



# **Ordinary Meeting of Council**

**Tuesday, 24 March 2015 at 7.00pm**

**Agenda**

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# Ordinary Meeting of Council

Tuesday, 24 March 2015 at 7.00pm  
to be held at the Moonee Valley Civic Centre

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## TO:

**Members:** Cr Narelle Sharpe Mayor

Cr Cam Nation

Cr Jan Chantry

Cr Shirley Cornish

Cr Jim Cusack

Cr Paul Giuliano

Cr Nicole Marshall

Cr John Sipek

Cr Andrea Surace

**Officers:** Mr Neville Smith Chief Executive

Mr Tony Ball Director Community Services

Mr Bryan Lancaster Director City Works & Development

Mr Dale Monk Acting Director Corporate Services

Mr Anthony Smith Acting Director Environment & Lifestyle

Mr Troy Delia Acting Manager Governance & Local Laws

## Business:

### 1. Opening

### 2. Apologies

### 3. Confirmation of Minutes

Ordinary Meeting of Council held on Tuesday, 24 February 2015 and the Special Meeting of Council held on 10 March 2015.

### 4. Declarations of Conflict of Interest

### 5. Presentations

**6. Petitions and Joint Letters**

**7. Public Question Time**

**8. Reports by Mayor and Councillors**

**File No.** FOL/14/1249

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**NEVILLE SMITH**  
Chief Executive

## 8. REPORT BY MAYOR AND COUNCILLORS

### 8.1 Report by Mayor, Councillor Sharpe

4 February 2015	Chaired consultation briefing and meeting in relation to 53 Deakin Street, Essendon
5 February 2015	Meeting with resident in relation to 58 St Leonards Road, Ascot Vale  Attended media training workshop in council offices with Deputy Mayor and Media & Communications Officer  Meeting on site at 22 Hart Street, Airport West with Manager Building, Health & Property Services  Meeting with representatives of Able Australia  Attended Essendon Junction Activity Centre Structure Plan external working group meeting
6 February 2015	Attended Golden Age of Women Network meeting
10 February 2015	Briefing by officers in relation to Early Years Reference Group Meeting  Chaired Early Years Reference Group Meeting  Interview with ABC Radio in relation to Soundwave issues  Chaired Public Forum and Councillor Briefing Session
11 February 2015	Interview with Gold 104.3 Radio in relation to children in hot cars  Hosted Kidsafe 'Do not leave children in hot cars' launch
12 February 2015	Attended Niddrie Library to conduct Conversations with the Mayor session  Hosted Stepping Stones Positive Parenting Program seminar
13 February 2015	Attended meeting with resident in Essendon
16 February 2015	Meeting with Colleen Hartland and Greens Senator, Janet Rice with fellow Western Region Mayors and LeadWest
17 February 2015	Meeting with representatives of Carosello Pizza Restaurant  Meeting with Manager Leisure & Open Space Planning in relation to Essendon Lions  Meeting with representatives from Essendon Primary School  Chaired Councillor Workshop

- 18 February 2015      Meeting with Coordinator Economic Development in relation to Margaret and Hall Streets, Moonee Ponds  
Attended Minister Foley's visit to Wingate Avenue Community Centre followed by Flemington Community Centre  
Attended meeting with Moonee Valley Legal Service on behalf of resident
- 19 February 2015      Interview with 3AW Radio in relation to East West Link court case  
Interview with ABC Radio in relation to East West Link  
Meeting with officers in relation to East West Link court challenge  
Attended Strategic Planning Advisory Committee Meeting  
Attended Electoral Representative Review information session
- 20 February 2015      Attended Advanced Women in Leadership Program final coaching session  
Attended Essendon Airport/Essendon Fields/Moonee Valley City Council working group  
Meeting with Director City Works & Development in relation to Hall and Margaret Streets projects  
Officiated and participated in Relay for Life event at Moonee Valley Athletics Centre
- 22 February 2015      Hosted Moonee Valley Champagne Breakfast and Festival in Queens Park
- 23 February 2015      Attended Board Builder Conference  
Attended Audit Committee Meeting
- 24 February 2015      Attended Victorian Civil and Administrative Tribunal Mayoral briefing with President and CEO of VCAT  
Chaired Ordinary Meeting of Council
- 25 February 2015      Attended photo opportunity at Corio Street, Moonee Ponds in relation to Colour Run event  
Launched Clocktower Theatre Season  
Attended TAFE Graduation awards
- 26 February 2015      Meeting with resident in North Essendon  
Meeting with business owner in North Essendon village  
Meeting with resident regarding various matters  
Briefing with officers in relation to International Women's Day Breakfast event

	Meeting with Chairperson of Moonee Valley Interfaith Network
	Officiated at Strathmore Children's Centre planning information session
27 February 2015	Attended Incinerator Arts Gallery to judge Fireworks VCE Art and Design exhibition
	Meeting with business owner in Essendon
	Attended Western Region Mayor's luncheon hosted by Hobsons Bay Council
	Launched Moonee Valley Art Show hosted by Rotary Clubs of Keilor East and Essendon
	Officiated at launch of Fireworks Exhibition at Incinerator Arts Gallery
1 March 2015	Attended New Minister Induction at Strathmore Uniting Church
2 March 2015	Chaired Councillor Budget Workshop
3 March 2015	Hosted St Monica's Year 6 students for Local Government school education program
	Briefing with officers in relation to 2015 ANZAC Service
	Chaired Councillor Workshop

## **8.2 Report by Deputy Mayor, Councillor Nation**

4 February 2015	Attended LGBTIQ Working Group Meeting
5 February 2015	Attended media training workshop in council offices with Mayor and Media & Communications Officer
6 February 2015	Attended site visit regarding land waste collection in Winchester Street, Moonee Ponds
7 February 2015	Attended follow-up site visit regarding land waste collection in Winchester Street, Moonee Ponds
8 February 2015	Attended Chinese New Year Celebrations at Footscray Central, Footscray
9 February 2015	Attended meeting with Cr John Sipek in regards to supporting new sporting club in Myrnong Ward as part of the Sport & Recreation portfolio
10 February 2015	Attended Myrnong Ward Councillor Meeting with Director Environment & Lifestyle, Director Community Services and Manager Leisure & Open Space Planning
	Attended Public Forum and Councillor Briefing

13 February 2015	Attended Blair Street Rain Gardens Community Event
15 February 2015	Meeting with Cr Andrea Surace in relation to assisting traders in East Keilor as part of Economic Development Portfolio
18 February 2015	Attended “Out is in” Western Region LGBTIQ Community Forum, Newport
19 February 2015	Attended Victorian Local Government Association “Being Deputy Mayor” Workshop  Attended “Active Utility” event in Queens Park, Moonee Ponds
21 February 2015	Attended planning application site visit in Richardson Street, Essendon  Attended planning application site visit in Treadwell Street, Essendon North
22 February 2015	Attended Moonee Valley Champagne Breakfast at Moonee Valley Festival in Queens Park, Moonee Ponds  Attended Moonee Valley Festival, Queens Park, Moonee Ponds  Meeting with Cr Andrea Surace in relation to better advocacy for the Buckley Street level crossing  Meeting with Cr John Sipek in relation to sports development opportunities for Myrnong Ward sporting Clubs
23 February 2015	Officiated at Moonee Ponds Special Rate Workshop, Clocktower, Moonee Ponds
24 February 2015	Meeting with Coordinator Traffic & Transport and Transport Engineer  Attended Ordinary Meeting of Council
25 February 2015	Attended cocktail function for “The One Day of the Year” theatre production at the Clocktower Centre, Moonee Ponds  Attended ‘The One Day of the Year’ theatre performance at Clocktower Centre, Moonee Ponds
26 February 2015	Attended Australian Made Campaign Supporters Forum at Richmond Town Hall, Richmond
27 February 2015	Attended Moonee Valley Art Show hosted by Rotary Clubs of Keilor East and Essendon at St Columbans Mission, Essendon



28 February 2015	Attended “Fun 2 Move” family fitness event at Riverside Park, Ascot Vale  Attended launch of Inner Northern Cluster Education Advisory and Support Cooperative at Kensington Town Hall, Kensington
2 March 2015	Attended Councillor Budget Workshop
3 March 2015	Attended Councillor Workshop  Attended viewing of the Fireworks Exhibition at Incinerator Arts Gallery, Moonee Ponds

### **8.3 Report by Councillor Chantry**

4 February 2015	Attended consultation briefing and meeting in relation to 53 Deakin Street, Essendon
9 February 2015	Attended Arts & Culture Community Advisory Committee Meeting
12 February 2015	Attended Municipal Emergency Management Planning Committee Meeting (MEMPC)
13 February 2015	Attended Blair Street Rain Gardens Community Event
16 February 2015	Attended ANZAC Centenary Community Coordinating Committee Meeting
17 February 2015	Attended meeting with Essendon Primary School Representatives and Mayor  Meeting with officer in relation to town planning application Attended Councillor Workshop
18 February 2015	Attended consultation briefing and meeting in relation to 33 Pear Street, Niddrie
20 February 2015	Attended Essendon Airport/Essendon Fields/Moonee Valley City Council working group
21 February 2015	Attended Vietnamese 2015 official launch of 40 Years Settlement in Australia
22 February 2015	Attended Moonee Valley Champagne Breakfast and Festival
25 February 2015	Attended theatre performance at Clocktower Centre
27 February 2015	Attended Moonee Valley Art Show hosted by Rotary Clubs of Keilor East and Essendon
1 March 2015	Attended New Minister Induction at Strathmore Uniting Church

2 March 2015                      Attended Councillor Budget Workshop  
3 March 2015                      Attended Councillor Workshop

#### **8.4 Report by Councillor Cornish**

4 February 2015 –        Verbal Report  
3 March 2015

#### **8.5 Report by Councillor Jim Cusack**

4 February 2015 -        Annual Leave  
13 February, 2015  
15 February 2015        Attended Community Planning Session – Crown Street  
   Stables  
16 February 2015        Attended Disability Reference Group Meeting  
   Attended ANZAC Centenary Community Co-ordinating  
   Committee Meeting  
17 February 2015        Attended Councillor Workshop  
19 February 2015        Attended Electoral Representation Review Program –  
   Public Information Session  
22 February 2015        Attended Moonee Valley Champagne Breakfast and  
   Festival  
23 February 2015        Attended Moonee Ponds Special Rate Workshop at  
   Clocktower Centre  
24 February 2015        Attended Briefing with officers in relation to Flemington  
   Neighbourhood Renewal  
   Attended Ordinary Meeting of Council  
25 February 2015        Attended Community Consultative Group Meeting –  
   Royal Agricultural Society  
   Attended theatre performance at Clocktower Centre  
27 February 2015        Attended launch of Fireworks Exhibition at Incinerator  
   Arts Gallery  
2 March 2015              Attended Councillor Budget Workshop  
3 March 2015              Meeting with fellow Councillor, Nicole Marshall and Chief  
   Executive  
   Attended Councillor Workshop

**8.6 Report by Councillor Paul Giuliano**

4 February – Verbal Report  
3 March 2015

**8.7 Report by Councillor Nicole Marshall**

4 February 2015	Attended consultation briefing and meeting in relation to 544 Mt Alexander Road, Ascot Vale
6 February 2015	Attended Golden Age of Women Network meeting
9 February 2015	Attended Strategic Planning Review Meeting at Wingate Avenue
10 February 2015	Attended U3A meeting at Ascot Vale Attended Myrnong Ward Councillor Meeting with Director Environment & Lifestyle, Director Community Services and Manager Leisure & Open Space Planning Attended Public Forum and Councillor Briefing
11 February 2015	Attended Kidsafe 'Do not leave children in hot cars' launch
17 February 2015	Attended Councillor Workshop
18 February 2015	Attended Western Melbourne Tourism Organisational Performance Working Group Attended Meeting at Wingate and Flemington Public Housing Estates Meeting with Flemington Association
19 February 2015	Attended Strategic Planning Advisory Committee Meeting
20 February 2015	Attended Integrated Waterways Advisory Committee Meeting
22 February 2015	Attended Moonee Valley Champagne Breakfast and Festival
23 February 2015	Attended Australand Drop in session at Avondale Heights Library and Learning Centre Attended Audit Committee Meeting
24 February 2015	Attended Briefing with officers in relation to Flemington Neighbourhood Renewal Attended Ordinary Meeting of Council
25 February 2015	Attended Western Melbourne Tourism Board Meeting Attended Flemington Neighbourhood Renewal Meeting

	Attended Community Consultative Group Meeting at Royal Agricultural Society
27 February 2015	Attended Farnham Street Committee of Management Meeting
2 March 2015	Attended Councillor Budget Workshop
3 March 2015	Meeting with fellow Councillor, Jim Cusack and Chief Executive
	Attended Councillor Workshop
Throughout reporting period	Various attendances on residents in relation to local issues

#### **8.8 Report by Councillor Sipek**

4 February 2015 – Verbal Report  
3 March 2015

#### **8.9 Report by Councillor Surace**

4 February 2015	Attended Metropolitan Transport Forum Meeting
5 February 2015	Attended Essendon Junction Activity Centre Structure Plan External Working Group Meeting
9 February 2015	Attended Arts & Culture Community Advisory Committee Meeting
10 February 2015	Attended Public Forum & Councillor Briefing Session
15 February 2015	Meeting with Cr Cam Nation in relation to assisting traders in East Keilor as part of Economic Development Portfolio
16 February 2015	Attended ANZAC Centenary Community Coordinating Committee Meeting
17 February 2015	Attended Councillor Workshop
19 February 2015	Attended Electoral Representation Review Program – Public Information Session
22 February 2015	Attended Moonee Valley Champagne Breakfast and Festival
	Meeting with Cr Cam Nation in relation to better advocacy for the Buckley Street level crossing
23 February 2015	Attended Moonee Ponds Special Rate Workshop at Clocktower Centre
24 February 2015	Attended Ordinary Meeting of Council

25 February 2015	Attended theatre performance at Clocktower Centre
27 February 201	Attended Moonee Valley Art Show hosted by Rotary Clubs of Keilor East and Essendon
	Attended launch of Fireworks Exhibition at Incinerator Arts Gallery
2 March 2015	Attended Councillor Budget Workshop
3 March 2015	Attended Councillor Workshop

## REPORTS

**9.1                      53 Deakin Street, Essendon (Lot 161 Block C LP3151) -  
Construction of four dwellings**

**File No:** MV/760/2014  
**Author:** Principal Town Planner  
**Directorate:** City Works & Development  
**Ward:** Buckley

<b>Proposal</b>	Four double storey dwellings
<b>Applicant</b>	Architectural Plans & Permits P/L
<b>Owner</b>	Mr S Cola
<b>Planning Scheme Controls</b>	<ul style="list-style-type: none"><li>• General Residential Zone</li><li>• No overlays</li></ul>
<b>Planning Permit Requirement</b>	Clause 32.08-4 – Construction of two or more dwellings on a lot
<b>Car Parking Requirements (Clause 52.06)</b>	Required: 6 car spaces Provided: 6 car spaces
<b>Restrictive Covenants</b>	None
<b>Easements</b>	None
<b>Site Area</b>	754 square metres
<b>Number Of Objections</b>	10
<b>Consultation Meeting</b>	4 February 2015

## Executive Summary

- The application seeks planning approval for the construction of four double storey dwellings.
- The site has an area of 754 square metres and is located on the western side of Deakin Street, Essendon. The site comprises an existing single storey weatherboard dwelling.
- The application was advertised and 10 objections were received. The concerns raised related to neighbourhood character, double storey dwellings towards the rear of the site, overdevelopment, oversaturation of multi-dwelling developments nearby, setting a precedent, proposed 'Neighbourhood Residential Zone', inadequate car parking, cars parking on the nature strip, traffic, street setback, overshadowing, overlooking, noise, flooding of adjoining properties, infrastructure capacity, extent of built form along the northern elevation, impacts on existing trees, removal of northern boundary fence, damage to southern boundary fence, containment of dogs, removal of asbestos, reduction in property values and errors on the plans.
- A Consultation Meeting was held on 4 February 2015, attended by Mayor Sharpe, Councillor Chantry, objectors and Council's Planning Officer. No resolution was achieved at this meeting.
- The application was internally referred to Council's Engineering Services Unit, Traffic and Transportation Unit and Environmental Sustainable Development (ESD) Officer. Conditional support to the application was provided.
- This assessment report finds that the proposal demonstrates an adequate level of compliance with the relevant policies and provisions of the Moonee Valley Planning Scheme, and recommends that a Notice of Decision to Grant a Permit be issued subject to conditions.



