

Minutes Council Meeting

Tuesday 27 May 2025
6:30 pm
Council Chamber
Moonee Valley Civic Centre

Attendance

Councillors:	Ava Adams (Mayor)	<i>In attendance</i>
	Fran Cosgriff (Dpty Mayor)	<i>In attendance</i>
	John Barnes	<i>In attendance</i>
	Phil Burn	<i>In attendance</i>
	Samantha Byrne	<i>In attendance</i>
	Rose Iser	<i>In attendance</i>
	Hamish Jones	<i>In attendance</i>
	John Sipek	<i>On approved leave of absence</i>
	Paula Theocharides	<i>In attendance (online)</i>
Officers:	Helen Sui	Chief Executive Officer
	Simon Overland	Director Strategy, Planning & Climate Resilience
	Ben Harries	Director Service Delivery
	Sanjib Roy	Director Enabling Services
	Tao Cai	Mgr Legal & Governance

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HELEN SUI

Chief Executive Officer

1 Opening

The Chair, Cr Adams, opened the meeting at 6:33 pm and welcomed all those watching the Council Meeting of Tuesday, 27 May 2025 being live-streamed on Council's website.

On behalf of Moonee Valley City Council, the Chair welcomed all present and respectfully acknowledged the Traditional Owners of the land on which Moonee Valley is located – the Wurundjeri Woi-wurrung People of the Kulin Nation; and paid respect to their Spirits, Ancestors, Elders and their Community Members past, present and emerging.

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

2 Apologies and leave of absence

The Chair noted that Cr Sipek is on an approved leave of absence and that Cr Theocharides is joining the meeting online.

3 Confirmation of Minutes - Tuesday, 29 April 2025

Minute No. CM 2025/54

Council Resolution

Moved Cr Byrne, seconded Cr Cosgriff that the Minutes of the Council meeting held on Tuesday, 29 April 2025, be confirmed.

For: Crs Adams, Barnes, Burn, Byrne, Cosgriff, Iser, Jones and Theocharides

Against: Nil

CARRIED UNANIMOUSLY

4 Declarations of Conflict of Interest

Cr Byrne flagged a general conflict of interest on item 9.2 - Endorsement of Biannual Grants 2024/25 Round 2

Cr Iser flagged a general conflict of interest on item 9.2 - Endorsement of Biannual Grants 2024/25 Round 2

Cr Adams flagged a general conflict of interest on Public Questions 3 & 4 as well as item 9.1 - MV/201/2022/A at 10 Fletcher Street, Essendon

5 Presentations

The Mayor, Cr Adams, extended her congratulations to Jo Briskey, the newly elected Federal Member for Maribyrnong. On behalf of the Council, the Mayor expressed her eagerness to collaborate with Jo to facilitate cooperation between the two levels of government in supporting the Moonee Valley community.

The Mayor also highlighted the launch of “All Brains Are Different” on 8 May, a children’s book by Yellow Ladybug, a local charity founded by Katie Koullas in Moonee Ponds. This beautiful book helps children understand and embrace their unique differences, promoting empathy, inclusion, and kindness within the community. Earlier this year, Yellow Ladybug was the charity partner for Council’s Women in Business initiative, making this publication a significant celebration. It is available for purchase through the Yellow Ladybug website.

Deputy Mayor Cr Cosgriff presented on the launch event held on 7 May for the redeveloped Montgomery Park Kindergarten. The event was attended by many, including The Hon. Danny Pearson MP, and provided a great opportunity for local residents and families to tour the new facility and connect with the educators.

Cr Byrne presented on the success of the Community Planting Day at Steele Creek, co-hosted by Council and Friends of Steele Creek with support from Melbourne Water. Local residents, including families and community groups, came together to plant hundreds of native seedlings, contributing to the restoration of the area as part of the Green Links Project, funded by a \$200,000 grant from the Victorian State Government. The event also marked the 30th anniversary of the Friends of Steele Creek, whose dedication and expertise have greatly benefited the community. Gratitude was

expressed to the Friends of Steele Creek and all participants for their contributions to the day's success.

