

# Minutes

## Ordinary Meeting of Council

Tuesday, 25 September 2018

6.29pm

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# Report Index

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# Minutes of the Ordinary Meeting of Council

Tuesday, 25 September 2018 at 6.29pm  
held at the Moonee Valley Civic Centre

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**Present :**

**Members:** Cr John Sipek Mayor  
Cr Samantha Byrne Deputy Mayor  
Cr Jim Cusack  
Cr Rebecca Gauci Maurici  
Cr Richard Lawrence  
Cr Nicole Marshall  
Cr Narelle Sharpe

**Officers:** Bryan Lancaster Chief Executive Officer  
Steven Lambert Director City Services  
Kendrea Pope Director Organisational Performance  
Natalie Reiter Director Planning and Development  
Gil Richardson Acting Director Asset Planning and Strategic Projects  
Petrus Barry Manager Statutory Planning  
Allison Watt Manager Governance and Communications  
Tracey Classon Governance Officer

**1. Opening**

The Mayor, Cr Sipek, opened the meeting and welcomed all present to the Council Meeting of Tuesday, 25 September 2018.

**2. Reconciliation Statement**

On behalf of Moonee Valley City Council, the Mayor respectfully acknowledged the Traditional Custodians of the land on which Moonee Valley is located – the Wurundjeri People of the Kulin Nation; and paid respect to their Spirits, Ancestors, Elders and their Community Members past and present.

The Mayor also extended this respect to other Aboriginal and Torres Strait Islander Peoples who call Moonee Valley home.

**3. Apologies**

Cr Surace had approved leave of absence for this meeting.

Cr Cam Nation was an apology for this meeting.

**4. Confirmation of Minutes**

**Minute No.2018/191**

**Council Resolution**

Moved by Cr Byrne, seconded by Cr Lawrence that the minutes of the Ordinary Meeting of Council held on Tuesday, 11 September 2018 be confirmed, noting that an administrative oversight to insert the minute numbering be rectified.

**CARRIED UNANIMOUSLY**

**5. Declarations of Conflict of Interest**

Nil.

**6. Presentations**

**Vale Cliff Allison** - former Mayor (1965-66) and Councillor of the City of Essendon.

Cliff Allison was elected to represent the Aberfeldie Ward with the City of Essendon in 1960 and served for 22 years, until 1982. He served as Mayor from 1965 to 1966.

Highlights of his time on Council include the building of the Essendon Library, development of the Civic Centre and Moonee Ponds Junction.

He was a much loved and respected member of many community groups within Moonee Valley, including the Essendon Baseball Club who opened the Cliff Allison Reserve in 1978 in his honour.

Council extended its condolences to Cliff's family and friends. Cliff's daughter Dianne was in attendance at the meeting.

## 7. Petitions and Joint Letters

### 7.1 Joint letters

**File No:** Fol/18/32

**Author:** Tracey Classon - Governance Officer

**Directorate:** Organisational Performance

**Minute No.** 2018/192

#### **Council Resolution**

Moved by Cr Lawrence, seconded by Cr Gauci Maurici that Council:

1. Receives and notes the joint letter.
2. Refers this matter to the Acting Director Asset Planning and Strategic Projects for investigation and reporting back to Council.
3. Advises the petition organiser accordingly.

**CARRIED UNANIMOUSLY**

**8. Public Question time**

**Sharon Peat** asked Council, at a public consultation, the architect said the ground floor of units 1 & 2 (MV/539/2017) could be flexible spaces, including use as home offices. Does council accept that these rooms are labelled as living rooms to circumvent regulations for 3BR units?

**Natalie Reiter, Director Planning and Development** responded the application was amended under Section 57A of the Act and as such, not readvertised. The amendments sought to resolve the internal configuration to prevent the area marked 'living room' (second living area) to be perceived and function as a bedroom. That is, a 3rd bedroom.

Dwelling 1 was internally reconfigured to remove the ground floor living room, providing 1 bedroom at ground floor and 1 bedroom on second floor. A total of two bedrooms.

Dwelling 2 was internally reconfigured at the ground floor with the laundry area opening to the living space, providing less opportunity for the living area to be perceived and function as a bedroom. Having additional living area for one of proposed dwellings, contributes to providing a variety of housing options responding to community needs.

