



City of

Moonee Valley

Ordinary Meeting of Council

Tuesday, 24 March 2015

Minutes

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Minutes of the Ordinary Meeting of Council

Tuesday, 24 March 2015 at 7:00pm
held at the Moonee Valley Civic Centre

PRESENT

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

Officers: Mr Neville Smith Chief Executive
 Mr Tony Ball Director Community Services
 Mr Bryan Lancaster Director City Works & Development
 Mr Dale Monk Acting Director Corporate Services
 Mr Anthony Smith Acting Director Environment & Lifestyle
 Mr Henry Bezuidenhout Manager Strategic & Statutory Planning
 Mr Troy Delia Acting Manager Governance & Local Laws

1. Opening

The Mayor, Cr Sharpe, opened the meeting and welcomed all present to the Council Meeting of Tuesday, 24 March 2015.

2. Apologies

Nil.

3. Confirmation of Minutes

Moved by Cr Sipek, seconded by Cr Nation that the Minutes of the Ordinary Meeting of Council held on Tuesday, 24 February 2015 and the Special Meeting of Council held on Tuesday, 10 March 2015 be confirmed.

CARRIED

4. Declarations of Conflict of Interest

Cr Marshall declared what may be perceived as conflict of interest in Item 9.4, relating to residential amenity. A written disclosure was provided to the Chief Executive outlining the reasons for this conflict.

Cr Nation declared an indirect conflict of interest in Item 9.5, relating to a conflicting duty. A written disclosure was provided to the Chief Executive outlining the reasons for this conflict.

5. Presentations

Nil.

6. Petitions And Joint Letters

Nil.

7. Public Question Time

The Mayor advised that three Public Questions have been received, however all three questions were disallowed as they did not comply with Council's Public Question Time Guidelines.

8. Reports by Mayor and Councillors

File No. FOL/14/1249

Minute No. 2015/32

Council Resolution

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

CARRIED

9. Reports

9.1 53 Deakin Street, Essendon (Lot 161 Block C LP3151) - Construction of four dwellings

File No: MV/760/2014

Author: Principal Town Planner

Directorate: City Works & Development

Ward: Buckley

Minute No: 2015/33

Council Resolution

Moved by Cr Chantry, seconded by Cr Giuliano that Council issue a Refusal to Grant a Permit in relation to Planning Permit Application No. MV/760/2014 for the construction of four dwellings at No.53 Deakin Street, Essendon (Lot 161 Block C LP3151), on the following grounds:

1. The development would present a visually dominant and unsympathetic built form character to the area contrary to Clause 55.02-1 (Neighbourhood Character), Clause 21.06-1 (Objectives & Strategies – Neighbourhood Character) and 21.06-4 Objectives & Strategies - Urban Design) of the Moonee Valley Planning Scheme.
2. The proposed development does not meet the following requirement of Clause 55 of the Moonee Valley Planning Scheme:
 - a) Clause 55.03-1 (Street Setback)
3. The development is not site responsive and would represent an overdevelopment of the land.

CARRIED

Cr Giuliano left the meeting at 7.42pm and returned at 7.43pm.

9.2 23-27 Dennis Avenue, East Keilor (Lots 74, 75 and 76 on LP44090) - Construction of eight dwellings and a reduction to the car parking requirement

File No: MV/50/2014

Author: Senior Town Planner

Directorate: City Works & Development

Ward: Rose Hill

Minute No: 2015/34

Council Resolution

Moved by Cr Surace, seconded by Cr Sipek that Council issue a Refusal to Grant a Permit in relation to Planning Permit Application No. MV/50/2014 for the construction of eight dwellings and a reduction to the car parking requirement at No. 23 – 27 Dennis Avenue, East Keilor (Lots 74, 75 and 76 on LP 44090), on the following grounds:

1. The development would present a visually dominant and unsympathetic built form character to the area contrary to Clause 55.02-1 (Neighbourhood Character), Clause 21.06-1 (Objectives & Strategies – Neighbourhood Character) and 21.06-4 (Objectives & Strategies - Urban Design) of the Moonee Valley Planning Scheme.
2. The proposal does not provide adequate parking for visitors in accordance with Clause 52.06 (Car Parking) of the Moonee Valley Planning Scheme.
3. 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 55.04-1 (Side and Rear Setbacks)
 - d) Clause 55.04-3 (Daylight to Existing Windows)
 - e) Clause 55.06-1 (Design Detail)
4. The development is not site responsive and would represent an overdevelopment of the land.

CARRIED

Cr Surace left the meeting at 7.50pm and returned at 7.52pm.

Cr Sipek left the meeting at 8.02pm and returned at 8.04pm.

9.3 Draft Moonee Valley Housing Issues and Opportunities Paper

File No: FOL/14/678

Author: Senior Strategic Planning Officer

Directorate: City Works & Development

Ward: Municipal

Minute No: 2015/35

Council Resolution

Moved by Cr Marshall, seconded by Cr Cusack that Council endorse the Draft Housing Issues and Opportunities Paper for the purposes of community consultation.

CARRIED

Cr Giuliano left the meeting at 8.09pm and returned at 8.12pm.

Cr Marshall had declared an interest in Item 9.4 and therefore left the meeting before any discussion or voting had taken place on the item.

9.4 Events Area Boundary Review

File No: 43/008/035

Author: Coordinator Transport

Directorate: City Works & Development

Ward: Myrnong

Minute No: 2015/36

Council Resolution

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

1. Note the outcome of the Events Area Boundary Review.
2. Retains the current Events Area Boundary (as presented in Appendix A).
3. Advise the Royal Agricultural Society, Flemington Racecourse, Melbourne City Council, Department of Environment, Land, Water and Planning and Public Transport Victoria of the outcomes of the Events Area Boundary Review.