Cr Jones presented on the pop-up projection installation at Valley Lake, which took place on 9 - 10 May and was well-received by the local community. The installation was part of Council's initiative, Art in Surprising Places, aimed at increasing accessibility to free art and boosting community pride.

Cr Jones also presented National Volunteer Week, with Council celebrating on 22 May with the theme 'Connecting Communities', highlighting the power of volunteering to unite people. The event recognised the vital role of volunteers in fostering an inclusive and engaged community. With 110 volunteers across 13 programs, their contributions span various areas, including aged care, disability care, community welfare, sports, the arts, emergency preparedness and recovery, and environmental sustainability and protection. These efforts emphasise the significant impact of volunteering in uniting the community. Cr Jones commended and congratulated all volunteers for their dedication and service.

Cr Iser acknowledged that this week is National Reconciliation Week and that yesterday was National Sorry Day. Cr Iser presented on a local commemoration event held at the Crown Street Stable earlier that day, which featured a presentation by Uncle Perry Wandin, entertainment by Ganga Giri, and an Indigenous food experience provided by the Killara foundation. Additionally, she mentioned an upcoming panel discussion on education and reconciliation set for 3 June at 11 am at the Clocktower Centre. Cr Iser encouraged people to register on their website to attend and hear one of her favourite speakers, Uncle Charles Pakana.

The Mayor delivered a final presentation regarding her attendance at the 90th birthday celebration of the Rotary Club of Essendon, accompanied by Crs Jones and Barnes. She highlighted that this milestone underscores the organisation's significant contributions to the community over the years and expressed gratitude for their nine decades of dedicated service and tireless efforts in making a difference in people's lives.

6 Petitions and Joint Letters

6.1 Joint Letter - Traffic and Parking issues at Dover and John Streets Flemington

Councillor: Rose Iser

Cr Iser presented the joint letter regarding Traffic and Parking issues at Dover and John Streets, Flemington.

Council received a joint letter signed by six neighbours regarding traffic and parking issues along John and Dover Streets in Flemington. The joint letter requested that Council review these concerns and install 'No Standing' signs in several identified problem areas to improve safety, traffic flow, and overall amenity. The joint letter also requests that Council engage with nearby apartment blocks to ask them to utilise their off-street parking to ease congestion and promote fair and safe use of available street parking for everyone in the area.

In accordance with Governance Rules 62.4, the letter was referred to the CEO for consideration.

Motion to accept non-compliant petitions**Minute No. CM 2025/55****Council Resolution**

Moved Cr Iser, seconded Cr Jones that Council resolves to temporarily suspend the petition and joint letter provisions at Governance Rule 62.3 to allow the petitions *'Traffic and parking impacting Napier Street, Loch Crescent, Strathmore and the surrounding area'* and *'Improve the quality of equipment & number of aqua classes at Ascot Vale Leisure Centre'* to be tabled.

For: Crs Adams, Barnes, Burn, Byrne, Cosgriff, Iser, Jones and Theocharides

Against: Nil

CARRIED UNANIMOUSLY

6.2 **Petition - Traffic and parking impacting Napier Street, Loch
Crescent, Strathmore and the surrounding area**

Councillor: Hamish Jones

Cr Jones presented the petition regarding Traffic and parking impacting Napier Street, Loch Crescent, Strathmore and the surrounding area.

Council received a Change.org petition with a total of 313 signatories (approximately 16 from Moonee Valley). The petition raises concerns about traffic congestion at the junctions of Napier Street and Loch Crescent in Strathmore, along with the subsequent impact of parking in the immediate area. It states that housing developments and increased on-street parking are significant contributors to dangerous congestion during peak hours, resulting in near misses between vehicles, public transport, and pedestrians, as well as difficulties in crossing the road during these busy times. The petition requests that Council approve a traffic and parking assessment and develop a plan to address these issues.

In accordance with Governance Rules 62.4, the petition was referred to the CEO for consideration.