## 9. Reports from Special Committees

### 9.1 Grants Assessment Committee updates

**File No:** Fol/18/191

**Author:** Sarah Edwards - Coordinator Social Planning and Wellbeing

**Directorate:** Planning and Development

**Minute No.** 2018/193

#### **Council Resolution**

Moved by Cr Cusack, seconded by Cr Byrne

1. Endorses the revised Charter to the Grants Assessment Special Committee provided as Appendix A.
2. Resolves to delegate to the Grants Assessment Special Committee those functions, powers and duties set out in the Instrument of Delegation (Appendix B) in accordance with Section 86 of the *Local Government Act 1989*.
3. Resolves to revoke the Instrument of Delegation to the Grants Assessment Special Committee dated 27 March 2018.
4. Authorises the Common Seal of Moonee Valley City Council to be affixed to the Instrument of Delegation to the Grants Assessment Special Committee (Appendix B).
5. Resolves to appoint the following Councillors, community members and Council officers as members of the Grants Assessment Special Committee for a 12 month term, effective from the date of this resolution:
  - Cr John Sipek
  - Cr Samantha Byrne
  - Cr Jim Cusack
  - Cr Rebecca Gauci Maurici
  - Cr Nicole Marshall
  - Cr Cam Nation
  - Cr Narelle Sharpe
  - Cr Andrea Surace
  - John Bonacci, community member
  - Tony Fisher, community member
  - Ibrahim Hajj, community member
  - Anita Sri-Ananda, community member
  - Heather Watson, community member

- Steven Lambert, Director City Services or his nominated Council officer representative (ex-officio)
- Natalie Reiter, Director Planning and Development or her nominated Council officer representative (ex-officio)

**CARRIED UNANIMOUSLY**



## 10. Reports

### 10.1                    **6 Munro Street, Ascot Vale (Lot 1 of Title Plan 603460Q) Construction of five dwellings**

**File No:**                Fol/18/32  
**Author:**                Alexia Paterson - Statutory Planner  
**Directorate:**        Planning and Development  
**Minute No.**            **2018/194**

#### **Council Resolution**

Moved by Cr Marshall, seconded by Cr Cusack that Council issues a Notice of Decision to Refuse to Grant a Permit in relation to Planning Permit Application No. MV/539/2017 for Construction of five dwellings, at 6 Munro Street, Ascot Vale (Lot 1 on TP 603460Q), in accordance with the following grounds of refusal:

1. The proposal fails to meet the overarching objective and the strategies of Clause 15.01-2S (Building Design Objectives) of the Moonee Valley Planning Scheme and would result in a development that fails to appropriately respond and contribute to its context and local urban character;
2. The visual bulk, scale, form and layout of the proposal fails to meet the objectives and strategies of Clause 21.06-1 (Neighbourhood Character) and Clause 21.06-4 (Urban Design) as it does not respect or contribute to the preferred character of the 'Garden Suburban 1' precinct and fails to appropriately respond to its location and surrounding context;
3. The proposal fails to satisfy the following standards contained within Clause 55 (Two or More Dwellings on a Lot) of the Moonee Valley Planning Scheme, and does not achieve an acceptable outcome in terms of the following objectives:
  - a) Clause 55.02-1 (Neighbourhood Character);
  - b) Clause 55.03-1 (Street Setback);
  - c) Clause 55.03-2 (Building Height);
  - d) Clause 55.03-3 (Site Coverage);
  - e) Clause 55.03-8 (Landscaping);
  - f) Clause 55.04-1 (Side and Rear Setbacks);
  - g) Clause 55.04-2 (Walls on Boundaries);
  - h) Clause 55.04-6 (Overlooking);
  - i) Clause 55.04-7 (Internal Views);
  - j) Clause 55.05-2 (Dwelling Entry);
  - k) Clause 55.05-6 (Storage);

4. The proposal will cause adverse traffic and pedestrian safety impacts on the surrounding area, including the laneway and adjoining local road network, which will be substantial and unreasonable.
5. The development would present a visually dominant and unsympathetic built form to the area and will have an adverse effect on the residential amenity of neighbouring land.
6. The proposal represents an overdevelopment of the land.

