



City of
Moonee Valley

Ordinary Meeting of Council

Tuesday, 23 August 2016

Minutes

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Minutes of the Ordinary Meeting of Council

Tuesday, 23 August 2016 at 7.01pm
held at the Moonee Valley Civic Centre

PRESENT :

Members: Cr Paul Giuliano Deputy Mayor

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 Anthony Smith Director Corporate & Community Services

Ms Natalie Reiter Director Planning & Development

Ms Kendrea Pope Director Organisational Performance

Ms Carey Patterson Acting Director City Services

Mr Petrus Barry Manager Statutory Planning

Ms Yvonne Hansen Manager Legislative Services & Support

1. Opening

The Deputy Mayor, Cr Giuliano, opened the meeting and welcomed all present to the Council Meeting of Tuesday, 23 August 2016.

2. Apologies

The Mayor, Cr Andrea Surace, has been granted Leave of Absence for this meeting.

3. Confirmation of Minutes

Minute No. 2016/118

Council Resolution

Moved by Cr Sipek, seconded by Cr Chantry that the Minutes of the Ordinary Meeting of Council held on Tuesday, 26 July 2016 be confirmed.

CARRIED UNANIMOUSLY

4. Declarations of Conflict of Interest

Cr Nation declared an indirect conflict of interest in Item 9.14. A written disclosure was provided to the Chief Executive Officer outlining the reasons for this conflict.

5. Presentations

Nil.

6. Petitions and Joint Letters

6.1 Planning Proposal, 91 Glass Street, Essendon

File No. PR28699

Cr Chantry tabled a joint letter received from residents of Glass Street, Essendon seeking that Council refuse the planning proposal for 6 dwellings at 91 Glass Street, Essendon.

6.2 Proposal for Affordable Housing

File No. FOL/16/42

Cr Cornish tabled a petition signed by 76 individuals requesting that Council urgently pass a motion that directs Council officers to identify suitable vacant or unused Council land, buildings or properties, including air space above Council car parks, suitable for the future development and use as affordable housing for individuals with an intellectual and/or physical disability.

6.3 Parking Restrictions, Robb Street, Essendon

File No. FOL/16/42

Cr Nation tabled a petition signed by 40 individuals requesting that Council implement two hour parking restrictions on the east side of Robb Street, Essendon, located between Buckley and Levien Streets.

6.4 Upgrade, Bowes Reserve

File No. FOL/10/1030

Cr Sipek tabled a joint letter received from residents of Hart Street and Bowes Road, Airport West requesting a further upgrade to Bowes Reserve in Airport West.

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

7. Public Question Time

Question 1

Mr Henry Barry of Moonee Ponds asked the following question regarding affordable housing for individuals with an intellectual and/or physical disability:

“We had a Public Meeting which was highly successful and what we want to know, will Council be acting on the petition we understand will be put to tonight Council Meeting.”

Response:

The Chief Executive Officer acknowledged the lodgement of the petition at this Council meeting and advised that at its meeting held 26 July 2016, Council considered a notice of motion requesting a report which examines options for individual and collaborative actions that Moonee Valley Council can undertake in the short, medium and long term to improve the availability, safety and security of housing for people with a disability who live in Moonee Valley. The report will also reference current and planned Federal and State Government policy, the NDIS, and consultation with relevant health and disability advocacy groups including Valley Carers. In the preparation of the above report the petition will be considered.

The Chief Executive Officer acknowledged Valley Carers for their long term commitment to advocacy for appropriate and accessible housing for people with a disability in the Moonee Valley area and thanked them for their contribution towards Councils policy position over the long term.

8. Reports by Mayor and Councillors

File No. FOL/16/130

Minute No. 2016/119

Council Resolution

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

1. Removal of items as listed in Cr Marshall’s report for 6 July 2016.
2. Removal of item as listed in Cr Chantry’s report for 8 August 2016.

