



City of
Moonee Valley

Ordinary Meeting of Council

Tuesday, 23 June 2015

Minutes

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The following reports were considered:

9.1	13 and 15 Norwood Crescent, Moonee Ponds (Lot 1 TP538141T & Lot 1 TP191050B) - Partial demolition and construction of a four storey building, use of the land for dwellings and an office, reduction in car parking and a waiver of loading bay requirements	6
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Minutes of the Ordinary Meeting of Council

Tuesday, 23 June 2015 at 7.27pm
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 Andrea Surace

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

1. Opening

The Mayor, Cr Sharpe, opened the meeting and welcomed all present to the Council Meeting of Tuesday, 23 June 2015.

2. Apologies

An apology for non-attendance was received for Cr John Sipek.

3. Confirmation of Minutes

Moved by Cr Surace, seconded by Cr Nation that the Minutes of the Ordinary Meeting of Council held on Tuesday, 26 May 2015 be confirmed.

CARRIED

4. Declarations of Conflict of Interest

- 4.1 Cr Nation declared an indirect interest in Item 9.3 due to a conflicting duty. Cr Nation's personal business activities may be directly impacted by the outcome of the decision
- 4.2 Cr Cornish declared a direct interest in Item 9.4 due to a financial interest. Cr Cornish operates a business and the outcome of the decision may directly impact that business.
- 4.3 Cr Cusack declared an indirect interest in Item 9.6 due to a close association. A family member sits on the board of an organisation who submitted for funding as part of the Budget process.

5. Presentations

Nil.

6. Petitions And Joint Letters

6.1 Removal of Tree - Grace Street, Moonee Ponds

File No: FOL/14/1254

Cr Cusack tabled a petition signed by 15 residents of Mantell Street, Moonee Ponds requesting the removal of a tree that protrudes into the laneway at the rear of 20 Grace Street, Moonee Ponds.

Leave of Absence

At this point in the meeting Cr Giuliano sought Leave of Absence during the period 28 June to 10 July 2015 inclusive.

Council Resolution

Moved by Cr Surace, seconded by Cr Cusack that Council grant Cr Paul Giuliano Leave of Absence during the period 28 June to 10 July 2015 inclusive.

CARRIED

7. Public Question Time

Brendan Miller of Aberfeldie asked the following questions:

1. Why are there no pram crossings over some of the streets along Afton Street and Clifton Street?
2. Can pram crossings be put in place to ensure safe crossings of these roads for wheeled transport please? I notice children on bikes (as well as prams) being wheeled along Afton Street as it is very steep and too difficult to ride a bike. This is a popular route to get to the local school and nearby Maribyrnong River precinct. Clifton Street is also a popular route to nearby Primary Schools.

The Chief Executive advised that Council places great importance on community safety and is committed to creating a safe, accessible and sustainable environment for students and our community.

Council's Better Moves Around Schools (BMAS) program brings schools and Council together to improve traffic, safety and parking management. The program aims to improve safety and encourage walking, cycling and other forms of wheeled transport (including prams) when travelling to and from school.

Two schools in the vicinity of the area mentioned, Aberfeldie Primary and Our Lady of the Nativity, will both be addressed as part of our BMAS program. This will include investigating issues raised by the schools that discourage children and families from walking and implementing improvements where feasible.

BMAS implementation for Our Lady of the Nativity is scheduled to commence next year whilst implementation for Aberfeldie Primary is scheduled for a later date.

In the meantime, Council officers would be more than happy to assess any specific location where there is a request to install pram crossings in order ensure safe crossings points for our community.

8. Reports By Mayor And Councillors

File No. FOL/12/1435

Minute No. 2015/81

Council Resolution

Moved by Cr Marshall, seconded by Cr Surace that the reports by the Mayor and Councillors be received with the following amendments:

1. Removal of Cr Marshall's attendance at the Flemington Neighbourhood Renewal Board meeting, Community Consultative Group meeting and the consultation briefing relating to 52 Middle Street, Ascot Vale on 7 May 2015.
2. Inclusion of Cr Marshall's attendance at the Housing Issues and Opportunities Paper Information Session at the Clocktower on 7 May 2015 and various attendances at planning application sites with residents in relation to issues of concern throughout the reporting period.
3. Removal of Cr Chantry's attendance at the 28 May 2015 Principal's breakfast.
4. Removal of Cr Surace's attendance at the IDAHOBIT and Built Environment Sustainability on 13 May 2015.