**CARRIED UNANIMOUSLY**

**10.2                      4 Schofield Street Essendon (Lot 7 on LP 006040) -  
Construction of five dwellings**

**File No:**                Fol/18/32  
**Author:**                Justin Scriha - Senior Statutory Planner  
**Directorate:**        Planning and Development  
**Minute No.**            **2018/195**

**Council Resolution**

Moved by Cr Gauci Maurici, seconded by Cr Sharpe that Council issues a Notice of Decision to Grant a Permit in relation to Planning Permit Application No. MV/137/2018 for the construction of five dwellings at 4 Schofield Street, Essendon (Lot 7 on LP 006040), subject to the following conditions:

**Endorsement Conditions**

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The amended plans must be drawn to scale with dimensions and an electronic copy must be provided. The amended plans must be generally in accordance with the plans submitted and assessed with the application but modified to show:
  - a) The provision of eaves or similar canopy features to the dwellings;
  - b) Compliance with Standard B21 of Clause 55.04-5 (Overshadowing Open Space) of the Moonee Valley Planning Scheme achieved in relation to the adjoining secluded private open space areas at 4/82 and 5/82 Glass Street;
  - c) The provision of entry canopies (or similar features) to the pedestrian entrances of Dwellings 2, 3, 4 and 5 in accordance with Standard B26 of Clause 55.05-2 (Dwelling Entry) of the Moonee Valley Planning Scheme;
  - d) The inclusion of a window to the blank wall above the basement entrance facing Schofield Street;
  - e) The elevation drawings to include the basement level;
  - f) The Garden Area plan to exclude all areas where the basement is not fully submerged and demonstrate compliance with Clause 32.08-4 is maintained;
  - g) Details of the proposed letter and metre boxes to ensure that they do not obstruct the pedestrian visibility splay;
  - h) Compliance with Standard B29 of Clause 55.05-5 (Solar Access to Open Space) achieved for the secluded private open space area of Dwelling 3;
  - i) The length of the 1:8 transition grade at the bottom of the accessway ramp increased to 2.5 metres, or, the entrance to the Dwelling 1

basement relocated by 500mm to the east;

- j) The Ground Floor plan and elevations to be consistent with each other in regards to boundary fencing;
- k) Obscure glazing provided up to 1.85 metres above finished floor level for all south-facing, first floor habitable room windows associated with Dwellings 4 and 5;
- l) The deletion of a bedroom from the first floor levels of Dwellings 4 and 5 to reduce the bulk of the building.
- m) The first floor footprints of Dwellings 4 and 5 reduced in accordance with Condition 1 l);
- n) An amended Landscape Plan in accordance with Condition 6, ensuring consistency between all plans with respect to external surface treatments;
- o) The submission of a WSUD treatment plan that clearly defines all catchment areas and demonstrates feasibility of all treatments in accordance with the approved STORM report; and
- p) A notation referring all ESD measures and design features to the approved SDA and BESS report.

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

- 2. The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
- 3. A minimum 30 days prior to any building or works commencing, all Water Sensitive Urban Design (WSUD) details (relating to the WSUD treatment measures nominated in the approved and complying STORM report), such as cross sections and/or specifications, to assess the technical effectiveness of the proposed stormwater treatment measures, must be submitted for approval by the Responsible Authority.
- 4. A minimum 30 days prior to any building or works commencing, a Construction and Site Management Plan (CSMP) must be submitted to and be approved by the Responsible Authority detailing the construction activity proposed and the site and environmental management methods to be used. The CSMP must be in accordance with Moonee Valley City Council's CSMP's guideline and templates.

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

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

- 5. A maximum 30 days following completion of the development, 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; and
- d) A report confirming completion and commissioning of all WSUD Response treatment measures written by the author of the WSUD Response and STORM or MUSIC model approved pursuant to this permit, or licensed installing/commissioning plumber, or similarly qualified person or company. This report must be to the satisfaction of the Responsible Authority and must confirm that all WSUD treatment measures 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 Guide or a Building Maintenance Guide.

6. Before the development starts, and before any trees or vegetation are removed an amended Landscape Plan and schedule to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The amended Landscape Plan and schedule must be prepared by a person or firm with suitable qualifications to the satisfaction of the Responsible Authority, drawn to scale and an electronic copy must be provided. The amended landscape plan and schedule must be generally in accordance with the landscape plan submitted with the application but modified to show:
  - a) Any changes as required by Condition 1 of this permit;
  - b) The extent of all impervious surfaces to accord with the Condition 1 plans and any approved STORM report;
  - c) 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;
  - d) The provision of two canopy trees within the front setback of Dwelling 1 which are able to achieve a minimum mature height of 4 metres;
  - e) The inclusion of garden beds and planting, including canopy trees, within the secluded private open space areas of Dwellings 2 – 5 which are capable of screening the development from the adjoining properties;
  - f) The use of non-invasive plant species within the easement area of Dwelling 5 which will ensure that existing infrastructure assets are not damaged by root systems; and
  - g) The inclusion of Boston Ivy (*Parthenocissus tricuspidata*) or plant/s with similar qualities including suitable support trellising to obscure the retaining walls associated with the accessway ramp.