**6.3 Petition - Improve the quality of equipment & number of aqua
 classes at Ascot Vale Leisure Centre**

Councillor: Rose Iser

Cr Iser presented the petition regarding the quality of equipment and the number of aqua classes at Ascot Vale Leisure Centre.

Council received a change.org petition containing 37 signatures (approximately 11 from Moonee Valley) requesting that the Council investigate the water aerobics equipment, the scheduling of lessons, and the cleanliness of the aquatic bathrooms. The petition requests that the equipment be upgraded to ensure it is safe and fit for use, and that some classes be scheduled outside of working hours during the week, considering the membership fees paid.

In accordance with Governance Rules 62.4, the petition was referred to the CEO for consideration.

7 Public Question Time

Rae Berge asked Council:

Please list the projects which may have impacted the storm water catchment for Stuart Street Moonee Ponds from 2020-2025.

CEO Helen Sui responded:

As per the response to your previous public question, Council is not aware of any project that has negatively impacted the storm water catchment for Stuart Street Moonee Ponds from 2020-2025.

It is worth noting that Council has undertaken multiple drainage-related improvement works in Stuart Street and surrounds, including most recently on or about 20 February 2025.

Council officers are happy to provide a full list of drainage-related improvement works which have been delivered in Moonee Ponds over the past five years. However, given the extent of this list, Officers will provide this to you separately.

Rae Berge asked Council:

Please state the estimated publication date for the newsletter providing Stuart Street residents information on the status of the storm water drainage upgrade project.

CEO Helen Sui responded:

As discussed, Council will keep you informed of the current status of the storm water drainage upgrade project when we can. Several variables are not yet confirmed, including flood modelling by Melbourne Water and the subsequent drainage-related asset management program (this may occur towards the end of the year or early next year for public consultation). Officers will update you when more information is available.

The Mayor, Cr Adams, declared a general conflict of interest on the following questions 3 & 4 as a family member lives in close proximity to the property in question.

The Mayor vacated the Chair and the Deputy Mayor, Cr Cosgriff, assumed the Chair at 6:50 pm.

Sherie Etheridge asked Council:

Regarding the amendment to the single dwelling covenant 133 Keilor Rd, Essendon (Mar Lodge Estate) made by the Supreme Court on 30 August 2006, who (address/lot number), and how were the 191 notified about the application?

CEO Helen Sui responded:

The application to vary the single dwelling covenant at 133 Keilor Road, Essendon (Mar Lodge Estate) was made to the Supreme Court under Section 84 of the Property Law Act 1958, not through the usual planning process under Section 47 of the Planning and Environment Act 1987. As such, the Court, not Council, determined

who needed to be notified. At the first directions hearing, the Court identified which landowners were likely to benefit from the covenant and ordered notification accordingly. This included a public notice at the property and letters to selected nearby landowners, not necessarily all the beneficiaries. The Court's decision on who to notify took into account factors like proximity, subdivision layout, and the nature of the covenant.

Sherie Etheridge asked Council:

How did Council select the 191 homes?

CEO Helen Sui responded:

As mentioned, the 2006 application was made directly to the Supreme Court under Section 84 of the Property Law Act 1958, not through Council. Council did not select the 191 homes and was not responsible for determining who should be notified. That decision was made by the Court based on legal and planning factors presented at the time. For further details on how the notice was managed, it is recommended that the Supreme Court of Victoria be contacted.

The Mayor resumed as Chair at 6:53 pm.

8 Reports from Delegates

8.1 Municipal Association of Victoria

Councillor: Rose Iser

As the MAV delegate, Cr Iser presented a motion on online abuse and misinformation to the MAV State Council in May. An amended version of the motion was supported by about 80 percent of delegates. The significance of the motion for the sector was underscored by comments made by the Minister for Local Government in his address at the meeting and in reporting on the issue, as evidenced by the ABC today. Many councillors and Council staff have reached out to thank us for raising the issue, notably describing how some online platforms and actors have emboldened and tacitly permitted hyper-personalised, hateful, and relentless attacks both online and offline. Cr. Iser also attended a related VLGA webinar last week, at which speakers from Canada, New Zealand, and the Jo Cox Foundation in the UK identified increasing risks for local governments, where the boundaries of civil conduct have been breached. Cr Iser has been informed that the MAV Board has already started discussions on how it can step up and help shift democratic debate to a more respectful and safe mode for all.