CARRIED

Cr Giuliano left the meeting at 7.48pm and returned at 7.49pm.

The Mayor vacated the Chair and the Deputy Mayor assumed the Chair.

The Mayor returned to the meeting at 8.02pm and assumed the Chair.

9. Reports

9.1 13 and 15 Norwood Crescent, Moonee Ponds (Lot 1 TP538141T & Lot 1 TP191050B) - Partial demolition and construction of a four storey building, use of the land for dwellings and an office, reduction in car parking and a waiver of loading bay requirements

File No: MV/892/2014

Author: Principal Town Planner

Directorate: City Works & Development

Ward: Myrnong

Minute No: 2015/82

Council Resolution

Moved by Cr Cusack, seconded Cr Marshall that Council issue a Refusal to Grant a Permit in relation to Planning Permit Application No. MV/892/2014 for the partial demolition of an existing building and construction of a four storey building in a Heritage Overlay, use of the land for dwellings and an office, a reduction in car parking requirements and a waiver of loading bay requirements at No. 13 and 15 Norwood Crescent, Moonee Ponds (Lot 1 TP538141T and Lot 1 TP191050B), on the following grounds:

1. 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.
2. 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 55.04-3 (Daylight to Existing Windows Objective)
 - b) Clause 55.04-5 (Overshadowing Open Space Objective)
3. The proposal will have an adverse effect on the residential amenity of neighbouring land.
4. The proposal will increase the use of the laneway and has the potential to create a pedestrian hazard.

CARRIED

9.2 168 and 170 Pascoe Vale Road, Moonee Ponds (Lot 1 TP410776L & Lot 1 TP344547T) - 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: MV/902/2014

Author: Principal Town Planner

Directorate: City Works & Development

Ward: Myrnong

Minute No: 2015/83

Council Resolution

Moved by Cr Cusack, seconded Cr Giuiliano that Council issue a Notice of Decision to Grant a Permit in relation to Planning Permit Application No. MV/902/2014 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.168 and 170 Pascoe Vale Road, Moonee Ponds (Lot 1 TP410776L and Lot 1 TP344547T), subject to the following conditions:

1. Before the use and development starts, amended plans (three copies) must be submitted and approved to the satisfaction of the Responsible Authority. The plans must be drawn to scale, with dimensions, and be generally in accordance with the plans submitted and assessed with the application but modified to show:
 - a) The rear car park door opening increased to a minimum of 8.5 metres in width.
 - b) Provision of an uninhibited corner splay to the south-east corner of the site, with the bin storage area set back 2.5 metres from the rear property boundary as a result of this.
 - c) Modifications to the bin and residential storage areas to meet the requirements of Conditions 1.a) and 1.b).
 - d) The bin storage area doors modified so that they do not swing into the car parking area.
 - e) A notation that the bicycle hoop at the front of the site is to meet Council's requirements and design guidelines.
 - f) The second floor northern balconies for Dwellings 2.03 and 2.04 and the third floor northern balcony for Dwellings 3.02 and 3.03 treated/screened in accordance with the requirements of Clause 55.04-6 (Overlooking).
 - g) The second floor east facing bedroom window for Dwelling 2.02 and the second floor west facing bedroom window for Dwelling 2.04 to meet the requirements of Clause 55.04-6 (Overlooking).