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

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

### **End Endorsement Conditions**

#### **Development Conditions**

7. Buildings or works must not be constructed over or adjacent to any easement or within one metre of an existing Council drainage asset without the prior written consent of Council (or of the authorities or agencies with an interest in the easement) to the satisfaction of the Responsible Authority.
8. Floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
9. Before the buildings approved by this permit are occupied, the privacy screens and other measures to prevent overlooking as shown on the endorsed plans must be installed in accordance with Clause 55.04-6 (Overlooking objective) of the Moonee Valley Planning Scheme to the satisfaction of the Responsible Authority.

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

10. All pipes, fixtures, fittings, ducts and vents servicing any building on the land, other than storm water down pipes and gutters above the ground floor storey of the building, must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
11. Before the buildings approved by this permit are occupied, the areas set aside for the parking of vehicles, together with the associated driveways and access lanes as shown on the endorsed plans must be:
  - a) Constructed;
  - b) Available for use in accordance with the endorsed plans;
  - c) Properly formed to such levels and drained so that they can be used in accordance with the endorsed plans; and
  - d) Finished with a permanent trafficable surface (such as concrete, asphalt or paving);

in accordance with the endorsed plans.

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

- a) Be maintained and made available for such use; and
  - b) Not be used for any other purpose;
- to the satisfaction of the Responsible Authority.
12. Before the buildings approved by this permit are occupied, concrete

vehicular crossing(s) must be constructed to suit the proposed driveway(s) in accordance with the Responsible Authority's specification and any obsolete, disused or redundant vehicle crossing(s) must be removed and the area reinstated to footpath, nature strip and kerb and channel to the satisfaction of the Responsible Authority.

All vehicle access points must be located a minimum of 1.0 metre from any infrastructure including service pits. Alternatively, such assets may be incorporated into the crossover with the prior written consent of the Responsible Authority and the relevant servicing authority/agency. Subsequent works and costs in association with relocation and/or amendment must be incurred at the owner's cost, to the satisfaction of the relevant servicing authority/agency and the Responsible Authority.

13. All structures within the pedestrian visibility splays at the vehicle access point must be at least 50% visually permeable pursuant to Clause 52.06-9 (Design standards for car parking) of the Moonee Valley Planning Scheme.
14. 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.
15. An on-site stormwater detention drainage system must be installed on the land to the satisfaction of the Responsible Authority.

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

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

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

16. Before the buildings approved by this permit are occupied, all boundary fencing is to be constructed in accordance with the endorsed plans at the cost of the permit holder to the satisfaction of the Responsible Authority.
17. The development must be provided with external lighting capable of illuminating access to each garage, car parking space and pedestrian walkways. Lighting must be located, directed and shielded and of limited intensity so that no nuisance or loss of amenity is caused to any person within or beyond the land.
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.

### **End Development Conditions**

19. The permit will expire if:

- a) The development does not start within two (2) years of the date of issue of this permit, or
- b) The development is not completed within four (4) years of the date of issue of this permit.

Before the permit expires, or within six (6) months afterwards, the owner or occupier of the land may make a written request to the responsible authority to extend the expiry date.

If the development commences before the permit expires, within twelve (12) months after the permit expires, the owner or occupier of the land may make a written request to the Responsible Authority to extend the expiry date.

### **Permit Notes**

- This is not a building permit under the Building Act 1993. A separate building permit is required to be obtained for any demolition or building works.
- Before the development starts, the permit holder must contact Moonee Valley City Council on 9243 8888 regarding legal point of discharge, vehicular crossings, building over easements, asset protection, road consent/occupancy, etc.
- The required on-site detention system must be designed to limit the rate of stormwater discharge from the property to pre-development levels in accordance with the following:  $C_w=0.4$ ,  $t_c=10$ mins,  $t_{so}=5$ mins, ARI 1 in 5. An ARI of 1 in 10 shall be used for storage and the greater of post development  $C_w$  or  $C_w=0.80$ .
- 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.
- Existing levels along the property line and easements must be maintained. All proposed levels must match to existing surface levels along the property boundary and or easement. Council will not accept any modifications to existing levels within any road reserve or easement.
- No on street parking permits will be provided to the occupiers of the land.
- The development authorised by this permit will require the submission of a



Construction and Site Management Plan (CSMP) prior to the commencement of any works. All CSMP's are required to be made via Council's new online system at <http://www.mvcc.vic.gov.au/planning-and-building/planning/construction-site-management-plans.aspx> or in person at 9 Kellaway Avenue, Moonee Ponds.

