



City of
Moonee Valley

Ordinary Meeting of Council

Tuesday, 15 December 2015

Minutes

Report Index

The following reports were considered:

Reports

9.1	31 & 33 Taylor Street, Moonee Ponds	6
9.2	60 Lloyd Street, Strathmore	7
9.3	60 Kernan Street, Strathmore	13
9.4	46 St Kinnord Street, Aberfeldie	20
9.5	52 Middle Street, Ascot Vale.....	21
9.6	117 Spencer Street, Essendon	22
9.7	22 Green Street, Airport West.....	23
9.8	40 Hall St & 34-36 Margaret St, Moonee Ponds	23
9.9	3 - 9 Shuter Street, Moonee Ponds r.	24
9.10	Windy Hill - C158 - Planning Scheme Amendment.....	25
9.14	Responsive Grants	26
9.11	Plan Melbourne Refresh	26
9.12	Cross Keys Reserve Draft Master Plan	27
9.15	Riverside Park Concept Design	28
9.16	ANZAC Centenary Community Coordinating Committee.....	28
9.17	144A Mascoma Street, Strathmore.....	28
9.18	Report on Tenders and Contracts Awarded.....	29
9.19	Report on Advisory Committees	29
9.20	Report on Assemblies of Council.....	30
9.13	Response to Notice of Motion - Kindergarten in Moonee Ponds	30

Notices of Motion

10.1	Notice of Motion 2015/25 - Maribyrnong River Cruise Mooring Site	31
------	--	----

Confidential Reports

12.1	Updated Chief Executive Officer Position Description	
------	--	--

Minutes of the Ordinary Meeting of Council

Tuesday, 15 December 2015 at 7.02pm
held at the Moonee Valley Civic Centre

PRESENT :

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

Officers: Mr Bryan Lancaster Chief Executive Officer
Mr Tony Ball Director Community Services
Mr Anthony Smith Director Corporate Services
Mr Carey Patterson Acting Director City Services
Ms Yvonne Hansen Manager Legislative Services & Support
Ms Vera Mitrovic-Misic Acting Manager Statutory Planning

1. Opening

The Mayor, Cr Surace, opened the meeting and welcomed all present to the Council Meeting of Tuesday, 15 December 2015.

2. Apologies

Nil.

3. Confirmation of Minutes

Moved by Cr Sipek, seconded by Cr Chantry that the Minutes of the Ordinary Meeting of Council held on Tuesday, 24 November 2015 be confirmed.

CARRIED

4. Declarations of Conflict of Interest

- 4.1 Cr Nicole Marshall declared an indirect conflict of interest in Item 9.9 due to a close association. A written disclosure was provided to the Chief Executive Officer outlining the reasons for this conflict.
- 4.2 Cr Cam Nation declared an indirect conflict of interest in Items 9.10 and 9.14 due to a conflicting duty. A written disclosure was provided to the Chief Executive Officer outlining the reasons for this conflict.

5. Presentations

- 5.1 The Mayor, Cr Surace presented Council with a plaque from the Department of Immigration and Border Protection in recognition of Council's contribution and continual commitment to holding citizenship ceremonies and welcoming new Australians to our community.
- 5.2 The Mayor, Cr Surace advised that Council held its annual Carols in Queens Park Event last Sunday, 13 December 2015. Proceeds received from this event totalled \$4608.80 and are to be donated to the Harm Program which is run by Moonee Valley, Flemington & Kensington Community Legal Services.
- 5.3 The Mayor, Cr Surace presented Council with a Certificate of Appreciation from the Mirabel Foundation in recognition of Council's ongoing support of the foundation. The Foundation assists children who have been orphaned or abandoned due to parental illicit drug use and are now in the care of extended family (kinship care).

6. Petitions and Joint Letters

6.1 Alfresco dining at Carosello Restaurant, Cnr Margaret Street and Hall Street, Moonee Ponds

File No. PROJ/15/58

Cr Cusack tabled a petition signed by 170 individuals supporting alfresco dining being approved by Council at the above location.

6.2 31 and 33 Taylor Street, Moonee Ponds

File No. PROJ/15/58

Cr Nation tabled a petition signed by 116 individuals objecting to the demolition of properties at 31 and 33 Taylor Street, Moonee Ponds.

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

7. Public Question Time

Andrew Gunter of Essendon West has asked the following:

1. What are the most recent updates provided to Council by:
 - a) The Department of Defence;
 - b) DELWP;
 - c) Places Victoria; and/or
 - d) Maribyrnong City Council

regarding the status of the Maribyrnong Defence Site and proposals for works (including decontamination) and development at the site?

2. Is any community update proposed?

The Chief Executive Officer advised that Council has not received any recent update with regard to the Maribyrnong Defence Site. The advice that has (previously) been received by Council is that there are on-going works being undertaken to remediate the contamination of the site. Once this is finished the Commonwealth Government will make a decision on selling the land. The discussion to date has been that Places Victoria (the State's development arm), would purchase the land however Council is not able to confirm that advice at this stage. The Chief Executive Officer noted there was no additional information on the Maribyrnong website about this issue.

Cr Nation left the meeting at 7.08pm and returned at 7.09pm.