CARRIED UNANIMOUSLY

9. Reports

9.1 **MV 2040: How the Community's Vision for Moonee Valley will be realised**

File No: FOL/16/130
Author: Director Planning & Development
Directorate: Planning & Development
Ward: Municipal
Minute No. 2016/120

Council Resolution

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

1. Note the opportunity to lead excellence in liveability by undertaking long term planning.
2. Commence 'Moonee Valley 2040: How the Community's Vision for the future of Moonee Valley will be realised' with development of a community-led vision of Moonee Valley's future.
3. Note a Visioning Exercise will be undertaken later this year to help translate the themes from Moonee Valley 2035 into a strategic planning Visioning document for future consultation.
4. Receive a recommendation later this year on the governance structure to support engagement and decision making processes for Moonee Valley and receive a Visioning Paper early next year which will form part of the community engagement and consultation.

CARRIED UNANIMOUSLY

9.2 **Essendon Historical Society & Moonee Ponds Courthouse**

File No: FOL/16/130
Author: Manager Infrastructure Services
Directorate: City Services
Ward: Myrnong
Minute No. 2016/121

Council Resolution

Moved by Cr Marshall, seconded by Cr Chantry that Council note the progress of actions in support of Essendon Historical Society and funding options to restore the Moonee Ponds Courthouse.

CARRIED UNANIMOUSLY

9.3 **91 Glass Street, Essendon (Lot 1 TP903852Y) -
Construction of six dwellings with a reduction in car
parking requirements**

File No: FOL/16/130
Author: Principal Statutory Planner
Directorate: Planning & Development
Ward: Buckley
Minute No. 2016/122

Council Resolution

Moved by Cr Chantry, seconded by Cr Sharpe that Council issue a Notice of Decision to Refuse to Grant a Permit in relation to Planning Permit Application No. MV/957/2015 for the construction of six dwellings with a reduction in car parking requirements at No.91 Glass Street, Essendon (Lot 1 TP903852Y), on the following grounds:

1. The proposal fails to meet the objectives and 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 development would present a visually dominant and unsympathetic built form character to the area contrary to the objectives of Clause 55.02-1 (Neighbourhood Character) and Clause 21.06-4 (Urban Design) of the Moonee Valley Planning Scheme.
3. The proposal is an overdevelopment of the site.

CARRIED UNANIMOUSLY

9.4 **46 Mangalore Street, Travancore (Lot 41 on TP 007400) -
Demolition of front fence, partial demolition of dwelling
and construction of alterations and additions (including
a first floor, pergola, decking, carport, solar panels and a
front fence) to a dwelling in a Heritage Overlay area**

File No: FOL/16/130
Author: Senior Statutory Planner
Directorate: Planning & Development
Ward: Myrnong
Minute No. 2016/123

Council Resolution

Moved by Cr Cusack, seconded by Cr Marshall that Council issue a Notice of Decision to Refuse to Grant a Permit in relation to Planning Permit Application No. MV/611/2015 for the demolition of front fence, partial demolition

of dwelling and construction of alterations and additions (including a first floor, pergola, decking, carport, solar panels and front fence) to a dwelling in a Heritage Overlay area at 46 Mangalore Street, Travancore (Lot 41 on TP 007400) in accordance with the following grounds of refusal:

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 (Objectives, Strategies and 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.
3. The proposal fails to meet the decision guidelines contained within Clause 43.0-4 (Decision Guidelines – Heritage Overlay) of the Moonee Valley Planning Scheme.

For: Crs Marshall, Cusack, Cornish, Chantry and Nation.

Against: Crs Giuliano, Sharpe and Sipek.