Figure 1 – Aerial photo of the subject site and surrounds

## Recommendation

That Council issue a Notice of Decision to Grant a Permit in relation to Planning Permit Application No. MV/760/2014 for the construction of four dwellings at No.53 Deakin Street, Essendon (Lot 161 Block C LP3151), subject to the following conditions:

1. Before the development starts, amended plans (three copies) must be submitted to and approved to the satisfaction of the Responsible Authority. The plans must be drawn to scale, with dimensions, and be generally in accordance with the plans submitted and assessed with the application but modified to show:
  - a) The word 'unit' replaced with 'dwelling' on the roof and elevation plans.
  - b) The front porch associated with Dwellings 1 and 2 reduced to less than 3.6 metres in height above Natural Ground Level (NGL).
  - c) The first floor 'bedroom 2' balcony for Dwelling 2 and the first floor east facing 'bedroom 3' window for Dwelling 4 treated/screened in accordance with Clause 55.04-6 (Overlooking) of the Moonee Valley Planning Scheme.
  - d) The bin/recycling receptacles for Dwellings 1 and 2 relocated to their respective secluded private open space areas, with provision for a pedestrian gate that does not encroach on the vehicle space within the carport areas.
  - e) The ground floor levels of Dwellings 1 and 2 set back a minimum of 150mm from their respective side property boundaries, with no other setback changes, to ensure the retention of side boundary fences.
  - f) Roof catchment areas must be graphically shown on the roof plan (i.e. delineated with a perimeter line or shaded/hatched), and be accompanied by a note stating the rainwater from a specific roof area (in square metres) is to be collected into a nominated rainwater tank with its capacity clearly noted. All roof areas, tank volumes and the number of toilets each rainwater tank is connected to must be consistent with the information provided on the approved STORM Rating Report.
  - g) The area of hard surfacing being discharged into raingardens, as per the approved STORM Rating Report.
  - h) Raingardens set back a minimum of 300mm from a site boundary and a building.
  - i) A notation that each raingarden will be lined with their overflow plumbed into the stormwater system.
  - j) The location of any drainage pits at the front of the site.
  - k) The correct Natural Ground Level (NGL) along the front property boundary on the 'streetscape elevation'.
  - l) The correct height of the development at No.62 Hoffmans Road on the floor plans.
  - m) Any changes as a result of Condition 18.

Once approved these plans become the endorsed plans of this permit.



2. The layout of the site and the size, design and location of the buildings and works permitted must always accord with the endorsed plan and must not be altered or modified without the further written consent of the Responsible Authority.
3. A minimum 30 days prior to any building or works commencing, all WSUD Details, such as cross sections and/or specifications, to assess the technical effectiveness of the proposed stormwater treatment measures, must be submitted to and be approved by the Responsible Authority.
4. The WSUD Details should be appropriate to the proposed stormwater treatment measure (e.g. further detail is required for raingarden systems but is not required for above ground stand-alone rainwater tanks unless connected to toilets in which case notation to that effect is to be included on the drawings and in an ESD report if applicable).
5. Where applicable, any stormwater treatment measures (e.g. rainwater tank, raingarden, etc.) contained within the endorsed plans must be included on the stormwater drainage plan, the roof plan and landscape plan as applicable.
6. A minimum 30 days prior to any building or works commencing, a Site Management Plan must be submitted to and approved by the Responsible Authority detailing the site and environmental management methods to be used. The plan must include, but is not limited to:
  - a) A statement or report outlining all construction measures to be taken to prevent litter, sediments and pollution from entering the stormwater systems.

The WSUD Site Management Plan may form part of a broader Site Management Plan that covers other project components, i.e. such as noise, EPA issues, traffic management, waste management, etc.

Once submitted and approved the works detailed by the Site Management Plan must be carried out to the satisfaction of the Responsible Authority.

7. A minimum 30 days prior to any building or works being completed, 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.
  - 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 User Guide or a Building Maintenance Guide.

8. Prior to the issue of an Occupancy Permit, all retaining walls and boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
9. Building or works must not be constructed over or adjacent to any easement or within one metre of an existing Council drainage asset without the written consent of the relevant authorities or agencies to the satisfaction of the Responsible Authority.
10. Floor levels shown on the endorsed plan(s) must not be altered or modified without written consent of the Responsible Authority.
11. The privacy screens/obscure glazing as shown on the endorsed plans must be installed prior to the occupation of the building.
12. The area set aside for the parking of vehicles, together with the associated access lanes as delineated on the endorsed plan(s) must be to the satisfaction of the Responsible Authority:
  - a) Be provided and completed prior to the commencement of the use hereby permitted;
  - b) Thereafter be maintained;
  - c) Be made available for such use at all times and not used for any other purpose;
  - d) Be properly formed to such levels that it can be used in accordance with the endorsed plan; and
  - e) Be drained and constructed with a permanent trafficable surface (concrete, asphalt, paving).
13. Standard concrete vehicular crossing(s) must be constructed to suit the proposed driveway(s) in accordance with the Responsible Authority's standard specification and any vehicle crossing(s) no longer required must be removed and the land, footpath and kerb and channel replaced all 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 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.

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 subject land to the satisfaction of the Responsible Authority. Prior to the commencement of building and works a drainage layout plan, together with computations and manufacturers specifications, must be prepared by a suitably qualified Civil Engineer and submitted to and approved by the Responsible Authority. Once approved by the Responsible Authority the plan must be carried out to the satisfaction of the Responsible Authority.
16. Prior to the issue of an Occupancy Permit, all boundary fencing must be erected as per the endorsed plans. The cost of such fencing must be met by the owner and carried out 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 site to the satisfaction of the Responsible Authority.
18. Before the development starts, or any trees or vegetation removed, a landscape plan (three copies) prepared by a suitably qualified person or firm shall be submitted to and approved to the satisfaction of the Responsible Authority. The plans must be drawn to scale, with dimensions, and be generally in accordance with the plans submitted with the application but modified to show:
  - a) Plans to accord with Condition 1 of this permit.
  - b) 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.
  - c) The use of drought tolerant species.
  - d) The provision of two canopy trees within the front setback which are able to achieve a minimum mature height of 4 metres.
  - e) Features such as paths, paving and accessways.Once approved these plans become the endorsed plans of this permit. Landscaping in accordance with this approved plan and schedule shall be completed before the building is occupied.
19. 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.
20. Prior to the commencement of any buildings and works, an arborist report prepared by a suitably qualified arborist must be submitted to and approved by the Responsible Authority. The arborist report must outline any specific threats to the on-going health of existing trees located at the adjoining property at No.57 Mary Street, Essendon, as a consequence of the approved development. The report must outline any specific recommendations to be implemented to ensure the on-going health of these trees whether this includes modifications to the proposed development and/or use of tree protection measures during

construction. Once approved, the arborist report will be endorsed under the planning permit. Once endorsed, all recommendations forming part of that report must be complied with to the satisfaction of the Responsible Authority and all resulting costs borne by the permit holder.

21. This 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 in writing request the Responsible Authority to extend the expiry date.

Once the development has commenced the owner or occupier of the land may in writing request the Responsible Authority to extend the expiry date within twelve (12) months of the lapse 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 commencement of the development occurs, the applicant should contact the Moonee Valley City Council's Technical Services Department regarding legal point of discharge, new crossings, building over easements, etc.
- A permit must be obtained from Council for all vehicular crossings.
- Owners of properties may be asked to pay an inspection fee and provide a bond to ensure that Council assets in the vicinity of their works are not damaged during construction.
- No on street parking permits will be provided to the occupiers of the subject site.
- It is recommended that the required on-site detention system be designed to limit the rate of stormwater discharge from the property to pre-development levels in accordance with the following calculation;  $C=0.4$ ,  $t_c=5\text{mins}$ , 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 the Moonee Valley City Council's Technical Services Department and be to the satisfaction of the Responsible Authority.
- Existing levels along the property line must be maintained. All proposed levels must match to existing surface levels along the property boundary. Council will not accept any modifications to existing levels within any road reserve.

## **1. Introduction**

### **1.1 Subject Site and Surrounds**

The subject site is located on the western side of Deakin Street, Essendon. The site is regular in shape with a frontage to Deakin Street of 17.68 metres and a maximum depth of 42.67 metres, resulting in a total area of approximately 754m<sup>2</sup>.

The land has an approximate 1.9 metre fall from the north-west of the site to the south-east.

There does not appear to be any easements or covenants on the Certificate of Title provided.

The site comprises a single storey weatherboard dwelling with a minimum front setback of 8.5 metres. Vehicle access to the site is obtained from an existing crossover located to the north-east along Deakin Street. There is no significant landscaping or vegetation on the subject site. There are no street trees located at the front of the site.



**Figure 2 – Subject site (No.53 Deakin Street, Essendon)**

The surrounding area is comprised of predominantly residential zoned land used and developed for residential purposes. The built form within the vicinity is predominantly single and double storey, with examples of multi-dwelling developments evident nearby. While the built form found within the immediate vicinity predominantly comprises of brick and weatherboard dwellings with pitched tiled roofing, there is a slow emergence of new and contemporary developments nearby.

### **1.2 Proposal**

It is proposed to construct four double storey dwellings. The proposal, as advertised, can be summarised as follows:

**Table 1**

No. of dwellings	Four
No. of car spaces	Six
Max. building height	7.254 metres
Site coverage	51.59%
Permeability	35.28%

Refer **Appendix C** – Plans (separately circulated).

## **2. Background**

### **2.1 Relevant Planning History**

Planning Permit application MV/463/2014 for the construction of four double storey dwellings lapsed on 27 August, 2014.

### **2.2 Planning Policies & Decision Guidelines**

#### **State Planning Policy Framework**

Clause 11	Settlement
Clause 15	Built Environment and Heritage
Clause 16	Housing

#### **Local Planning Policy Framework**

Clause 21.01	Municipal Profile – Moonee Valley Today
Clause 21.02	Vision – Moonee Valley Tomorrow
Clause 21.03	Sustainable Environment
Clause 21.04	Housing
Clause 21.05	Built Environment
Clause 22.03	Stormwater Management (WSUD)

#### **Zoning**

Clause 32.08	General Residential Zone
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#### **Particular and General Provisions**

Clause 52.06	Car Parking
Clause 55	Two or More Dwellings on a Lot and Residential Buildings
Clause 65	Decision Guidelines

## **2.3 Referrals**

### External

- Not applicable.

### Internal

- Engineering Services Unit  
No objection subject to standard conditions.
- Traffic and Transportation Unit  
No objection.
- ESD Officer  
No objection subject to the submission of an updated STORM Rating Report.

## **2.4 Public Notification of the Application**

Pursuant to Section 52 of the Planning and Environment Act 1987 the application was advertised by mail to adjoining and surrounding properties, with one notice erected on site for 14 days.

As a result, ten (10) objections were received from the properties contained within **Appendix A** of this report.

A response to the objections is provided in Section 3.6 of this report.

## **2.5 Consultation Meeting**

A Consultation Meeting was held on 4 February 2015, attended by Mayor Sharpe, Councillor Chantry, objectors and Council's Planning Officer. No resolution was achieved at this meeting.

## **3. Discussion**

### **3.1 State Planning Policy Framework (SPPF)**

The relevant State Planning Policy Framework clauses are considered to be met. For the large part State Planning objectives seek to encourage urban consolidation in locations which take advantage of existing commercial and community services and public transport. The subject site is located within close proximity of major arterial roads, bus routes, public parks/reserves and schools. The location of the subject site is considered to lend support for a more intensive form of residential development.

The proposal contributes to the objective of housing diversity by providing a mix of dwelling sizes in various configurations which will cater for the increasingly diverse needs of future residents.

### **3.2 Local Planning Policy Framework (LPPF)**

The proposal complies with Clause 21.04 (Housing) by increasing housing opportunities to meet growing population needs, providing a diversity of housing

choice in a well-established area with access to public transport options and local/community services.

The proposed development responds to the strategies of Clause 21.05-3 (Urban Design). A number of the objectives and strategies appear to overlap with those contained within the neighbourhood character precinct profile and ResCode and therefore the key concepts of Clause 21.05-3 (Urban Design) are discussed below in Sections 3.3 and 3.5.

The proposal complies with Clause 22.03 Stormwater Management (Water Sensitive Urban Design) and meets the required on-site stormwater treatment as demonstrated by achieving at least 100% on the STORM Rating Report. As mentioned earlier, Council's ESD Officer recommended corrections to the STORM Rating Report which the applicant has since complied with.

### **3.3 Neighbourhood Character Guidelines**

The subject land is identified as being within character area 'Garden Suburban 6'.

The preferred character statement for this particular precinct is as follows:

*"New developments will contribute to the character of this area with established gardens, simple design details and consistent siting to ensure they do not dominate the streetscape.*

*Buildings will be articulated with recesses, porch areas, large windows and setbacks to complement the pattern of the traditional dwellings. The use of light finishes will maintain the existing palette of materials. Buildings will be located from the front boundary at a distance similar to those on adjoining properties, while consistent side setbacks will provide space for landscaping and planting. Low or permeable front fences will allow views of the vegetation in gardens from the street."*

It is considered that the development provides a suitable response to the preferred character statement of Garden Suburban 6 within the Neighbourhood Character Precinct Profiles 2012 as follows:

**Table 2**

Siting and Building Envelope	<p>Has a street setback which complements the setbacks found within the immediate streetscape.</p> <p>Provides a 4.0 metre wide setback between Dwellings 1 and 2 across the site frontage.</p> <p>Siting and building envelopes are generally similar to other medium density developments within the immediate area.</p>
Built Form	<p>A mix of traditional and modern elements complementing the mix within the streetscape.</p> <p>Well-articulated on each elevation.</p> <p>Double storey height is responsive to existing and emerging building heights within the locality.</p>



Design Detail	<p>A mix of brick and lightweight materials which are considered to be characteristic of traditional and more contemporary infill developments in the area.</p> <p>Windows have been provided along the street front to ensure surveillance of the street is achieved.</p>
Landscaping and front fencing	<p>The development is provided with a landscaped front yard and side and rear setbacks towards the rear of the site.</p> <p>A low brick front fence is included to ensure views of the front garden are maintained.</p>

### 3.4 Compliance with Clause 52.06 (Car Parking)

The proposal provides sufficient car parking as set out in the table below:

**Table 3**

Use (dwellings)	Required	Provided
Four dwellings (2 x 3 bedrooms and 2 x 2 bedrooms)	6	6
Residential visitors	0	0
Total	6	6

As discussed under Section 2.3 of this report, Council's 'Traffic and Transportation Unit' have no objections to the proposed development.