- h) Openable portions to the corridor windows to utilise natural ventilation.
 - i) All east and west facing habitable room windows provided with external adjustable shading.
 - j) The location and details of all heating and cooling systems clearly shown on the plans in accordance with Conditions 7 and 20.
 - k) Internal east and west elevation plans.
 - l) 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 details, such as cross sections and/or specifications, to assess the technical effectiveness of the proposed stormwater treatment measures, must be submitted to and be approved 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 vehicles and construction vehicles;
 - c) Scaffolding and hoarding for the site;
 - d) Allocated areas for loading and unloading;
 - e) Site evacuation plan and procedure;
 - f) Occupational health and safety policy;
 - g) Hazard identification and control;
 - h) Environmental management and waste minimisation;
 - i) Management of onsite stormwater and contamination: a statement or report outlining all construction measures to be taken to prevent litter, sediments and pollution from entering the stormwater systems.
 - j) Protection of surrounding roads from site contamination and damage including rumble grid and or wash down bay facility;
 - k) Chemical storage;
 - l) Noise and vibration;
 - m) Risk assessment;

- n) Works timetable; and
- o) Number of workers expected of work on the site at any one time.

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

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 and commissioning of all WSUD Response initiatives by the author of the WSUD Response and STORM or MUSIC model approved pursuant to this permit, or similarly qualified person or company. This report must be to the satisfaction of the Responsible Authority and must confirm that all initiatives specified in the WSUD Response and STORM or MUSIC model have been completed and implemented in accordance with the approved report.

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

6. Prior to the issue of an Occupancy Permit, all boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
7. 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.
8. Floor levels shown on the endorsed plan(s) must not be altered or modified without written consent of the Responsible Authority.
9. The privacy screens / obscure glazing as shown on the endorsed plans must be installed prior to the occupation of the building.
10. The area set aside for the parking of vehicles, together with the associated access lanes as delineated on the endorsed plan(s) must be to the satisfaction of the Responsible Authority:
 - a) Be provided and completed prior to the commencement of the use hereby permitted;
 - b) Thereafter be maintained;

- c) Be made available for such use at all times and not used for any other purpose;
 - d) Be properly formed to such levels that it can be used in accordance with the endorsed plan; and
 - e) Be drained and sealed with an all-weather seal coat.
11. Bicycle parking spaces and access must be provided, maintained and kept available for these purposes at all times to the satisfaction of 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 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.
 14. The development must be provided with external lighting capable of illuminating access to the car parking area, each 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.
 15. 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 all habitable rooms within the dwellings to ensure minimal impacts from noise sources external to that dwelling. This report must also detail noise attenuation measures required to the car stackers and internal car parking areas within the building to ensure minimum internal and external impacts from noise sources within these areas. The recommendations of the acoustic report must be implemented prior to the completion of the development.
 16. All security alarms or similar devices installed on the land must be of a silent type approved by the Standards Association of Australia and must be connected to a registered security service.
 17. Before the development starts, or any trees or vegetation removed, a 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 and suitable planter box species.

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.

18. 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.
19. 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.
20. Prior to the commencement of buildings and works, the Environmentally Sustainable Design (ESD) report, and associated appendices, prepared by 'Low Impact Development Consulting' dated 16 February 2015 is to be amended and submitted to the Responsible Authority for approval in accordance with the following:
 - a) Shower heads and washing machines to be a minimum of 4 stars with regard to water efficiency.
 - b) Once approved, the ESD report is to be implemented and appropriately managed during construction of the proposed building.
 - c) This permit will expire if one of the following circumstances applies:
 - d) The development is not commenced within two (2) years from the date of issue of this permit; or
 - e) The development is not completed and the use is not commenced within four (4) years from the date of issue of this permit.

Before the permit expires or within six (6) months afterwards the owner or occupier of the land may in writing request the Responsible Authority to extend the expiry date.

Once the development has commenced the owner or occupier of the land may in writing request the Responsible Authority to extend the expiry date within twelve (12) months of the lapse date.