CARRIED

**9.5 1 Dudley Street, North Essendon (Lot 362 on LP 8660) -
Construction of five dwellings within a Design and
Development Overlay (DDO7) and a reduction to the
visitor car parking requirement**

File No: FOL/16/130

Author: Senior Statutory Planner

Directorate: Planning & Development

Ward: Buckley

Minute No. 2016/124

Council Resolution

Moved by Cr Sharpe, seconded by Cr Chantry that Council, with respect to an Application for Review against Council's failure to decide the application within the prescribed time, resolves to advise the Victorian Civil and Administrative Tribunal (VCAT) and other parties to the application, that if Council were in a position to decide on the application, that the decision would have been to issue a Notice of Decision to Refuse to grant a Planning Permit in relation to Planning Permit Application No. MV/963/2015 for the construction of five dwellings within a Design and Development Overlay (DDO7) and a reduction to the visitor car parking requirement at 1 Dudley Street, North Essendon (Lot 362 on LP 8660), on the following grounds:

1. The bulk, scale, form and layout of the proposal fail to meet the objectives and 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 does not meet the decision guidelines set out under Clause 43.02-5 (Design and Development Overlay) of the Moonee Valley Planning Scheme as well as the design objectives of Schedule 7 to the Overlay, resulting in an urban design outcome which fails to reduce adverse amenity impacts in the residential land surrounding the core of the Keilor Road Activity Centre.
3. The proposal fails to provide sufficient car parking as required under Clause 52.06 (Car Parking) of the Moonee Valley Planning Scheme and would result in an increased pressure for on-street parking in the surrounding area to an unacceptable degree.
4. 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).
5. The proposal would represent an overdevelopment of the land.

CARRIED UNANIMOUSLY

**9.6 12 Craig Street, East Keilor (Lot 34 TP640280H) -
Construction of 24 dwellings and subdivision of the land
into 24 lots**

File No: FOL/16/130
Author: Principal Statutory Planner
Directorate: Planning & Development
Ward: Rosehill
Minute No. 2016/125

Council Resolution

Moved by Cr Cornish, seconded by Cr Sipek that Council issue a Notice of Decision to Refuse to Grant a Permit in relation to Planning Permit Application No. MV/407/2015 for the construction of 24 dwellings and subdivision of the land into 24 lots at No.12 Craig Street, East Keilor (Lot 34 TP640280H), on the following grounds:

1. The development would present a visually dominant and unsympathetic built form character to the Steele Creek valley contrary to the objectives of Clause 55.02-1 (Neighbourhood Character) and Clause 21.06-4 (Urban Design) of the Moonee Valley Planning Scheme.
2. The proposed eastern (rear) setback is inadequate and does not respect or provide an appropriate interface with the Steele Creek environs.
3. 55.03-2 (Building Height).

4. 55.04-2 (Walls on boundaries).

CARRIED UNANIMOUSLY

- 9.7** **495 Mt Alexander Road, Moonee Ponds (Lot 1 on TP 229857V) - Construction of a multi storey building within a Design and Development Overlay (DDO3), use of the land for dwellings, a reduction to the car parking requirement and a waiver of the loading and unloading requirement**

File No: FOL/16/130
Author: Senior Statutory Planner
Directorate: Planning & Development
Ward: Myrnong
Minute No. 2016/126

Council Resolution

Moved by Cr Marshall, seconded by Cr Nation that Council issue a Notice of Decision to Refuse to Grant a Permit in relation to Planning Permit Application No. MV/813/2015 for the construction of a multi storey building within a Design and Development Overlay (DDO3), use of the land for dwellings, a reduction to the car parking requirement and a waiver of the loading and unloading requirement at 495 Mt Alexander Road, Moonee Ponds (Lot 1 on TP 229857V), on the following grounds:

1. The proposal fails to meet the objectives and 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 proposed development does not meet the decision guidelines set out under Clause 43.02-5 (Design and Development Overlay) of the Moonee Valley Planning Scheme as well as the design objectives of Schedule 3 to the Overlay, resulting in an urban design outcome which fails to enhance the visual appearance of the Mt Alexander Road corridor.
3. The proposal fails to provide sufficient car parking as required under Clause 52.06 (Car Parking) of the Moonee Valley Planning Scheme and would result in an increased pressure for on-street parking in the surrounding area to an unacceptable degree.
4. The proposal will exacerbate the existing traffic issues in the area to an unacceptable degree.
5. The proposal will represent an overdevelopment of the land.