### 3.5 Clause 55 (ResCode) Assessment

The proposal is considered to generally comply with the provisions of Clause 55 as set out in the assessment table (refer to **Appendix B**).

The following points of exception, which have not been satisfied through this development, are listed below:

**Table 4**

ResCode Standard	Response
<p>Clause 55.03-1 (Standard B6) Street Setback</p>	<p>Dwellings 1 and 2 are proposed to be set back a minimum of 5.2 metres from the Deakin Street frontage as the front porches associated with these dwellings exceed 3.6 metres in height and are not considered to be allowable encroachments.</p> <p>Under this standard the required front setback should be a minimum of 7.20 metres. Therefore the proposal does not comply with the requirements of this standard.</p> <p>However, if the front porches are modified to be less than 3.6 metres in height, they would be considered</p>

	allowable encroachments and the front setback of Dwellings 1 and 2 would be 6.0 metres accordingly. A 6.0 metre front setback is considered much more appropriate to the streetscape given the corner site directly to the north has a setback from Deakin Street of 2.0 metres. A 6.0 metre front setback would provide an adequate transition between the adjoining properties to the north and south of the subject site. Therefore, the front porch to Dwellings 1 and 2 are to each be modified so that they are less than 3.6 metres in height and this is to be a condition on any permit granted.
Clause 55.03-8 (Standard B13) Landscaping	A professional landscape plan will need to be provided and this is to be a condition on any permit granted.
Clause 55.03-10 (Standard B15) Parking Location	The ground floor north facing 'living room' window of Dwelling 1 and the ground floor south facing 'living room' window of Dwelling 2 are set back 0.5 metres from the shared accessway and do not meet the setback requirements under this standard. However, these windows are 'highlight' windows with a raised sill height of 1.8 metres above the shared accessway to reduce potential noise impacts from vehicles using the shared accessway, which is considered appropriate in this instance.
Clause 55.04-6 (Standard B22) Overlooking	There is overlooking potential from the first floor 'bedroom 2' balcony of Dwelling 2 and the first floor east facing 'bedroom 3' window of Dwelling 4 into the existing secluded private open space areas to the north. These windows and balconies are to be treated/screened as a condition on any permit granted.
Clause 55.06-4 (Standard B34) Site Services	The bin/recycling enclosures for Dwellings 1 and 2 should be relocated to their respective secluded private open space areas, with provision for an access gate, so that they do not encroach on the vehicle space within their carport areas, and this is to be a condition on any permit granted.

### 3.6 Objections

**Table 5**

Issue	Officer Response
Neighbourhood character	As discussed within Sections 3.2, 3.3 and 3.5 of this report, the design of the proposed dwellings is considered to have a high level of compliance with the preferred neighbourhood character.
Rear portion of the site should only consist of low scale development	There are many examples of buildings (single and double storey) within the backyard realm of properties in the immediate vicinity. Therefore, the proposed development respects the siting of existing and emerging developments within the locality. It is also noted that Dwellings 3 and 4 meet the requirements of Clause 55.04-1 (Side and Rear Setbacks), provide their secluded private open space at the rear of the site and are adequately set back from Dwellings 1 and 2, providing visual relief to adjoining properties.
Overdevelopment	This is considered acceptable as discussed within Sections 3.2, 3.3 and 3.5 of this report.
Oversaturation of multi-dwelling developments nearby	This is not a valid planning consideration as each proposed development is considered on its own merits.
Setting a precedent	This is not a valid planning consideration as each application is assessed on its own merits.
Proposed 'Neighbourhood Residential Zone'	Amendment C137 has not been approved by the Minister for Planning and further strategic work will need to be undertaken as a result. The site is currently zoned as General Residential, to which an assessment must be made.
Car parking / traffic	The proposed development meets the car parking requirements of Clause 52.06 (Car Parking) as discussed within Sections 2.3 and 3.4 of this report.
Cars parking on the nature strip	This is not a valid planning consideration as the illegal parking of cars along Deakin Street should be followed up with Council's Local Laws Department, as required.
Street setback	This is considered acceptable as discussed within Sections 3.3 and 3.5 of this report.
Extent of built form abutting existing properties to the	The proposed development meets the requirements of Clause 55.03-2 (Building Height), Clause 55.04-1 (Side and Rear Setbacks) and Clause 55.04-2 (Walls on Boundaries). Furthermore, the northern

north along Mary Street	elevation of Dwellings 2 and 4 are provided with adequate articulation through setback, colour and material variations to minimise any visual amenity impacts and the carports are open in nature to further minimise visual amenity impacts. It is also noted that the subject site is located to the south of properties along Mary Street and would not significantly impact on their amenity with regard to energy efficiency and access to sunlight.
Overshadowing / access to daylight	The proposed development meets the requirements of Clause 55.04-3 (Daylight to Existing Windows) and Clause 55.04-5 (Overshadowing Open Space).
Privacy / overlooking	The proposed development meets the requirements of Clause 55.04-6 (Overlooking), subject to the inclusion of conditions on any permit granted as discussed within Section 3.5 of this report.
Noise	The proposed development meets the requirements of Clause 55.04-8 (Noise Impacts) of the Moonee Valley Planning Scheme. It is noted that there are specific Local Laws and EPA noise guidelines that control nuisance and excessive noise within residential areas, which are applicable to all residential properties.
Flooding of adjoining properties	The subject site is not located within a flood overlay under the Moonee Valley Planning Scheme. However, a condition ensuring the discharge of water from the land is controlled around its limits to prevent any discharge onto adjoining properties is to be included on any permit granted.
Infrastructure / increased loads on gas and water pressure	The proposed development meets the requirements of Clause 55.02-4 (Infrastructure) of the Moonee Valley Planning Scheme. Council's Engineering Services Unit has no objection to the proposed number of dwellings and any associated infrastructure upgrades on the subject site will need to be undertaken by the applicant, where required.
Impacts on existing trees along the northern property boundary	These trees are considered to be significant in size and contribute to the established garden setting and preferred character accordingly. As a result, these trees are to be protected through the inclusion of suitable conditions on any permit granted.
Removal of existing fence along the northern property boundary	Dwelling 2 is proposed to be built up to the northern property boundary. Therefore, it is considered that this dwelling be set back a nominal 150mm from the northern property boundary in order to retain the

	existing boundary fence in its entirety, and this is to be a condition on any permit granted.
Damage to fence along the southern boundary and associated driveway gate / containment of dogs	Dwelling 1 is proposed to be built up to the southern property boundary. Therefore, it is considered that this dwelling be set back a nominal 150mm from the southern property boundary in order to retain the existing boundary fence in its entirety, and this is to be a condition on any permit granted.
Removal of asbestos	This is not a valid planning consideration and is controlled/managed through the building permit process.
Reduction in property values	This is not a valid planning consideration.
Error between the dwelling heights on the 'east elevation' and 'streetscape elevation' plans.	This error is noted and is to be corrected as a condition on any permit granted.
Error regarding the height of the development at No.62 Hoffmans Road	This error is noted and is to be corrected as a condition on any permit granted.
The 'Neighbourhood & Site Description' and 'Design Response' plans incorrectly refer to the main living area of No. 61 Mary Street as a bungalow	This error is noted.

#### 4. Human Rights

The application process and decision making is in line with the *Victorian Charter of Human Rights and Responsibilities 2006 (Section 18 – Taking part in public life)*.

#### 5. Conclusion

The application has been assessed against the relevant provisions of the State Planning Policy Framework, Local Planning Policy Framework, zoning controls, the relevant Particular and General Provisions, and the decision guidelines at Clause 65 of the Moonee Valley Planning Scheme. It is considered that the proposal demonstrates general compliance with the requirements of these provisions and policies. The application is supported as detailed above in the recommendation section.

## APPENDIX A

### Location of Objectors Properties

2A Moushall Avenue, NIDDRIE VIC 3042
46 Deakin Street, ESSENDON VIC 3040
59 Mary Street, ESSENDON VIC 3040
61 Mary Street, ESSENDON VIC 3040
57 Mary Street, ESSENDON VIC 3040
2/51 Deakin Street, ESSENDON VIC 3040
1/51 Deakin Street, ESSENDON VIC 3040
1/48 Deakin Street, ESSENDON VIC 3040
3/50 Deakin Street, ESSENDON VIC 3040
1/52 Deakin Street, ESSENDON VIC 3040

## APPENDIX B

### Clause 55 of the Moonee Valley Planning Scheme

Two or more dwellings on a lot and residential buildings (Clause 55 and Schedule to the General Residential Zone).

Where there is non-compliance, or modification required, see Section 3.5 of this report.

<b>Title and Objective</b>	<b>Complies with Standard</b>	<b>Complies with Objective</b>
<i>B1 - Neighbourhood Character</i>	✓	✓
<i>B2 - Residential Policy</i>	✓	✓
<i>B3 - Dwelling Diversity</i>	N/A	N/A
<i>B4 - Infrastructure Objectives</i>	✓	✓
<i>B5 - Integration with the Street Objective</i>	✓	✓
<i>B6 - Street Setback Objective</i>	X	✓ (subject to conditions)
<i>B7 - Building Height Objective</i>	✓	✓
<i>B8 - Site Coverage Objective</i>	✓	✓
<i>B9 - Permeability Objectives</i>	✓	✓
<i>B10 - Energy Efficiency Objectives</i>	✓	✓
<i>B11 - Open Space Objective</i>	N/A	N/A
<i>B12 - Safety Objective</i>	✓	✓
<i>B13 - Landscaping Objectives</i>	✓ (subject to conditions)	✓ (subject to conditions)
<i>B14 - Access Objectives</i>	✓	✓
<i>B15 - Parking Location Objectives</i>	X	✓
<i>B16 - Parking Provision Objectives</i>	Deleted from Clause 55 on 5 June 2012 (VC90). Refer to Clause 52.06 for car parking requirements under Section 3.4 of the report.	
<i>B17 - Side and Rear Setbacks Objective</i>	✓	✓
<i>B18 - Walls on Boundaries Objective</i>	✓	✓
<i>B19 - Daylight to Existing Windows Objective</i>	✓	✓
<i>B20 - North-facing Windows Objective</i>	N/A	N/A
<i>B21 - Overshadowing Open Space Objective</i>	✓	✓

<i>B22 - Overlooking Objective</i>	✓ (subject to conditions)	✓ (subject to conditions)
<i>B23 - Internal Views Objective</i>	✓	✓
<i>B24 - Noise Impacts Objectives</i>	✓	✓
<i>B25 - Accessibility Objective</i>	✓	✓
<i>B26 - Dwelling Entry Objective</i>	✓	✓
<i>B27 - Daylight to New Windows Objective</i>	✓	✓
<i>B28 - Private Open Space Objective</i>	✓	✓
<i>B29 - Solar Access to Open Space Objective</i>	✓	✓
<i>B30 - Storage Objective</i>	✓	✓
<i>B31 - Design detail objective</i>	✓	✓
<i>B32 - Front Fences Objective</i>	✓	✓
<i>B33 - Common Property Objectives</i>	✓	✓
<i>B34 - Site Services Objectives</i>	✓ (subject to conditions)	✓ (subject to conditions)

✓ - complies

X - non-compliance

N/A - not applicable



**9.2                    23-27 Dennis Avenue, East Keilor (Lots 74, 75 and 76 on LP44090) - Construction of eight dwellings and a reduction to the car parking requirement**

**File No:**                MV/50/2014  
**Author:**             Senior Town Planner  
**Directorate:**        City Works & Development  
**Ward:**                Rose Hill

<b>Proposal</b>	<ul style="list-style-type: none"><li>• Eight double storey dwellings</li><li>• Reduction of one visitor parking space</li></ul>
<b>Applicant</b>	John Douglas Group P/L
<b>Owner</b>	Arthur Kostarakis John Kostarakis Helen Messis H & A Properties P/L
<b>Planning Scheme Controls</b>	<ul style="list-style-type: none"><li>• General Residential Zone</li><li>• No overlays</li></ul>
<b>Planning Permit Requirement</b>	Clause 32.08-4 – Construction of two or more dwellings on a lot Clause 52.06-3 – Reduction in car parking requirements
<b>Car Parking Requirements</b>	Required: 17 car spaces Provided: 16 car spaces
<b>Restrictive Covenants</b>	None
<b>Easements</b>	1.83 metre wide drainage and sewerage easement
<b>Site Area</b>	1806 square metres
<b>Number Of Objections</b>	28
<b>Consultation Meeting</b>	7 May 2014

## Executive Summary

- The application seeks planning approval for the construction of eight dwellings and a reduction to the visitor car parking requirement.
- The site consists of three properties and has a total area of 1806 square metres. It is located on the southern side of Dennis Avenue, East Keilor. The site is currently occupied by three single storey dwellings.
- The application was advertised and 28 objections were received. The concerns raised related to neighbourhood character, visual bulk and scale, overdevelopment, amenity impacts (overlooking, overshadowing, noise etc.), waste collection, loss of street trees, devaluation of properties, pedestrian safety, traffic and parking impacts.
- A Consultation Meeting was held on 7 May 2014, attended by Councillor Cornish, Councillor Surace, objectors, the applicant and Council's Planning Officer. No resolution was achieved at this meeting.
- The application was amended under Section 57A of the Planning and Environment Act on 16 October 2014 showing the introduction of garage setbacks from side boundaries, modified vehicle crossings and façade alterations to address concerns raised by objectors and Council's Arborist (**Appendix C** – separately circulated Plans).
- The application was internally referred to Council's Engineering Services Unit, Traffic and Transportation Unit, Urban Designer and Arborist. Conditional support to the application was provided.
- This assessment report finds that the proposal demonstrates an adequate level of compliance with the relevant policies and provisions of the Moonee Valley Planning Scheme, and recommends that a Notice of Decision to Grant a Permit be issued subject to conditions.