The Mayor, Cr Adams, declared a general conflict of interest on the following item 9.1 - MV/201/2022/A at 10 Fletcher Street, Essendon, as a family member owns a property in close proximity to this site.

The Mayor vacated the Chair and Deputy Mayor, Cr Cosgriff, assumed the Chair at 6:55 pm.

9 Reports

9.1 MV/201/2022/A at 10 Fletcher Street, Essendon

Author: Senior Statutory Planner

Directorate: Strategy, Planning & Climate Resilience

Officer's Recommendation

That Council resolves to issue a Notice of Decision to Amend a Permit in relation to Planning Permit Application No. MV/201/2022/A at 10 Fletcher Street, Essendon (Lot 1 on Title Plan 254706B) for the Construction of a three-storey apartment building and construction of a front fence in accordance with the following:

Preamble	The permit preamble amended to read, 'Construction of a three-storey apartment building and construction of a front fence' in lieu of 'Construction of a three storey building, with basement car parking, comprising 31 dwellings'.
Conditions	- Conditions 1.a), 1.b), 1.e), 1.f), 1.g), 1.h), 1.i), 1.j), 1.k), 1.l), 1.o), 1.p), 1.q), 1.u), Condition 9 and Condition 18 deleted. - Addition of Condition 1.v) to require, 'The front fence to be no greater than 1.7 metres in height.' - Addition of Condition 1.w) to require, 'The stop and go sensor light on the southern stairwell to be located to provide improved visibility for drivers exiting the three double garages at the south-east corner of the basement.' - Condition 4 revised to refer to the Sustainability Management Plan dated 18 December 2024. - Condition 6 revised to refer to the landscape plan dated 3 October 2024. - Condition 7 revised to refer to the Arboricultural Impact Assessment dated 18 December 2024. - Condition 8 revised to refer to the Waste Management Plan dated 19 December 2024.
Permit notes	Inclusion of the following brief description within the amendment table at the end of the permit: "Alter the planning permit and endorsed plans pursuant to Section 72 of the <i>Planning and Environment Act 1987</i>."
Endorsed Plans	Plans cannot be endorsed at the same time as the permit.

Refer Attachment 1 – Full list of conditions.

Minute No. CM 2025/56**Council Resolution**

Moved Cr Jones, seconded Cr Burn that Council resolves to issue a Notice of Decision to Amend a Permit in relation to Planning Permit Application No. MV/201/2022/A at 10 Fletcher Street, Essendon (Lot 1 on Title Plan 254706B) for the Construction of a three-storey apartment building and construction of a front fence in accordance with the following:

Preamble	The permit preamble amended to read, 'Construction of a three-storey apartment building and construction of a front fence' in lieu of 'Construction of a three storey building, with basement car parking, comprising 31 dwellings'.
Conditions	• Conditions 1.a), 1.b), 1.e), 1.f), 1.g), 1.h), 1.i), 1.j), 1.k), 1.l), 1.o), 1.p), 1.q), 1.u), Condition 9 and Condition 18 deleted. • Addition of Condition 1.v) to require, 'The front fence to be no greater than 1.7 metres in height.' • Addition of Condition 1.w) to require, 'The stop and go sensor light on the southern stairwell to be located to provide improved visibility for drivers exiting the three double garages at the south-east corner of the basement.' • Condition 4 revised to refer to the Sustainability Management Plan dated 18 December 2024. • Condition 6 revised to refer to the landscape plan dated 3 October 2024. • Condition 7 revised to refer to the Arboricultural Impact Assessment dated 18 December 2024. • Condition 8 revised to refer to the Waste Management Plan dated 19 December 2024.
Permit notes	Inclusion of the following brief description within the amendment table at the end of the permit: "Alter the planning permit and endorsed plans pursuant to Section 72 of the <i>Planning and Environment Act 1987</i>."
Endorsed Plans	Plans cannot be endorsed at the same time as the permit.

