meeting in February or March 2014 and to allow for further public information in relation to heritage and this project and to ensure any anomalies in the report are addressed and rectified.

CARRIED

9.4 Planning Scheme Review and Amendment C134

File No: FOL/13/850

Author: Principal Planner (Strategic Planning and Research)

Directorate: City Works & Development

Ward: Municipal

Minute No: 2014/06

Council Resolution

Moved by Cr Marshall seconded by Cr Cusack that Council:

1. With respect to the Planning Scheme Review:
 - a) Adopt the findings of the Planning Scheme Review report as provided in Appendix D (separately circulated)
 - b) Submit the Moonee Valley Planning Scheme Report to the Minister for Planning in accordance with Section 12B(5) of the Planning and Environment Act 1987.
2. With respect to Amendment C134 to the Moonee Valley Planning Scheme:
 - a) Request the Minister for Planning to appoint a Panel in accordance with Section 23(1) (b) of the *Planning and Environment Act 1987* to consider submissions in relation to Amendment C134.
 - b) Make the recommended changes as outlined within Appendix B (separately circulated) to the Municipal Strategic Statement (MSS) prior to the submissions being referred to a Panel, with the following changes:
 - i) Clause 21.04-5 (Sustainable Environment, River and Creek Corridors, Strategies)
Add 'Discourage fixed jetties, pontoons and moorings on private property along the Maribyrnong River'.
 - ii) Clause 21.04-11 (Sustainable Environment, Reference documents)
Add 'Melbourne Water's Guidelines for Approval of Jetties'.
 - iii) Clause 21.05-2 (Housing, Housing Diversity, Strategies)
Add 'Residential developments of 10 or more dwellings should provide a variety of dwelling sizes and bedroom numbers, to cater for different demographic groups'.
 - iv) Clause 21.06-1 (Built Environment, Neighbourhood Character – Objective 1)
Amend 'To ensure new development is in accordance with the preferred character of each residential precinct as outlined in the Neighbourhood Character Precinct Profiles 2012'.
 - v)

- vi) Clause 21.09-8 (Transport, Other Actions)

Amend 'Advocate for grade separation at Buckley Street and Puckle Street'.

3. Consider a review of the Moonee Valley Housing Strategy when preparing the budget for the 2014/15 financial year.

CARRIED

9.6 Draft Waste and Resource Recovery Plan

File No: 94/06607
Author: Manager Operations
Directorate: City Works & Development
Ward: Municipal
Minute No: 2014/07

Council Resolution

Moved by Cr Cornish, seconded by Cr Sipek that Council endorse the Draft Waste and Resource and Recovery Plan 2014-18 for release for public consultation with an additional item related to a public place recycling initiative.

CARRIED

9.7 The Advocacy Agenda

File No: FOL/12/1415
Author: Manager Community Development
Directorate: Citizen Services & Information Management
Ward: Municipal
Minute No: 2014/08

Motion

Moved by Cr Sipek, seconded by Cr Nation that Council endorse The Advocacy Agenda 2013-17 (Appendix A – separately circulated).

Amendment

Moved by Cr Cusack, seconded by Cr Marshall that Council endorse the Advocacy Agenda 2013-2017, provided as Appendix A (separately circulated) with the following changes:

- a) Under advocacy Theme 1 Transport infrastructure include:
i) rail under road grade separation at Puckle Street.
b) Under advocacy Theme 6 Investment for community include:

- i) advocacy for the provision of a respite facility within the municipality.
- ii) engage with the Department of Transport Planning and Local Infrastructure to identify funding opportunities for the provision of contemporary library and learning facilities.
- c) Make the necessary changes in The Advocacy Agenda 2013-2017.
- d) Note that this Advocacy Agenda is determined by decisions made in relation to relevant policies and as such may change from time to time to ensure consistency between agenda and Council policies.

DIVISION CALLED

A Division was called and voting was as follows:

FOR: Crs Marshall, Cusack, Cornish, Chantry, Nation and Sipek.

AGAINST: Cr Sharpe.

AMENDMENT WAS PUT AND CARRIED

9.8 Opportunities to Enhance Relationships with the Indigenous Community

File No: FOL/12/111

Author: Manager Community Development

Directorate: Citizen Services and Information Management

Ward: Municipal

Minute No: 2014/09

Council Resolution

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

1. Endorse the draft Reconciliation Action Plan 2014 for further consultation.
2. Note that the final Reconciliation Action Plan 2014 will be presented to Council in March 2014.
3. Note the outcomes of the Reconciliation Action Plan roundtable.

CARRIED

Cr Sipek left the meeting at 8.48pm.

9.9 Strathnaver Reserve Pavilion Building Works Documentation

File No: FOL/13/389

Author: Manager Infrastructure

Directorate: City Works & Development

Ward: Municipal

Minute No: 2014/10

Council Resolution

Moved by Cr Sharpe, seconded by Cr Cornish that Council, having awarded the contract for the Construction of the new Strathnaver Reserve Pavilion (FOL/13/389) to McCorkell Construction (ABN 92 094 764 584), authorise the Chief Executive to sign and seal all appropriate documents for this contract.

CARRIED

10. Notices of Motion

10.1 Notice of Motion 2014/1

Title: Master Planning Flemington Racecourse and Showgrounds Precinct
From: Cr Nicole Marshall
Ward: Myrnong
File No: FOL/12/1445
Minute No: 2014/11

Council Resolution

Moved by Cr Marshall, seconded Cr Cusack that Council:

- a) Write to the Minister for Planning requesting that in the interests of integrated planning and as part of the Flemington Racecourse Redevelopment that a master planning exercise be undertaken, for the area incorporating the site identified for redevelopment in Epsom Road, Flemington Racecourse, Royal Melbourne Showgrounds and the Leonards Crescent, Langs Road and Fisher Parade area, for this important gateway into the City of Moonee Valley.
- b) Request that the master plan take into consideration the potential impacts that developments in this area will have on the Maribyrnong River and surrounding communities, particularly in relation to vistas, drainage, traffic management, public transport provision and provision of community facilities.
- c) Be involved in the master planning process and that the Master Plan address the issues raised in paragraph B and align with the Moonee Valley Local Planning Policy Framework.

CARRIED

11. Urgent Business

Nil.

12. Confidential Reports

Council Resolution

Moved by Cr Cusack, seconded by Cr Cornish that Council resolve to close the meeting to the public pursuant to Section 89(2) of the *Local Government Act 1989* to discuss matters which the Council or special committee considers would prejudice the Council or any person.

Consideration of Confidential Report

12.1 New Residential Zones Process

Council Resolution

Moved by Cr Nation, seconded by Cr Cusack that Council resume in Open Council.

CARRIED

The meeting concluded at 9.11pm.

CONFIRMED

**CR JAN CHANTRY
CHAIRPERSON**