

Moonee Valley City Council
Planning and Citizens Meeting

Tuesday, 5 August, 2008

Moonee Valley Civic Centre

MINUTES

Report Index

The following reports were considered:

6.1	149-155 Pascoe Vale Road, Moonee Ponds - The Construction of a Three Storey Building for Shops, Offices and Dwellings; a Reduction in the Car Parking Requirement; the Waiver of Loading Bay Requirements	4
6.2	63-65 Union Road, Ascot Vale - Construction of a Building for Eight Dwellings (Including Two With Home Offices) within a Special Building Overlay.....	5
6.3	Moonee Valley Integrated Transport Plan	6
6.4	Kindergarten Fee Policy	6
6.5	Community Learning Centre - Formally Kangan Batman TAFE - Update	7
6.6	Liquica Partnership Report.....	7
6.7	Adoption Of The General Purposes Local Law 2008	8
6.8	Proposal to Assign New Ward Names.....	8

Minutes of the Planning & Citizens Meeting

Tuesday, 5 August 2008 at 7.05pm
held at the Moonee Valley Civic Centre

PRESENT

Members: Cr Paul Giuliano (Mayor)
Cr Jim Cusack
Cr Vince Andricciola
Cr Jan Chantry
Cr Rose Iser
Cr Ben Opie
Cr John Sipek

Officers:	Mr Rasiah Dev	Chief Executive
	Mr Jeremy Wood	Director City Development
	Mr Anthony Smith	Director Corporate Services
	Mr Bryan Lancaster	Director City Works & Assets
	Mr James Buick	Acting Executive Manager Environment & Lifestyle
	Ms Anne Coughlin	Executive Manager Community Services
	Mr David Bayley	Acting Manager Statutory Planning
	Ms Yvonne Hansen	Coordinator Council Business

OPENING

The Mayor, Cr Giuliano, opened the meeting and welcomed all present to the Planning & Citizens Meeting of 5 August, 2008.

1. APOLOGIES

Nil.

2. CONFIRMATION OF MINUTES

Moved by Cr Sipek, seconded by Cr Cusack that the Minutes of the Planning and Citizens Meeting of Council held on 1 July 2008 be confirmed.

CARRIED

3. DECLARATION BY COUNCILLORS OF ANY INTEREST AND CONFLICT OF INTEREST

Nil.

4. PRESENTATIONS AND DEPUTATIONS

Nil.

5. PETITIONS AND JOINT LETTERS

5.1 PARKING METERS, ASCOT VALE VILLAGE

FILE NO: 43/018/035

MINUTE NO: PC2008/071

Cr Cusack tabled a petition signed by approximately 5,084 individuals, opposed to the installation of parking meters in the Ascot Vale Village and in particular Union Road and surrounding streets.

In accordance with Clause 30 of Council's Meeting Procedures Local Law, the Appropriate Officer is required to undertake the necessary action on the petition and if necessary provide a further report to Council.

6. REPORTS

6.1 149-155 PASCOE VALE ROAD, MOONEE PONDS - THE CONSTRUCTION OF A THREE STOREY BUILDING FOR SHOPS, OFFICES AND DWELLINGS; A REDUCTION IN THE CAR PARKING REQUIREMENT; THE WAIVER OF LOADING BAY REQUIREMENTS

FILE NO: MV/18971/2008

WARD: McCracken

AUTHOR: Principal Planner

MANAGER: Manager Statutory Planning

MINUTE NO: PC2008/072

COMMITTEE RESOLUTION

Moved Cr Chantry, seconded Cr Andricciola that with respect to Planning Permit application MV/18971/2008 Council resolves to issue a Notice of Refusal for the construction of a three storey building for shops, offices and dwellings, a reduction in the car parking requirement and a waiver of the loading bay requirements at 149-155 Pascoe Vale Road, Moonee Ponds, on the following grounds:

1. The proposed development is inconsistent with Clause 19.03 of the Moonee Valley Planning Scheme as the building setbacks do not respond appropriately to the design principles of this clause, particularly in regard to building bulk, scale and setback.

2. The proposal provides for inadequate car parking for the total number of staff and users of the proposed facility, failing to satisfy Clause 52.06 of the Moonee Valley Planning Scheme.

