

# Minutes

## Ordinary Meeting of Council

Tuesday, 9 October 2018

6.30pm

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# Report Index

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The following reports were considered:

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# Minutes of the Ordinary Meeting of Council

Tuesday, 9 October 2018 at 6.30pm  
held at the Moonee Valley Civic Centre

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## Present

<b>Members</b>	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	
<b>Officers</b>	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
	Allison Watt	Manager Governance and Communications

## 1. Opening

The Mayor, Cr Sipek, opened the meeting and welcomed all present to the Council Meeting of Tuesday, 9 October 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**

**Leave of Absence**

**Minute No.            2018/204**

**Council Resolution**

Moved by Cr Lawrence, seconded by Cr Gauci Maurici that Council approves Leave of Absence for Cr Andrea Surace for the period 28 September 2018 to 27 October 2018 inclusive.

**CARRIED UNANIMOUSLY**

**4. Confirmation of Minutes**

**Minute No.            2018/205**

**Council Resolution**

Moved by Cr Gauci Maurici, seconded by Cr Nation that the minutes of the Ordinary Meeting of Council held on Tuesday, 25 September 2018 be confirmed.

**CARRIED UNANIMOUSLY**

**5. Declarations of Conflict of Interest**

Cr Samantha Byrne declared an indirect interest in item 10.3 due to residential amenity.

Cr Narelle Sharpe declared an indirect interest in item 10.2 due to conflicting duty.

**6. Presentations**

Nil.

**7. Petitions and Joint Letters**

Nil.

**8. Public Question Time**

Nil

**9. Reports from Special Committees**

Nil.

**10. Reports**

**10.1 Council Plan 2017-21 (Year 2 Update)**

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

**Author:** Marianne McArthur - Corporate Planning Officer

**Directorate:** Organisational Performance

**Minute No.** 2018/206

**Council Resolution**

Moved by Cr Cusack, seconded by Cr Gauci Maurici that Council adopts the Council Plan 2017-21 (Year 2 Update).

**CARRIED UNANIMOUSLY**

Cr Sharpe left the Chamber at 6.35pm due to a conflict of interest in item 10.2.

**10.2 Footpath Trading Policy 2018**

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

**Author:** Brooke Ranken - Coordinator City Compliance

**Directorate:** City Services

**Minute No.** 2018/207

**Council Resolution**

Moved by Cr Lawrence, seconded by Cr Cusack that Council adopts the Footpath Trading Policy 2018 (Appendix A, separately circulated) and Footpath Trading Policy 2018 - Fee Schedule (Appendix B).

**CARRIED UNANIMOUSLY**

Cr Sharpe returned to the chamber for the next item at 6.38pm.

Cr Byrne left the chamber at 6.38pm due to a conflict of interest in item 10.3.

### **10.3 Valley Lake 2A Local Area Traffic Management Study**

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

**Author:** James Kempen-Traffic and Transport Engineer

**Directorate:** Planning and Development

**Minute No.** 2018/208

#### **Council Resolution**

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

1. Adopts for implementation the Final Traffic Management Plan as presented in Appendix A.
2. Adopts for implementation the Final Parking Management Plan as presented in Appendix B.
3. Notes the additional traffic and parking issues raised by the local community as presented in Appendix E and H.
4. Refers significant works within the Final Traffic Management Plan and Final Parking Management Plan to future Capital Works Budget for funding consideration and any minor works to the Transport operational budget.
5. Advises owners and occupiers within the Valley Lake 2A Local Area traffic Management study area of the outcome of this report.

**CARRIED UNANIMOUSLY**

Cr Byrne returned to the chamber for the next item at 6.42pm.

#### **10.4 Response to NoM 2018/16 - TPG Small Cell Installations**

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

**Author:** Natalie Reiter - Director Planning and Development

**Directorate:** Planning and Development

**Minute No.** 2018/209

##### **Council Resolution**

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

1. Notes the update provided in this report.
2. Notes the proposed draft letter from the CEO to TPG regarding installation of low-impact facilities in Moonee Valley (Appendix A).
3. Notes that officers will continue to monitor the level of community concern regarding the placement of future and current mobile phone infrastructure.
4. Notes that officers will continue to monitor the roll-out of TPG low-impact facilities to ensure continued compliance with relevant legislation and ensure Urbis Pty Ltd (acting on TPGs behalf) identifies all community sensitive locations.
5. Advocates to other levels of Government regarding the need for cumulative impact to be assessed.
6. Seeks written confirmation from TPG that:
  - a) TPG has met compliance with the Communications Deployment Code regarding notification and consultation
  - b) TPG has applied the Precautionary Principle required by the Code.
7. Seeks guidance from the Federal Minister for Communications and the Arts on:
  - a) regulation to limit the amenity and other impacts of further provider infrastructure roll outs
  - b) responsibility for monitoring of cumulative impacts of microwave frequency technologies.

**CARRIED UNANIMOUSLY**



**10.5 Potential lease of VicTrack land adjacent to Ascot Vale Railway Station**

**Author:** Kate McCaughey - Manager Community Planning

**Directorate:** Planning and Development

**Minute No.** 2018/210

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

1. Notes the draft Ascot Vale Rail Reserve Concept Plan for the land at 27 Station Avenue, Ascot Vale contained in Certificate of Title volume 11487 folio 925, as outlined in Appendix A, which proposes development of the site in a staged approach.
2. Endorses the draft Ascot Vale Rail Reserve Concept Plan Appendix A, for community consultation as outlined in Table Three of this report.
3. Upon completion of community consultation and incorporation of any revisions, receive a report for endorsement of the Ascot Vale Rail Reserve Concept Plan.
4. Authorises the Chief Executive Officer to enter into a lease with VicTrack for lease of the land at 27 Station Avenue, Ascot Vale contained in Certificate of Title volume 11487 folio 925 and implement the final Ascot Vale Rail Reserve Concept Plan.

**CARRIED UNANIMOUSLY**

**11. Notices of Motion**

Nil.

**12. Urgent Business**

Cr Marshall requested an urgent item be considered by Council.

**Minute No. 2018/211**

**Council Resolution**

Moved by Cr Marshall, seconded by Cr Cusack that the item be accepted as Urgent Business.

**CARRIED UNANIMOUSLY**

**Minute No. 2018/212**

**Council Resolution**

Moved by Cr Marshall, seconded by Cr Cusack that the CEO writes to the Minister for Local Government seeking an exemption under Section 80 of the *Local Government Act 1989* from the provisions of Section 79 in relation to the declared conflicts of interests of Councillors regarding the Moonee Valley Racecourse planning applications.

**CARRIED UNANIMOUSLY**

**13. Delegates Reports**

Nil.

**14. Confidential Reports**

**Minute No. 2018/213**

**Council Resolution**

Moved by Cr Nation, seconded by Cr Byrne 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 95 Buckley Street, Moonee Ponds (Lot 1 on TP371488E) - Construction of a multi-level building, use as a food and drink premises and access to a Road Zone, Category 1**

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

**14.2 Award of contract for the construction of Strathnaver Reserve carpark - stage one**

Item 14.2 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 7.04pm.

**CR JOHN SIPEK  
CHAIRPERSON**