



City of  
**Moonee Valley**

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# **Ordinary Meeting of Council**

Tuesday, 13 March 2018 at 6.30pm

**Minutes**

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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, 13 March 2018 at 6.30pm  
held at the Moonee Valley Civic Centre

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## PRESENT :

**Members:** Cr John Sipek Mayor  
Cr Samantha Byrne  
Cr Rebecca Gauci Maurici  
Cr Richard Lawrence  
Cr Nicole Marshall  
Cr Cam Nation  
Cr Narelle Sharpe

**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 Gil Richardson A/Director Asset Planning & Strategic Projects  
Mr Petrus Barry Manager Statutory Planning  
Ms Allison Watt Manager Governance & Communications

## 1. Opening

The Mayor, Cr Sipek, opened the meeting and welcomed all present to the Council Meeting of Tuesday, 13 March 2018.

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.

## 2. Apologies

An apology for non-attendance was received for Cr Surace.

Cr Cusack is on an Approved Leave of Absence for this meeting.

**3. Confirmation of Minutes**

That the Minutes of the Ordinary Meeting of Council held on Tuesday, 27 February 2018 be confirmed.

**CONFIRMED**

**4. Declarations of Conflict of Interest**

Nil.

**5. Presentations**

Nil.

**6. Petitions and Joint Letters**

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.

**6.1 St James Street, Moonee Ponds**

File No. 18/63699

Cr Marshall tabled a petition signed by 37 individuals requesting the restoration of the laneway between St James and Grandison Streets, Moonee Ponds.

**6.2 Heritage Street, Moonee Ponds**

File No. 17/344754

Cr Nation tabled a petition signed by 23 individuals concerning the parking permit zone in Heritage Street, Moonee Ponds

**7. Public Question Time**

**Question 1**

Mr Brian and Mrs Lynne O'Dea of Essendon asked the following question in relation to parking in Ardoch Street, Essendon.

In Table 5 p22, parking impact is considered acceptable, subject to the inclusion of conditions on any permit granted.

This is despite submitted plans providing 55% of required parking and the unrealistic assumption that only one car space is required for each 2 Bedroom Unit. Given the existing parking pressures in the Ardoch Street and Peterleigh Grove area,

- a) what plans does Council have to address the increased impact from this development of vehicular parking?
- b) what confidence can residents have that any plan would be enforced regularly?

**Response:**

Ms Natalie Reiter, Director of Planning & Development, provided the following response:

The proposed reduction of three shop car spaces and one residential visitor car space is considered to be acceptable considering the location of the subject site within 50 metres from Glenbervie Railway Station and within walking distance of a bus stop. The proposal also provides five bicycle parking spaces on-site and one double-sided bicycle hoop at the front of the shop, which can be utilised by employees, shoppers and visitors to the site.

Council officers recently undertook a parking investigation in Ardoch Street, Essendon. The investigation included the collection of parking occupancy surveys in Ardoch Street, between Napier Crescent and Brewster Street on Wednesday 14th and Friday 16<sup>th</sup> February 2018 between 7am - 6pm.

Under Council's Municipal Parking Strategy, parking restrictions are considered appropriate for streets where more than 85 per cent of the parking spaces are consistently occupied.

The results demonstrate that there is adequate parking available in Ardoch Street. Additionally, the parking surveys also identified that the maximum parking occupancy within the existing "Permit Zone" parking areas was considerably less than 85%, and therefore there is scope to lessen the severity of these parking restrictions as part of Council's Permit Zone Parking Review project. Council can continue to monitor parking levels in Ardoch Street. Council employs parking control officers to implement the various parking restrictions throughout the municipality and this is actively undertaken.

**Question 2**

Mr Laurie and Mrs Rosemary Thompson of Essendon asked the following questions:

Given that Clause 58.03-1 of the Moonee Valley Planning Scheme provides for the development and protection of energy efficient dwellings, and noting that the Council has lauded the proposed plan for including a light well to allow significant northern light into the proposed building, how does the Council then justify approving the plans in circumstances where the development would significantly adversely impact 36 Ardoch Street's access to northern light by overshadowing a light well that provides northern light to 7 large windows to habitable areas and the main private open space at the front of that dwelling?