CARRIED UNANIMOUSLY

9.8 Combined Planning Permit Application MV/900/2015 and Amendment C148 to the Moonee Valley Planning Scheme (9 Newsom Street, Ascot Vale)

File No: FOL/16/130
Author: Strategic Planner
Directorate: Planning & Development
Ward: Myrnong
Minute No: 2016/127

Council Resolution

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

1. Seek authorisation from the Minister for Planning to prepare combined Moonee Valley Planning Scheme Amendment C148 and Planning Permit application MV/900/2015.
2. Subject to obtaining authorisation from the Minister for Planning, exhibit the combined Moonee Valley Planning Scheme Amendment C148 and Planning Permit application MV/900/2015 (including draft permit conditions) in accordance with Section 19 of the *Planning and Environment Act 1987*.
3. Refer submissions received to an independent Panel in accordance with Section 23(1)(b) of the *Planning and Environment Act 1987* if submissions received request to change the combined amendment and are not resolved.

CARRIED UNANIMOUSLY

Cr Sharpe left the meeting at 8.46pm.

9.9 Planning Scheme Amendment C162 - Permanent Heritage Overlay controls for properties at 41, 43 and 45 Regent Street, Ascot Vale

File No: FOL/16/130
Author: Strategic Planner
Directorate: Planning & Development
Ward: Myrnong
Minute No. 2016/128

Council Resolution

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

1. Having complied with Part 3, Division 1 and 2 of the Planning and Environment Act 1987, and in accordance with Section 29(1), formally adopt Moonee Valley Planning Scheme Amendment C162 in accordance with the revised map in Appendix C.

2. Submit Moonee Valley Planning Scheme Amendment C162 to the Minister for Planning for approval pursuant to Section 31(1) of the Planning and Environmental Act 1987.

CARRIED UNANIMOUSLY

Cr Marshall left the meeting at 8:47pm and returned at 8.50pm.

9.10 Planning Scheme Amendment C168 - Proposed rezoning of disused road, adjacent to 25 Rose Avenue Niddrie

File No: FOL/16/130
Author: Acting Coordinator Strategic Planning
Directorate: Planning & Development
Ward: Buckley
Minute No. 2016/129

Council Resolution

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

1. Having complied with Part 3, Division 1 and 2 of the Planning and Environment Act 1987, and in accordance with Section 29(1) of the Planning and Environment Act 1987, adopt Amendment C168 to the Moonee Valley Planning Scheme.
2. Pursuant to Section 31(2) of the *Planning and Environment Act 1987*, submit Moonee Valley Planning Scheme Amendment C168 to the Minister for Planning for approval.

For: Crs Cusack, Giuliano, Nation and Sipek.
Against: Crs Chantry and Cornish.
Abstain: Cr Marshall.

CARRIED

At the request of Cr Nation, the Acting Chairperson brought forward Report No. 9.15 for consideration.

Cr Sharpe returned to the meeting at 8.51pm.

9.15 Essendon Hockey Centre Synthetic Ground Replacement Project

File No: FOL/16/130
Author: Manager Infrastructure Services
Directorate: City Services
Ward: Myrnong
Minute No: 2016/130

Council Resolution

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

1. Refer the cost of replacing the synthetic surface of the northern pitch at the Essendon Hockey Centre for consideration in the 2017/18 budget.
2. Advise Essendon Hockey Management Association Incorporation that Council will consider the cost of replacing the surface of the northern pitch at the Essendon Hockey Centre in the preparation of the draft 2017/18 budget, subject to public access to the pitches remaining unchanged.
3. Seek advice from Hockey Victoria and Essendon Hockey Management Association Incorporation on capacity to financially contribute to the project.
4. Request that Hockey Victoria defer the requirement on Essendon Hockey Management Association Incorporation to replace the synthetic surface of the northern pitch until the 2018 season.