8. Reports by Mayor and Councillors

File No. FOL/14/1249

Minute No. 2015/194

Recommendation

Moved by Cr Marshall, seconded by Cr Cornish that the reports by the Mayor and Councillors be received with the following amendments to Cr Marshall's report:

- 6 November 2015, attended St Brendan's Fete;
- 13 November 2015, attended St Mary's Fete;
- 16 November 2015, attended the Progress Kindergarten Annual General Meeting; and
- 21 November 2015, attended Ascot Vale Primary School Fete, Essendon North Primary School Fete and the St Monica's Primary School Fete.

CARRIED

Cr Sipek left the meeting at 7.29pm and returned at 7.31pm.

9. Reports

**9.1 31 & 33 Taylor Street, Moonee Ponds (Lots 1 & 2 LP5160)
- Construction of a four storey building, use of the land for dwellings, a reduction in car parking requirements and a waiver of loading bay requirements**

File No: FOL/15/590
Author: Principal Statutory Planner
Directorate: Planning & Development
Ward: Myrnong
Minute No. 2015/195

Council Resolution

Moved by Cr Marshall, seconded by Cr Nation, that Council issue a Refusal to Grant a Permit in relation to Planning Permit Application No. MV/619/2014 for the construction of a four storey building, use of the land for dwellings, a reduction in car parking requirements and a waiver of loading bay requirements at No.31 & 33 Taylor Street, Moonee Ponds (Lots 1 & 2 LP5160), on the following grounds:

1. The proposal fails to meet the overarching objective and strategies of Clause 15.03-1 (Heritage Conservation) of the Moonee Valley Planning Scheme as the policy relates to the conservation of places of heritage significance.
2. The proposal fails to meet the objectives and strategies contained within Clause 21.06-2 (Heritage) of the Moonee Valley Planning Scheme and would result in a development that fails to conserve the historic quality of places of cultural heritage significance, is not sympathetic and does not integrate with surrounding buildings.
3. The proposal fails to meet the strategies contained within Clause 21.06-4 (Urban Design) of the Moonee Valley Planning Scheme and would result in a development that fails to appropriately respond to its location and the surrounding context.
4. The proposal will have an adverse effect on the residential amenity of neighbouring land.
5. The proposal will cause adverse traffic impacts on the surrounding area which will be substantial and unreasonable.

CARRIED

**9.2 60 Lloyd Street, Strathmore (Lot 15 on PS007506) -
Construction of two double storey dwellings with a
basement.**

File No: FOL/15/590
Author: Statutory Planner
Directorate: Planning & Development
Ward: Buckley
Minute No. 2015/196

Council Resolution

Moved by Cr Sharpe, seconded by Cr Nation that Council issue a Notice of Decision to Grant a Permit in relation to Planning Permit Application No. MV/754/2015 for the construction of two dwellings at 60 Lloyd Street, Strathmore (Lot 15 on PS007506), subject to the following conditions:

1. Before the development starts, amended plans (three copies) must be submitted to and approved to the satisfaction of the Responsible Authority. The plans must be drawn to scale, with dimensions, and be generally in accordance with the plans submitted and assessed with the application but modified to show:
 - a) The basement floor of each dwelling setback 1.36 metres from the eastern and western side boundaries for a length of 10 metres from their respective front building line.
 - b) The internal reconfiguration of the basement of Dwellings 1 and 2 as a result of Condition 1 a).
 - c) A 300mm trench grate at the front of each garage.
 - d) The driveways of each dwelling to have a maximum width of 3.0 metres within the first 7.0 metres of the title boundary, with the remaining length of the driveways to splay out to their respective garage doors.
 - e) The windows associated with Guest Room and first floor level habitable room windows associated with Dwellings 1 and 2 are to be treated in accordance with Clause 55.04-6 (Overlooking) and Clause 55.04-7 (Internal Views) of the Moonee Valley Planning Scheme.
 - f) The bin storage areas for Dwellings 1 and 2 to be relocated within the basement of each dwelling.
 - g) The proposed crossover to be constructed as a double crossover with the neighbouring crossover.
 - h) Details of the permeable driveway including the manufactures specification, details of how the driveways will drain including the location of the associated aggie pipe to the satisfaction of the Responsible Authority.

- i) A 2.1m high clearance from the start of the ground floor formal lounge to entrance point to the garages of each dwelling, with no changes to the overall height of each dwelling.
- j) Each rainwater tank to be noted to state, on all relevant plans:
 - i) The capacity of the rainwater tank;
 - ii) Whether a mechanically, fully charged or gravity fed system is proposed;
 - iii) Number of toilets connected to the rainwater tank, as detailed on the STORM report;
 - iv) The roof catchment area collected to the rainwater tank, as detailed on the STORM report;
- k) The size, location, grading and type of any impervious paving proposed and demonstration of how the water from these impervious surface/s will be collected by the WSUD treatment measure. This must be consistent with the information provided in the approved STORM report.

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. A minimum 30 days prior to any building or works commencing, all WSUD Design Details (relating to the WSUD treatment measures nominated in the approved and complying STORM report), such as cross sections &/or specifications, to assess the technical effectiveness of the proposed stormwater treatment measures, must be submitted for approval by the Responsible Authority.
- 4. 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 is not limited to:
 - a) Hours of construction;
 - b) Parking and traffic movement of all workers 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 prevention of contamination which must be in the form of a detailed statement or report which outlines all 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) Arrangements for chemical storage;
- l) Noise and vibration control;
- m) Risk assessment;
- n) Works timetable; and
- o) Number of workers expected work on the site at any one time.

When approved, the CSMP will be endorsed and will form part of this permit.