Figure 1 – Aerial photo of the subject site and surrounds

## Recommendation

That Council issue a Notice of Decision to Grant a Permit in relation to Planning Permit Application No. MV/50/2014 for the construction of eight dwellings and a reduction to the car parking requirement at 23 – 27 Dennis Avenue, East Keilor (Lots 74, 75 and 76 on LP 44090), subject to the following conditions:

1. Before the development starts, amended plans (three copies) must be submitted to and approved to the satisfaction of the Responsible Authority. The plans must be drawn to scale, with dimensions, and be generally in accordance with the plans submitted and assessed with the application but modified to show:
  - a) Any changes as a result of Conditions 3 and 4.
  - b) Eastern internal elevation of Dwelling 2.
  - c) Western internal elevation of Dwelling 7.
  - d) Northern internal elevation of Dwellings 4 and 5.
  - e) The garages of Dwellings 1, 2, 7 and 8 to be setback an additional 500mm behind the front building line, with no alterations to other side and rear setbacks except those required under Condition 1 g) and h).
  - f) The balconies of Dwelling 1, 2, 7 and 8 to be setback an additional 500mm from the street, with no alterations to other side and rear setbacks except those required under Condition 1 g) and h).
  - g) The balconies of Dwellings 1 and 8 to be setback from the western and eastern boundaries pursuant to Clause 55.04-1 (Side and Rear Setbacks) of the Moonee Valley Planning Scheme.
  - h) The first floors of Dwellings 1 and 8 to be setback from the western and eastern boundaries pursuant to Clause 55.04-3 (Daylight to Existing Windows) of the Moonee Valley Planning Scheme;
  - i) All south, east and west facing first floor habitable room windows to be treated in accordance with Clause 55.04-6 (Overlooking) of the Moonee Valley Planning Scheme.
  - j) The first floor habitable room windows of Dwellings 2, 3, 4, 5, 6 and 7 to be treated in accordance with Clause 55.04-7 (Internal Views) of the Moonee Valley Planning Scheme
  - k) Pedestrian visibility splays alongside each accessway in accordance with Clause 52.06-8 (Design Standards for Car Parking) of the Moonee Valley Planning Scheme.
  - l) Concrete bollards with min 250mm diameter must be installed adjacent to the entries of Dwellings 4 and 5 where square pillars are indicated on the ground floor plan.
  - m) The height of the front fence shown on the ground floor plan.
  - n) Details and location of meterboxes, to have a maximum height of 1.2 metres from natural ground level.
  - o) A schedule of all external materials and finishes, including colour samples.

Once approved these plans become the endorsed plans of this permit.

2. The layout of the site and the size, design and location of the buildings and works permitted must always accord with the endorsed plan and must not be altered or modified without the further written consent of the Responsible Authority.
3. Prior to the endorsement of plans under Condition 1 of this permit, a STORM assessment must be submitted to and approved by the Responsible Authority. The STORM assessment must achieve a minimum rating of 100% and be accompanied by plans generally in accordance with Condition 1.
4. A minimum 30 days prior to any building or works commencing, all WSUD Details, such as cross sections and/or specifications, to assess the technical effectiveness of the proposed stormwater treatment measures, must be submitted to and be approved by the Responsible Authority.

The WSUD Details should be appropriate to the proposed stormwater treatment measure (eg. further detail is required for raingarden systems but is not required for above ground stand alone rainwater tanks unless connected to toilets in which case notation to that effect is to be included on the drawings and in an ESD report if applicable). The Design Details should include but are not limited to:

- a) ROOF CATCHMENT AREA: the extent of the roof catchment area/s that is/are nominated in the STORM or MUSIC report must be graphically shown on the drawings, and must note which WSUD treatment measure each area connects to (i.e. nominate the specific rainwater tank and/or specific raingarden that that particular roof catchment area is connected to).
- b) RAINWATER TANKS: Show the size and location of any rainwater tank on the plans and elevations. Provide a note outlining the roof catchment area being collected by each rainwater tank and note connection to the number of toilets, as per the STORM or MUSIC report, or area of garden it is distributing to.
- c) RAINGARDENS: Show the size and location of any raingarden on the site and landscape plans. Raingardens must be setback a minimum of 300mm from a site boundary and a minimum of 300mm from a building. Raingardens must be lined and have their overflow plumbed into the stormwater system.
- d) BUFFER STRIPS: Show the size and location of any buffer strips and the extent, size and grading of the pervious surface/s draining to it.
- e) PERVIOUS & IMPERVIOUS PAVING: provide details of the location and type of all paved and sealed areas (i.e. denoting if porous or not).
- f) Integration of other WSUD features such as swales, ponds, etc.

Where applicable, any stormwater treatment measures (e.g. tanks, raingarden, etc.) contained within the endorsed plans must be included on the stormwater drainage plan, the roof plan and landscape plan as applicable.

5. 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 plan must include, but is not limited to:

- a) Hours of construction;
- b) Parking and traffic movement of all workers vehicles and construction vehicles;
- c) Scaffolding and hoarding for the site;
- d) Allocated areas for loading and unloading;
- e) Site evacuation plan and procedure;
- f) Occupational health and safety policy;
- g) Hazard identification and control;
- h) Environmental management and waste minimisation;
- i) Management of onsite stormwater and contamination: a statement or report outlining all construction measures to be taken to prevent litter, sediments and pollution from entering the stormwater systems;
- j) Protection of surrounding roads from site contamination and damage including rumble grid and or wash down bay facility;
- k) On site stormwater contamination;
- l) Chemical storage;
- m) Noise and vibration;
- n) Risk assessment;
- o) Works timetable, and
- p) Number of workers expected of work on the site at any one time.

Once submitted and approved the works detailed by the Construction and Site Management Plan must be carried out to the satisfaction of the Responsible Authority.

6. A minimum 30 days prior to any building or works being completed, 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.
  - 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 User Guide or a Building Maintenance Guide.

7. Buildings or works must not be constructed over any easement without the written consent of the relevant authorities or agencies to the satisfaction of the Responsible Authority.
8. 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.
9. Floor levels shown on the endorsed plan(s) must not be altered or modified without written consent of the Responsible Authority.
10. The privacy screens/obscure glazing as shown on the endorsed plans must be installed prior to the occupation of the buildings.
11. Standard concrete vehicular crossing(s) must be constructed to suit the proposed driveway(s) in accordance with the Responsible Authority's standard specification and any vehicle crossing(s) no longer required must be removed and the land, footpath and kerb and channel replaced all 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 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.
12. The existing street trees must not be removed or damaged as a result of the permitted development.
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 subject land to the satisfaction of the Responsible Authority. Prior to the commencement of building and works a drainage layout plan, together with computations and manufacturers specifications, must be prepared by a suitably qualified Civil Engineer and submitted to and approved by the Responsible Authority. Once approved by the Responsible Authority the plan must be carried out to the satisfaction of the Responsible Authority.
15. Prior to the issue of an Occupancy Permit, 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. 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 site to the satisfaction of the Responsible Authority.

17. Before the development starts, or any trees or vegetation removed, a landscape plan (three copies) prepared by a suitably qualified person or firm shall be submitted to and approved to the satisfaction of the Responsible Authority. The plans must be drawn to scale, with dimensions, and be generally in accordance with the plans submitted with the application but modified to show:
- a) Plans to accord with Condition 1 of this permit.
  - b) 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.
  - c) The use of drought tolerant species.
  - d) The provision of a minimum of two canopy trees each within the front setback of Dwellings 3 and 6 and one each within the front setback of Dwellings 1, 2, 7 and 8 which are able to achieve a minimum mature height of 4 metres.
  - e) The use of species with non-invasive root systems alongside or within the easement.
  - f) Features such as paths, paving and accessways.

Once approved these plans become the endorsed plans of this permit. Landscaping in accordance with this approved plan and schedule shall be completed before the building is occupied.

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.
19. This 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 in writing request the Responsible Authority to extend the expiry date.

Once the development has commenced the owner or occupier of the land may in writing request the Responsible Authority to extend the expiry date within twelve (12) months of the lapse 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 commencement of the development occurs, the applicant should contact the Moonee Valley City Council's Technical Services Department regarding legal point of discharge, new crossings, building over easements, etc.
- A permit must be obtained from Council for all vehicular crossings.
- An Asset Protection Permit must be obtained from Council prior to commencement of works to ensure that Council assets in the vicinity of the works are not damaged during construction.
- No on street parking permits will be provided to the occupiers of the subject site.
- It is recommended that the required on-site detention system be designed to limit the rate of stormwater discharge from the property to pre-development levels in accordance with the following calculation;  $C=0.4$ ,  $t_c=5\text{mins}$ , 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 the Moonee Valley City Council's Technical Services Department and be to the satisfaction of the Responsible Authority.
- Existing levels along the property line must be maintained. All proposed levels must match to existing surface levels along the property boundary. Council will not accept any modifications to existing levels within any road reserve.

## **1. Introduction**

### **1.1 Subject Site and Surrounds**

The subject land consists of three properties located on the southern side of Dennis Avenue. The site is rectangular in shape with a combined frontage of 49.38 metres and a depth of 36.58 metres, yielding an area of approximately 1806 square metres. There are no restrictive covenants registered on the certificate of title. A 1.83 metre wide drainage and sewerage easement is located along the southern boundary of the land.





**Figure 2 – Subject Site (23-27 Dennis Avenue, East Keilor)**

Each property on the subject land is occupied by a single storey brick dwelling with a hipped tiled roof, with vehicle access provided by single width crossovers to car parking facilities located behind the facade. The land is generally flat.

The site is located within an established residential area, which is in close proximity to Milleara Road to the west. The immediate vicinity comprises of single and double storey dwellings, with examples of multi-dwelling developments located along the surrounding streets. There are examples of new and contemporary developments emerging nearby which contribute to the varying architectural themes in the immediate context.

## **1.2 Proposal**

It is proposed to construct eight double storey dwellings.

The application was amended under Section 57A of the Planning and Environment Act on 16 October 2014 (Revision B, Sheets S1 to S4) showing the introduction of garage setbacks from side boundaries, changes to the proposed vehicle crossings and façade alterations to address concerns raised by objectors and Council's Arborist.

The proposal can be summarised as follows:

**Table 1**

No. of dwellings	Eight three-bedroom dwellings
No. of car spaces	16
Max. building height	7.8 metres
Site coverage	50%
Permeability	35%

Refer **Appendix C** – Plans (separately circulated).

## **2. Background**

### **2.1 Relevant Planning History**

Not applicable.

### **2.2 Planning Policies & Decision Guidelines**

#### State Planning Policy Framework

Clause 11	Settlement
Clause 15	Built Environment and Heritage
Clause 16	Housing

#### Local Planning Policy Framework

Clause 21.01	Municipal Profile – Moonee Valley Today
Clause 21.02	Vision – Moonee Valley Tomorrow
Clause 21.03	Sustainable Environment
Clause 21.04	Housing
Clause 21.05	Built Environment
Clause 22.03	Stormwater Management (Water Sensitive Urban Design)

#### Zoning

Clause 32.08	General Residential Zone
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#### Particular and General Provisions

Clause 52.06	Car Parking
Clause 55	Two or More Dwellings on a Lot and Residential Buildings
Clause 65	Decision Guidelines

### **2.3 Referrals**

#### External

- Not applicable.

#### Internal

- Engineering Services Unit  
No objection subject to standard conditions.
- Traffic and Transportation Unit  
No objection subject to the following conditions/comments:
  - Pedestrian sight triangles must be present prior to the pedestrian path as per AS/NZS 2890.1:2004 for all vehicular access points.
  - Concrete bollards with minimum 250mm diameter must be installed adjacent to the entries of Dwellings 4 and 5 (where the current squares are shown on Drawing S1).

- Traffic has no issues with the waiver of the visitor car space, however no residents or visitors will be eligible for residential parking permits.
- Arborist  
No objection subject to a standard condition and the provision of a 1 metre setback to the proposed crossovers in proximity to the existing street trees. This concern was addressed through an amendment to the application as discussed under Sections 1.2 and 2.4 of this report.
- Urban Designer  
Comments sought specifically in relation to the street facing balconies.  
Recommendation to retain balconies with a 500mm increase to the street setbacks of the balconies of Dwellings 1, 2, 7 and 8 to better address setbacks of adjoining properties.

## **2.4 Public Notification of the Application**

Pursuant to Section 52 of the Planning and Environment Act 1987 the application was advertised by mail to adjoining and surrounding properties, with one notice erected on site for 14 days. As a result, twenty-eight (28) objections were received from the properties contained within **Appendix A** of this report.

The application was amended under Section 57A of the Planning and Environment Act on 16 October 2014 (Revision B, Sheets S1 to S4) showing the introduction of garage setbacks from side boundaries, changes to the proposed vehicle crossings and façade alterations to address concerns raised by objectors and Council's Arborist. Notification under Section 57B of the Act was not required as no material detriment would result from these changes.

## **2.5 Consultation Meeting**

A Consultation Meeting was held on 7 May 2014, attended by Councillor Cornish, Councillor Surace, objectors, the applicant and Council's Planning Officer. No resolution was achieved at this meeting, although amended plans were submitted which sought to address some concerns raised by objectors as discussed throughout Section 3 of this report.

# **3. Discussion**

## **3.1 State Planning Policy Framework (SPPF)**

The relevant State Planning Policy Framework clauses are considered to be met. For the large part State Planning objectives seek to encourage urban consolidation in locations which take advantage of existing commercial and community services and public transport. The subject site is located within close proximity of schools, local businesses and public transport options. The location of the subject site is considered to lend support for a more intensive form of residential development.

The proposal contributes to the objective of housing diversity by providing a mix of dwelling sizes in various configurations which will cater for the increasingly diverse needs of future residents.

### **3.2 Local Planning Policy Framework (LPPF)**

The proposal complies with Clause 21.04 (Housing) by increasing housing opportunities to meet growing population needs, providing a diversity of housing choice in a well-established area with access to public transport options and local/community services.

The proposed development responds to the strategies of Clause 21.05-3 (Urban Design). A number of the objectives and strategies appear to overlap with those contained within the neighbourhood character precinct profile and ResCode and therefore the key concepts of Clause 21.05-3 (Urban Design) are discussed below in Section 3.3.

As Clause 22.03 (Stormwater Management) of the Moonee Valley Planning Scheme was incorporated into the scheme after this application was lodged, the requirements of this clause will be addressed as conditions on any permit issued.

### **3.3 Neighbourhood Character Guidelines**

The subject land is identified as being within character area ‘Garden Suburban 7’, which has the following preferred character statement:

“New developments will contribute to the predominant siting and finishes of existing buildings, with well-maintained gardens.

Front façade articulation will be achieved through the use of recesses to complement the pattern of verandah and porch areas of the traditional dwellings. The use of lighter finishes will contribute to the traditional palette of materials. Consistent front and side setbacks will ensure space for landscaping, while low or permeable front fences will retain the openness of the streets.”

It is considered that the development provides a suitable response to the preferred character statement and design guidelines of the Garden Suburban 7 Precinct as follows:

**Table 2**

Siting and Building Envelope	<p>The street setback of the development which complements predominant setbacks found within the immediate streetscape, discussed further in Section 3.5 of this report.</p> <p>Is set off both side boundaries and provided with internal visual breaks at ground and first floor level in response to the character of spacing within the streetscape. The consolidation of three properties allows the development to present as individual dwellings within the streetscape.</p> <p>Building envelope comparable to other medium density developments in the area.</p>
Built Form	<p>Predominantly traditional elements are used throughout the design with regard to roof styles and building materials, finishes and colours complementing existing dwellings within the streetscape.</p> <p>The development is responsive to existing and emerging building heights within the area, and is well-articulated on each</p>

	<p>elevation and provided with a high degree of separation to the street.</p> <p>A condition of permit will require the garages of Dwellings 1, 2, 7 and 8 to be setback an additional 500mm behind the front building line of each dwelling to ensure the garages do not dominate the façade of the development within the streetscape.</p> <p>The balconies are considered to encourage activity to the street and increase depth and articulation within the façade. A condition recommended by Council's Urban Designer will require the reduction of the balconies to Dwellings 1, 2, 7 and 8 which will provide a greater transition in building mass in relation to the adjoining properties to the east and west. A separate condition will aid this objective by ensuring the balconies of Dwellings 1 and 8 comply with Standard B17 of Clause 55.04-1 (Side and Rear Setbacks) of the Moonee Valley Planning Scheme as discussed under Section 3.5 of this report.</p>
Design Detail	<p>A mix of brick, render and lightweight materials which are considered to be characteristic of traditional dwellings in the area. The extent of glazing within the façades of the dwellings is also appropriate.</p> <p>Windows and balconies have been provided along the street front to ensure surveillance of the street is achieved.</p>
Landscaping and front fencing	<p>The development is set off one side boundary and is provided with landscaped front yards to Dwellings 1 to 3 and 6 to 8.</p> <p>A 500mm high brick front fence has been provided in keeping with the predominant and preferred neighbourhood character, which will ensure views of front gardens are maintained.</p>

### 3.4 Clause 52.06 (Car Parking)

The proposal includes a reduction in car parking requirements, as set out in the table below:

**Table 3**

	Requires	Provides
Eight three-bedroom dwellings	16	16
Residential visitors	1	0
Total	17	16

The lack of a visitor parking space is considered to be acceptable in this instance. Provision of on-street car parking in the immediate area is capable of accommodating the visitor parking requirements associated with the proposed development, and it is not considered that the supply of on-street car parking would be unreasonably affected. The design of vehicle crossings also allows for a suitable level of on-street parking in front of the site. While broader traffic issues may exist in the surrounding area, it is not anticipated that the proposed development will generate an unreasonable impact or have an adverse effect on the local or arterial road network.