CARRIED UNANIMOUSLY

9.11 Transport Safety Strategy

File No: FOL/16/130
Author: Transport Project Officer
Directorate: Planning & Development
Ward: Municipal
Minute No. 2016/131

Council Resolution

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

1. Note the community feedback received during the public consultation period.
2. Adopt the Transport Safety Strategy (2016-2026) including the eight overriding principles, goals and the action plan for implementation.
3. Refer to the relevant actions in the final Transport Safety Strategy for future budget considerations (2016-2026).
4. Write to all individuals and organisations involved in the development of the Transport Safety Strategy thanking them for their valuable contribution.

CARRIED UNANIMOUSLY

Reports Considered En Bloc

Minute No. 2016/132

Council Resolution

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

- 9.12 Rosehill Park Master Plan
- 9.16 Kindergartens in Moonee Ponds Update
- 9.17 Proposed discontinuance of right of way abutting 3/14 and 16 Fawkner Street, Aberfeldie
- 9.18 Submission on the Victorian Government's Discussion Paper: 'Protecting the Yarra River'
- 9.19 Victorian Government's Climate Change Pledge Initiative - TAKE2
- 9.21 Annual Review of the Domestic Animal Management Plan 2013-2017
- 9.22 Council Plan 2013-17 Year 3 Progress Report
- 9.23 2015/16 Annual Financial Report
- 9.25 LeadWest Memorandum of Understanding
- 9.26 Report on Audit Committee
- 9.27 Report on Tenders and Contracts Awarded
- 9.28 Report on Advisory Committees
- 9.29 Report on Assemblies of Council

be adopted.

CARRIED UNANIMOUSLY

9.12 **Rosehill Park Master Plan**
File No: FOL/16/133
Author: Coordinator Open Space & Urban Design
Directorate: Planning & Development
Ward: Rosehill
Minute No. 2016/132

Council Resolution

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

1. Adopt the Rosehill Park Master Plan 2016.
2. Note that consideration of Master Plan proposals are subject to Council's annual budget process.

CARRIED UNANIMOUSLY

9.16 Kindergarten in Moonee Ponds Update

File No: FOL/16/130
Author: Coordinator, Kindergarten Services
Directorate: Corporate & Community Services
Ward: Myrnong
Minute No. 2016/132

Council Resolution

Moved by Cr Sipek, seconded by Cr Cusack that Council

1. Receive and note the report, Kindergarten in Moonee Ponds Update.
2. Receive further reports no less frequently than every 12 months, updating Council on the issue.

CARRIED UNANIMOUSLY

9.17 Proposed discontinuance of right of way abutting 3/14 and 16 Fawkner Street, Aberfeldie

File No: FOL/16/130
Author: Coordinator Property Management
Directorate: City Services
Ward: Buckley
Minute No. 2016/132

Council Resolution

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

1. Note that after having given notice pursuant to sections 223 and 206 and clause 3 of Schedule 10 to the *Local Government Act 1989* of a proposal to discontinue a 114m² section of road abutting 3/14 and 16 Fawkner Street, Aberfeldie, contained in Certificate of Title Volume 2196 Folio 193 and shown on the land allocation plan in Appendix B, no submissions were received.
2. Is of the opinion that the 114m² section of road is no longer required for public use and that it should be discontinued and the land sold by private treaty to the owners 3/14 and 16 Fawkner Street, Aberfeldie.
3. Publish a notice, pursuant to clause 3(a) of Schedule 10 to the *Local Government Act 1989* in the Victorian Government Gazette.
4. Authorise the Chief Executive Officer to execute the transfer and other associated documents.

CARRIED UNANIMOUSLY

9.18 Submission on the Victorian Government's Discussion Paper: 'Protecting the Yarra River'

File No: FOL/16/130
Author: Coordinator Sustainability & Climate Change
Directorate: Planning & Development
Ward: Municipal
Minute No. 2016/132

Council Resolution

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

1. Endorse the Council submission on the Discussion Paper: 'Protecting the Yarra River', to be submitted to the Minister for Planning's Advisory Committee.
2. Resolve to write to the Minister for Planning providing a copy of the submission and reiterating Council's request for the Victorian Government to prioritise putting in place strengthened and permanent development controls for the Maribyrnong River.
3. Resolve to coordinate a letter from mayors of councils along the Maribyrnong River to the Minister for Planning, advocating that the State Government prioritise the protection of this river in a similar way to the Yarra River.