**For:** Crs, Byrne, Cusack, Gauci Maurici, Marshall, Sharpe,

**Against:** Cr Lawrence, Cr Sipek

**CARRIED**

**10.3**                    **144 Pascoe Vale Road, Moonee Ponds (Lots 1 and 2 on TP519024F) - Use and development of the land for a multi-level, mixed use building, a reduction in car parking and loading/unloading requirements along with alteration of access to a road in a Road Zone, Category 1**

**File No:**                Fol/18/32

**Author:**                Jennifer Kemp -Senior Statutory Planner

**Directorate:**         Planning and Development

**Minute No.**            **2018/196**

**Council Resolution**

Moved by Cr Cusack, seconded by Cr Marshall that Council, with respect to an application to Amend Planning Permit MV/756/2013 under Section 87a of the *Planning and Environment Act 1987*, 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 not be to support the use and development of the land for a multi-level, mixed used building, a reduction in car parking and loading/unloading requirements along with alteration of access to a road in a Road Zone, Category 1 at No.144 Pascoe Vale Road, Moonee Ponds (Lots 1 and 2 on TP519024F) on the following grounds:

1. The overall height, bulk and scale of the development is not in keeping with the surrounding context.
2. Unreasonable impact on amenity of nearby residential properties.
3. The development will impact on the equitable development potential of the adjoining properties.
4. The services associated with 142 Pascoe Vale Road are compromised.
5. The application does not allow for orderly planning of the area.

**CARRIED UNANIMOUSLY**

**10.4 Maribyrnong River Cultural Precinct Update**

**File No:** Fol/18/32  
**Author:** Ben McManus  
Major Community Infrastructure Program Manager  
**Directorate:** Planning and Development  
**Minute No.** 2018/197

**Council Resolution**

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

1. Endorses the commencement of work on the development of the Draft Maribyrnong River Cultural Precinct Plan, including stakeholder consultation with the broader community as well as current users of the open space to determine a new vision for the Precinct.
2. Establishes a Community Reference Group to oversee the project.
3. Notes visioning for the Maribyrnong River Cultural Precinct will have regard for both work completed to date on the Maribyrnong River Master Plan (2011) and the Aberfeldie Park Master Plan (2013), as well as aspects of these masterplans yet to be delivered which will be complementary to delivery of the broader cultural precinct aspiration.
4. Notes the work completed to date on the depot relocation options.
5. Receives a future update on development of the Draft Maribyrnong River Cultural Precinct Plan, including:
  - Feedback received from key stakeholders
  - Draft vision, principles and concepts for the precinct
  - Depot relocation options.

**CARRIED UNANIMOUSLY**

**10.5 Kent Street Traffic Management Study**

**File No:** Fol/18/32

**Author:** Deryck Chan - Senior Traffic and Transport Engineer

**Directorate:** Planning and Development

**Minute No.** 2018/198

**Council Resolution**

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

1. Adopts the amended Kent Street Traffic Management Plan as presented in Appendix A, noting the potential introduction of road humps, zebra crossings and a speed limit reduction to 40km/h.
2. Progresses Safe Travel in Local Streets (STiLS) Program application with VicRoads for funding consideration.
3. Undertakes a final round of consultation with the working group and those directly affected by the location of the speed humps or the removal of parking.
4. Pending a successful outcome from the final round of consultation, notify residents and traders within the Kent Street Traffic Management Study area regarding the amended traffic management plan and advises of the outcome of this report.
5. Notes works will commence within the 2018-19 Capital Works Program to construct the treatments recommended in Kent Street Traffic Management Study.

**CARRIED UNANIMOUSLY**

**10.6 Sports field irrigation and surfacing**

**File No:** Fol/18/32

**Author:** Steven Lambert - Director City Services

**Directorate:** City Services

**Minute No.** 2018/199

**Council Resolution**

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

1. Approves the allocation of an additional \$1,000,000 in the 18/19 Budget for the Cross Keys Reserve ground realignment project, to allow for resurfacing using turf sod as opposed to sprigging, and to include the installation of new cricket nets. Funding to be sourced from Council's cash reserves.
2. Seeks \$500,000 funding through the Federal Government's Community Sport Infrastructure Grant Program for ground realignment and associated works at Cross Keys Reserve.
3. Reduces the demand on Council cash reserves by \$500,000, should Council be successful in obtaining this sum in funding through the Federal Government's Community Sport Infrastructure Grant Program.
4. Approves expanding the scope of works planned at Fairbairn Park in 2018/19 to include ground levelling and realignment works, estimated at an additional \$315,000 and increases the budget accordingly. Funding to be sourced from Council's cash reserves.
5. Seeks \$350,000 funding through the Federal Government's Community Sport Infrastructure Grant Program for ground levelling, realignment and associated works at Fairbairn Reserve.
6. Reduces the demand on Council cash reserves by \$350,000, should Council be successful in obtaining this sum in funding through the Federal Government's Community Sport Infrastructure Grant Program.