**Response:**

Ms Natalie Reiter, Director of Planning & Development, provided the following response:

While the development will impact on the energy efficiency of the adjoining dwelling to the south, the building has been sited and designed to provide light

court areas at the first floor level directly abutting existing light court and private open space areas, with a more pronounced recession in built form at the second floor level to ensure the energy efficiency of the existing dwelling to the south is not unreasonably reduced. It is also noted that the property directly to the south is located within a Commercial 1 Zone and, therefore, is not afforded the same level of amenity, daylight and solar energy that would typically be attributed to a property within a residential zone.

**Question 3**

Why has the Council failed to address the concerns raised by 36 Ardoch Street in their Notice of Objection at points 1.1, 1.2, 1.3, 1.5, and 1.6, 2.4, 3.2, 3.3 and 3.7?

**Response:**

Ms Natalie Reiter, Director of Planning & Development, provided the following response:

The concerns raised by the adjoining land owner with regards to off-site amenity, overdevelopment, car parking / traffic, construction impacts and errors within the documentations have all been discussed within Section 3.7 and throughout relevant sections of the report.

**Question 4**

Mr Lindsay and Mrs Jennipher Crooks of Essendon asked the following question:

How will the Moonee Valley Council allow the overdevelopment of a site in which the proposed development impacts directly upon properties at 39 & 41 Peterleigh Grove which abut directly to the proposed development depriving each family of a safe quality living environment?

**Response:**

Ms Natalie Reiter, Director of Planning & Development, provided the following response:

The assessment report finds that the proposal subject to conditions demonstrates an adequate level of compliance with the relevant policies and provisions of the Moonee Valley Planning Scheme. It is also important to note that the Right of Way to the rear provides an appropriate buffer between residential properties to the east thereby mitigating direct impact on these properties.

**8. Reports by Mayor and Councillors**

Nil.

## 9. Reports

### 9.1 **38 & 38A Ardoch Street, Essendon (Lot 1 TP439978L) - Construction of a three storey building in a Commercial 1 Zone and a reduction in car parking requirements**

**File No:** FOL/18/32

**Author:** William Wheeler  
Principal Statutory Planner

**Directorate:** Planning & Development

**Minute No:** 2018/30

#### **Motion**

Moved by Cr Gauci Maurici, seconded by Cr Lawrence that Council issue a Notice of Decision to Refuse to Grant a Permit in relation to Planning Permit Application No. MV/628/2017 for the construction of a three storey building in a Commercial 1 Zone and a reduction in car parking requirements at No.38 and 38A Ardoch Street, Essendon (Lot 1 TP439978L), in accordance with the following grounds of refusal:

1. The proposal fails to meet the overarching objective and the strategies of Clause 15.01-2 (Urban Design Principles) of the Moonee Valley Planning Scheme and would result in an urban design outcome that fails to positively contribute to local urban character, enhance the public realm and minimise detrimental impact on neighbouring properties;
2. The proposal fails to meet the objectives and strategies contained within Clause 15.03-1 (Heritage Conservation) and Clause 21.06-2 (Heritage) of the Moonee Valley Planning Scheme and would result in a development that is not sympathetic and does not integrate with surrounding heritage buildings;
3. The proposed building height, form, scale and massing fails to meet the objective and strategies of Clause 21.06-4 (Urban Design) of the Moonee Valley Planning Scheme as it fails to appropriately respond to its location and surrounding context;
4. The proposal fails to satisfy the following standards contained within Clause 58 (Apartment Developments) of the Moonee Valley Planning Scheme, and does not achieve an acceptable outcome in terms of the following objectives:
  - a) Clause 58.02-1 (Urban Context);
  - b) Clause 58.04-1 (Building Setback);
  - c) Clause 58.05-3 (Private Open Space); and
  - d) Clause 58.07-2 (Room Depth);
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 fails to provide sufficient car parking as required under Clause 52.06 (Car Parking) of the Moonee Valley Planning Scheme and would exacerbate car parking problems in the surrounding area;
7. The proposal will cause adverse traffic and pedestrian safety impacts on the surrounding area, including the rear laneway and adjoining local road network, which will be substantial and unreasonable;
8. The proposal represents an overdevelopment of the site.