Permit Notes

- This is not a building permit under the Building Act. A separate building permit is required to be obtained for any demolition or building works.
- Before commencement of the development occurs, the applicant should contact the Moonee Valley City Council's Technical Services Department regarding legal point of discharge, new crossings, building over easements, etc.
- This permit does not authorise any advertising signs except those which are exempted by the Moonee Valley Planning Scheme.
- 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.
- No on street parking permits will be provided to the occupiers of the subject site.
- It is recommended that the required on-site detention system be designed to limit the rate of stormwater discharge from the property to pre-development levels in accordance with the following calculation; $C=0.4$, $t_c=5$ mins, ARI 1 in 5. An ARI of 1 in 10 should be used for storage and the greater of post development C or $C=0.80$.
- All drainage works undertaken must be in accordance with the requirements of Stormwater Drainage Requirements for Development Works as prepared by the Moonee Valley City Council.
- All works undertaken within any existing road reserves must accord with the requirements of the Moonee Valley City Council's Technical Services Department and be to the satisfaction of the Responsible Authority.
- Council will not accept any modifications to existing levels within the road reserve or to any Right of Way. Any change in levels to match existing surface levels along property boundary lines must be made within the property boundary.

CARRIED

Having declared an interest in Item 9.3, Cr Nation left the meeting before any discussion or voting had taken place on the item.

9.3 East Keilor Leisure Centre Concept Plan 1a

File No: FOL/13/251

Author: Manager Leisure & Open Space Planning

Directorate: Environment & Lifestyle

Ward: Rose Hill

Minute No: 2015/84

Council Resolution

Moved by Cr Surace, seconded Cr Giuliano that Council defer this item to the July 2015 Ordinary Meeting subject to further information.

CARRIED

Cr Nation returned to the meeting at 8.44pm.

Having declared an interest in Item 9.4, Cr Cornish left the meeting before any discussion or voting had taken place on the item.

9.4 Moonee Ponds Business Precinct Special Rate and Charge Declaration

File No: FOL/14/552

Author: Manager Economic Development & City Sustainability

Directorate: Environment & Lifestyle

Ward: Myrnong

Minute No: 2015/85

Council Resolution

Moved by Cr Giuliano, seconded Cr Marshall that Council:

1. Having considered all submissions received and taken account of all objections lodged and complied with the requirements of sections 163A, 163B and 223 of the Local Government Act 1989 (Act), and otherwise according to law, hereby declares a Special Rate and Charge under section 163(1) of the Act for the purposes of defraying expenses to be incurred by Council in providing funds to the incorporated body known and operating as the Moonee Ponds Rate Levy Association (Traders Association), which funds, subject always to the approval, direction and control of Council, are to be used for the purposes of funding a part-time Shopping Centre Coordinator, promotional, advertising, marketing, business development and other incidental expenses as approved by Council and agreed to from time to time between Council and the Traders Association, all of which are associated with the encouragement of commerce, retail and professional activity and employment in the Moonee Ponds business precinct (Business Precinct).

2. Endorse that the criteria which form the basis of the declaration of the Moonee Ponds Special Rate and Charge are the ownership and the capital improved value of rateable land used, or reasonably capable of being used, for commercial retail or professional purposes, which rateable land is situated within the geographical area in which the properties described in paragraphs 7 and 8 of this declaration are included.
3. In declaring the Moonee Ponds Special Rate and Charge, is performing functions and exercising powers in relation to peace, order and good government of the municipal district of the City of Moonee Valley, in particular the encouragement of commerce, retail activity and employment opportunities within the area for which the Moonee Ponds Special Rate and Charge is declared.
4. Endorse the total cost of the performance of the function and the exercise of the power by Council (in relation to activities associated with the encouragement of commerce, retail activity and employment opportunities in the area for which the Moonee Ponds Special Rate and Charge is declared); and confirm that the total amount of the special rate and charge to be levied by Council is referable to an amount of \$160,000 in the first year and increase in \$10,000 increments, for a four year period (year four will collect \$190,000) collecting a total of \$700,000.
5. Set the period for which the Moonee Ponds Special Rate and Charge is declared and will remain in force is a period of four years commencing 1 July 2015 and ending on 30 June 2019. Note amounts have respectively been assessed by –
 - a) an 80 per cent special rate component calculated and assessed by multiplying the capital improved value of each property in the boundary by a rate in the dollar (adjusted annually);
 - b) a 20 per cent fixed special charge component assessed as a flat charge of \$57.45 in the first year;
 - c) all properties not located on Puckle Street will have their rate component discounted by 20 per cent; and
 - d) the special rate and charge will be capped at a maximum amount of \$5,000 per rated property.
7. Define that the area for which the Moonee Ponds Special Rate and Charge is declared, as all of the land referred to as the Business Precinct, as identified and shown on the plan set out in the attachment forming a part of this declaration (Appendix A – Schedule 1 - separately circulated).
8. Define the land in relation to which the Moonee Ponds Special Rate and Charge is declared as all that rateable land described in the listing of rateable properties set out in the attachment forming a part of this declaration (Appendix A – Schedule 2 - separately circulated).