**CARRIED UNANIMOUSLY**

**10.7 Winter Activation Update**

**File No:** Fol/18/32

**Author:** Malcolm Ward - Coordinator Economic Development

**Directorate:** Planning and Development

**Minute No.** **2018/200**

**Council Resolution**

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

1. Notes the update provided in this report.
2. Supports implementation of a Moonee Ponds Winter Activation in 2019 (in partnership with the MPRLA).
3. Partners with Traders to plan and deliver future activations in other business precincts, such as: Essendon North, Flemington, Niddrie, Rose Street Village, Union Road, Mount Alexander Road and Dinah Parade.

**CARRIED UNANIMOUSLY**

**10.8 Assembly of Councillors**

**File No:** Fol/18/32

**Author:** Tracey Classon - Governance Officer

**Directorate:** Organisational Performance

**Minute No.** 2018/201

**Council Resolution**

Moved by Cr Sharpe, seconded by Cr Lawrence that Council, in accordance with section 80A(2) of the *Local Government Act 1989*, receives the records of the following Assemblies of Councillors:

<b>Assembly</b>	<b>Public Forum held on Tuesday 21 August 2018 at 6pm. Council Chamber, Civic Centre</b>	
<b>Matters considered</b>	<p>1. Questions on notice from:</p> <ul style="list-style-type: none"> <li>• John McCormack regarding a fallen tree branch which damaged his car</li> <li>• Eddie Jones regarding a fallen tree branch on his property, the management of graffiti in East Keilor and plastic bags in parks to collect dog waste</li> <li>• Brent Lavery regarding parking restrictions in Union Road, Ascot Vale</li> </ul> <p>2. Questions without notice about:</p> <ul style="list-style-type: none"> <li>• Parking in Union Road, Ascot Vale</li> <li>• The cost of replacing lost parking permits</li> <li>• Traffic measures in Miriam Street, Ascot Vale and how to stop people parking across residents' driveways</li> <li>• Confusing traffic signs in Union Road, Ascot Vale</li> </ul>	
<b>Councillors present</b>	<p>Cr John Sipek (Mayor) Cr Samantha Byrne (Deputy Mayor) Cr Jim Cusack Cr Rebecca Gauci Maurici Cr Richard Lawrence Cr Nicole Marshall Cr Narelle Sharpe</p> <p>Leave of absence: Cr Andrea Surace</p>	
<b>Staff present</b>	<p>Bryan Lancaster (CEO) Steven Lambert Natalie Reiter Gil Richardson</p>	<p>Petrus Barry Allison Watt Vera Mitrovic–Misic</p>
<b>Conflict of interest</b>	Nil.	

<b>Assembly</b>	<b>Strategic Briefings of Councillors held on Tuesday 21 August 2018 at 6:55pm. Council Chamber, Civic Centre</b>	
<b>Matters considered</b>	<ol style="list-style-type: none"> <li>1. Contract management of Riverside Golf and Tennis</li> <li>2. Child Safe Standards</li> <li>3. RESCode and Better Apartment Assessments</li> <li>4. Windy Hill and Essendon Football Club</li> <li>5. Reconciliation policy and action plan</li> <li>6. Review of Draft Agenda for Ordinary Council Meeting on 28 August 2018</li> <li>7. Items of a general nature raised by Councillors and Officers.</li> </ol>	
<b>Councillors present</b>	Cr John Sipek (Mayor) Cr Samantha Byrne (Deputy Mayor) Cr Jim Cusack Cr Rebecca Gauci Maurici Cr Richard Lawrence Cr Nicole Marshall Cr Narelle Sharpe	
	Leave of absence: Cr Andrea Surace	
<b>Staff present</b>	Bryan Lancaster (CEO)	Kay Fitzgerald
	Steven Lambert	Jason Crockett
	Natalie Reiter	Mandy Bodman
	Gil Richardson	Lachlan Orr
	Petrus Barry	Grant Michell
	Allison Watt	Kate Murphy
	Vera Mitrovic–Misis	Jennifer Kemp
	Kate McCaughey	Terri Spiers
	Jim Karabinis	Belinda Stewart
<b>External guest</b>	Todd McHardy of Bluefit	
<b>Conflict of interest</b>	Cr Byrne declared an direct conflict of interest due to residential amenity in the confidential item 14.1 on the draft OCM agenda for 28 August and left the meeting at 10.17pm, returning at 10.33pm after the discussion on the item.	
<b>Assembly</b>	<b>Ordinary Council Meeting pre-meet held on Tuesday 28 August 2018 at 6pm Committee Room, Civic Centre</b>	
<b>Matters considered</b>	Ordinary Council Meeting agenda for Tuesday 28 August	