**LOST**

**FOR: Crs Gauci Maurici and Lawrence**

**AGAINST: Crs Sharpe, Nation, Sipek, Byrne, Marshall**

### **Council Resolution**

Moved by Cr Marshall, seconded by Cr Byrne that Council issue a Notice of Decision to Grant a Permit in relation to Planning Permit Application No. MV/628/2017 for the construction of a three storey building in a Commercial 1 Zone and a reduction in car parking requirements at No.38 and 38A Ardoch Street, Essendon (Lot 1 TP439978L), subject to the following 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) Privacy screening along the eastern elevation at first and second floor levels, to prevent overlooking into existing private open space areas;
  - b) All obscure glazing and privacy screening annotated as being 'fixed' to a height of 1.7m above finished floor level with a 'maximum of 25% transparency';
  - c) The second floor east and west facing balconies treated with angular screening measures (i.e. louvres) to prevent internal overlooking of lower-level balconies;
  - d) At least 50% of dwellings provided with a clear path with a minimum width of 1.2m that connects the dwelling entrance to the 'main bedroom', an 'adaptable bathroom' and the living area, as per the requirements of Standard D17 of Clause 58.05-1 of the Moonee Valley Planning Scheme;
  - e) At least 50% of dwellings comprising a 'main bedroom' with access to an 'adaptable bathroom', as per the requirements of Standard D17 of Clause 58.05-1 of the Moonee Valley Planning Scheme;
  - f) At least 50% of dwellings comprising at least one 'adaptable bathroom' that meets all of the requirements of either 'Design A' or 'Design B' as specified in 'Table D4' of Standard D17 of Clause



58.05-1 of the Moonee Valley Planning Scheme;

- g) Each dwelling provided with a minimum internal storage volume of 9m<sup>3</sup>, and total minimum storage volume of 14m<sup>3</sup>, in accordance with the requirements of Standard D20 of Clause 58.05-4 of the Moonee Valley Planning Scheme;
- h) Design measures to prevent water runoff from the Right of Way into the proposed development and associated car stackers;
- i) Relocation of the internal bin storage area towards the front of the site to ensure easy transfer/collection of waste along Ardoch Street;
- j) A notation stating the rear vehicle access area adjoining the Right of Way is to be kept clear of landscaping, fencing and structures;
- k) Bicycle parking racks must be designed in accordance with the relevant Australian Standards;
- l) A notation stating that the bike hoop proposed within Council land along Ardoch Street must be located, designed and approved to the satisfaction of the Responsible Authority;
- m) Details and notations for all Water Sensitive Urban Design (WSUD) treatment measures in accordance with the approved STORM Rating Report;
- n) A prominent note on all floor and elevation plans stating: “Refer to endorsed Sustainable Design Assessment, and associated BESS Report, for all Environmental Sustainable Design commitments and requirements”;
- o) A prominent note stating all noise attenuation measures are to be implemented as required by the endorsed acoustic report under Condition 18 of this permit; and
- p) A detailed schedule of all external materials and finishes. The schedule must show the specific material, colour (including colour samples) and finishes of all external walls, roofing, fascias, window frames, fences, paving and vehicle/pedestrian access doors.

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 Guidelines and Template.

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

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

6. Before the building approved by this permit is occupied, all boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority if the owner of the adjoining land allows access for the purpose.
7. Service units, including air conditioning units, must not be located on any of the balconies or terrace areas unless appropriately visually and acoustically screened to the satisfaction of the Responsible Authority.
8. Floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
9. Before the building approved by this permit is occupied, the privacy screens and other measures to prevent overlooking as shown on the endorsed plans must be installed in accordance with 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 stormwater downpipes 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 building approved by this permit is 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 to the satisfaction of the Responsible Authority.

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 development starts, a Car Parking Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The Car Parking Management Plan must be prepared by a traffic consultant with suitable qualifications to the satisfaction of the Responsible Authority and must include:
- a) Details as to how the car stackers are to be regularly maintained and serviced;
  - b) Details of timeframes and measures to be undertaken, to reinstate the car stackers back to working order, if the car stackers become non-operational; and
  - c) Details of measures to be undertaken if the car stackers are not operational, so not to provide any additional on-street parking demand.

When approved, the Car Parking Management Plan will be endorsed and will form part of this permit.

The provisions, recommendations and requirements of the endorsed Car Parking Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

13. 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.

14. 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 manufacturer's 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.

15. Before the building approved by this permit is occupied, all boundary fencing must be erected. The cost of such fencing must be met by the owner and carried out to the satisfaction of the Responsible Authority.
16. Except with the prior written consent of the Responsible Authority, equipment, services or other building features (other than those shown on the endorsed plan) must not be erected above the roof level of the building.
17. The development must be provided with external lighting capable of illuminating access to each car parking space and pedestrian walkways. Lighting must be located, directed and shielded and of limited intensity so that no nuisance or loss of amenity is caused to any person within or beyond the land.
18. Before the development starts, an acoustic report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the acoustic report will be endorsed and will form part of this permit. The acoustic report must be prepared by an acoustics consultant with suitable qualifications to the satisfaction of the Responsible Authority and must detail the noise attenuation measures required to all habitable rooms within each dwelling to ensure minimal impacts from noise sources external to that dwelling. In particular, the development must be designed and constructed to achieve compliance with the requirements of Standard D16 of Clause 58.04-3 (Noise Impacts Objectives) of the Moonee Valley Planning Scheme.