Refer Attachment 1 – Full list of conditions.

For: Crs Barnes, Burn, Byrne, Cosgriff, Iser, Jones and Theocharides
Against: Nil

CARRIED UNANIMOUSLY

The Mayor, Cr Adams, returned to the meeting and resumed as Chair at 6:59 pm.

Cr Byrne declared a general conflict of interest in the following item 9.2 - Endorsement of Biannual Grants 2024/25 Round 2, as she had previously worked for one of the proposed grant recipients over 12 months ago. The work she performed included data collection, which may have been used for the grant application.

Cr Iser declared a conflict of interest in item 9.2 - Endorsement of Biannual Grants 2024/25 Round 2, as one of the applications for a grant impacts a building opposite her home residence.

Crs Byrne and Iser left the meeting at 7:00 pm.

9.2 Endorsement of Biannual Grants 2024/25 Round 2**Author:** Coordinator of Grants**Directorate:** Strategy, Planning & Climate Resilience**Officers' Recommendation**

That Council resolves to:

- a. Endorse the funding recommendations of the Community Grants Assessment Committee for Biannual Grants 2024/25 Round 2, contained in Attachment 1.
- b. Note that all applicants will be advised of the Biannual Grants 2024/25 Round 2 outcomes following Council endorsement.
- c. Note that successful Biannual Grants 2024/25 Round 1 will be published on Council's website following Council endorsement.
- d. Note that the Community Grants team will continue to work with our partners to investigate more inclusive approaches for the First Peoples stream to encourage greater participation.
- e. Roll over unspent funds from this Biannual Grants 2024/25 Round 2 into the Round 1 2025/26 funding pool, allocating \$20,000 for the First Peoples grant and the remaining \$90,249 for an additional Partnership Grant.

Minute No. CM 2025/57**Council Resolution**

Moved Cr Cosgriff, seconded Cr Burn that Council resolves to:

- a. **Endorse the funding recommendations of the Community Grants Assessment Committee for Biannual Grants 2024/25 Round 2, contained in Attachment 1.**
- b. **Note that all applicants will be advised of the Biannual Grants 2024/25 Round 2 outcomes following Council endorsement.**
- c. **Note that successful Biannual Grants 2024/25 Round 1 will be published on Council's website following Council endorsement.**
- d. **Note that the Community Grants team will continue to work with our partners to investigate more inclusive approaches for the First Peoples stream to encourage greater participation.**
- e. **Roll over unspent funds from this Biannual Grants 2024/25 Round 2 into the Round 1 2025/26 funding pool, allocating \$20,000 for the First Peoples grant and the remaining \$90,249 for an additional Partnership Grant.**

For: Crs Adams, Barnes, Burn, Cosgriff, Jones and Theocharides

Against: Nil

CARRIED UNANIMOUSLY

Crs Byrne and Iser returned to the meeting at 7:06 pm.

9.3 **Endorsement of Moonee Valley City Council's Submission to the Parliamentary Inquiry into Community Consultation Practices**

Author: Manager Communications, Advocacy and Engagement

Directorate: Strategy, Planning & Climate Resilience

Officers' Recommendation

That Council endorse the submission to the Parliament of Victoria Legislative Council Environment and Planning Committee Inquiry into Community Consultation Practices (Attachment 1).

Minute No. CM 2025/58

Council Resolution

Moved Cr Cosgriff, seconded Cr Jones that Council endorse the submission to the Parliament of Victoria Legislative Council Environment and Planning Committee Inquiry into Community Consultation Practices (Attachment 1).