CARRIED

**6.2 63-65 UNION ROAD, ASCOT VALE - CONSTRUCTION
OF A BUILDING FOR EIGHT DWELLINGS
(INCLUDING TWO WITH HOME OFFICES) WITHIN A
SPECIAL BUILDING OVERLAY**

FILE NO: MV/18997/2008
WARD: Deakin
AUTHOR: Principal Planner
MANAGER: Manager Statutory Planning
MINUTE NO: PC2008/073

COMMITTEE RESOLUTION

Moved Cr Cusack, seconded Cr Iser that with respect to Planning Permit application MV/18997/2008, Council resolves to issue a Notice of Refusal for the construction of a building for eight dwellings (including two with home offices) within a Special Building Overlay at 63-65 Union Road, Ascot Vale, on the following grounds:

1. The proposed bulk and scale fails to satisfy the Residential Design Provisions set out at Clauses 22.06-12 Ascot Vale Residential Design Policy and 22.06-17 Residential Design Principles of the Moonee Valley Planning Scheme.
2. The proposed bulk and scale fails to meet Clause 55.02 of the Moonee Valley Planning Scheme (Neighbourhood Character and Infrastructure objectives), as it does not respect the character of the existing neighbourhood or integrate well with the Geddes Street streetscape.
3. The proposed site coverage is excessive and fails to meet Clause 55.03-3 (Site Coverage objective) of the Moonee Valley Planning Scheme.
4. The proposed permeable surface area provided on site is insufficient and fails to meet Clause 55.03-4 (Permeability objectives) of the Moonee Valley Planning Scheme.
5. The proposed side and rear boundary set backs are insufficient and fail to meet Clause 55.04-1 (Side and rear setbacks objective) of the Moonee Valley Planning Scheme.
6. The proposed length and height of walls on boundaries is excessive and fails to meet Clause 55.04-2 (Walls on boundaries objective) of the Moonee Valley Planning Scheme.

CARRIED

6.3 MOONEE VALLEY INTEGRATED TRANSPORT PLAN

FILE NO: 43/18/34
AUTHOR: Manager Transport & Major Projects
MANAGER: Director City Works & Assets
MINUTE NO: PC2008/074

COMMITTEE RESOLUTION

Moved Cr Andricciola, seconded Cr Iser that Council:

1. Note the community feedback received during the public consultation period.
2. Adopt the Integrated Transport Plan including 33 policies and action plan for implementation.
3. Write to all individuals and organisations involved with the development of the Plan thanking them for their valuable contribution.
4. Refer the Final Integrated Transport Plan to future budget considerations.

CARRIED

6.4 KINDERGARTEN FEE POLICY

FILE NO: 7/002/053
AUTHOR: Coordinator Kindergarten Service
MANAGER: Manager Family & Children's Services
MINUTE NO: PC2008/075

COMMITTEE RESOLUTION

Moved Cr Chantry, seconded Cr Andricciola that Council:

1. Approves the draft Kindergarten Fee Policy.
2. Approves free Kindergarten access to eligible families in 2009.
3. Ensures the Kindergarten Fee Subsidy is monitored annually to ensure the cost of applying the subsidy is not shifted from State Government to Council.

CARRIED

6.5 COMMUNITY LEARNING CENTRE - FORMALLY KANGAN BATMAN TAFE - UPDATE

FILE: 07/034/004
AUTHOR: Executive Co-ordinator
MANAGER: Executive Manager Community Services
MINUTE NO: PC2008/076

COMMITTEE RESOLUTION

Moved Cr Andricciola, seconded Cr Sipek that Council:

1. Write to the State Government and the local Member of State Parliament indicating that Council will work with State Government and other stakeholders to establish a flexible Community Learning Centre, that caters for the wider community, community facility and public transport facility on the identified site.
2. Authorise the Chief Executive to negotiate and enter into in-principle agreement with the Department of Innovation, Industry and Regional Development and other stakeholders for the development of the Community Learning Centre in Military Road, Avondale Heights.
3. Receive a further report on the Community Learning Centre in Military Road, Avondale Heights once concept plans, usage and preliminary costings are prepared.

CARRIED

6.6 LIQUICA PARTNERSHIP REPORT

FILE NO: 07/034/003
AUTHOR: Executive Manager Community Services
MANAGER: Chief Executive
MINUTE NO: PC2008/077

COMMITTEE RESOLUTION

Moved Cr Cusack, seconded Cr Iser that Council:

1. Enter into a Memorandum of Understanding with Life, Love and Health Inc to complete two projects in Liquica, East Timor.
2. Approve the funding of the Garianna School Construction and Lepa River Diversion project at a total cost to Council of \$33,000 AUD.
3. Following completion of the projects, an assessment be made of any follow up work required and funding of up to \$5000 be approved for expenditure on such work.