The development must be carried out in accordance with the endorsed CSMP and the provisions, requirements and recommendations of the endorsed CSMP must be implemented and complied with to the satisfaction of the Responsible Authority.

- 5. A minimum 30 days prior to any building or works being completed, 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:
 - a) Inspection frequency.
 - b) Cleanout procedures.
 - c) As installed design details/diagrams including a sketch of how the system operates.
 - d) A report confirming completion & 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.

- 6. Before the buildings approved by this permit are occupied, all retaining walls and boundary walls must be cleaned and finished 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.

6. The privacy screens as shown on the endorsed plans must be installed prior to the occupation of the building.
7. All obsolete, disused or redundant vehicle crossings must be removed and the area reinstated to footpath, nature strip and kerb and channel to the satisfaction of the Responsible Authority.
8. Before the buildings approved by this permit are occupied, concrete vehicular crossings must be constructed to suit the proposed driveways in accordance with the responsible authority's specification and any obsolete, disused or redundant vehicle crossings must be removed and the area reinstated to footpath, nature strip and kerb and channel 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 prior 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. Building or works must not be constructed over any easement without the written consent of the relevant authorities or agencies to the satisfaction of the Responsible Authority.
11. The development must be provided with external lighting capable of illuminating access to each garage, car parking space and pedestrian walkways. Lighting must be located, directed and shielded and of limited intensity so that no nuisance or loss of amenity is caused to any person within or beyond the site to the satisfaction of the Responsible Authority.
12. 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. 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 provision of two canopy trees within the front setback which are able to achieve a minimum mature height of 4 metres;
- e) Features such as paths, paving and accessways;
- f) The use of non-invasive plant species within any easements which will ensure that existing infrastructure assets are not damaged by root systems;
- g) All planting abutting the accessway(s) and site frontage to have a maximum mature height of no more than 900mm in accordance with Clause 52.06-8 (Design Standards for car parking) of the Moonee Valley Planning Scheme;
- h) Appropriate irrigation system.

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.

- 17. 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.
- 18. 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 land.
- 19. 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.
- A permit must be obtained from Council for all vehicular crossings.
- 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.
- Existing levels along the property line must be maintained. All proposed levels must match to existing surface levels along the property boundary. Council will not accept any modifications to existing levels within any road reserve.
- No on street parking permits will be provided to the occupiers of the subject site.
- All works undertaken within any existing road reserves must accord with the requirements of the Moonee Valley City Council's Engineering Services Unit and to the satisfaction of the Responsible Authority.
- 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.

Division Called

A Division was called and voting was as follows:

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

Against: Crs Chantry, Cornish and Marshall.

Abstained: Cr Giuliano.

CARRIED

**9.3 60 Kernan Street, Strathmore (Lot 99 PS007506) -
Construction of three dwellings in a Special Building
Overlay**

File No: FOL/15/590
Author: Team Leader Statutory Planning
Directorate: Planning & Development
Ward: Buckley
Minute No. 2015/197

Motion

Moved by Cr Chantry, seconded by Cr Cornish that Council issue a Notice of Refusal to Grant a Permit in relation to Planning Permit Application MV/980/2014 for the Construction of three dwellings in a Special Building Overlay at No.60 Kernan Street, Strathmore (Lot 99 on PS007506), on the following grounds:

1. The bulk, scale, form and layout of the proposal fails to meet Clause 55.02 (Neighbourhood Character and Infrastructure Objectives) and Clause 21.06-1 (Neighbourhood Character) of the Moonee Valley Planning Scheme, as it does not respect the character of the existing neighbourhood or integrate well with the street.
2. The proposal does not respond appropriately to the following design guidelines of the Garden Suburban 6 Precinct under the Moonee Valley Neighbourhood Character Study 2012.
3. The proposal fails to satisfy the following standards contained within Clause 55 (Two or more dwellings on a lot) of the Moonee Valley Planning Scheme, and does not achieve an acceptable outcome in terms of the following objectives:
 - a) Clause 55.03-1 (Street Setback)
 - b) Clause 55.03-8 (Landscaping)
 - c) Clause 55.04-2 (Walls on Boundaries)
 - d) Clause 55.04-6 (Overlooking)
 - e) Clause 55.05-1 (Accessibility).

Division Called

A Division was called and voting was as follows:

For: Crs Chantry, Cornish, Cusack and Marshall.

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

LOST

Council Resolution

Moved by Cr Sharpe, seconded by Cr Nation that Council issue a Notice of Decision to Grant a Permit in relation to Planning Permit Application No. MV980/2014 for the construction of three dwellings in a Special Building Overlay at 60 Kernan Street, Strathmore (Lot 99 PS007506) subject to the following conditions:

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The amended plans must be drawn to scale with dimensions and 3 copies must be provided. The amended plans must be generally in accordance with the plans submitted and assessed with the application but modified to show:
 - a) The garage associated with Dwelling 3 to be deleted and replaced with an open carspace.
 - b) As a consequence of Condition 1a):
 - i) The relocation of the 6 cubic metre storage facility associated with Dwelling 3 into the rear secluded private open space area.
 - ii) The provision of a 1.8 metre high fence, in line with the eastern alignment of Dwelling 3.
 - c) The removal of all annotations regarding drainage and associated pipework.
 - d) The pedestrian garage doors in each garage to open outwards.
 - e) The demonstration that vehicles associated with Dwelling 3 can exit and enter the site in a forward direction.
 - f) As a consequence of Condition 1e), any modification to the turning area.
 - g) The sill heights on the eastern elevation of Dwelling 1 to reflect the annotations on the floor layout plans.
 - h) The internal elevations of each dwelling.
 - i) The ground floor kitchen window on the western elevation of Dwelling 1 to be screened in accordance with Clause 55.04-5 (Overlooking) of the Moonee Valley Planning Scheme.
 - j) Any alterations to the plans as a consequence of Melbourne Water requirements (Conditions 17 to 24)
 - k) Stormwater treatment measures as a result of Condition 3.
 - l) The notation of all permeable and non-permeable areas.
 - m) 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; and (only required if not initially provided)
 - n) A roof plan which graphically shows:
 - i) All roof areas, both treated by WSUD & untreated.
 - ii) The specific roof area in square metres of the rainwater catchment area discharging into the nominated stormwater treatment, with the WSUD treatment capacity clearly annotated.

- iii) Water tank volumes and numbers of toilets the water tank is connected to.
- iv) The area of any raingarden in square metres which collects roof runoff.

The details must be consistent with the information provided in the approved complying STORM report.

- o) A notation on the plans that the raingardens must be setback a minimum of 300mm from a site boundary and a minimum of 300mm from a building and that the raingardens must be lined and have their overflow plumbed into the stormwater system.
- p) Demonstration on the site layout plan as to how the rainwater runoff is to be:
 - i) Collected from any nominated impervious surface area, and
 - ii) Distributed to the nominated sized & located raingarden / infiltration strip / buffer strip (ie. is it gravity fed or pumped & show the grading of the paved area).
- q) Each rainwater tank to be noted to state, on all relevant plans:
 - i) The capacity of the rainwater tank;
 - ii) Whether a mechanically, fully charged or gravity fed system is proposed;
 - iii) Number of toilets connected to the rainwater tank, as detailed on the STORM report;
 - iv) The roof catchment area collected to the rainwater tank, as detailed on the STORM report;
- r) Show the size and location of any buffer strips / infiltration sand pits or trenches, and the extent, size and grading of the impervious surfaces draining to it. This must be consistent with the information provided in the approved STORM report.

When approved, these plans will be endorsed and will form part of this permit.

2. Except with the prior written consent of the Responsible Authority, the layout of the land 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.
3. An amended STORM assessment report must be submitted simultaneously with the submission of amended plans in accordance with Condition 1. The STORM Assessment must obtain a minimum 100% to comply with Clause 22.03-4 (Stormwater Management) of the Moonee Valley Planning Scheme.
4. Before the buildings approved by this permit are occupied, all retaining walls and boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
5. A minimum 30 days prior to any building or works commencing, all WSUD Design Details (relating to the WSUD treatment measures nominated in the approved and complying STORM report), such as cross sections &/or specifications, to assess the technical effectiveness of the proposed stormwater

treatment measures, must be submitted for approval by the Responsible Authority.

6. A minimum 30 days prior to any building or works commencing, a Site Management Plan must be submitted to and approved by the Responsible Authority detailing the site and environmental management methods to be used. The plan must include, but is not limited to:
 - a) A statement or report outlining all construction measures to be taken to prevent litter, sediments and pollution from entering the stormwater systems.

The WSUD Site Management Plan (SMP) may form part of a broader Site Management Plan that covers other project components, ie. such as noise, EPA issues, traffic management, waste management, etc.

Once submitted and approved the works detailed by the Site Management Plan must be carried out to the satisfaction of the Responsible Authority.

7. A minimum 30 days prior to any building or works being completed, 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:
 - a) inspection frequency;
 - b) cleanout procedures;
 - c) as installed design details/diagrams including a sketch of how the system operates;
 - d) a report confirming completion & 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.

8. Floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
9. Before the buildings approved by this permit are occupied, the privacy screens and other measures to prevent overlooking as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority.

All privacy screens and other measures to prevent overlooking as shown on the endorsed plans must at all times be maintained to the satisfaction of the Responsible Authority.

10. Before the buildings approved by this permit are occupied, the areas set aside for the parking of vehicles, together with the associated driveways and access lanes as shown on the endorsed plans must be:
 - a) constructed;
 - b) available for use in accordance with the endorsed plans;

- c) properly formed to such levels and drained so that they can be used in accordance with the endorsed plans; and
- d) finished with a permanent trafficable surface (such as concrete, asphalt or paving),

in accordance with the endorsed plans to the satisfaction of the Responsible Authority.

The area set aside for the parking of vehicles, together with the associated driveways and access lanes as shown on the endorsed plans must:

- a) be maintained and made available for such use; and
- b) not be used for any other purpose.

to the satisfaction of the Responsible Authority.

11. Before the buildings approved by this permit are occupied, concrete vehicular crossing(s) must be constructed to suit the proposed driveway(s) in accordance with the responsible authority's specification and any obsolete, disused or redundant vehicle crossing(s) must be removed and the area reinstated to footpath, nature strip and kerb and channel 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 prior 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.

12. 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.
13. An on-site stormwater detention drainage system must be installed on the land to the satisfaction of the Responsible Authority.

Before the development starts a Drainage Layout Plan, including computations and manufacturers specifications, to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The Drainage Layout Plan must be prepared by a Civil Engineer with suitable qualifications to the satisfaction of the Responsible Authority and must depict an on-site stormwater detention drainage system to be installed on the land.