For: Crs Adams, Barnes, Burn, Byrne, Cosgriff, Iser, Jones and Theocharides
Against: Nil

CARRIED UNANIMOUSLY

9.4 Adoption of FJ Davies Reserve Landscape Concept Plan**Author:** Coordinator City Design**Directorate:** Strategy, Planning & Climate Resilience**Officers' Recommendation**

That Council resolves to:

- a. Note the community consultation report for the FJ Davies Reserve Draft Concept Plan 2025 (Attachment 2).
- b. Adopt the FJ Davies Reserve Landscape Concept Plan 2025 (Attachment 1).
- c. Note that the delivery of the FJ Davies Reserve Landscape Concept Plan 2025 (Attachment 1) is subject to Council's annual budget process.

Minute No. CM 2025/59**Council Resolution****Moved Cr Byrne, seconded Cr Jones that Council resolves to:**

- a. **Note the community consultation report for the FJ Davies Reserve Draft Concept Plan 2025 (Attachment 2).**
- b. **Adopt the FJ Davies Reserve Landscape Concept Plan 2025 (Attachment 1).**
- c. **Note that the delivery of the FJ Davies Reserve Landscape Concept Plan 2025 (Attachment 1) is subject to Council's annual budget process.**

For: Crs Adams, Barnes, Burn, Byrne, Cosgriff, Iser, Jones and Theocharides
Against: Nil

CARRIED UNANIMOUSLY

9.5 Adoption of the updated Governance Rules and Election Period Policy

Author: Coordinator Council Business

Directorate: Governance & Performance

Officers' Recommendation

That Council resolves to:

- a. Adopt the Governance Rules and Incorporated Election Period Policy (Attachment 1).
- b. Authorise the Chief Executive Officer or their delegate to make minor editing (non-material) and typographical changes to the Governance Rules and Incorporated Election Period Policy (Attachment 1) as required.
- c. Revoke the previous Governance Rules and Incorporated Election Period Policy dated 23 August 2022.
- d. Publish a copy of the updated Governance Rules and Incorporated Election Period Policy on Council's website.

Cr Theocharides left the meeting at 7:19 pm and returned at 7:20 pm.

Minute No. CM 2025/60

Council Resolution

Moved Cr Iser, seconded Cr Cosgriff that Council resolves to:

- a. Adopt the Governance Rules and Incorporated Election Period Policy (Attachment 1) with the following amendment:
 - i. Sub-rule 27.4.9 to read "would expose Council to unreasonable legal risk."
- b. Authorise the Chief Executive Officer or their delegate to make minor editing (non-material) and typographical changes to the Governance Rules and Incorporated Election Period Policy (Attachment 1) as required.
- c. Revoke the previous Governance Rules and Incorporated Election Period Policy dated 23 August 2022.
- d. Publish a copy of the updated Governance Rules and Incorporated Election Period Policy on Council's website.

For: Crs Adams, Barnes, Burn, Byrne, Cosgriff, Iser, Jones and Theocharides
Against: Nil

CARRIED UNANIMOUSLY

9.6 Variation of Contract No.162007 for Military Road and Clarendon Street - Traffic Signalisation and Associated Works

Author: Project Manager - Civil Projects

Directorate: Service Delivery

Officers' Recommendation

That, in relation to Contract No.162007 for Military Road and Clarendon Street – Traffic Signalisation and Associated Work, Council resolves to:

- a. Approve a variation of \$103,939.97 (excluding GST), and a revised total contract sum of \$1,966,585.97 (excluding GST).
- b. Endorse the financial arrangements detailed in Confidential Attachment 3.
- c. Authorise the Chief Executive Officer, or their delegate, Director Service Delivery, to vary all relevant contract documents relating to Contract No.162007 for Military Road and Clarendon Street – Traffic Signalisation and Associated Work on behalf of Council.

Minute No. CM 2025/61

Council Resolution

Moved Cr Byrne, seconded Cr Cosgriff that, in relation to Contract No.162007 for Military Road and Clarendon Street – Traffic Signalisation and Associated Work, Council resolves to:

- a. Approve a variation of \$103,939.97 (excluding GST), and a revised total contract sum of \$1,966,585.97 (excluding GST).
- b. Endorse the financial arrangements detailed in Confidential Attachment 3.
- c. Authorise the Chief Executive Officer, or their delegate, Director Service Delivery, to vary all relevant contract documents relating to Contract No.162007 for Military Road and Clarendon Street – Traffic Signalisation and Associated Work on behalf of Council.