CARRIED

6.7 **ADOPTION OF THE GENERAL PURPOSES LOCAL LAW 2008**

FILE NO: 29/013/008
AUTHOR: Manager Amenity Services
MANAGER: Director Corporate Services
MINUTE NO: PC2008/078

COMMITTEE RESOLUTION

Moved Cr Andricciola, seconded Cr Iser that Council:

1. Having complied with Section 119(2) of the *Local Government Act* 1989, hereby adopts its General Purposes Local Law 2008 and notes that this new Local Law will become operative from the date of gazettal in the Victorian Government Gazette and the previous Local Laws (Environment, Roads & Streets and Municipal Properties) will be rescinded.
2. Proceed with providing notice of the adoption in accordance with Section 119(3) of the Act and furnishing a copy to the Minister in accordance with Section 119(4) of the Act.

CARRIED

Cr Opie left the meeting at 8.11pm and returned at 8.14pm.

6.8 **PROPOSAL TO ASSIGN NEW WARD NAMES**

FILE NO: 20/3/1
AUTHOR: Manager Council Business
MANAGER: Director Corporate Services
MINUTE NO: PC2008/079

COMMITTEE RESOLUTION

Moved Cr Chantry, seconded Cr Cusack that Council:

1. Commence the necessary action, pursuant to Section 220Q(m) of the *Local Government Act* 1989 to rename West, Central and South Wards, as a result of the completed Electoral Representation Review.
2. Invite naming proposals from the community and key community groups.
3. Receive a further report, following the compilation of short-list of suggested names for the three wards.

CARRIED

7. NOTICES OF MOTION

7.1 NOTICE OF MOTION NO. 2008/18

TITLE: Future Direction for Arts and Culture in Moonee Valley 2008-2012
FROM: Cr Jim Cusack
FILE NO: 38/1/5
MINUTE NO: PC2008/080

COMMITTEE RESOLUTION

Moved Cr Cusack, seconded Cr Iser that a report be prepared for consideration at the Ordinary Council Meeting of 16 September 2008, that proposes a direction for the strategic development of arts and culture in Moonee Valley from 2008 to 2012 and such report to include, but not limited to identifying:

- Any current arts and culture strategies or plans for Moonee Valley that should be refined or developed to facilitate community capacity building, increase involvement of residents in art and culture activities, integrate it with health promotion for all citizens and raise the status of our municipality through identification with arts and culture;
- Opportunities to expand the current arts and culture program in partnership/collaboration with other community, government or businesses;
- Current best practice in implementing arts and culture program operated by local government with a focus on engagement;
- Possible uses of other Council resources, facilities and staff in art and culture activities; and
- The potential to enhance participation and integration of CALD and indigenous communities in art and culture activities in the municipality.

CARRIED

Cr Sipek left the meeting at 8.28pm and returned at 8.29pm.

7.2 NOTICE OF MOTION NO. 2008/19

TITLE: Opposition to Logging in Melbourne Water
Catchment Areas
FROM: Cr Rose Iser
FILE NO: 17/1/8
MINUTE NO: PC2008/081

COMMITTEE RESOLUTION

Moved Cr Cusack, seconded Cr Iser that Moonee Valley City Council resolves:

1. To oppose logging in Melbourne Water catchments on the basis that:
 - a) Logging dramatically effects water yield in catchment areas and is detrimental to its quality;
 - b) Continued logging reduces stream flow and yields to water catchments;
 - c) To restore forests, young trees need more water thus releasing less water into catchments;
 - d) It takes many years estimated to be up to 150 years for water yields to return to their pre-logged status;
 - e) It is poor water policy to continue to log our water catchments; and
 - f) Logging of water catchments adversely affects water quality through increasing sediment, as does road construction through logging coupes.
2. To write to the Premier, the Water Minister and local Lower and Upper House Members informing them of this view and requesting that this be taken up as a matter of urgency.
3. That a copy of this resolution be forwarded to the Mayor and Councillors of the Shire of Yarra Ranges.

DIVISION CALLED

A division was called on the Motion and voting was as follows:

FOR: Crs Cusack, Giuliano, Iser, Sipek, Opie
AGAINST: Crs Chantry, Andricciola

CARRIED

7.3 NOTICE OF MOTION NO. 2008/20

TITLE: Health and Well-Being of Males and Especially
Elderly Males in Moonee Valley
FROM: Cr John Sipek
FILE NO: 33/1/13
MINUTE NO: PC2008/082

COMMITTEE RESOLUTION

Moved Cr Sipek, seconded Cr Opie that in response to the growing concerns and recent media reports on the health and well-being of males and especially elderly males in our community, that the Chief Executive prepare a report to Council that identifies opportunities for Council to advocate on behalf of this segment of its community, for positive action to be further taken by State and Federal Governments, that have direct responsibility for such health matters.

CARRIED

12. URGENT BUSINESS

Nil.

13. CONFIDENTIAL REPORT

Nil.

The meeting concluded at 9.09pm.

CONFIRMED

**CR PAUL GIULIANO
MAYOR**