When approved, the Drainage Layout Plan will form part of this permit.

The on-site stormwater detention drainage system must be installed and the provisions, recommendations and requirements of the endorsed Drainage Layout Plan must otherwise be implemented and complied with to the satisfaction of the Responsible Authority.

14. 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 land.

15. Before the development starts, and before any trees or vegetation are removed, an amended landscape plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The amended landscape plan must be prepared by a person or firm with suitable qualifications to the satisfaction of the Responsible Authority, drawn to scale with dimensions and 3 copies must be provided. The amended landscape plan must be generally in accordance with the landscape plan 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 provision of at least one canopy tree within the front setback of Dwelling 1 which is able to achieve a minimum mature height of 4 metres;
 - e) The provision of additional garden beds within the front yard of Dwelling 1 and the rear yards of each dwelling to soften the appearance of the built form;
 - f) Features such as paths, paving and accessways;
 - g) All planting abutting the accessway(s) and land frontage to have a maximum mature height of no more than 900mm in accordance with Clause 52.06-8 (Design Standards for car parking) of the Moonee Valley Planning Scheme; and
 - h) An appropriate irrigation system.

When approved, the amended landscape plan will be endorsed and will form part of this permit.

Landscaping in accordance with the endorsed landscaping plan and schedule must be completed before the building is occupied.

16. 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.

Start Melbourne Water Conditions

17. Pollution and sediment laden runoff shall not be discharged directly or indirectly into Melbourne Water's drains or waterways.
18. The dwelling must be constructed with finished floor levels set a minimum of 300mm above the applicable flood level.
19. The garage must be constructed with finished surface levels set a minimum of 150mm above the applicable flood level.

20. The location of buildings must include a minimum setback of 3.30 metres from the eastern boundary of the property for the passage of floodwater/ overland flow.
21. Imported fill must be kept to a minimum on the property and must only be used for the sub floor areas of the dwellings, garages and driveway ramps.
22. The open space areas within the property must be constructed at natural surface levels and no fill or retaining walls should be used in the development of this land.
23. Any proposed internal/ external fence(s) and gate(s) must be of an open style with 50% perforation (opening) up to the applicable flood level.
24. Prior to the issue of an Occupancy Permit, a certified survey plan, showing finished floor levels (as constructed) reduced to the Australian Height Datum, must be submitted to Melbourne Water to demonstrate that the floor levels have been constructed in accordance with Melbourne Water's requirements.

End Melbourne Water Conditions

25. 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 make a written request to the responsible authority to extend the expiry date.

If the development commences before the permit expires, within twelve (12) months after the permit expires, the owner or occupier of the land may make a written request to the Responsible Authority to extend the expiry 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 the development starts, the permit holder must contact the Moonee Valley City Council's Technical Services Department regarding legal point of discharge, vehicular crossings, building over easements, asset protection, road consent/occupancy etc.
- No parking permits will be issued to the occupiers of the subject site.
- The required on-site detention system must be designed to limit the rate of stormwater discharge from the land 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 $C=0.80$.

Melbourne Water Notes

- Preliminary land and flood level information available at Melbourne Water indicates that the above property is subject to flooding from the Magdala Avenue Main Drain (DR4331). The applicable 1% AEP flood level for the property is 300mm above the existing natural surface level.

- If further information is required in relation to Melbourne Water's permit conditions shown above, please contact Melbourne Water on 9679 7517, quoting Melbourne Water's reference 241020.

End Melbourne Water Notes

**THE FORESHADOWED MOTION IN THE NAME OF CR SHARPE
WAS PUT AND CARRIED**

9.4 46 St Kinnord Street, Aberfeldie (Lot 40 Block E on Plan of Subdivision 2016 and Lot 1 on Title Plan 859802H) - Construction of two double storey dwellings with basement garaging

File No: FOL/15/590
Author: Statutory Planner
Directorate: Planning & Development
Ward: Buckley
Minute No. 2015/198

Council Resolution

Moved by Cr Giuliano, seconded by Cr Sipek that Council issue a Notice of Refusal to Grant a Permit in relation to Planning Permit Application MV/546/2014 for the construction of two double storey dwellings with basement garaging at No.46 St Kinnord Street, Aberfeldie (Lot 40 Block E on Plan of Subdivision 2016 and Lot 1 on Title Plan 859802H), on the following grounds:

1. The bulk, scale, form and layout of the proposal fails to meet Clause 55.02 (Neighbourhood Character and Infrastructure Objectives) and 21.06-1 (Neighbourhood Character) of the Moonee Valley Planning Scheme, as it does not respect the character of the existing neighbourhood or integrate well with the street.
2. The proposal does not respond appropriately to the design guidelines of the Garden Suburban 5 Precinct under the Moonee Valley Neighbourhood Character Study 2012.
3. The proposal fails to satisfy the following standards contained within Clause 55 (Two or more dwellings on a lot) of the Moonee Valley Planning Scheme, and does not achieve an acceptable outcome in terms of the following objectives;
 - a) Clause 55.03-1 (Street Setback)
 - b) Clause 55.03-4 (Permeability)
 - c) Clause 55.03-5 (Energy Efficiency)
 - d) Clause 55.03-8 (Landscaping)
 - e) Clause 55.04-6 (Overlooking)
 - f) Clause 55.04-7 (Internal Views).