<b>Councillors present</b>	<p>Cr John Sipek (Mayor) Cr Samantha Byrne (Deputy Mayor) Cr Jim Cusack Cr Rebecca Gauci Maurici Cr Richard Lawrence Cr Nicole Marshall Cr Cam Nation Cr Narelle Sharpe</p>
	Leave of absence: Cr Andrea Surace
<b>Staff present</b>	<p>Bryan Lancaster (CEO) Steven Lambert Natalie Reiter Gil Richardson Petrus Barry Allison Watt Vera Mitrovic–Misic</p>
<b>Conflict of interest</b>	Cr Samantha Byrne declared a direct conflict of interest in the confidential item 14.1, due to residential amenity and left the meeting a 6.16pm.

<b>Assembly</b>	<p><b>Strategic briefings held on Tuesday 4 September at 6.05pm.</b> <b>Council Chamber, Civic Centre, Moonee Ponds</b></p>	
<b>Matters considered</b>	<ol style="list-style-type: none"> <li>1. Governance update from Maddocks Lawyers</li> <li>2. St Columbans Mission, Brian Haratsis</li> <li>3. Strathmore Children’s Centre</li> <li>4. Ageing in Moonee Valley</li> <li>5. Netball/tennis upgrades at Riverside Park</li> <li>6. Draft Ordinary Council Meeting agenda for 11 September 2018.</li> <li>7. Items of a general nature raised by Councillors and Officers.</li> </ol>	
<b>Councillors present</b>	<p>Cr John Sipek (Mayor) Cr Samantha Byrne (Deputy Mayor) Cr Jim Cusack Cr Rebecca Gauci Maurici Cr Richard Lawrence Cr Cam Nation Cr Narelle Sharpe (via phone)</p>	
	Leave of absence: Cr Andrea Surace	
<b>Staff present</b>	<p>Bryan Lancaster (CEO) Steven Lambert Natalie Reiter Gil Richardson Petrus Barry</p>	<p>Edward Elliott Maria Weiss Natalie Smyth Belinda Stewart Kate Heissenbuttel</p>

	Allison Watt Brenton Otte	Mandy Bodman Kassia Gibbs
<b>External guests</b>	Catherine Dunlop (Maddocks) Brian Haratsis (Macroplan) Peter Lovell (Lovell Chen heritage consultants and architects)	
<b>Conflict of interest</b>	Cr Nation declared an indirect conflict of interest due to conflicting duty in item 10.12 on the draft Ordinary Council Meeting agenda for 11 September and left the meeting at 9.33pm and returned to the meeting at 9.38pm after the discussion.	

<b>Assembly</b>	<b>Chief Executive Performance Review Special Committee held on Tuesday 4 September 2018 at 10pm. Council Chamber, Civic Centre</b>	
<b>Matters considered</b>	<ol style="list-style-type: none"> <li>1. Adoption of process for assessing the CEO against the Key Responsibility Areas (KRAs) and areas for focus (as identified in meeting on 28 May 2018) for the end of 2018 CEO review cycle to be held on Monday 1 October, 2018.</li> <li>2. Adoption of the Service Level Agreement (SLA) between CEO and Councillors.</li> </ol>	
<b>Councillors present</b>	Cr John Sipek (Mayor) Cr Samantha Byrne (Deputy Mayor) Cr Jim Cusack Cr Rebecca Gauci Maurici Cr Cam Nation Cr Narelle Sharpe (via phone)	
<b>Staff present</b>	Edward Elliott	
<b>Conflict of interest</b>	Nil.	