9. Levy the special rate and charge by sending a notice of levy in the prescribed form annually to the person who is liable to pay the special rate and charge, which will require that the special rate and charge must be paid by two instalments, to be paid by the dates which are fixed by Council in the notice.
10. Consider cases of financial and other hardship and may reconsider other payment options for the Moonee Ponds Special Rate and Charge.
11. Endorse that no incentives will be given for payment of the Moonee Ponds Special Rate and Charge before the due date for payment.
12. Considers that there will be a special benefit to the persons required to pay the Moonee Ponds Special Rate and Charge because there will be a benefit to those persons that is over and above, or greater than, the benefit that is available to persons who are not subject to the special rate and charge, and directly and indirectly as a result of the expenditure of the Special Rate and Charge the viability of the Business Precinct as a business, commercial and retail area, and the value and the use, occupation and enjoyment of the properties and the businesses included in the Moonee Ponds Special Rate and Charge will be maintained or enhanced through increased economic activity.
13. For the purposes of having determined the total amount of the Moonee Ponds Special Rate and Charge to be levied under the scheme, further considers and formally determines for the purposes of sections 163(2)(a), (2A) and (2B) of the Act that the estimated proportion of the total benefits of the Scheme to which the performance of the function and the exercise of the power relates (including all special benefits and community benefits) that will accrue as special benefits to all of the persons who are liable to pay the special rate and charge is in a ratio of 1:1 (100 per cent). This is on the basis that, in the opinion of Council, all of the services and activities to be provided from the expenditure of the Moonee Ponds Special Rate and Charge are marketing, promotion and advertising related and will accordingly only benefit those properties and businesses included in the scheme that are used, or reasonably capable of being used, for retail, commercial or professional purposes.
14. Authorise the Chief Executive or the person for the time being acting in that position, for the purposes of paragraph 14 of this resolution, to prepare the funding agreement between Council and the Traders Association by which administrative arrangements in relation to the Moonee Ponds Special Rate and Charge are confirmed, such agreement being to ensure that at all times, and as a precondition to the payment of any fund by Council to the Traders Association, Council is and remains, legally responsible for approving, directing and controlling the expenditure of the proceeds of the Moonee Ponds Special Rate and Charge in accordance with its obligations under the Local Government Act 1989 to do so, and such funding agreement to be submitted to Council for sealing.

15. Enters into a funding agreement with Moonee Ponds Rate Levy Association to enable the administration of proceeds of the Moonee Ponds Special Rate and Charge for the period of the special rate and charge.
16. Give notice to all owners and occupiers of properties included in the Moonee Ponds Special Rate and Charge and all persons who have lodged a submission and/or and objection in writing of the decision of Council to declare and levy the Moonee Ponds Special Rate and Charge commencing on 1 July 2015, and the reasons for the decision.
17. Confirm that for the purpose of paragraph 16, the reasons for the decision of Council to declare the Moonee Ponds Special Rate and Charge are that:
 - e) There is minimal objection to the Scheme and it is otherwise considered that there is a broad level of support for the special rate and charge from all properties owners and occupiers;
 - f) Council considers that it is acting in accordance with the functions and powers conferred on it under the Local Government Act 1989, having regard to its role, purposes and objectives under the Act, particularly in relation to the encouragement of commerce, retail activity and employment opportunities in and around the Scheme area;
 - g) All persons who are liable or required to pay the Moonee Ponds Special Rate and Charge and the properties respectively owned or occupied by them will receive a special benefit in the form of an enhancement or maintenance in land values and/or a maintenance or enhancement in the use, occupation and enjoyment of the properties; and
 - h) The basis of distribution of the Moonee Ponds Special Rate and Charge amongst those persons who are liable or required to pay the special rate and charge is considered to be fair and reasonable.
18. Advise the Traders Association of the matters specified in paragraphs 1, 14 and 15 of this resolution.