CARRIED

Cr Marshall returned to the meeting here.

Cr Surace left the meeting at 8.14pm and returned at 8.19pm.

Cr Giuliano left the meeting at 8.22pm.

Cr Nation had declared an interest in item 9.5 and therefore left the meeting before any discussion or voting had taken place on the item.

9.5 East Keilor Leisure Centre Feasibility Study Draft Concept Plan

File No: FOL/13/251

Author: Manager Leisure & Open Space Planning

Directorate: Environment & Lifestyle

Ward: Rose Hill

Minute No: 2015/37

Council Resolution

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

1. Proceed with public consultation on the East Keilor Leisure Centre Feasibility Study Draft Concept Plan.
2. Receive a further report following the consultation period.

Division Called

A Division was called and voting was as follows:

For: Crs Surace, Sipek, Sharpe, Chantry Cusack and Marshall.

Against: Cr Cornish.

CARRIED

Cr Nation returned to the meeting here.

9.6 Draft Five Mile Creek Reserve Master Plan

File No: FOL/14/114

Author: Manager Leisure & Open Space Planning

Directorate: Environment & Lifestyle

Ward: Buckley

Minute No: 2015/38

Council Resolution

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

1. Proceed with public consultation on the Draft Five Mile Creek Reserve Master Plan.
2. Receive a further report following the consultation period.

CARRIED

9.7 Early Years Reference Group

File No: FOL/10/1167

Author: Coordinator Family & Children Services Planning

Directorate: Community Services

Ward: Municipal

Minute No: 2015/39

Council Resolution

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

1. Acknowledge Dianne Truccolo for her contributions as parent representative on the EYRG.

2. Appoint Christine Lawrey and Mary Pollerd as parent representatives to the EYRG Advisory Committee.
3. Endorse the updated Early Years Reference Group Terms of Reference (as provided in Appendix A – separately circulated).

CARRIED

9.8 Lincoln Park, 66-68 Lincoln Road, Essendon - Expressions of Interest for Community Use

File No: PR22337

Author: Coordinator Property Services

Directorate: Corporate Services

Ward: Buckley

Minute No: 2015/40

Council Resolution

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

1. Accept the submission from the Regional Farmers Market Pty Ltd (RFM) to conduct a fresh produce farmers market at Lincoln Park, 66-68 Lincoln Road, Essendon one Saturday a month subject to the RFM obtaining requisite planning approval.
2. Enter into a licence agreement with the RFM for a maximum term of two years with an annual licence fee of \$5,000 (plus GST).
3. Authorise the Chief Executive to sign the licence agreement.
4. Develop a policy to deal with future applications seeking to conduct community and commercial activities on Council owned or controlled land.

CARRIED

Reports Considered En Bloc

Minute No: 2015/41

Council Resolution

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

- 9.9 Attendance at the 2015 ALGA National General Assembly of Local Government
 - 9.10 Report on Audit Committee
 - 9.11 Report on Assemblies of Council
- be adopted by Council.

CARRIED

9.9 Attendance at the 2015 ALGA National General Assembly of Local Government

File No: FOL/09/241
Author: Director Corporate Services
Directorate: Corporate Services
Ward: Municipal
Minute No: 2015/41

Council Resolution

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

1. Note that in accordance with the Resources, Facilities and Reimbursement of Expenses to Councillors Policy, attendance of the Mayor, Councillor Narelle Sharpe, at the National General Assembly of Local Government is approved as a matter of policy entitlement.
2. Endorse the attendance of Councillors Jim Cusack, Cam Nation, John Sipek and Andrea Surace at the Australian Local Government Association 2015 National General Assembly of Local Government to be held in Canberra on 14-17 June 2015.
3. Approve the 'Children Left Unattended in Cars' motion for submission to the National General Assembly Business Papers.

CARRIED

9.10 Report on Audit Committee

File No: FOL/14/1253
Author: Manager Governance & Local Laws
Directorate: Corporate Services
Ward: Municipal
Minute No: 2015/41

Council Resolution

Moved by Cr Cornish, seconded by Cr Surace that Council receive the unconfirmed Minutes of the Audit Committee Meeting held on 23 February 2015.

CARRIED

9.11 Report on Assemblies of Council

File No: FOL/09/1245
Author: Manager Governance & Local Laws

Directorate: Corporate Services

Ward: Municipal

Minute No: 2015/41

Council Resolution

Moved by Cr Cornish, seconded by Cr Surace that Council receive and note the written records of Assembly of Councillors, provided as Appendix A, received since the last report to Council in February 2015.

CARRIED

10. Notices of Motion

10.1 Notice of Motion No. 2015/06

Title: Cost Shifting & Grant Reduction

From: Cr John Sipek

Ward: Municipal

File No: FOL/14/1258

Minute No: 2015/42

Moved by Cr Sipek, seconded by Cr Surace that Council requests the:

1. Chief Executive prepare a report investigating the impact of cost shifting by both the Federal and State Governments onto Local Government and the reduction in grants provided to Local Government, over the last 10 years.
2. Report be prepared by 30 June 2015.
3. Contents of the report be used to assist Council in advocating for additional funds from all levels of government and other agencies.

CARRIED

11. Urgent Business

Nil.

12. Confidential Report

Nil.

The meeting concluded at 8.49pm.

CONFIRMED

**CR NARELLE SHARPE
CHAIRPERSON**