<b>Assembly</b>	<b>Ordinary Council Meeting Pre-meet held on Tuesday 11 September 2018 at 6pm, Committee Room, Civic Centre</b>	
<b>Matters considered</b>	Ordinary Council Meeting agenda for Tuesday 11 September.	
<b>Councillors present</b>	Cr John Sipek (Mayor) Cr Samantha Byrne (Deputy Mayor) Cr Rebecca Gauci Maurici Cr Richard Lawrence arrived 6.03pm Cr Nicole Marshall Cr Cam Nation Cr Narelle Sharpe	
	Leave of absence: Cr Andrea Surace	

<b>Staff present</b>	Bryan Lancaster (CEO) Steven Lambert Natalie Reiter Gil Richardson	Petrus Barry Allison Watt Meghan Hopper
<b>Conflict of interest</b>	Cr Cam Nation declared an indirect interest due to conflicting duty in item 10.11 Windy Hill and Essendon Football Club and left the meeting at 6.07pm, returning at 6.08pm after the discussion.	

<b>Assembly</b>	<b>Public Forum held on Tuesday 18 September 2018 at 6pm, Council Chamber, Civic Centre</b>	
<b>Matters considered</b>	<ul style="list-style-type: none"> <li>• Simon Martyn regarding Public Acquisition Overlay impact on planning application at 47 Fisher Pde Ascot Vale</li> <li>• David Bate regarding planning application at 47 Fisher Pde, Ascot Vale</li> <li>• Kerrie Dowsley regarding Ascot Lot food truck park</li> <li>• Michelle Dowdle regarding Strathmore Heights Kindergarten</li> <li>• Eddie Jones – regarding the trimming of a tree in front of his home in Milleara Road, East Keilor</li> <li>• Sharon Mumford – regarding the playground at Strathaird Street, Strathmore</li> </ul>	
<b>Councillors present</b>	Cr Samantha Byrne (Deputy Mayor) Cr Jim Cusack Cr Rebecca Gauci Maurici Cr Nicole Marshall Cr Narelle Sharpe Leave of absence: Cr Andrea Surace	
<b>Staff present</b>	Bryan Lancaster (CEO) Steven Lambert Gil Richardson Allison Watt Jessie Keating	Colin Harris Sarah Schwager Leanne Wilson Malcolm Ward
<b>Conflict of interest</b>	Nil.	

<b>Assembly</b>	<b>Strategic Briefings held on Tuesday 18 September 2018 at 7.05pm. Council Chamber, Civic Centre</b>	
<b>Matters considered</b>	<ul style="list-style-type: none"> <li>• Ardmillan Place, Moonee Ponds (Simon Martyn, Fulcrum Consulting)</li> <li>• Maribyrnong Integrated Water Management Forum Update (Lydia Wilson, Chair and James Newton, DELWP)</li> <li>• Maribyrnong River Cultural Precinct Update</li> </ul>	

	<ul style="list-style-type: none"> <li>• Social Housing Investment Planning Grant project update</li> <li>• Footpath Trading Policy</li> <li>• SKM Recycling update</li> <li>• Draft Ordinary Council Meeting agenda for 25 September 2018.</li> <li>• Items of a general nature raised by Councillors and Officers.</li> </ul>	
<b>Councillors present</b>	Cr Samantha Byrne (Deputy Mayor) Cr Jim Cusack Cr Rebecca Gauci Maurici Cr Nicole Marshall	
	Leave of absence: Cr Andrea Surace	
<b>Staff present</b>	Bryan Lancaster (CEO) Steven Lambert Gil Richardson Allison Watt Jessie Keating Colin Harris Sarah Wigley Leanne Wilson Malcolm Ward Fiona McDougall	Dino De Melis David Basil Brooke Ranken Ben McManus Peter Gaffney Carey Patterson Andrew Kelly Penny Ball Venta Slizys
	<b>External guests</b>	Simon Martyn (Fulcrum Consulting) Marina Darling (Armillan Place)
<b>Conflict of interest</b>	Nil.	

**CARRIED UNANIMOUSLY**

**11. Notices of Motion**

Nil.

**12. Urgent Business**

Nil.

**13. Delegates Reports**

Nil.

## 14. Confidential Reports

**Minute No.**            **2018/202**

### **tCouncil Resolution**

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

#### **14.1 Drainage improvement works**

Item 14.1 is Confidential under the terms section 89(2) of the *Local Government Act 1989* as it contains information relating to: (d) contractual matters.

**CARRIED UNANIMOUSLY**

## 15. Close of Meeting

The meeting closed to the public at 7.47pm.

**CR JOHN SIPEK  
CHAIRPERSON**