CARRIED UNANIMOUSLY

9.19 Victorian Government's Climate Change Pledge Initiative - TAKE2

File No: FOL/16/130
Author: Coordinator Sustainability & Climate Change
Directorate: Planning & Development
Ward: Municipal
Minute No. 2016/132

Council Resolution

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

1. Sign the Victorian Government's TAKE2 pledge to achieve zero net emissions for Council's greenhouse gas emissions by 2050.
2. Notes the Victorian Government's plans to legislate a target to achieve zero net emissions for the whole state by 2050.

CARRIED UNANIMOUSLY

9.21 Annual Review of the Domestic Animal Management Plan 2013-2017

File No: FOL/16/130
Author: Coordinator Legislative Services
Directorate: Corporate & Community Services
Ward: Municipal
Minute No. 2016/132

Council Resolution

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

1. Receive and note the Annual Review of the Domestic Animal Management Plan 2013-2017.
2. Note that no amendments are required to the Domestic Animal Management Plan 2013-2017.

CARRIED UNANIMOUSLY

9.22 Council Plan 2013-17 Year 3 Progress Report

File No: FOL/16/130
Author: Coordinator Corporate Planning
Directorate: Planning & Development
Ward: Municipal
Minute No. 2016/132

Council Resolution

Moved by Cr Sipek, seconded by Cr Cusack that Council receive and note the Council Plan 2013-17 Year 3 Progress Report.

CARRIED UNANIMOUSLY

9.23 2015/16 Annual Financial Report

File No: FOL/16/130
Author: Acting Manager Finance
Directorate: Corporate & Community Services
Ward: Municipal
Minute No. 2016/132

Council Resolution

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

1. Notes the recommendation of the Audit Committee.
2. Adopts in principle the 2015/16 Annual Financial report.
3. Nominate and authorise Councillor and Councillor to certify, on behalf of Council, the Annual Financial Report, in the final form.

CARRIED UNANIMOUSLY

9.25 LeadWest Memorandum of Understanding

File No: FOL/16/130
Author: Team Leader Council Business
Directorate: Corporate & Community Services
Ward: Municipal
Minute No. 2016/132

Council Resolution

Moved by Cr Sipek , seconded by Cr Cusack that Council authorise the Chief Executive Officer to execute the Memorandum of Understanding between LeadWest and Participating Councils.

CARRIED UNANIMOUSLY

9.26 Report on Audit Committee

File No: FOL/16/130
Author: Team Leader Council Business
Directorate: Corporate & Community Services
Ward: Municipal
Minute No. 2016/132

Council Resolution

Moved by Cr Sipek , seconded by Cr Cusack that Council receive the confirmed Minutes of the Audit Committee Meeting held 20 June 2016.

CARRIED UNANIMOUSLY

9.27 Report on Tenders and Contracts Awarded

File No: FOL/16/130
Author: Team Leader Council Business
Directorate: Corporate & Community Services
Ward: Municipal
Minute No. 2016/132

Council Resolution

Moved by Cr Sipek , seconded by Cr Cusack that Council receive and note the report of Council's Tenders Committee and tenders' awarded and extensions approved at its meeting held 9 August 2016.

CARRIED UNANIMOUSLY

9.28 Report on Advisory Committees

File No: FOL/16/130
Author: Team Leader Council Business
Directorate: Corporate & Community Services
Ward: Municipal
Minute No. 2016/132

Council Resolution

Moved by Cr Sipek, seconded by Cr Cusack that Council receive and note the following confirmed Advisory Committee Meeting Minutes, received since the last report to Council in July 2016:

- a) Early Years Reference Group Committee held on 15 March 2016 (Appendix A);
- b) Strategic Planning Committee held 21 April 2016 (Appendix B);
- c) Integrated Transport Committee held on 2 May 2016 (Appendix C);
- d) Arts & Culture Committee held on 16 May 2016 (Appendix D);
- e) Disability Reference Group held on 6 June 2016 (Appendix E); and
- f) Strategic Planning Committee held 16 June 2016 (Appendix F).