As stated in Section 2.3 of this report, Council's Traffic and Transportation Unit had no objection to the application subject to conditions.

### 3.5 Clause 55 (ResCode)

The proposal is considered to generally comply with the provisions of Clause 55 as set out in the assessment table (refer to **Appendix B** of this report). A full ResCode assessment can be found on file.

The following points of exception, which have not been satisfied through this development, are listed below:

**Table 4**

ResCode Standard	Response
Clause 55.03-1 (Standard B6) Street Setback	<p>The required setback is 7.6 metres.</p> <p>The development has a minimum setback of 6 metres to the front walls of Dwellings 3 and 6 at the centre of the site, which gradually increased up to 7.6 metres to the east and west for Dwellings 1 and 8. The balconies of each dwelling sit approximately 500mm forward of the front walls.</p> <p>The condition referred to in Section 3.3 of this report will reduce the depth of the balconies to Dwellings 1, 2, 7 and 8 by 500mm which will achieve a more respectful transition in built form in relation to the setbacks of neighbouring properties.</p> <p>A further condition will increase the setbacks of the balconies of Dwellings 1 and 8 from side boundaries, which will reduce their scale within the streetscape in relation to adjoining properties.</p> <p>With these modifications, the development provides a suitable transition to neighbouring properties. The width of the site and siting and massing of built form ensures that the relatively minor areas of encroachment can be accommodated. The high level of articulation and visual interest within the façades of each dwelling results in a positive contribution to the streetscape.</p>

	The extensive level of landscaping within the front setbacks softens the introduction of new built form within the street. The proposed setbacks are therefore considered to be an appropriate design outcome and meet the objective of this clause.
Clause 55.03-8 (Standard B13) Landscaping	The plans submitted demonstrate that the development will be capable of providing a high level of landscaping throughout the site, both within the front setback and within the secluded open space areas of each dwelling. A condition of permit will require the submission of a fully detailed landscape plan, which will provide for canopy planting within the front setbacks of the street facing dwellings and ensure species with non-invasive root systems are used in proximity to the rear easement.
Clause 55.04-1 (Standard B17) Side and Rear Setbacks	<p>The proposal provides the required setbacks from side and rear boundaries, with the following exceptions:</p> <p><u>West</u></p> <p>Ground floor walls and street facing balconies:  Proposed wall height – 2.9 to 4.3 metres  Proposed setback – 0.9 metres  Required setback – 1 to 1.21 metres</p> <p>First floor:  Proposed wall height – 6 metres  Proposed setback – 1.55 metres  Required setback – 1.72 metres</p> <p><u>East</u></p> <p>Ground floor walls and street facing balconies:  Proposed wall height – 2.9 to 4.3 metres  Proposed setback – 0.9 metres  Required setback – 1 to 1.21 metres</p> <p>First floor:  Proposed wall height – 6 metres  Proposed setback – 1.55 metres  Required setback – 1.72 metres</p>

	<p>The 100mm shortfalls of the garages of Dwellings 1 and 8 from the western and eastern boundaries respectively are minor, and are considered to be acceptable in this instance. Compared to the previously proposed boundary construction, these setbacks represent an improved outcome in relation to the visual and amenity impact on neighbouring properties and meet the objective of this clause.</p> <p>The balconies of Dwellings 1 and 8 encroach into the minimum setbacks under the standard, and a condition will require their compliance in conjunction with their reduction by 500mm from the street as previously discussed (refer to Condition 1 g). This will provide a more respectful transition in design in relation to the adjoining properties.</p> <p>The first floor ensuite bathrooms of these dwellings fall 172mm short of the requirements of the standard from both side boundaries. The remainder of the upper floors are setback in accordance with the standard. A condition of permit relating to the proximity of these walls to neighbouring habitable room windows will ensure the setbacks to the upper floors fully comply with the standard (refer to Condition 1 h).</p>
<p>Clause 55.04-3 (Standard B19) Daylight to Existing Windows</p>	<p>The proposal provides the following setbacks from habitable room windows of adjoining properties:</p> <p><u>West</u></p> <p>Proposed wall height – 6 metres Proposed setback – 1.55 metres Required setback – 3 metres</p> <p><u>East</u></p> <p>Proposed wall height – 6 metres Proposed setback – 1.55 metres Required setback – 3 metres</p> <p>A condition of permit will ensure Dwellings 1 and 8 are setback from these windows in accordance with the standard (refer to Condition 1 h).</p>
<p>Clause 55.04-6 (Standard B22) Overlooking</p>	<p>Overlooking opportunities are present at first floor level from habitable room windows of Dwellings 1 and 8 into the habitable room windows and secluded open space areas of neighbouring dwellings. A condition of permit will ensure these</p>



	first floor windows are treated in accordance with this standard (refer to Condition 1 i).
Clause 55.04-7 (Standard B23) Internal Views	Internal overlooking opportunities are present at first floor level between Dwellings 2, 3, 4, 5, 6 and 7. A condition of permit will ensure these first floor windows are treated in accordance with this standard (refer to Condition 1 j).
Clause 55.06-1 (Standard B31) Design Detail	The design detailing of the development is considered to generally be respectful of the existing and preferred character of the area subject to the reduction of selected street facing balconies, as discussed under Section 3.3 of this report.

### 3.6 Objections

**Table 5**

Issue	Officer Response
Overdevelopment / high density	This is considered acceptable as discussed within Sections 3.1, 3.2, 3.3 and 3.5 of this report. The development demonstrates general compliance with Clause 55 of the Moonee Valley Planning Scheme, subject to some conditions, which demonstrates an acceptable level of built form on the subject site.
Neighbourhood character / building design	This is considered acceptable as discussed within Sections 3.2 and 3.3 of this report.
Visual bulk and scale	<p>This is considered acceptable as discussed within Sections 3.2, 3.3 and 3.5 of this report. The proposed development meets the height requirements of Clause 55.03-2 (Building Height) of the Moonee Valley Planning Scheme.</p> <p>It is noted that double storey dwellings are considered appropriate within a residential streetscape, and the proposed dwellings do not exhibit excessive visual bulk/mass. The upper floor components have been designed with a high level of visual separation and articulation, and will provide adequate setbacks from sensitive interfaces. The development is considered to be a suitable design response to the character of the area, opportunities and constraints of the subject site.</p> <p>As previously mentioned, the application was amended to remove the garage wall construction along the eastern and western boundaries which will improve the visual and amenity impact on adjoining properties.</p>

Car parking / traffic impacts / pedestrian safety	<p>This is considered acceptable as discussed within Sections 2.3 and 3.4 of this report, subject to the recommendations from Council's Traffic and Transportation Unit.</p> <p>It is noted that pedestrian safety will not be significantly compromised as vehicles associated with the shared internal accessway will be able to egress in a forward direction and pedestrian visibility splays will be provided alongside each accessway in accordance with the requirements of Clause 52.06-8 (Design Standards for Car Parking) of the Moonee Valley Planning Scheme subject to a condition of permit. Pedestrians will have to exercise the same level of caution approaching these vehicle accessways as is currently the case with existing accessways within the street.</p>
Noise	<p>The proposed dwellings meet the requirements of Clause 55.04-8 (Noise Impacts) of the Moonee Valley Planning Scheme. It is noted that there are specific Local Laws and EPA noise guidelines that control nuisance and excessive noise within residential areas, which are applicable to all residential properties.</p>
Overlooking / loss of privacy	<p>As discussed under Section 3.5 of this report, a condition of permit will ensure the development fully complies with Standard B22 of Clause 55.04-6 (Overlooking) of the Moonee Valley Planning Scheme.</p>
Overshadowing / access to daylight	<p>The proposed development meets the requirements of Clause 55.04-5 (Overshadowing Open Space) of the Moonee Valley Planning Scheme, and will meet the requirements Clause 55.04-3 (Daylight to Existing Windows) subject to a condition of permit as discussed in Section 3.5 of this report.</p>
Waste collection	<p>The proposed dwellings meet the requirements of Clause 55.06-4 (Site Services) of the Moonee Valley Planning Scheme as each dwelling has been provided with suitable bin/recycling enclosures. Furthermore, there is over 34 metres of kerbside space which is ample room for the collection of bin/recycling receptacles at the front of the site.</p>
Reduction in property values	<p>This is not a relevant planning consideration.</p>

**4. Human Rights**

The application process and decision making is in line with the *Victorian Charter of Human Rights and Responsibilities 2006 (Section 18 – Taking part in public life)*.

**5. Conclusion**

The application has been assessed against the relevant provisions of the State Planning Policy Framework, Local Planning Policy Framework, zoning controls, the relevant Particular and General Provisions, and the decision guidelines at Clause 65 of the Moonee Valley Planning Scheme. It is considered that the proposal demonstrates general compliance with the requirements of these provisions and policies. The application is supported as detailed above in the recommendation section.

## APPENDIX A

### Location of Objectors

1 Dennis Avenue, EAST KEILOR
4 Dennis Avenue, EAST KEILOR
5 Dennis Avenue, EAST KEILOR
6 Dennis Avenue, EAST KEILOR
12 Dennis Avenue, EAST KEILOR
14 Dennis Avenue, EAST KEILOR
15 Dennis Avenue, EAST KEILOR
16 Dennis Avenue, EAST KEILOR
17 Dennis Avenue, EAST KEILOR
17a Dennis Avenue, EAST KEILOR
18 Dennis Avenue, EAST KEILOR
19 Dennis Avenue, EAST KEILOR
20 Dennis Avenue, EAST KEILOR
21 Dennis Avenue, EAST KEILOR
22 Dennis Avenue, EAST KEILOR
22 Dennis Avenue, EAST KEILOR
26 Dennis Avenue, EAST KEILOR
31 Dennis Avenue, EAST KEILOR
119 Quinn Grove, EAST KEILOR
9 Victory Parade, ASCOT VALE
20 Paul Avenue, EAST KEILOR
20a Paul Avenue, EAST KEILOR
24 Paul Avenue, EAST KEILOR

30 Henry Street, EAST KEILOR
36 Henry Street, EAST KEILOR
38 Henry Street, EAST KEILOR
2 Drew Street, EAST KEILOR
24 Shelley Street, EAST KEILOR

## APPENDIX B

### Clause 55 of the Moonee Valley Planning Scheme

Two or more dwellings on a lot and residential buildings (Clause 55 and Schedule to the General Residential Zone).

Where there is non-compliance, see section 3.5 in report.

<b>Title and Objective</b>	<b>Complies with Standard</b>	<b>Compliance with Objective</b>
<i>B1 - Neighbourhood Character</i>	✓	✓
<i>B 2 - Residential Policy</i>	✓	✓
<i>B 3 - Dwelling Diversity</i>	<b>N/A</b>	<b>N/A</b>
<i>B 4 - Infrastructure Objectives</i>	✓	✓
<i>B 5- Integration with the Street Objective</i>	✓	✓
<i>B6 - Street Setback Objective</i>	X	✓
<i>B7 - Building Height Objective</i>	✓	✓
<i>B8- Site Coverage Objective.</i>	✓	✓
<i>B9- Permeability Objectives</i>	✓	✓
<i>B10 - Energy Efficiency Objectives</i>	✓	✓
<i>B 11 - Open Space Objective</i>	<b>N/A</b>	<b>N/A</b>
<i>B 12- Safety Objective</i>	✓	✓
<i>B 13 - Landscaping Objectives</i>	✓ (Condition)	✓
<i>B 14 - Access Objectives</i>	✓	✓
<i>B 15 Parking Location Objectives</i>	✓	✓
<i>B 16 - Parking Provision Objectives</i>	<i>Deleted from Clause 55 on 5 June 2012 (VC90). Refer to Clause 52.06 for car parking requirements under Section 3.4 of the report.</i>	
<i>B 17 - Side and Rear Setbacks Objective</i>	✓ (Condition)	✓
<i>B 18 - Walls on Boundaries Objective</i>	<b>N/A</b>	<b>N/A</b>
<i>B 19 - Daylight to Existing Windows Objective.</i>	✓	✓
<i>B 20 - North-facing Windows Objective</i>	<b>N/A</b>	<b>N/A</b>
<i>B 21 - Overshadowing Open Space Objective</i>	✓	✓
<i>B 22 - Overlooking Objective</i>	✓ (Condition)	✓
<i>B 23 - Internal Views Objective</i>	✓ (Condition)	✓
<i>B 24 - Noise Impacts Objectives</i>	✓	✓
<i>B 25 - Accessibility Objective</i>	✓	✓

<i>B 26 - Dwelling Entry Objective</i>	✓	✓
<i>B 27 - Daylight to New Windows Objective</i>	✓	✓
<i>B 28 - Private Open Space Objective</i>	✓	✓
<i>B 29 - Solar Access to Open Space Objective</i>	✓	✓
<i>B 30 - Storage Objective</i>	✓	✓
<i>B 31 - Design detail objective</i>	✓ (Condition)	✓
<i>B 32 - Front Fences Objective</i>	✓	✓
<i>B 33 - Common Property Objectives</i>	✓	✓
<i>B 34 - Site Services Objectives</i>	✓	✓

✓ - complies

x – non-compliance

N/A- not applicable

### 9.3                      **Draft Moonee Valley Housing Issues and Opportunities Paper**

**File No:** FOL/14/678  
**Author:** Senior Strategic Planning Officer  
**Directorate:** City Works & Development  
**Ward:** Municipal

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#### **Purpose**

There is a need for Council to provide better direction as to how it will meet the housing needs of existing and future residents over the next 10 years. While Council has an adopted Housing Strategy dated June 2010, a new strategy is required due to policy and demographic changes, actions completed and additional information which needs to be included.

The purpose of this report is to brief Council on the preparation of the draft Moonee Valley Housing Issues and Opportunities Paper. This report also seeks Council endorsement for the draft Moonee Valley Housing Issues and Opportunities Paper to go on public exhibition for a period of seven weeks.