For: Crs Adams, Barnes, Burn, Byrne, Cosgriff, Iser, Jones and Theocharides
Against: Nil

CARRIED UNANIMOUSLY

**9.7 Discharge of Responsibility as Determining Referral Authority
– Planning Permit MV/63/2023/A - 3 Kingston Avenue, Ascot
Vale**

Author: Senior Commercial and Property Officer

Directorate: Strategy, Planning & Climate Resilience

Officers' Recommendation

That Council (in its capacity as the determining referral authority pursuant to Clause 66.03 of the Moonee Valley Planning Scheme) resolves to:

- a. Note that 3 Kingston Avenue, Ascot Vale (Subject Land) is partially affected by a Public Acquisition Overlay – Schedule 2 (PAO2) and a Planning Application No. MV/63/2023/A has been lodged to include the construction of an in-ground retaining structure to an existing bluestone wall on the Subject Land.
- b. Not object to the Planning Application No. MV/63/2023/A (Application), considering the Application does not appear to affect the current status or the future use of the land affected by the PAO2.
- c. Provide a copy of this resolution to the responsible authority and the permit applicant in accordance with Sections 56(3) and (3A) of the *Planning and Environment Act 1987*.

Minute No. CM 2025/62

Council Resolution

Moved Cr Burn, seconded Cr Iser that Council (in its capacity as the determining referral authority pursuant to Clause 66.03 of the Moonee Valley Planning Scheme) resolves to:

- a. Note that 3 Kingston Avenue, Ascot Vale (Subject Land) is partially affected by a Public Acquisition Overlay – Schedule 2 (PAO2) and a Planning Application No. MV/63/2023/A has been lodged to include the construction of an in-ground retaining structure to an existing bluestone wall on the Subject Land.**
- b. Not object to the Planning Application No. MV/63/2023/A (Application), considering the Application does not appear to affect the current status or the future use of the land affected by the PAO2, provided that appropriate conditions are imposed on any issued planning permit to require the landowner at their cost to enter into an agreement with the Responsible Authority under Section 173 of the *Planning and Environment Act 1987* which provides the landowner the responsibility of the cost, maintenance and liability of the proposed in-ground retaining structure within the PAO2, including that no compensation is payable by Council to the owner of the land under Part 5 of the *Planning and Environment Act 1987* in relation to the amended planning permit.**
- c. Provide a copy of this resolution to the responsible authority and the permit applicant in accordance with Sections 56(3) and (3A) of the *Planning and Environment Act 1987*.**

For: Crs Adams, Barnes, Burn, Byrne, Cosgriff, Iser, Jones and Theocharides
Against: Nil

CARRIED UNANIMOUSLY

9.8 **Priority Projects (including Council Plan & Health Plan)
Implementation - Quarter 3, 2024/25**

Author: Corporate and Service Planning Officer

Directorate: Strategy, Planning & Climate Resilience

Officers' Recommendation

That Council resolves to:

- a. Note and publish the Priority Projects (including Council Plan & Health Plan) Implementation update for Quarter 3 (January to March) 2024/25 (Attachment 1).
- b. Note that initiative B2.1, 'Prepare a Housing Strategy to ensure the diverse housing needs of the community can be met, including consideration of social and affordable housing and homelessness, and that future growth is directed to appropriate locations supported by public transport, tree canopy and open space, shops and services' has become undeliverable in the financial year due to external factors outside of Council's control.