CARRIED

Cr Marshall left the meeting at 9.00pm and returned at 9.02pm.

Cr Cornish returned to the meeting at 9.01pm.

9.5 2015/16 Review of the 2013-17 Council Plan

File No: FOL/09/577

Author: Manager Communications & Corporate Planning

Directorate: Corporate Services

Ward: Municipal

Minute No: 2015/86

Council Resolution

Moved by Cr Cusack, seconded Cr Chantry that Council endorse the proposed adjustment to the Council Plan 2013-17, consisting of the revised Strategic Resource Plan.

CARRIED

Cr Giuliano left the meeting at 9.08pm and returned at 9.15pm.

The Mayor accepted Cr Nation's request to bring forward and consider Council Report 9.10 as listed on the agenda.

9.10 Lesbian, Gay, Bisexual, Transgender, Intersex and Queer (LGBTIQ) Action Plan 2015-17

File No: FOL/13/1002

Author: Community Planning Officer

Directorate: Community Services

Ward: Municipal

Minute No: 2015/87

Council Resolution

Moved by Cr Nation, seconded Cr Cusack that Council adopt the LGBTIQ Action Plan 2015-17 (Appendix A separately circulated).

CARRIED

Cr Nation left the meeting and returned at 9.19pm.

Having declared an interest in Item 9.6, Cr Cusack left the meeting before any discussion or voting had taken place on the item.

9.6 Adoption of Budget 2015/16

File No: FOL/15/341

Author: Manager Finance

Directorate: Corporate Services

Ward: Municipal

Minute No: 2015/88

Council Resolution

Moved by Cr Chantry, seconded Cr Giuliano that Council:Adopts the Annual Budget 2015/16 (provided as Appendix A separately circulated).

2. Authorise the Chief Executive to give public notice of this decision in accordance with Section 129 of the *Local Government Act 1989*.
3. Respond to those who lodged a submission on the Proposed Budget 2015/16 in writing advising of Council's decision and the reason for the decision in accordance with Section 223(1) (d) of the *Local Government Act 1989*.
4. Grant a rebate in relation to rates and charges to all Moonee Valley residents eligible within the meaning of the *State Concessions Act 1986*. The maximum rebate is \$20.
5. Declare the Rates, Levies and Annual Service Charges for the 2015/16 financial year (provided as Appendix B).
6. Adopt the Strategic Resource Plan 2016-2019 (provided as Appendix C).

CARRIED

Cr Cusack returned to the meeting at 9.24pm.

Reports Considered En Bloc

Minute No: 2015/89

Council Resolution

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

- 9.12 2014-15 Capital Works Status Report (June 2015)
- 9.13 Proposed Granting of Easement over Council Reserve at 20 Fanny Street, Moonee Ponds to Centurion Developments Moonee Ponds Pty Ltd
- 9.14 Procurement Policy 2015
- 9.15 Report on Audit Committee
- 9.17 Report on Tenders and Contracts Awarded
- 9.18 Report on Assemblies of Council

9.19 Report on Advisory Committees
be adopted by Council.

CARRIED

9.12 2014-15 Capital Works Status Report (June 2015)

File No: FOL/13/877

Author: Manager Infrastructure

Directorate: City Works & Development

Ward: Municipal

Minute No: 2015/89

Council Resolution

Moved by Cr Cornish, seconded by Cr Giuliano that Council approve the 2014-15 Capital Works Budget Revision – June 2015 as outlined in Appendix B and Appendix C.