#### **Executive Summary**

- An initiative within the 2014/15 budget is to develop a new Housing Strategy.
- While Council has an adopted Housing Strategy 2010, there have been a number of changes which have occurred since this strategy was adopted. These changes include:
  - A number of initiatives and actions being adopted such as the Neighbourhood Character Study in 2012 and an annual Moonee Valley Affordable and Inclusive Housing Action Plan.
  - Release of the 2011 Census data, as well as new State Government population projections (Victoria in Future) and ID population projections (prepared for Council).
  - Changes in State Planning Policy. This includes the introduction of *Plan Melbourne* and the new Residential Zones (Neighbourhood Residential, General Residential and Residential Growth Zone).
- Since the Housing Strategy was adopted in 2010, there have also been some issues identified through the implementation of this strategy. These include:
  - The current Housing Strategy does not spatially show where housing growth should be directed.
  - That Council has not undertaken a detailed Housing Capacity Analysis to determine what housing will be required in the future
  - A lack of clear guidance about how to implement affordable housing within the municipality.



- For the reasons identified, there is a need to develop a new Housing Strategy, which considers policy changes, adopted strategies, as well as more recently released demographic data and population forecasts.
- At its December Council meeting, Council endorsed a process to follow in developing a new Housing Strategy.
- The first step in the process of developing a new Housing Strategy is to develop a draft Housing Issues and Opportunities Paper (refer **Appendix A** – separately circulated).
- This draft Housing Issues and Opportunities Paper has been developed internally, with feedback from relevant Council departments. The key issues were also confirmed at Council's Strategic Planning Advisory Committee in February.
- The draft Housing Issues and Opportunities Paper provides an overview of the context in which Council operates in relation to housing including relevant policy and demographic trends. It also outlines the housing research Council has undertaken, such as developing an Affordable Housing Background Research Paper, as well as relevant consultation. The draft paper then concludes by identifying five broad issues with associated constraints and opportunities for housing in Moonee Valley.
- Community feedback will be essential in finalising this paper. There may be key housing issues which Council is unaware of, or housing issues which are of high importance to the community, that may lead to consideration of higher priority actions.
- Council Officers hope to engage as many people as possible, early in the process, so they can be brought along the journey of developing the Housing Strategy.
- Therefore, a comprehensive consultation program is proposed to run over a period of seven weeks. This will include a flyer with the April rates notice, adverts in the local papers, letters to community groups and developers, website updates and an article in the Strategic Planning e-newsletter.

### **Recommendation**

That Council endorse the draft Housing Issues and Opportunities paper for the purposes of community consultation.

### **Background**

#### **Moonee Valley Housing Strategy 2010**

Council adopted its current Housing Strategy in June 2010. The Housing Strategy sets out six key housing directions for the municipality. These include Location Appropriate; Meeting Diverse Needs; Affordability; Socially Responsive; Sustainable Design and Urban Character. There are a series of actions for Council to implement under each of these directions.

Given the importance of housing across the community, Council has undertaken a significant amount of policy work and implemented a number of actions to help improve the housing outcomes of residents since this strategy was adopted. These include:

- The adoption of the Neighbourhood Character Study and Precinct Profiles in August 2012. The precinct profiles were subsequently incorporated into the Planning Scheme through Amendment C128.
- Council endorsing measures promoting the supply of accessible and adaptable housing in August 2014, as part of the actions within the Disability Action Plan 2014-2023. Council held a community forum on the future of housing for people with a disability in October 2014.
- Council has endorsed the use of Sustainable Design Assessment in the Planning Process (SDAPP) which includes Sustainable Tools for Environmental Performance (STEPS) and the Sustainable Design Scorecard (SDS) to assess the environmental sustainability of developments.

There are some other issues which have been identified with the current Housing Strategy since it was adopted in 2010. These include:

- New Census data (2011) and population forecast which indicate the municipality is growing faster than previously anticipated.
- Changes to State Planning policy including the introduction of Plan Melbourne, and the new residential zones.
- That it does not spatially show where housing growth should be directed.
- That it is not based on a detailed housing capacity analysis to determine what housing will be required in the future.

#### Development of a new Housing Strategy

An initiative in the 2014/15 budget is to develop a new Housing Strategy.

The Housing Strategy will need to respond to the draft Housing Issues and Opportunities Paper and relevant issues raised during community consultation.

Where relevant Council will use strategies and policies which have already been adopted to help inform this strategy.

It will also be informed by the Residential Zones Standing Advisory Committee Report, released in October 2014 and the former Department of Transport, Planning and Local Infrastructure Practice Note 78 (Applying the Residential Zones).

### **Discussion**

#### Why are we doing a Housing Strategy?

The population of Moonee Valley is growing. Over the next 10 years (from 2015-2025) it is expected that the population will increase by 18,000 residents.

Council needs to plan for this growth. It does this by ensuring there will be adequate well design housing in suitable locations to meet the needs of future residents. In doing so it also needs to take steps to limit or mitigate the impacts of this additional housing on existing residents who have often chosen to live in Moonee Valley for its established character and green spaces.

As well as the amenity impacts, this additional housing also puts pressure on existing infrastructure, facilities and open spaces. These are significant issues which need to be considered in planning for housing growth.

Housing affordability is becoming an even more significant issue in the municipality, with house prices rising more quickly than wages growth. There is also a continued lack of affordable rental dwellings on the market.

With a greater number of older residents, it will be even more important for Council to help to facilitate the provision of more accessible housing in the municipality.

#### Draft Housing Issues and Opportunities Paper

The draft Housing Issues and Opportunities Paper provides:

- An overview of what a Housing Strategy is and why it is needed.
- The context in which Council operates in relation to housing.
- An overview of the relevant housing policies across all levels of government.
- A discussion on the demographic trends occurring in Moonee Valley.
- A summary of consultation Council has undertaken in relation to housing in recent years.

The draft Housing Issues and Opportunities paper identifies five broad housing issues. A brief summary of each of the issues, constraints and opportunities for Council are also provided in the relevant chapter of the Paper (refer **Appendix A** – separately circulated) and is outlined below:

- Building design – including internal and external amenity

In the absence of mandated requirements around apartment sizes and design, Council is starting to see a number of applications for smaller apartments, with one bedroom apartments of less than 50 square metres. These can be considered very small apartments.

Previous community consultation and objections to planning permit applications also show there is significant community concern surrounding the impact of larger developments on surrounding lower scale residential development.

On a different note, there is also considered to be a lack of guidance in the Planning Scheme around Environmentally Sustainable Design.

- Housing affordability

Moonee Valley is experiencing declining affordability across both the home ownership and rental markets. The median house and unit prices in Moonee Valley almost doubled from 2003 to 2013. Median rents in Moonee Valley increased from \$190 (per week) in 2006 to \$300 (per week) in 2011.

When looking at affordability, it is also important to address the concept of affordable living. By having employment, services and public transport in close proximity to housing, this reduces the need to travel long distances and the costs associated.

With a relatively high proportion of public housing in Moonee Valley, on-going advocacy for improvements to this housing over time are important.

- Infrastructure – including parking and traffic

Council is aware that traffic, transport and parking are significant issues for residents. These are often raised in objections to planning applications, as well as in consultation on a number of Council documents including the Community Vision and Structure Plans.

Despite increases in both the number and proportion of Moonee Valley residents catching public transport to work, car travel remains the predominant travel mode of choice.

One of the biggest issues for Moonee Valley is the number of people either travelling into or through the municipality by car to get to their destinations. With significant population increases expected in the outer western municipalities including Whittlesea, Hume, Wyndham and Melton, this situation is only likely to be exacerbated in the future without changes to travel patterns.

- Housing growth

Population growth is occurring in the municipality for a number of reasons. The high amenity and accessibility of the area makes it attractive for both existing and new residents. Other reasons for growth include a decline in the average household size and an expected increased fertility rate in certain suburbs as these areas regenerate (older residents pass on and younger residents move in).

A continued decline in housing affordability is likely to create even more pressure for a diversity of housing within the municipality.

However, despite the need for more housing in Moonee Valley, there is a need to balance population growth with the potential impact of housing growth on residential amenity.

By Council mapping areas for housing change, this will create greater certainty to everyone as to where additional housing is encouraged and where significant additional housing is discouraged.

- Housing accessibility and adaptability

Around 20 per cent of residents will acquire or experience a disability or physical limitation over their lives. A further five per cent are born with physical limitations.

There is currently limited mandated requirements requiring the provision of accessible housing, apart from in ResCode for 10 or more dwellings (on Residential or Mixed Use Zoned land for developments of less than four storeys).

## **Consultation**

A number of internal Council departments have contributed to the draft Housing Issues and Opportunities Paper. This includes Strategic and Statutory Planning, Community Planning and Development, Aged and Disability, Infrastructure and Building, Health and Property Services.

Council Officers also presented and received feedback on the key issues identified within the draft Housing Issues and Opportunities Paper to the Strategic Planning Advisory Committee in February.

The engagement program proposed for the draft Housing Issues and Opportunities Paper is extensive. By consulting extensively during this initial stage of the process, this will engage the community and help to bring them along for the journey of developing the Housing Strategy.

A flyer is proposed to be included, within the April rates notice, to ensure that all property owners are notified of the consultation for the draft Housing Issues and Opportunities Paper which will lead into the development of a new Housing Strategy.

Council Officers are seeking expert advice as to the best ways to engage with the community on this draft Housing Issues and Opportunities paper. At this stage key ways in which the community consultation program will be promoted include:

- Letters to community groups and developers.
- Advertisements in the Weekly Review and Leader newspapers.
- An article within Valley View, the Strategic Planning e-newsletter and other relevant Council newsletters.
- A fact sheet available on the website and at Council facilities.
- A poster to promote the consultation.
- Website and social media updates.

Following the conclusion of the community consultation period, a report will be presented to Council providing a summary of the feedback received and any changes to the report.

This feedback (where relevant) will also be used to finalise the draft Housing Issues and Opportunities Paper.

## **Implications**

### **1. Legislative**

There are no legislative implications to this report.

### **2. Council Plan / Policy**

The draft Housing Issues and Opportunities paper is related to Strategic Objective 3 within the Council Plan to:

‘Encourage housing development that is environmentally sustainable and caters for our diverse existing and future population’.

It includes the following strategy to:

‘align the Housing Strategy to inform new planning zones and support appropriately located housing development that matches population change and expected household size’.

### **3. Financial**

Costs associated with consultation of the project will be covered within the Strategic Planning operational budget.

#### **4. Environmental**

By encouraging housing in close proximity to shops and services, this can reduce the need for car travel especially for short distances and therefore have a positive environmental impact.

Environmentally Sustainable Design has been identified as a key housing issue within the draft Housing Issues and Opportunities paper, which is an area that requires further work.

#### **Conclusion**

It is necessary to undertake a comprehensive community consultation program in relation to the draft Housing Issues and Opportunities paper to help engage as many people as possible early in the process.

Following community consultation, a report will be presented to Council outlining the results of the consultation program and summarising the feedback received.

## 9.4 Events Area Boundary Review

**File No:** 43/008/035  
**Author:** Coordinator Transport  
**Directorate:** City Works & Development  
**Ward:** Myrnong

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### Purpose

This report provides the results of the Events Area Boundary Review requested by Council at its meeting on 25 June 2013, and it takes into consideration parking demand and occupancy surveys undertaken during major events held at the Melbourne Showgrounds and Flemington Racecourse.

### Executive Summary

- The Melbourne Showgrounds and Flemington Racecourse have become increasingly popular locations for both large-scale events, public and smaller private functions. The number of events held in these venues has risen over the last few years and Council expects this trend will continue in the future.
- Council is currently working with the venues to ensure they encourage their visitors to use public transport. However, major events put increased pressure on traffic and parking in the local area, and Council has ensured there is a robust plan in place to ensure that the limited parking available gets shared by all members of the community in a fair and consistent way.
- The Events Area Boundary (as shown in **Appendix A**) was defined based on where people who are attending events held at the Melbourne Showgrounds and the Flemington Racecourse were likely to park, and was formally adopted by Council through the development of the Parking Permit Policy in May 2013.
- Parking conditions in most of the Events Area are unique within Moonee Valley, as there is generally a high parking demand only when major events are underway at the Flemington Racecourse or Melbourne Showgrounds.
- In January 2012, Council consulted with the local community regarding the Events Area Parking Study, and following the consultation Council at its meeting on 25 June 2013 resolved *'to undertake a review of the boundary of the Events Area, taking into consideration parking demand during major events associated with the Showgrounds and Flemington Racecourse'*.
- In August 2014, consultants were engaged by Council to complete the Events Area Boundary Review, which included undertaking parking demand and occupancy surveys (as well as observations) around the area surrounding the Melbourne Showgrounds and Flemington Racecourse.
- This report provides the results of the Events Area Boundary Review, and summarises the parking demand and occupancy surveys within the current

Events Area Boundary, and in the area beyond (to the north) of the Events Area (as presented in **Appendix B**).

- The parking demand and occupancy surveys were undertaken on a weekday and weekend during major events and again during 'non-event' periods, to enable an assessment of the additional parking demands created by major events.

### **Recommendation**

That Council:

1. Note the outcome of the Events Area Boundary Review.
2. Retains the current Events Area Boundary (as presented in **Appendix A**).

### **Background**

The Melbourne Showgrounds and Flemington Racecourse are popular sites for major events, as well as smaller scale functions. The number of events held at these venues has risen over the last few years, and Moonee Valley City Council expects this trend to continue. These major events put pressure on traffic and parking in the local area surrounding the Melbourne Showgrounds and Racecourse.

#### ***What is a Major Event?***

Parking conditions in the Events Area are unique within Moonee Valley, as there is generally a high parking demand only when major events are underway at the Flemington Racecourse or Melbourne Showgrounds. A map showing the general parking restrictions within the Event Area Boundary is presented in **Appendix C**.

Major events can generally be classified as those events expected to attract more than 10,000 people at either the Melbourne Showgrounds or the Flemington Racecourse. In some cases multiple smaller events held at the same time could also result in a day being defined as hosting a major event.

To reduce pressure on residents and traders, many streets in the area therefore have parking signs that state 'Permit Zone, 8am-12midnight, during major events held at the Royal Melbourne Showgrounds and Flemington Racecourse'.

As per the Council report of 25 June 2013 and Council's website, these parking restrictions only operate (and therefore permits are only required) during nominated major events at the Flemington Racecourse or Melbourne Showgrounds.

Residents and visitors to the area are advised of upcoming major events by:

- Subscribing to an email list via Council's website.
- Checking Council's website to see the next upcoming event.
- Reading Council's page in the local papers.
- Viewing one of seven large entry signs that note the date of the next major event and advising that parking restrictions will be enforced and parking permits should be displayed.

The Chief Executive has delegated Schedule 11 cl.1 to the Director City Works & Development and Manager Technical Services, which includes the power to fix,



rescind or vary the days, hours and periods of time for which, and the conditions on which, vehicles may stand in a parking area in any highway or other parking area.

Therefore, it is the responsibility of the Director City Works & Development or Manager Technical Services to properly:

- Determine the events (whether generally or for specific events) to which an event day parking restriction applies.
- Record that determination.
- Publish the determination, including uploading that determination to Council's website.

Other departments in Council are also involved in processes that affect the effectiveness of major event enforcement.

It is also noted that the seven large entry signs advising that parking restrictions will be enforced and parking permits should be displayed could be further explored to consider converting the existing static signs to electronic signs. However, at this stage the above signage works well.