The provisions, recommendations and requirements of the endorsed acoustic report must be implemented and complied with to the satisfaction of the Responsible Authority.

Within three months of the completion of the development, an acoustic compliance report must be prepared by a suitably qualified acoustic engineer. This report must measure the compliance of the development with the requirements of this condition, including Standard D16 noise limits

inside habitable rooms with windows and doors closed. This acoustic compliance report must be submitted to and endorsed by the Responsible Authority. Any non-compliance must be rectified to the satisfaction of the Responsible Authority.

19. Noise levels emanating from service equipment on the land must not exceed the permissible noise levels determined in accordance with State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade), No. N-1 (SEPP N-1).
20. All security alarms or similar devices installed on the land must not emit any noise which is audible beyond the boundary of the land and must be designed in accordance with the relevant Australian Standard and must be connected to a security monitoring service.
21. Prior to the commencement of building and works, the Sustainable Design Assessment and BESS Report prepared by 'Green Rate Sustainable Building Consultant' dated 19 October 2017 is to be modified in accordance with Condition 1 and submitted to the Responsible Authority for approval. The associated BESS Report must be a 'published' version to the satisfaction of the Responsible Authority. Once approved the Sustainable Design Assessment, inclusive of the BESS Report, is to be implemented and appropriately managed during construction of the proposed building.
22. Before the development starts, an amended Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The amended Waste Management Plan must be in accordance with the City of Moonee Valley's 'Waste Management Plans – Guidelines for Applicants' and must be:
  - a) Modified in accordance with Condition 1 of this permit.When approved, the amended Waste Management Plan will be endorsed and will form part of this permit.

The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
23. All wastes must be disposed of to the satisfaction of the Responsible Authority. Liquid waste or polluted waters must not be discharged into a sewer or storm water drainage system.
24. Before the development starts, an arborist report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The arborist report must be prepared by an arborist with suitable qualifications to the satisfaction of the Responsible Authority and must outline any specific:
  - a) Threats to the on-going health of the large existing tree located on the adjoining property at 36 Ardoch Street arising as a consequence of the approved development; and
  - b) Recommendations to be implemented to ensure the on-going health of the large existing tree located on the adjoining property at 36

Ardoch Street, including modifications to the proposed development and/or use of tree protection measures during construction.

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

The provisions, recommendations and requirements of the endorsed arborist report must be implemented and complied with to the satisfaction of the Responsible Authority.

25. This permit will expire if one of the following circumstances applies:
- a) The development is not commenced within two (2) years from the date of issue of this permit, or
  - b) The development is not completed within four (4) years from the date of issue of this permit.

Before the permit expires, or within six (6) months afterwards, the owner or occupier of the land may 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*. 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 regarding legal point of discharge, vehicular crossings, building over easements, asset protection, road consent/occupancy, etc.
- This permit does not authorise any advertising signs. No advertising signs may be erected on the land (other than those which, under the Moonee Valley Planning Scheme, are exempt from the need for a planning permit).
- No on street parking permits will be provided to the occupiers of the land.
- The required on-site detention system must be designed to limit the rate of stormwater discharge from the land to pre-development levels in accordance with the following calculation:  $C=0.4$ ,  $t_c=5$ mins, ARI 1 in 5. An ARI of 1 in 10 should be used for storage and the greater of post development C or  $C=0.80$ .
- All drainage works undertaken must be in accordance with the requirements of Stormwater Drainage Requirements for Development Works as prepared by the Moonee Valley City Council.
- All works undertaken within any existing road reserves must accord with the requirements of Moonee Valley City Council and be to the satisfaction of the Responsible Authority.
- Existing levels along the property line, easements and Right of Way must be maintained. All proposed levels must match to existing surface levels

along the property boundary, easement and/or Right of Way. Council will not accept any modifications to existing levels within any road reserve, easement or Right of Way.

- 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 Ave, Moonee Ponds.

