



City of  
**Moonee Valley**

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# **Ordinary Meeting of Council**

Tuesday, 8 August 2017 at 6.30pm

**Minutes**

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The following reports were considered:

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# Minutes of the Ordinary Meeting of Council

Tuesday, 8 August 2017 at 6.30pm  
held at the Moonee Valley Civic Centre

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## PRESENT:

**Members:** Cr Andrea Surace Mayor  
Cr Samantha Byrne  
Cr Jim Cusack  
Cr Richard Lawrence  
Cr Nicole Marshall  
Cr Narelle Sharpe  
Cr John Sipek

**Officers:** Mr Bryan Lancaster Chief Executive Officer  
Mr Steven Lambert Director City Services  
Ms Kendrea Pope Director Organisational Performance  
Ms Natalie Reiter Director Planning & Development  
Mr Petrus Barry Manager Statutory Planning

## 1. Opening

The Mayor, Cr Surace, opened the meeting and welcomed all present to the Council Meeting of Tuesday, 8 August 2017.

The Mayor welcomed all present and respectfully acknowledged the traditional custodians of this land - the Wurundjeri people of the Kulin Nation, their spirits, ancestors, elders and community members past and present. Council also extends this respect to the elders and descendants of other Aboriginal peoples here today.

On behalf of Moonee Valley City Council and its Councillors, the Mayor, Cr Surace then paid tribute the late Kay Feain after her recent passing. It was acknowledged by the Mayor that Kay gave a considerable amount back to the community. She was a longstanding member of many Council committees, including her most recent appointment to the Business Promotion Portfolio Advisory Committee.

Finally the Mayor expressed her sincerest condolences to Kay's family and friends.

The Mayor then recited the Councillor Creed:

"We commit to making positive strategic decisions for the future, remembering we are here to collectively deliver on the broader vision for Moonee Valley in a fair and equitable manner, always showing respect for one another.

Through strong leadership and maturity, we will engage in robust, intelligent debate before coming to informed, evidence-based decisions, being respectful of the outcome once the votes are cast. We will ensure we focus on policy, always mindful our role is to serve our local community."

## **2. Apologies**

An apology for non-attendance was received for Cr Rebecca Gauci Maurici and Cr Cam Nation.

### Leave of Absence

**Minute No.** 2017/215

#### **Council Resolution**

Moved by Cr Marshall, seconded by Cr Sharpe that Council grant Cr Sipek Leave of Absence for the period 29 August to 15 September 2017 inclusive.

**CARRIED**

## **3. Confirmation of Minutes**

**Minute No.** 2017/216

#### **Council Resolution**

Moved by Cr Lawrence, seconded by Cr Cusack that the Minutes of the Ordinary Meeting of Council held on Tuesday, 25 July 2017 be confirmed.

**CARRIED**

## **4. Declarations of Conflict of Interest**

Nil.

## **5. Presentations**

Nil.

## 6. Petitions and Joint Letters

### 6.1 Council Rate charges for residents of Rivervue Developments, Avondale Heights

File No. FOL/17/190

Councillor Byrne submitted petition cards signed by 34 residents of Rivervue Residential Developments, Avondale Heights, concerned with their Council rates.

## 7. Public Question Time

### Question

Mr Ian Woods of Strathmore has asked the following question in relation to Strathaird Reserve:

In the Moonee Valley Leader edition of Wednesday 26 July 2017 under the heading New hope for park purchase – Council urged to buy Strathaird Reserve Mayor Andrea Surace is quoted as saying – ‘... the land should be gifted to the council, as the council had managed and improved the land for more than 40 years ... We have raised the issue with the Municipal Association of Victoria and they have thrown their support behind us. ... At the state council meeting on May 12, the MAV passed a motion to advocate for a review of State Government landholding policy to enable long-term leasing or gifting of land to councils in circumstances such as these.’

Months have gone by since this motion was passed and the community would like to know what action has been taken to date and what was the outcome of that advocacy action?

### Response

The Chief Executive, Mr Bryan Lancaster provided the following response:

A letter was sent on 27 July 2017 to Mr Rob Spence, CEO of MAV, requesting an update on the outcome of MAV’s efforts to advocate for a review of State Government landholding policy to enable long-term leasing or gifting of land to councils in circumstances such as Strathaird Reserve. At this stage, we have not received a response from MAV.

Separately, Mayor Cr Andrea Surace has also sent letters to

- The Premier
- The Minister for Roads and Road Safety
- The Minister for Local Government
- The Minister for Energy, Environment and Climate Change
- Treasurer
- Danny Pearson, Member for Essendon

It is Council's position that open space that is currently used for public use and recreation purposes should remain as it is rather than being sold to Council, even at a reduced amount as it is currently utilised as open space. Council can then use the funds available to us to purchase new open space for residents by utilising the funds provided by developers and thereby improve health outcomes for existing and future residents.

Council requested the State Government to reconsider its position of selling the Strathaird Reserve and maintain its open space status. We are yet to receive a response from the State Government.

## **8. Reports by Mayor and Councillors**

Nil.