### ***Events Area Parking Study***

In June 2013, Council completed the Events Area Parking Study, which reviewed the parking restrictions in the area. Based on community feedback, in many streets there were no changes, as such parking restrictions only apply when there are large events taking place at the Melbourne Showgrounds and Flemington Racecourse.

It is during these large events that residents and visitors need to display their Parking Permits, Visitor Permits or Temporary Parking Vouchers clearly in their cars.

Council has also installed seven large signs at key locations across the Events Area to alert residents and motorists when large events are on and therefore when 'event' parking restrictions apply and parking permits are required.

Council also resolved to update the existing signage throughout the Events Area to refer to both Melbourne Showgrounds and the Flemington Racecourse. This has been completed.

### ***Parking Permits in the Events Area***

Council recognises the difficulty for locals to find parking when there is a peak in demand due to events being held at the Melbourne Showgrounds or Flemington Racecourse, and Council provides special parking permit allowances for people who live and work in the events area, above and beyond the general parking permit entitlements, as follows:

- Residents of multi-storey apartments located in the Events Area are able to purchase Temporary Parking Vouchers.
- Residents of public housing multi-storey apartments located in the Events Area are eligible for one Resident Parking Permit and are able to purchase Temporary Parking Vouchers.
- Businesses and Organisations that are based in the Events Area are eligible for two Event Parking Permits. The Event Permits only apply on major event days.

- Education Facilities that are based in the Events Area, including Primary Schools, Secondary Schools, Preschools and Childcare Facilities, are eligible for one Event Parking Permit per permanent employee. They are also able to purchase Temporary Parking Vouchers.

### ***Parking Demand and Observation Surveys***

Parking demand and occupancy surveys were conducted at two hourly intervals on the following days to indicate parking demands during major events and during typical conditions (non-event days):

**Table 1: Parking Demand and Occupancy Surveys – Dates and Times**

Date	Event	Estimated Attendance	Venue
<b>Major Events</b>			
Friday, 26 Sep 2014	Royal Melbourne Show	40,000+ daily	Melbourne Showgrounds
Saturday, 1 Nov 2014	AAMI Victoria Derby Day	100,000	Flemington Racecourse
<b>Typical Conditions (Non-Event Days)</b>			
Wednesday, 22 Oct 2014	Typical Weekday	-	-
Saturday, 25 October 2014	Typical Weekend	-	-
<b>Note:</b> Parking demand and occupancy surveys were undertaken between 7am- 9pm, at two-hourly intervals.			

### ***Weekend Parking Demands***

The peak parking demands recorded on a weekend major event day occurred at 1:00pm on Saturday, 1 November 2014.

The following table provides a summary of the peak parking demands observed on the weekend (major event) day, and the weekend (non-event) day. It also provides a comparison of the weekend major event and non-event day parking demands recorded, within both the Events Area and the area beyond (to the north) of the Events Area:

**Table 2: Weekend Peak Parking Demands and Occupancy:  
Comparison of Major Event and Non-Event Days**

	Major Event Saturday, 1 November 2014			Non-Event Event Saturday, 25 October 2014			Change in No. of Cars between Major Events and Non-Event Days
	No. of Cars Parked	Capacity (Supply)	Occupancy (%)	No. of Cars Parked	Capacity (Supply)	Occupancy (%)	
Events Area	2,381	4,876	49%	1,734	4,990	35%	647
Area Beyond (to the north) Events Area	1,542	2,796	55%	1,563	2,796	56%	-21
<b>Total</b>	<b>3,923</b>	<b>7,672</b>	<b>51%</b>	<b>3,297</b>	<b>7,786</b>	<b>42%</b>	<b>626</b>

The parking demands recorded during the major event day within the current Events Area was higher compared to the non-event day (49% occupancy compared to 35% occupancy on a non-event day). Events at Flemington Racecourse and the Melbourne Showgrounds draw large crowds, therefore increasing the demand for parking in close proximity to the Racecourse and Melbourne Showgrounds.

Parking demands between Charles Street and Gillespie Avenue, south-west of Epsom Road was observed to be higher during the major event day compared to the non-event day. On-street parking for this section is unrestricted and is relatively close to the Flemington Racecourse and the Melbourne Showgrounds. The occupancy rate within this area increased from 30% occupancy on a weekend non-event day to 55% during a major event day.

The total parking demand within the area to the north of the current Events Area Boundary was observed to be similar during the major event and non-event day surveyed (55% and 56% occupancy respectively). With this area consisting largely of residential areas and various businesses located along Maribyrnong Road, Union Road and Epsom Road, the survey results indicated the demand for parking is not impacted by a major event at Flemington Racecourse and the Melbourne Showgrounds.

On-street parking capacity (supply) within the current Events Area varies between major event and non-event days because some sections of 'No Stopping' apply for 'event days only'. These sections are along Wingate Avenue, Vasey Street, Churchill Street, Savage Street and Morshead Street. The recorded capacity during major event days is reduced because cars are not permitted to park in these sections.

### ***Weekday Parking Demands***

The peak parking demands recorded on a weekday major event day also occurred at 1pm, on Friday, 26 September 2014.

The following table provides a summary of the peak parking demands observed on the weekday (major event) day, and the weekday (non-event) day. It also provides a comparison of the weekday major event and non-event day parking demands recorded, within the Events Area and the area beyond (to the north) of the Events Area:

**Table 3: Weekday Peak Parking Demands and Occupancy:  
Comparison of Major Event and Non-Event Days**

	Major Event Friday, 26 September 2014			Non-Event Event Wednesday, 22 October 2014			Change in No. of Cars between Major Events and Non- Event Days
	No. of Cars Parked	Capacity (Supply)	Occupancy (%)	No. of Cars Parked	Capacity (Supply)	Occupancy (%)	
Events Area	1,842	4,720	39%	1,692	4,834	35%	140
Area Beyond (to the north) Events Area	1,476	2,796	53%	1,329	2,796	48%	147
<b>Total</b>	<b>3,318</b>	<b>7,516</b>	<b>44%</b>	<b>3,021</b>	<b>7,630</b>	<b>39%</b>	<b>297</b>

The parking demands within the Events Area and the area beyond (to the north) of the Events Area was higher on weekday event days than on weekday non-event days (39% occupancy compared to 35% occupancy within the Events Area, and 53% occupancy compared to 48% occupancy in the area beyond the Events Area).

### Discussion

Most of the on-street parking within the Events Area has 'Permit Zone' parking restrictions which apply during 'events held at the Melbourne Showgrounds and at the Flemington Racecourse' only.

The 'Permit Zone' area generally extends from Racecourse Road to Francis Street on the north side of Epsom Road, and from Langs Road to Charles Street, south of Epsom Road. The parking demands remained consistent across the 'Permit Zone' restriction areas within the current Events Area across the four days surveyed.

The occupancy levels for the weekend major event was 51% and the occupancy rate fell to 42% for the non-event days, while occupancy levels on the weekday major event was 44% compared to 39% occupancy for the non-event day.

The residential area between Charles Street and Doncaster Road is within the current Events Area but has almost no on-street parking restrictions. Occupancy within this area rose from 27% on the weekend non-event day to 54% occupancy on the weekend major event day. Occupancy during the weekday non-event was 22% compared to 28% occupancy during a weekday major event.

The recently developed area between Doncaster Road and Gillespie Avenue immediately north of the current Events Area and has no on-street parking restrictions. Occupancy within this area rose from 47% on the weekend non-event day to 60% occupancy on a weekend major event day. Occupancy during the weekday non-event was 17% compared to 36% occupancy during the weekday major event.

During major events held at Flemington Racecourse and the Melbourne Showgrounds it was observed that the demand for parking increased significantly within these areas with no parking restrictions (from Charles Street to Gillespie Avenue). Occupancy rose from 27% during the weekend non-event day to 54% during the major event. Occupancy during the weekday non-event was 22% compared to 28% during the major event. With this area in close proximity to Flemington Racecourse and the Melbourne Showgrounds, people are able to park and walk to the major event area.

It is important to maintain the current Events Area Boundary on the east side of Epsom Road, which extends from Racecourse Road north to Mirams Street and Francis Street, to minimise occupancy and congestion in this area during major events. Although it was observed that the occupancy generally remained consistent across the major event day and non-event day, maintaining the current boundary ensures residents have access to on-street car parking with traffic congestion minimised during major event days.

Extending the current Events Area Boundary to the north of Mirams Street and Francis Street is not required as it was generally observed that the parking occupancy in this area remained consistent during the major event day and non-event day over the days surveyed. Parking restrictions currently for streets north of the current Events Area Boundary (Bloomfield Road, Roxburgh Street and Roseberry Street) all have signed 'Permit Zone' areas between specified times with Munro Street signed as a 'Permit Zone' at all times. If the current Events Area Boundary was extended north, then additional businesses, multi-storey apartments and education facilities would be entitled to event permits, therefore increasing parking demands all-year round given current full-time restrictions apply around Union Road.

As an example, if the Event Area Boundary was only extended from the northern side of Mirams Street to the northern side of Munro Street (but left the same everywhere else), then an additional 44 residential properties would gain permanent access to Temporary Parking Vouchers and an additional 7 businesses would gain permanent access to a total of 14 Event Permits. It must also be noted that as per the previous Council resolution (dated 22 April 2014) for the Union Road Activity Centre Parking Study Update, further consultation with residents of Munro Street is still required to be undertaken, which takes into consideration the on-street parking needs of residents, and the efficient utilisation of parking in the street for shoppers and users of the Neighbourhood Centre.

Parking in this area is at a premium at all times (not just on major event days), as can be seen by the fact that the restrictions in Munro Street are already much more severe than those in Mirams Street, despite being further away from the Showgrounds and Racecourse (Munro Street has a full-time Permit Zone instead of an events-only Permit Zone, despite also having many more multi-dwellings that are unable to access Parking Permits).

Encouraging additional vehicles and parking within this area, both from existing properties and also from any properties developed in the future is likely to make parking and congestion in the area even worse.

## **Consultation**

Since June 2009, Council has undertaken extensive community consultation on a number of occasions in relation to various parking proposals in the Events Area.

### **1. Council Plan / Policy**

This report is in line with the strategic objectives and relevant strategy of:

- Municipal Parking Strategy (2011); and
- Parking Permit Policy (2013).

### **2. Financial**

There are no financial implications associated with the recommendation of this report.

### **3. Environmental**

There are no environmental implications as a consequence of this report.

## **Conclusion**

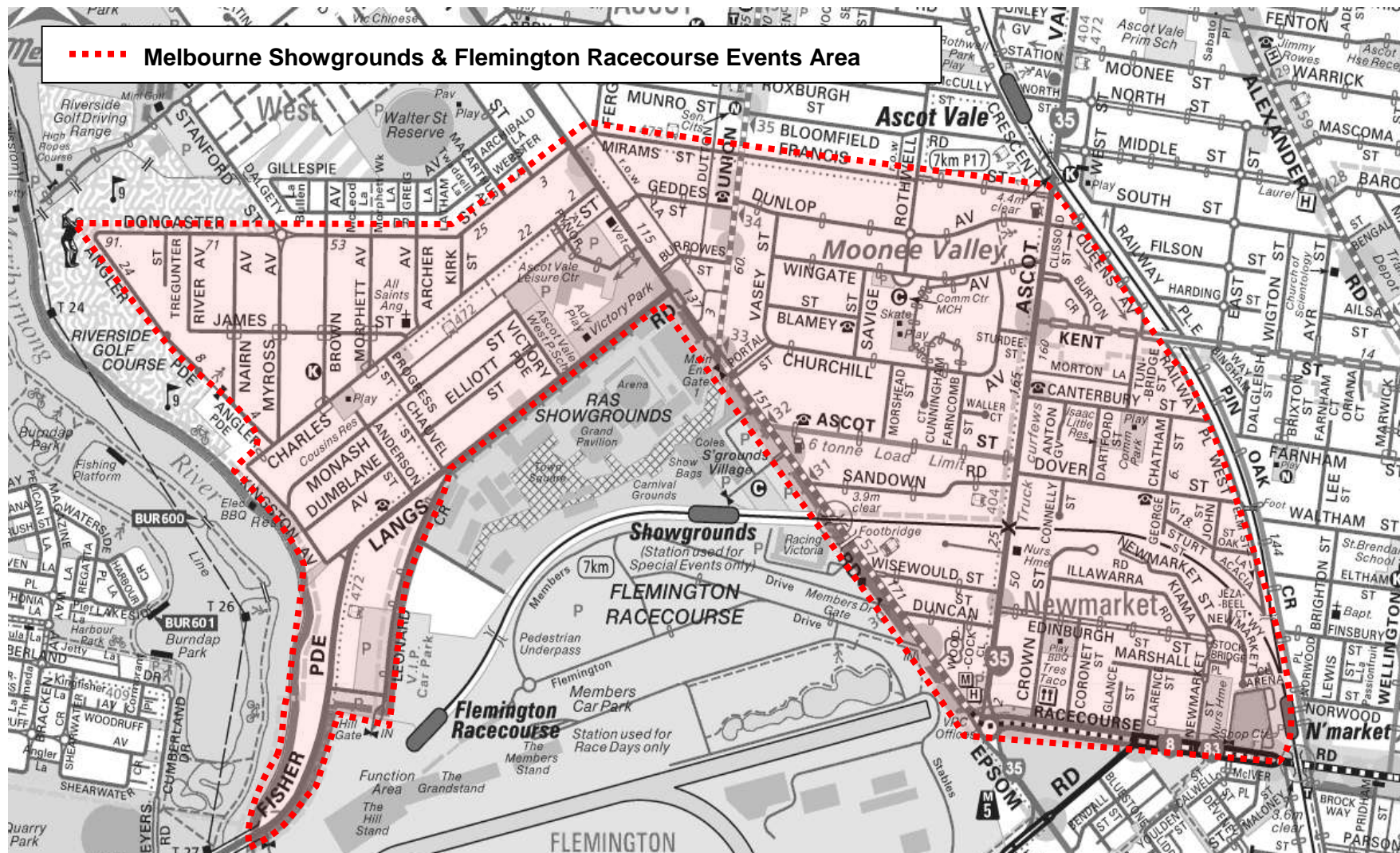
The Melbourne Showgrounds and Flemington Racecourse are popular sites for major events, as well as smaller scale functions. The number of events held at these venues has risen over the last few years and these major events put pressure on traffic and parking in the local area surrounding the Melbourne Showgrounds and Racecourse.

In January 2012, Council consulted with the local community regarding the Events Area Parking Study, and following the consultation Council at its meeting on 25 June 2013 resolved *'to undertake a review of the boundary of the Events Area, taking into consideration parking demand during major events associated with the Showgrounds and Flemington Racecourse'*.

This report provides the results of the Events Area Boundary Review and based on the above survey results and previous community consultation it is recommended that the current Events Area Boundary remains.