CARRIED

**9.13 Proposed Granting of Easement over Council Reserve at
20 Fanny Street, Moonee Ponds to Centurion Developments
Moonee Ponds Pty Ltd**

File No: PR15364

Author: Coordinator Property Services

Directorate: Corporate Services

Ward: Myrnong

Minute No: 2015/89

Council Resolution

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

1. Advertise its intention in accordance sections 189 and 233 of the *Local Government Act* 1989 to grant an easement in favour of Centurion Developments Moonee Ponds Pty Ltd I to transfer its interest in the 210m² area of easement over Council land contained on Certificate of Titles Volume 5417 Folio 332 Volume 9399 Folio 305 and Volume 7935 Folio 136 pursuant to section 191 of the *Local Government Act* 1989.
2. Establish a Committee of Council comprising of Councillors Jim Cusack, Nicole Marshall and Cam Nation, pursuant to section 223(1)(c) of the Act, to hear and consider any submissions received and requests to be heard.
3. Authorise the Chief Executive to fix the date and time for the Committee meeting, if required.

CARRIED

9.14 Procurement Policy 2015

File No: FOL/09/1283

Author: Manager Finance

Directorate: Corporate Services

Ward: Municipal

Minute No: 2015/89

Council Resolution

Moved by Cr Cornish, seconded by Cr Giuliano that Council adopt the Procurement Policy 2015 (provided as Appendix A - separately circulated) and that a copy of the adopted Policy be made available on Council's website. **CARRIED**

9.15 Report on Audit Committee

File No: FOL/09/1556

Author: Manager Governance & Local Laws

Directorate: Corporate Services

Ward: Municipal

Minute No: 2015/89

Council Resolution

Moved by Cr Cornish, seconded by Cr Giuliano that Council:Receive the unconfirmed Minutes of the Audit Committee Meeting held on 15 June 2015.

2. Adopt the Audit Committee Charter (as contained in Appendix B).

CARRIED

9.17 Report on Tenders and Contracts Awarded

File No: FOL/10/358

Author: Manager Governance & Local Laws

Directorate: Corporate Services

Ward: Municipal

Minute No: 2015/89

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 on 9 June 2015.

CARRIED

9.18 Report on Assemblies of Council

File No: FOL/09/1245

Author: Manager Governance & Local Laws

Directorate: Corporate Services

Ward: Municipal

Minute No: 2015/89

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 May 2015.

CARRIED

9.19 Report on Advisory Committees

File No: FOL/14/1256

Author: Manager Governance & Local Laws

Directorate: Corporate Services

Ward: Municipal

Minute No: 2015/89

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 May 2015:

- a) Integrated Waterways Advisory Committee held 20 February 2015 (Appendix A);
- b) ANZAC Centenary Committee held 30 March 2015 (Appendix B); and
- c) Early Years Reference Group held 14 April 2015 (Appendix C).

CARRIED

9.7 Five Mile Creek Reserve Master Plan

File No: FOL/14/114

Author: Manager Leisure & Open Space Planning

Directorate: Environment & Lifestyle

Ward: Buckley

Minute No: 2015/90

Council Resolution

Moved by Cr Cornish, seconded Cr Nation that Council adopt the Five Mile Creek Reserve Master Plan. **CARRIED**

9.29pm Cr Giuliano left the meeting

9.8 Draft Riverside Golf & Tennis Centre Master Plan

File No: FOL/14/451

Author: Manager Leisure & Open Space Planning

Directorate: Environment & Lifestyle

Ward: Myrnong

Minute No: 2015/91

Council Resolution

Moved by Cr Cusack, seconded Cr Cornish that Council:

1. Endorse the Draft Riverside Golf and Tennis Centre Master Plan for community consultation.
2. Receive a further report documenting the consultation outcomes.

CARRIED

9.51pm Cr Giuliano returned to the meeting.