CARRIED UNANIMOUSLY

9.29 Report on Assemblies of Council

File No: FOL/16/130
Author: Coordinator Legislative Services
Directorate: Corporate & Community Services
Ward: Municipal
Minute No. 2016/132

Council Resolution

Moved by Cr Sipek, seconded by Cr Cusack that Council receive and note the written records of Assembly of Councillors, provided as Appendix A, received since the last report to Council in July 2016.

CARRIED UNANIMOUSLY

9.13 Notice of Motion 2016/16: Master Plan Update for Montgomery Park, Bradshaw Street Reserve and Boeing Reserve

File No: FOL/16/130
Author: Coordinator Open Space & Urban Design
Directorate: Planning & Development
Ward: Buckley
Minute No. 2016/133

Council Resolution

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

1. Undertake a review of the Montgomery Park Master Plan in 2017/18.
2. Undertake consultation and prepare a plan for Bradshaw Street Reserve to guide future improvements and to refer this to future Capital Works program.
3. Continue the implementation of the Boeing Reserve Master Plan with the design and construction of the pavilions, as per Council's decision through the Capital Works program.

CARRIED UNANIMOUSLY

Having declared an indirect conflict of interest in Item 9.14, Cr Nation left the meeting at 9:16pm.

9.14 East Keilor Leisure Centre Feasibility Study

File No: FOL/16/130
Author: Acting Coordinator Leisure Facilities and Projects
Directorate: City Services
Ward: Rosehill
Minute No. 2016/134

Motion

Moved by Cr Chantry, seconded by Cr Marshall that Council defer the East Keilor leisure Centre Feasibility Study until the Ordinary meeting of Council on 22 November 2016.

For: Crs Chantry and Marshall.
Against: Crs Giuliano, Cornish, Cusack, Sharpe, Sipek

LOST

Council Resolution

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

1. Endorse Option 1D Version 2, shown in Appendix G as the preferred concept plan for the East Keilor Leisure Centre Feasibility Study to enable the study to continue to progress to stage two, the completion of the study.
2. Refer the estimated cost of \$2.5 Million for the design and documentation for Option 1D Version 2 for consideration in the draft 2017/18 capital works budget.

For: Crs Cusack, Cornish, Giuliano, Sharpe and Sipek.

Against: Crs Chantry and Marshall.

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

Cr Nation returned to the meeting at 9:50pm.

9.20 Act for the Future - Directions for a new Local Government Act: Council Submission

File No: FOL/16/130

Author: Manager Legislative Services & Support

Directorate: Corporate & Community Services

Ward: Municipal

Minute No. 2016/135

Council Resolution

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

1. Endorse the Submission to the Local Government Act Review Advisory Committee in response to the Local Government Act Review Directions Paper (provided as Appendix A – separately circulated) with an amendment to support Direction No. 58 and the removal of commentary.
2. Submit its Response Submission via the online submission form no later than 16 September 2016.

CARRIED UNANIMOUSLY

9.24 Performance Statement 2015/16 and Governance and Management Checklist - Adoption in Principle by Council

File No: FOL/16/130

Author: Coordinator Corporate Planning

Directorate: Organisational Performance

Minute No. 2016/136

Council Resolution

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

1. Note the recommendation from the Audit Committee.
2. Adopt in principle the 2015/16 Annual Performance Statement and the Governance and Management Checklist.
3. Nominate and authorise Councillor Surace and Councillor Giuliano to certify on behalf of Council, the Annual Performance Statement, in the final form.

For: Crs Marshall, Cusack, Chantry, Giuliano, Nation, Sharpe and Sipek.