CARRIED

9.5 **52 Middle Street, Ascot Vale (Lot 1 on Title Plan 894982D) - Demolition of existing dwelling, outbuildings and front fence; construction of three double storey dwellings, front fence and crossover in an Environmental Significance Overlay area and Heritage Overlay area**

File No: FOL/15/590
Author: Team Leader Statutory Planning
Directorate: Planning & Development
Ward: Myrnong
Minute No. 2015/199

Council Resolution

Moved by Cr Cusack, seconded by Cr Marshall that Council issue a Notice of Refusal to Grant a Permit in relation to Planning Permit Application MV64/2015 for the demolition of existing dwelling, outbuildings and front fence; construction of three double storey dwellings, front fence and crossover in an Environmental Significance Overlay area and Heritage Overlay area at No. 52 Middle Street, Ascot Vale (Lot 1 on Title Plan 894982D), on the following grounds:

1. The proposal fails to meet the objectives and strategies contained within Clause 21.06-2 (Objectives, Strategies & Policy Guidelines – Heritage) of the Moonee Valley Planning Scheme and would result in a development that fails to conserve the historic quality of the existing heritage place and surrounding heritage properties.
2. The bulk, scale, form and layout of the proposal fails to meet Clause 55.02 of the Moonee Valley Planning Scheme (Neighbourhood Character and Infrastructure Objectives) and 21.06-1 (Objectives and Strategies – Neighbourhood Character), as it does not respect the character of the existing neighbourhood or integrate well with the street.
3. The proposal fails to achieve acceptable outcomes in terms of neighbourhood character, in particular it does not respond appropriately to the following design guidelines of the Garden Suburban 1 Precinct under the Moonee Valley Neighbourhood Character Study 2012.
4. The proposal fails to satisfy the following standards contained within Clause 55 (Two or more dwellings on a lot) of the Moonee Valley Planning Scheme, and does not achieve an acceptable outcome in terms of the following objectives;
 - a) Clause 55.03-1 (Street Setback);
 - b) Clause 55.03-3 (Site Coverage);
 - c) Clause 55.03-4 (Permeability);
 - d) Clause 55.03-5 (Energy Efficiency);
 - e) Clause 55.03-8 (Landscaping)
 - f) Clause 55.04-2 (Walls on Boundaries);

- g) Clause 55.04-6 (Overlooking);
- h) Clause 55.04-7 (Internal Views).

CARRIED

9.6 117 Spencer Street, Essendon (Lot 193, Block D, PS 003151) - Construction of four dwellings

File No: FOL/15/590
Author: Senior Statutory Planner
Directorate: Planning & Development
Ward: Buckley
Minute No. 2015/200

Council Resolution

Moved by Cr Giuliano, seconded by Cr Chantry that Council issue a Notice of Refusal to Grant a Permit in relation to Planning Permit Application MV/403/2015 for the Construction of four dwellings at No.117 Spencer Street, Essendon (Lot 193, Block D, PS003151), on the following grounds:

1. The bulk, scale, form and layout of the proposal fails to meet Clause 55.02 of the Moonee Valley Planning Scheme (Neighbourhood Character and Infrastructure Objectives) and 21.06-1 (Neighbourhood Character), as it does not respect the character of the existing neighbourhood or integrate well with the street.
2. The front setback is inappropriate for the land and surrounding area, and fails to meet Clause 55.03-1 (Street Setback Objective) of the Moonee Valley Planning Scheme
3. The proposal is expected to lead to an increased pressure for on-street parking in the surrounding area.

CARRIED

**9.7 22 Green Street, Airport West (Lot 723 on LP 8376) -
Construction of seven dwellings**

File No: FOL/15/590
Author: Senior Statutory Planner
Directorate: Planning & Development
Ward: Rosehill
Minute No. 2015/201

Council Resolution

Moved by Cr Sipek, seconded by Cr Marshall that Council issue a Refusal to Grant a Permit in relation to Planning Permit Application No. MV/960/2014 for the construction of seven dwellings at 22 Green Street, Airport West (Lot 723 on LP 8376), on the following grounds:

1. The proposal would present a visually dominant and unsympathetic built form in relation to the character of the area and adjoining properties contrary to Clause 21.06-1 (Neighbourhood Character) and Clause 21.06-4 (Urban Design) of the Moonee Valley Planning Scheme.
2. The proposal fails to comply with the following provisions 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)
3. The proposal would lead to increased traffic and pressure for on-street parking in the surrounding area.

CARRIED

Cr Giuliano left the meeting at 8.38pm and returned at 8.51pm.

**9.8 40 Hall St & 34-36 Margaret St, Moonee Ponds
(PC354406, Lots 1-4 & 7 PS13854, Lot 1 PS134891 &
PC150910) Stage 1 - Construction of multi-storey
buildings and associated works, use of the land for
dwellings, reduction in the car parking requirements and
waiver of the loading bay requirements**

File No: FOL/15/590
Author: Principal Planner/Appeals Advocate
Directorate: Planning & Development
Ward: Myrnong
Minute No. 2015/202

Council Resolution

Moved by Cr Marshall, seconded by Cr Nation that Council issue a Refusal to Grant a Permit in relation to Planning Permit Application No. MV/434/2015 for the (Stage 1) construction of multi-storey buildings and associated works, use of the land for dwellings and reduction in the car parking and loading bay requirements at 40 Hall Street and 34-36 Margaret Street, Moonee Ponds (PC354406, Lots 1-4 & 7 PS13854, Lot 1 PS134891 and PC150910) on the following grounds:

1. The proposal fails to meet the strategies contained at Clause 15.01-2 (Urban design principles) and Clause 21.06-4 (Urban Design) of the Moonee Valley Planning Scheme as the building height does not appropriately respond to the location and surrounding context.
2. The proposal exceeds the preferred heights nominated within Precinct 2 under Schedule 1 to the Activity Centre Zone.
3. The proposal fails to provide sufficient degree of housing diversity contrary to the objective and strategies contained within Clause 21.05-2 (Housing Diversity) of the Moonee Valley Planning Scheme.
4. The proposal fails to achieve an appropriate level of internal amenity for apartments.
5. The proposal fails to minimise off-site amenity impacts and would lead to unreasonable wind and overshadowing impacts on surrounding areas.
6. The proposal fails to provide sufficient car parking as required under Clause 52.06 (Car Parking) of the Moonee Valley Planning Scheme and is expected to lead to an increased pressure for on-street parking in the surrounding area to an unacceptable degree.

CARRIED

Cr Sharpe abstained from the vote.

Having declared an interest in Item 9.9, Cr Marshall left the meeting before any discussion or voting had taken place on the item.

9.9 **3 - 9 Shuter Street, Moonee Ponds (Lot 1 on TP298785E, Lot 1 on TP 519212E, Lot 44 on PS 002872, Lots 1 and 2 on TP 233724S) - Construction of a multi-storey mixed use development (8 Storeys) in an Activity Centre and associated car parking reduction and loading bay waiver.**

File No: FOL/15/590
Author: Principal Statutory Planner
Directorate: Planning & Development
Ward: Myrnong
Minute No. 2015/203

Council Resolution

Moved by Cr Cusack, seconded by Cr Giuliano that Council issue a Notice of Refusal to Grant a Permit in relation to Planning Permit Application MV/483/2015 for the Construction of a multi storey mixed use development (8 Storeys) in an Activity Centre and associated car parking reduction and loading bay waiver at No. 3-9 Shuter Street, Moonee Ponds (Lot 1 on TP298785E, Lot 1 on TP519212E, Lot 44 on PS002872, Lots 1 and 2 on TP233724S), on the following grounds:

1. The proposal fails to meet the strategies contained at Clause 15.01-2 (Urban design principles) and Clause 21.06-4 (Urban Design) of the Moonee Valley Planning Scheme as the proposal does not appropriately respond to the location and surrounding context.
2. The proposal fails to meet the design and development provisions contained within Schedule 1 to the Activity Centre Zone.
3. The proposal provides inadequate car parking and will exacerbate parking problems in the surrounding area.
4. The proposal will create unreasonable amenity impacts to adjoining properties.

CARRIED

Cr Marshall returned to the meeting at 9.19pm.

Having declared an interest in Item 9.10 Cr Nation left the meeting before any discussion or voting had taken place on the item.

9.10 Windy Hill - C158 - Planning Scheme Amendment

File No: FOL/15/590
Author: Manager City Planning
Directorate: Planning & Development
Ward: Buckley
Minute No. 2015/204

Council Resolution

Moved by Cr Giuliano, seconded by Cr Sharpe that Council request the Minister for Planning to prepare and approve Amendment C158 (refer Appendix A) to the Moonee Valley Planning Scheme under section 20(4) of the *Planning and Environment Act 1987*, which introduces the following changes to amend Schedule 3 to the Special Use Zone to include 'Office' as a Section 1 use in the table of uses, with the condition that it is conducted by or on behalf of Moonee Valley City Council.

CARRIED

Having declared an interest in Item 9.14 Cr Nation did not return to the Council Chamber and the Mayor brought forward item 9.14 for consideration.

9.14 **Responsive Grants**
File No: FOL/15/590
Author: Community Grant Officer
Directorate: Community Services
Ward: Municipal
Minute No. 2015/205

Council Resolution

Moved by Cr Cornish, seconded by Cr Chantry that Council note the applicants successful in being allocated grants as part of the Responsive Grant program from July to October 2015.

CARRIED

Cr Nation returned to the meeting at 9.34pm

Reports Considered En Bloc

Minute No. 2015/206

Council Resolution

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

- 9.11 Plan Melbourne Refresh
- 9.12 Cross Keys Reserve Draft Master Plan
- 9.15 Riverside Park Concept Design
- 9.16 ANZAC Centenary Community Coordinating Committee
- 9.17 144A Mascoma Street, Strathmore – Lease with 'Tim Taylor trading as With Compliments Indoor Plant Hire'
- 9.18 Report on Tenders and Contracts Awarded
- 9.19 Report on Advisory Committees
- 9.20 Report on Assemblies of Council

be adopted by Council.

CARRIED

9.11 Plan Melbourne Refresh

File No: FOL/15/590
Author: Strategic Planner
Directorate: Planning & Development
Ward: Municipal
Minute No. 2015/206

Council Resolution

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

1. Endorse the draft submission to the Plan Melbourne Refresh Discussion Paper, as detailed in Appendix B (separately circulated).
2. Forward the submission to the Victorian State Government.

CARRIED

9.12 Cross Keys Reserve Draft Master Plan

File No: FOL/15/590
Author: Coordinator City Planning
Directorate: Planning & Development
Ward: Buckley
Minute No. 2015/206

Council Resolution

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

1. Endorse the Cross Keys Reserve Draft Master Plan 2015 (provided as Appendix B – separately circulated) for the purpose of community consultation
2. Receive a further report following the completion of the community consultation.