Minute No. CM 2025/63

Council Resolution

Moved Cr Iser, seconded Cr Cosgriff that Council resolves to:

- a. **Note and publish the Priority Projects (including Council Plan & Health Plan) Implementation update for Quarter 3 (January to March) 2024/25 (Attachment 1).**
- b. **Note that initiative B2.1, 'Prepare a Housing Strategy to ensure the diverse housing needs of the community can be met, including consideration of social and affordable housing and homelessness, and that future growth is directed to appropriate locations supported by public transport, tree canopy and open space, shops and services' has become undeliverable in the financial year due to external factors outside of Council's control.**

For: Crs Adams, Barnes, Burn, Byrne, Cosgriff, Iser, Jones and Theocharides
Against: Nil

CARRIED UNANIMOUSLY

9.9 Capital Works Performance Report - Quarter 3, 2024/25**Author:** Head of EPMO**Directorate:** Enabling Services**Officers' Recommendation**

That Council resolves to:

- a. Note the year-to-date delivery progress of \$30,777,851 in expenditure, as outlined in the Capital Works Report Delivery Status Update - Quarter 3 2024/25 (Attachment 1).
- b. Note there is no proposed increase or decrease to the revised budget at Q3 despite there being adjustments made (to the value of \$38,206) for reconciliation in future Council reports.
- c. Note the projects with delivery impacted by outside control factors in Confidential Attachment 2.

Minute No. CM 2025/64**Council Resolution**

Moved Cr Iser, seconded Cr Cosgriff that Council resolves to:

- a. **Note the year-to-date delivery progress of \$30,777,851 in expenditure, as outlined in the Capital Works Report Delivery Status Update - Quarter 3 2024/25 (Attachment 1).**
- b. **Note there is no proposed increase or decrease to the revised budget at Q3 despite there being adjustments made (to the value of \$38,206) for reconciliation in future Council reports.**
- c. **Note the projects with delivery impacted by outside control factors in Confidential Attachment 2.**

For: Crs Adams, Barnes, Burn, Byrne, Cosgriff, Iser, Jones and Theocharides
Against: Nil

CARRIED UNANIMOUSLY

9.10 Financial Performance Report and Declaration of Council Expenses - Quarter 3, 2024/25

Author: Chief Financial Officer

Directorate: Enabling Services

Officers' Recommendation

That Council resolves to receive and note:

- a. The Quarterly Financial Performance report (Attachment 1) for the nine months ended 31 March 2025 and the forecast for the year ended 30 June 2025.
- b. The Quarterly Declaration of Council Expenses (Attachment 2) for the three months 1 January 2025 to 31 March 2025.
- c. Note the allocation of the 2023/24 rates funding surplus (\$3.5 million) and the 2023/24 borrowing amount (\$2.2 million) as follows:
 - i. \$592,000 to the Community Carbon Emissions Reduction Reserve:
 - ii. \$1 million to the IT Reserve:
 - iii. \$1.9 million to the Infrastructure Reserve: and
 - iv. Reduce the 2023/24 borrowing amount proposed to be carried over in the draft budget 2025/26 by \$2.2 million from \$24.6 million to \$22.4 million.

Minute No. CM 2025/65

Council Resolution

Moved Cr Iser, seconded Cr Burn that Council resolves to receive and note:

- a. The Quarterly Financial Performance report (Attachment 1) for the nine months ended 31 March 2025 and the forecast for the year ended 30 June 2025.
- b. The Quarterly Declaration of Council Expenses (Attachment 2) for the three months 1 January 2025 to 31 March 2025.
- c. The allocation of the 2023/24 rates funding surplus (\$3.5 million) and the 2023/24 borrowing amount (\$2.2 million) as follows:
 - i. \$592,000 to the Community Carbon Emissions Reduction Reserve:
 - ii. \$1 million to the IT Reserve:
 - iii. \$1.9 million to the Infrastructure Reserve: and
 - iv. Reduce the 2023/24 borrowing amount proposed to be carried over in the draft budget 2025/26 by \$2.2 million from \$24.6 million to \$22.4 million.

For: Crs Adams, Barnes, Burn, Byrne, Cosgriff, Iser, Jones and Theocharides
Against: Nil

CARRIED UNANIMOUSLY

10 Notice of Motions

Nil.

11 Urgent Business

Nil.

12 Confidential Reports

Nil.

13 Close of Meeting

The meeting concluded at 7:58 pm.

**CR AVA ADAMS
CHAIRPERSON**