## **9. Reports**

### **9.1 Kindergartens in Moonee Ponds Update**

**File No:** FOL/17/11

**Author:** Jason Crockett  
Coordinator, Kindergarten Services

**Directorate:** City Services

**Minute:** 2017/217

#### **Council Resolution**

Moved by Cr Marshall, seconded by Cr Sharpe that Council receive and note the report, Kindergartens in Moonee Ponds Update.

**CARRIED**

### **9.2 Ministerial Correspondence Resulting from Notices of Motion- Quarterly Report**

**File No:** FOL/17/11

**Author:** Rosie Ferreira  
Governance Project Officer

**Directorate:** Organisational Performance

**Minute:** 2017/218

#### **Council Resolution**

Moved by Cr Sharpe, seconded by Cr Lawrence that Council receive and note the report on Ministerial Correspondence resulting from Notices of Motion for the quarter ending 30 June 2017.

**CARRIED**

**9.3 Proposed Discontinuance of Road Abutting 11 South Road, Airport West**

**File No:** FOL/17/11  
**Author:** Paul D'Elia  
Property Consultant  
**Directorate:** Chief Financial Officer  
**Minute:** 2017/219

**Council Resolution**

Moved by Cr Sipek , seconded by Cr Byrne 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 46m<sup>2</sup> section of road abutting 11 South Road, Airport West, (Certificate of Title Volume 4578 Folio 493), no submissions were received.
2. Is of the opinion that the 46m<sup>2</sup> 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 owner of 11 South Road, Airport West.
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**

**9.4 Proposed Discontinuance of Road abutting 18 Bayview Terrace, Ascot Vale**

**File No:** FOL/17/11  
**Author:** Paul D'Elia  
Property Consultant  
**Directorate:** Chief Financial Officer  
**Minute:** 2017/220

**Council Resolution**

Moved by Cr Marshall, 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 16m<sup>2</sup> section of road abutting 18 Bayview Terrace, Ascot Vale, (Title Volume 11648 Folio 891) no submissions were received.
2. Is of the opinion that the 16m<sup>2</sup> 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 owner of 18 Bayview Terrace, Ascot Vale.

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**

**9.5 Endorsement of Interstate Travel for Council Representative for the LeadWest Delegation**

**File No:** FOL/17/11  
**Author:** Rosie Ferreira  
Governance Project Officer  
**Directorate:** Organisational Performance  
**Minute:** 2017/221

**Council Resolution**

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

1. Endorse the attendance of the Mayor, Cr Andrea Surace as part of the LeadWest delegation to be held in Canberra from 5 to 7 September 2017.
2. Approve that the estimated costs associated with attendance to the LeadWest delegation be reimbursed in accordance with the Resources Facilities and Reimbursement of Expenses to Councillors Policy.

**CARRIED**

**9.6 Proposed introduction of live streaming at Council Meetings**

**File No:** FOL/17/11  
**Author:** Nicole Battle  
Acting Manager, Communications and Governance  
**Directorate:** Organisational Performance  
**Minute:** 2017/222

**Council Resolution**

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

1. Endorse the audio-visual recording and live streaming of all Ordinary and Special Council Meetings from 9 November 2017 onwards;
2. Note the advice on the cost of implementation, which can be met from the current budget.
3. Request officers to consider how the audio visual recording equipment could be hired out on a user pays basis for commercial enterprises and / or at no cost to community groups.

**CARRIED**



## 10. Notices of Motion

### 10.1 Notice Of Motion No. 2017/23 - Skateboard Park at Fanny Street Reserve

**File No:** FOL/17/11  
**From:** Councillor Jim Cusack  
**Minute:** 2017/223

#### **Council Resolution**

Moved by Cr Cusack, seconded by Cr Marshall that Council provide a report for consideration at the Ordinary Meeting of Council to be held on 24 October 2017 (or as soon as is practicable) in relation to the proposed development of Fanny Reserve, Moonee Ponds to:

1. Facilitate development of a small skatepark at Fanny Reserve to complement the existing BMX track and the amenity of the reserve. This component of the report should provide, but is not limited to creating a funding plan commencing with the 2018/19 budget, outlining a project plan and timeframe and a consultation plan with the local community that prioritises input from young people, users of the reserve and the broader community; and
2. Develop Fanny Reserve, Moonee Ponds as an entry point and destination stop along the Moonee Ponds Creek Bike Path that complements local use as a recreation area. In examining these opportunities consideration should be given to the location of way finding signage and its incorporation into future updates about the bike path that occur in either electronic or hardcopy formats.

**CARRIED**

## 11. Urgent Business

Nil.

## 12. Confidential Reports

#### **Council Resolution**

Moved by Cr Lawrence, seconded by Cr Cusack that Council resolve to close the meeting to the public pursuant to Section 89(2) of the *Local Government Act 1989* to discuss the following matters:

### 12.1 Road & Asphalt Footpath Maintenance Contract

Item 12.1 is Confidential under the terms section 89(2) of the Local Government Act 1989 as it contains information relating to: (d) contractual matters.

**CARRIED**

**Minute No.** 2017/224

**Council Resolution**

Moved by Cr Lawrence, seconded by Cr Byrne that Council resume in open Council.

**CARRIED**

**13. Close of Meeting**

The meeting concluded at 7.09pm

**CR ANDREA SURACE  
CHAIRPERSON**