Against: Cr Cornish

CARRIED

The Acting Chairperson, Cr Giuliano vacated the Chair and appointed Cr Nation as Temporary Chair. Cr Giuliano left the meeting at 9.59pm.

10. Notices of Motion

10.1 Notice Of Motion No. 2016/21 - Policing Numbers in Moonee Valley

File No: FOL/16/130

From: Councillor John Sipek

Ward: Municipal

Minute No. 2016/137

Council Resolution

Moved by Cr Sipek, seconded by Cr Cornish

That Council request the Chief Executive Officer to:

1. Write to the Minister for Police and the Chief Commissioner requesting a briefing on Police numbers in Moonee Valley and the effectiveness of Policing in the City.
2. Write to all affected State members within the area to advocate for an upgrade of the Avondale Heights Police Station to improve the presence of the building or possible relocation within the area.
3. To consult with the local Area Command regarding policing numbers for Avondale Heights and local area precinct.

CARRIED UNANIMOUSLY

At the discretion of the Temporary Chair, Notice of Motion 10.3 was brought forward for consideration.

Cr Giuliano returned to the meeting at 10.12pm.

10.3 Notice Of Motion 216/23 - Heritage Overlay on dwelling used for the Castle movie at 3 Dagonet Street, Strathmore

File No: FOL/16/130
From: Councillor Narelle Sharpe
Ward: Buckley
Minute No. 2016/138

Council Resolution

Moved by Cr Sharpe, seconded by Cr Marshall that Council request the Chief Executive Officer to prepare a report on the significance of the property at 3 Dagonet Street, Strathmore which featured in the 1997 Australian Film 'The Castle' and investigate the potential for including the property in the Heritage Overlay of the Moonee Valley Planning Scheme on the basis of "Strong or special association with a particular community or cultural group for social and cultural reasons" being the reason the move 'The Castle'.

CARRIED UNANIMOUSLY

10.2 Notice Of Motion No. 2016/22 - Relating to correspondence sent to Ministers and Members of Parliament - State and Federal

File No: FOL/16/130
From: Councillor Cam Nation
Ward: Municipal
Minute No. 2016/139

Council Resolution

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

1. Receive quarterly reports, appending copies of:
 - a) All correspondence (emanating from a Notice of Motion resolution) which have been addressed to members and departments of Federal and State Parliament.
 - b) All responses to matters outlined in a) above and subsequent follow-up correspondence.
2. Receive a report within the current calendar year, appending copies of:
 - a) All correspondence (emanating from a Notice of Motion resolution) which have been addressed to members and departments of Federal & State Parliament during the current Council term.
 - b) All responses to matters outlined in a) above and subsequent follow-up correspondence.

3. Make available through its website a copy of such correspondence.

CARRIED UNANIMOUSLY

11. Urgent Business

Nil.

12. Confidential Reports

Minute No. 2016/140

Council Resolution

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

CARRIED UNANIMOUSLY

12.1 Council Office Accommodation - Proposed Lease of Office Space at Level 7/641 Mt Alexander Road, Moonee Ponds

Minute No. 2016/141

Council Resolution

Moved by Cr Sharpe, seconded by Cr Sipek that Council resume in open Council.

CARRIED UNANIMOUSLY

13. Close of Meeting

The meeting concluded at 10.21pm.

Meeting Reopened

Minute No. 2016/142

Council Resolution

Moved by Cr Marshall, seconded by Cr Cusack that the meeting be reopened to correct an anomaly within the resolution as contained in Item 9.23.

CARRIED UNANIMOUSLY

Minute No. 2016/143

Council Resolution

Moved by Cr Sharpe, seconded by Cr Marshall that Council amend Point 3 of the resolution as contained in Item 9.23 (2015/2016 Annual Financial Report) to nominate and authorise Councillor Surace and Councillor Giuliano to certify, on behalf of Council, the Annual Financial Report, in the final form.

CARRIED UNANIMOUSLY

The meeting concluded at 10.21pm.

**CR PAUL GIULIANO
ACTING CHAIRPERSON**