CARRIED

9.15 Riverside Park Concept Design

File No: FOL/15/590
Author: Coordinator City Planning
Directorate: Planning & Development
Ward: Buckley
Minute No. 2015/206

Council Resolution

Moved by Cr Cornish, seconded by Cr Giuliano that Council adopt the Riverside Park Concept Design as provided in Appendix A, separately circulated.

CARRIED

9.16 ANZAC Centenary Community Coordinating Committee

File No: FOL/15/590
Author: Coordinator Arts, Culture & Libraries
Directorate: City Services
Ward: Municipal
Minute No. 2015/206

Council Resolution

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

1. Approve the updated Terms of Reference for the ANZAC Centenary Community Coordinating Committee (provided as Appendix A).
2. Approve extending the current ANZAC Centenary Community Coordinating Committee membership to 30 November 2018 (provided as Appendix B).

CARRIED

9.17 144A Mascoma Street, Strathmore - Lease With Tim Taylor Trading as 'With Compliments Indoor Plant Hire'

File No: FOL/15/590
Author: Coordinator Building, Health & Property Services
Directorate: City Services
Ward: Buckley
Minute No. 2015/206

Council Resolution

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

1. Progress the new lease with Tim Taylor trading as '*With Compliments Indoor Plant Hire*' for occupancy and use of Council's property 144A Mascoma Street, Strathmore, as resolved by Council at its meeting held 27 October 2015, with an amendment to reduce the lease area to 6,300m² at an annual rental of \$17,400 per annum (GST excl).
2. Approves of the re-instatement of the subject land of approximately 2,400m² at the eastern end of the lease site as public open space and integrate into adjoining parkland.
3. Thank the Friends of Moonee Ponds Creek for their recent submission and advise of actions to be undertaken at the nursery corner site.

CARRIED

9.18 Report on Tenders and Contracts Awarded

File No: FOL/15/590
Author: Team Leader Council Business
Directorate: Corporate Services
Ward: Municipal
Minute No. 2015/206

Council Resolution

Moved by Cr Cornish, seconded by Cr Giuliano that Council receive and note the report of Council's Tenders Committee and tenders awarded at its meeting held 8 December 2015.

CARRIED

9.19 Report on Advisory Committees

File No: FOL/15/590
Author: Team Leader Council Business
Directorate: Corporate Services
Ward: Municipal
Minute No. 2015/206

Council Resolution

Moved by Cr Cornish, seconded by Cr Giuliano that Council receive and note the following confirmed Advisory Committee Meeting Minutes, received since the last report to Council in October 2015:

- a) Liquica Partnership Working Group held 22 June 2015 (Appendix A);
- b) Integrated Transport Committee 3 August 2015 (Appendix B);
- c) Arts & Culture Advisory Committee held 10 August 2015 (Appendix C);

- d) Strategic Planning Advisory Committee held 17 September 2015 (Appendix D);
- e) ANZAC Centenary Advisory Committee held 21 September 2015 (Appendix E);
- f) Integrated Waterways Advisory Committee held 9 October 2015 (Appendix F); and
- g) Early Years Reference Group held 13 October 2015 (Appendix G).

CARRIED

9.20 Report on Assemblies of Council

File No: FOL/15/590
Author: Team Leader Council Business
Directorate: Corporate Services
Ward: Municipal
Minute No. 2015/206

Council Resolution

Moved by Cr Cornish, seconded by Cr Giuliano 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 2015.

CARRIED

9.13 Response to Notice of Motion - Kindergarten in Moonee Ponds

File No: FOL/15/590
Author: Coordinator, Family & Children Services Planning
Directorate: Community Services
Ward: Myrnong
Minute No. 2015/207

Council Resolution

Moved by Marshall, seconded by Cusack that Council defer this item to the Ordinary Meeting of Council to be held 23 February 2016.

CARRIED

10. Notices of Motion

10.1 Notice of Motion 2015/25 - Maribyrnong River Cruise Mooring Site

File No: FOL/15/590
From: Councillor Shirley Cornish
Ward: Myrnong
Minute No. 2015/208

Council Resolution

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

1. Receive a report at its February 2016 Ordinary Council Meeting, identifying possible locations including but not limited to the property at 44A The Boulevard, Moonee Ponds within the City of Moonee Valley for a mooring site along the Maribyrnong River to enable the relocation of the Blackbird Cruises as a result of construction being undertaken at their current location.
2. Through discussion with Maribyrnong City Council, seek Maribyrnong's formal position on the proposal outlined in Point 1 above.

CARRIED

11. Urgent Business

The Chairperson sought a vote to accept an item of urgent business relating to a property at 1070 Mount Alexander Road, Essendon.

LOST

12. Confidential Reports

Council Resolution

Moved by Cr Cornish, seconded by Cr Giuliano that Council resolve to close the meeting to the public pursuant to Section 89(2) of the Local Government Act 1989 to discuss a personnel matter.

CARRIED

Consideration of Confidential Reports

12.1 Updated Chief Executive Officer Position Description

Council Resolution

Moved by Cr Giuliano, seconded by Cr Cornish that Council resume in open Council.

CARRIED

13. Close of Meeting

The meeting concluded at 10.05pm.

**CR ANDREA SURACE
CHAIRPERSON**