**CARRIED**

**FOR: Crs Byrne, Sipek, Nation, Marshall, Sharpe**

**AGAINST: Crs Gauci Maurici and Lawrence**

**9.2 Response to NoM 2017/16 - Developments in Moonee Ponds**

**File No:** FOL/18/32  
**Author:** Natalie Reiter  
Director Planning & Development  
**Directorate:** Planning & Development  
**Minute No:** 2018/31

**Council Resolution**

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

1. Notes this report; and
2. That a further report be brought back to Council at an Ordinary Council meeting within a month of adoption of the MV2040 Big ideas matrix, Developer Contribution Plan and 22-year capital plan, setting out the proposed time frame for implementation of the measures mentioned in this report.

**CARRIED UNANIMOUSLY**

**9.3 Waste Management Plan Guidelines for Planning Applicants**

**File No:** FOL/18/32  
**Author:** Michelle Martin  
Waste and Resource Recovery Officer  
**Directorate:** City Services  
**Minute No:** 2018/32

**Council Resolution**

Moved by Cr Marshall, seconded by Cr Nation that Council endorses the updated Waste Management Plans – Guidelines for Planning Applicants (Appendix A).

**CARRIED UNANIMOUSLY**

**9.4 Community Facilities Policy & Implementation Plan  
(MV2040 reference document)**

**File No:** FOL/18/32

**Author:** Frances Hoban  
Social Infrastructure Planner

**Directorate:** Planning & Development

**Minute No:** 2018/33

**Council Resolution**

Moved by Cr Gauci Maurici, seconded by Cr Sharpe that Council endorses the draft Community Facilities Policy and Implementation Plan 2017 as outlined in Appendix A (separately circulated) for community consultation as part of the MV2040 consultation phase three scheduled for March to April 2018.

**CARRIED UNANIMOUSLY**

**9.5 Land Acquisition Committee**

**File No:** FOL/18/32

**Author:** Melanie Odendaal  
Coordinator Commercial Property

**Directorate:** Asset Planning & Strategic Projects

**Minute No:** 2018/34

**Council Resolution**

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

1. Endorses the revocation of the previous Instrument of Delegation to the Land Acquisition Committee dated 9 January 2018.
2. Endorses the amended Instrument of Delegation, set out in Appendix A.
3. Authorises the Chief Executive Officer to execute the Instrument of Delegation, as set out in Appendix A, including the affixing of the common seal.
4. Endorses the amended Land Acquisition Committee Charter, set out in Appendix B.
5. Endorses Cr Marshall, Cr Sharpe and Cr Sipek as members of the Land Acquisition Committee for 12 months from the date of the Instrument of



Delegation.

6. Endorses the Director Asset Planning and Strategic Projects, Director Planning and Development, Coordinator Commercial Property and Coordinator City Design as members of the Land Acquisition Committee for the remainder of the Council term.
7. Reviews the delegation to the Land Acquisition Committee within 12 months after the next general election, or earlier if required.

**CARRIED UNANIMOUSLY**

## **10. Notices of Motion**

### **10.1 Notice of Motion No. 2018/04 - Changes to parking restrictions around Flemington Police Station**

**From:** Councillor Nicole Marshall

**Minute No:** 2018/35

#### **Council Resolution**

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

1. In relation to the proposed parking restriction changes around Flemington Police Station as set out in the letter to residents dated 14 February 2018, Council conduct consultation, in accordance with policy and standard council practice, with affected residents, the police and any other relevant stakeholders to determine appropriate and fair parking arrangements in the vicinity of the police station; and
2. Confirm the position that the Parking Permit Management Committee does not have the power to change parking restrictions but rather manage parking permits in accordance with applicable policy.

**CARRIED UNANIMOUSLY**

## 11. Urgent Business

### Motion

Moved by Lawrence, seconded Cr Sharpe, that the following item be accepted as an item of urgent business:

That Council officers provide extra water to small trees and shrubs in Moonee Valley City Council during the months of March and April 2018 unless adequate rainfall is received in the meantime.

**LOST**  
**For: Crs Lawrence, Sharpe**  
**Against: Crs Sipek , Byrne, Gauci Maurici, Marshall, Nation**

## 12. Confidential Reports

### Council Resolution

Moved by Cr Byrne, 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:

#### 12.1 Community Service Subsidy Funding 2018/19

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

#### 12.2 Possible Property Acquisition

Item 12.2 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**

The meeting closed to the public at 7.58pm

## 13. Close of Meeting

The meeting concluded at 8.22pm

**CR JOHN SIPEK**  
**CHAIRPERSON**