9.9 Community Grants Program and Implementation

File No: FOL/15/353

Author: Coordinator Community Planning & Engagement

Directorate: Community Services

Ward: Municipal

Minute No: 2015/92

Moved by Cr Cornish, seconded Cr Marshall that Council: Note the role and relationship of the Community Grants Program within Council's broader provision of financial support to our community, as identified through the Financial Support Framework, as presented at Appendix A.

2. Support an improved accessible structure of Council's 2015/16 Community Grants Program and authorise officers to advertise applications open within the following categories:
 - a) Responsive Grants – Open monthly – closing first day of each month; and

- b) Biannual Grants – Round One opens 9 July 2015, Round Two opens 2 February 2016.
3. Adopt the Terms of Reference for the Biannual Community Grants Advisory Panel as presented at Appendix B.
4. Invite Expressions of Interest for the community members of the Biannual Community Grants Advisory Panel open from 1 July - 23 July 2015
5. Establish a Committee of Council comprised of Crs Chantry, Cusack and Surace to have delegated authority to access and approve monthly Responsive Grant applications.

CARRIED

9.11 Submission on the Efficiency Proposals for Master Plan and Major Development Plan Processes associated with Essendon Airport

File No: FOL/13/190

Author: Strategic Planner

Directorate: City Works & Development

Ward: Buckley

Minute No: 2015/93

Council Resolution

Moved by Cr Chantry, seconded Cr Giuliano that Council:

1. Endorse the submission to the Department of Infrastructure and Regional Development on the recommended changes to the master plan and major development plan processes for airports, as included in Appendix B.
2. Confirm the submission, signed by the Chief Executive, to the Department of Infrastructure and Regional Development, dated 22 May 2015.

CARRIED

9.16 Independent Member Appointment's to Council's Audit Committee

File No: FOL/12/674

Author: Manager Governance & Local Laws

Directorate: Corporate Services

Ward: Municipal

Minute No: 2015/94

Council Resolution

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

1. As per standard practice, invite applications for appointment to the Audit Committee for a period of at least three weeks.
2. Following the application period, undertake the relevant assessment of applicants, and present for consideration at the August Ordinary Meeting of Council the appointment of three independent members of the Audit Committee for terms of one, two and three years as per Council's charter.
3. Remunerate the independent Audit Committee members at the following rates:
 - Chairperson \$9,500 (\$2375 per quarter)
 - Members \$8,000 (\$2,000 per quarter)
4. Retain the existing Audit Committee members in the interim until the appointment of the new Audit Committee.

Division Called

A Division was called and voting was as follows:

For: Crs Cornish, Chantry, Sharpe, Giuliano, Nation and Surace.

Against: Crs Marshall and Cusack.

CARRIED

10. Notices of Motion

10.1 Notice of Motion No. 2015/13

Title: Military Road Redevelopment

From: Cr Shirley Cornish

Ward: Municipal

File No: FOL/14/1258

Minute No: 2015/95

Council Resolution

Moved by Cr Cornish, seconded Cr Giuliano that Council establish an Avondale Heights Community Reference Group with a membership consisting of Ward Councillors, nominated community representatives and Council officers from the Environment and Lifestyle and City Works and Development Directorates to provide community input into the implementation of the 77-89 Military Rd, Avondale Heights development and its interface with the Avondale Heights Community Precinct and its consistency with Council's Urban Ecology Strategy.

CARRIED

Cr Surace abstained from the vote.

10.12 Notice of Motion No. 2015/14

Title: Grant Opportunities

From: Cr Jim Cusack

Ward: Municipal

File No: FOL/14/1258

Minute No: 2015/102

Council Resolution

Moved by Cr Cusack, seconded Cr Surace that Council note the recent announcement of the State Government funding of \$10 million for sporting clubs and councils to build women's change rooms and request the Chief Executive prepare an inventory of toilets and other facilities at Council's recreation reserves in preparation for making an application for future funding.

CARRIED

11. Urgent Business

Nil.

12. Confidential Report

Nil.

The meeting concluded at 10.29.

CONFIRMED

**CR NARELLE SHARPE
CHAIRPERSON**