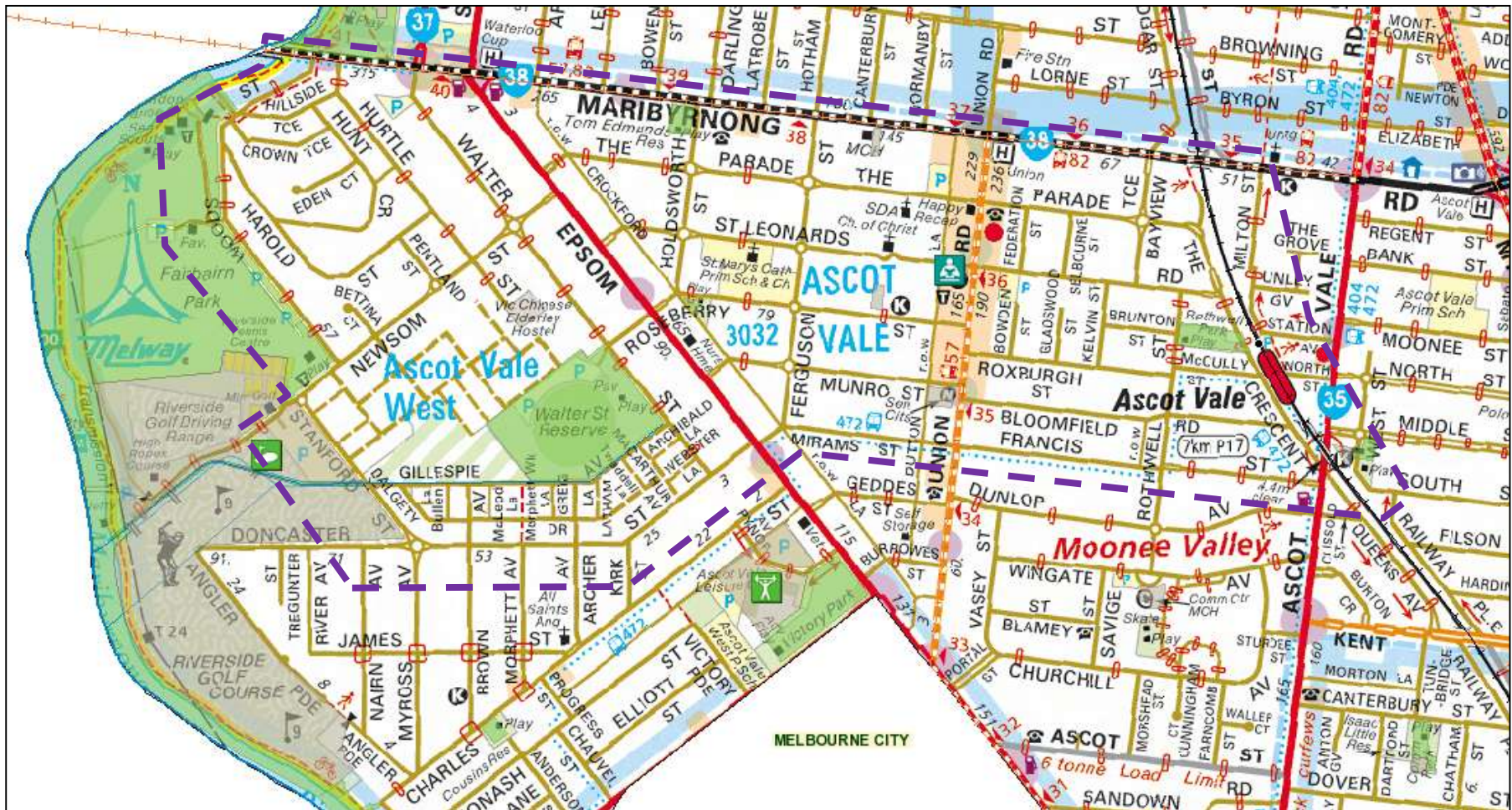
## APPENDIX A EVENTS AREA BOUNDARY





## APPENDIX B

### AREA BEYOND EVENTS AREA BOUNDARY





## APPENDIX C

### GENERAL PARKING RESTRICTIONS WITHIN EVENTS AREA BOUNDARY (AND JUST NORTH OF EVENTS AREA) – FEB 15

- Mostly or entirely unrestricted parking
- Mostly or entirely “major events” parking restrictions
- Stricter parking restrictions (e.g. 1P, full-time Permit Zone, No Stopping)



**9.5 East Keilor Leisure Centre Feasibility Study Draft Concept Plan**

**File No:** FOL/13/251  
**Author:** Manager Leisure & Open Space Planning  
**Directorate:** Environment & Lifestyle  
**Ward:** Rose Hill

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**Purpose**

To seek approval of Council to undertake community consultation on the East Keilor Leisure Centre Feasibility Study Draft Concept Plan.

**Executive Summary**

- A key action of the council adopted Aquatic Leisure Centre Plan (ALCP), is the preparation of a Feasibility Study to determine options for the redevelopment of East Keilor Leisure Centre (EKLC)
- The ALCP acknowledges that whilst some improvements have been undertaken to EKLC in 2011, the remainder of the centre is at the end of its serviceable life and cannot meet the future needs of the community.
- The Key Principles of the ALCP have guided the development of a Concept Plan for EKLC which is required to complete business planning and finalisation of the Feasibility Study. The Concept Plan includes key components to be included should any future redevelopment proceed and community consultation is required to test support for the Concept.

**Recommendation**

That Council:

1. Proceed with public consultation on the East Keilor Leisure Centre Feasibility Study Draft Concept Plan.
2. Receive a further report following the consultation period.

**Background**

The ALCP discusses the benefits of modern aquatic leisure centres and through service planning undertaken, confirmed the need for a Municipal level centre in the North East of the municipality.

A key action of the council adopted Aquatic Leisure Centre Plan (ALCP), is the preparation of a Feasibility Study to determine options for the redevelopment of East Keilor Leisure Centre (EKLC).

The plan acknowledges that whilst some improvements have been undertaken to EKLC in 2011, the remainder of the centre is at the end of its serviceable life and cannot meet the future needs of the community. Therefore making the following recommendation:

Undertake a feasibility study to determine options for EKLC redevelopment that will consider the following:

- Indoor, eight lane 25m pool with ramp access
- Hydrotherapy pool with ramp access
- Spa and steam room facilities
- Dedicated learn to swim pool
- Leisure water and water play features
- Dry program rooms
- Additional change rooms including family change spaces
- Increased gymnasium space
- Improved car parking

The ALCP has five key principles which guide all service planning for aquatic leisure within the municipality:

*Social, inclusive city*

Being involved and engaged in local activities and groups helps to build a more resilient, safer and thriving community. Aquatic leisure centres can become a meeting place for the community and should provide centre elements and programs that foster these social interactions and cater for diverse communities. Importantly, future programs will need to ensure that the profile of users reflects the community profile.

*Access for all*

This principle requires that centres provide services and programs that encourage use by all sectors of the community. Consequently, aquatic leisure centres should cater for a diverse active and interactive community with a range of abilities, backgrounds, skills and interests.

Universal Design Principles (i.e. optimised access for all ages and abilities) will underpin planning and design of aquatic leisure centres. All members of the community should have a similar opportunity and ability to access aquatic leisure centres. The standard of centre provision should be consistent across the community.

*Building community health and wellbeing*

People who are physically and socially active are mentally and physically healthier. The ability to be part of fun, inclusive and active leisure activities helps people through their various life stages.

Centres need to have a broad range of elements, programs and communication tools to attract and encourage users throughout their various life stages.

### *Affordable*

The development of centres needs to reflect the service planning undertaken to avoid over servicing given the many competing demands for Council expenditure.

Pricing strategies should ensure use of the centre is affordable for all members of the community, particularly those on low incomes.

### *Viable*

Aquatic leisure centres will have a sufficient range of commercial activities to ensure ongoing financial performance is sustainable.

Aquatic leisure centres, financially, should aim to operate as close to breakeven as possible to ensure a continued high level of service to the community is possible.

## **Discussion**

Aquatic leisure centres provide many health and wellbeing and leisure services to the community. In the past five years, development and renewal of aquatic leisure centres within greater metropolitan Melbourne have been significant. These developments are in direct response to the changing needs of users and the increasing role that aquatic leisure centres can play in the provision of health and leisure activities for individuals, groups and families.

Some trends and services not offered by EKLC:

- The development of hydrotherapy pools - for the use of people with a disability who may benefit from the use of warm water exercises, recovering from injury, and for other therapeutic purposes.
- Leisure water catering for families and children and can include beach entry, water sprays, tipping buckets, fountains and small water slides. These features are highly interactive and will help transform EKLC into an entertainment destination as well as increase activity levels in children aged from two-14 years of age.
- Disability access - Indoor heated pools are widely used by disability groups and individuals. Changes to government legislation with regard to disability access now require modern centres to have ramp access into all pools and accessible change facilities.
- Improved change facilities - including family change rooms and change villages. Family change rooms enable parents to change children in the privacy of their own area removing the need to have children of the opposite sex in communal change rooms. Change villages consist of cubicles but do not include showers or toilets. On deck (poolside) showers complement change villages and enable people to rinse off prior to changing. Change villages are a practical way of increasing overall change facility capacity and to provide dedicated facilities for families and school groups.

EKLC, lacks many of these modern components, and many of the existing components are ageing, with both the 25m indoor and 50m outdoor pool at the end of their serviceable life.

A Draft Concept Plan for East Keilor Leisure Centre has been prepared (as provided in **Appendix A** – separately circulated). This concept plan, utilises as much of the development undertaken in 2011-12 as possible. The concept plan has all of the key elements of modern aquatic leisure centres, including:

- A 25m pool, that provides for lap swimming, ramp entry and an area for spectator seating/viewing for school carnivals and aquatic lounge area
- A leisure pool, with combined learn to swim pool, providing for learn to swim classes and incorporates water play features
- Hot water pool, with ramp entry enabling those who are recovering from injury, or are older persons to undertake rehabilitation or gentle exercise
- Spa, steam room and sauna
- Accessible change rooms
- Aquatic change rooms located close to aquatic areas
- Gym, incorporating a spin room and program room
- Crèche, with amenities and office
- Café
- Expanded office/administration area
- Redesigned entrance

It should be noted that a major community facility redevelopment of this magnitude is a significant once in a generation project for Council. The original centre has been operating since the 1960s and a new facility would be expected to serve the community for another 50 years. The Council endorsed Leisure Strategy and Aquatic Leisure Centre Plan both acknowledge the importance of community facilities to the very services Council wishes to provide for the community.

A very early estimate of probably costs would suggest for a significant redevelopment of this size to be in the order of \$27m - \$30m. This early estimate does not include any external works required to re-landscape and redesign the car park, which will be costed once the building concept has been confirmed. A key outcome of the Feasibility Study is to identify the features required for the centre which allows a Concept Plan to be agreed upon. Only then can the next stage of costing be undertaken, any costs stated at this stage of the project are simply best estimates that can be made with the information available at this time. As the planning for the redevelopment progresses the costs will be recalculated with additional information available and progressively tightened, as is the case with any construction project.

### **Consultation**

Prior to undertaking the concept design process and to ensure Council had a thorough understanding of community desires and needs for EKLC, a Community Reference Group was formed. Expressions of interest to join the Community Reference Group (CRG) were held in October 2014, with 11 people expressing an interest to be included in the group. After nominations were assessed nine members of the Moonee Valley community were selected to be members.

The first meeting of the CRG was a bus tour to Thomastown Recreation & Aquatic Centre (TRAC) and WaterMarc in Greensborough for members of the CRG to see how recent centres had been developed. A second meeting was held on 27 November to 'workshop' the various components that could be included in the redevelopment of EKLC.

A third CRG workshop was held on 22 January 2015. The purpose of this 'workshop' was to receive broad agreement on the various components that potentially could be included in a redevelopment of EKLC.

The information and feedback Council received from these workshops was used to help inform the final concepts for EKLC.

It is proposed that Council Officers will hold a number of workshops and informal drop-in sessions at EKLC. Council Officers will meet with the CRG in March to discuss the concept designs. Drop in sessions will be held throughout April at EKLC, where the community will be able to discuss the concept with Council Officers. Proposed dates for these sessions are, Thursday 26 March, in the evening, Tuesday 31 March in the day, and Thursday 9 April, and Thursday 23 April, morning and evening. There will be an advertorial in the Leader newspaper on the weeks of 6, 13 and 20 April.

In addition to these formal and informal meetings a comprehensive advertising campaign is planned, using the Council's website, social media, the 'Future of EKLC' Newsletter, advertorial in the Leader newspaper. There will also be posters at all of Council's libraries, at EKLC, Queens Park swimming Pool and the Ascot Vale Leisure Centre. We will also be seeking feedback through other Council Newsletters such as the Aged and Disability Newsletter, on Edna and through MV Express.

In addition to this consultation will be undertaken with schools and other identified stakeholders. It is intended that feedback will be sought from the community throughout the month of April.

## **Implications**

### **1. Legislative**

The concepts for the future redevelopment of EKLC adhere broadly to the Human Rights Charter Section 12 Freedom of Movement and Section 18 Taking Part in Public Life by meeting current building code requirements guided by the Disability Discrimination Act 1992. As the project proceeds full designs will be prepared that will comply with all relevant legislation including DDA Universal Design Principles and the Charter of Human Rights.

### **2. Council Plan / Policy**

Planning for the redevelopment of EKLC will contribute to Council Plan 2009-13 strategic objectives to create 'a healthy environment and a sustainable City', achieve the 'sport, leisure and recreation opportunities that contribute toward community health and wellbeing' and ensure 'a well-planned and managed City'.

### **3. Financial**

The redevelopment of EKLC does have the potential to impact on Council's budget therefore, any proposed redevelopment will be subject to Council's annual budgetary process. \$350k has been referred to the 2015/16 annual budget to

commence design development, should this be required. Any further funding will be subject to future budget consideration.

#### **4. Environmental**

Any redevelopment of EKLC will incorporate the latest advancements in green building design, water conservation and greenhouse gas initiatives, thereby helping Council achieve the targets established within the City Sustainability Policy, particularly with regard to energy, water, and waste targets.

#### **Conclusion**

A key action of the council adopted Aquatic Leisure Centre Plan, is the preparation of a Feasibility Study to determine options for the redevelopment of East Keilor Leisure Centre.

The ALCP acknowledges that whilst some improvements have been undertaken to EKLC in 2011, the remainder of the centre is at the end of its serviceable life and cannot meet the future needs of the community.

The Key Principles of the ALCP have guided the development of a Concept Plan for EKLC which is required to complete business planning, preparation of the next level of project costs and finalisation of the Feasibility Study. The Concept Plan includes key components to be included should any future redevelopment proceed.

## 9.6 Draft Five Mile Creek Reserve Master Plan

**File No:** FOL/14/114  
**Author:** Manager Leisure & Open Space Planning  
**Directorate:** Environment & Lifestyle  
**Ward:** Buckley

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### Purpose

To seek approval of Council to undertake community consultation on the Draft Five Mile Creek Reserve Master Plan.

### Executive Summary

- Council has developed a Draft Master Plan to guide the future of Five Mile Creek Reserve. A copy of the Draft Master Plan is provided as **Appendix A** (separately circulated).
- Incorporating feedback gathered from local stakeholders in November and December 2014, the Draft Master Plan proposes a range of improvements including:
  - improved safety and access throughout the Reserve including new and upgraded paths
  - measures to reduce litter and prevent pollution entering the waterway
  - revegetation using native trees and plants, and removal of weed species
  - an upgraded play space, barbeque and picnic area
  - wayfinding and interpretive signage.

### Recommendation

That Council:

1. Proceed with public consultation on the Draft Five Mile Creek Reserve Master Plan.
2. Receive a further report following the consultation period.

### Background

Five Mile Creek is a public park of approximately five hectares, located at the confluence of Moonee Ponds Creek and Five Mile Creek, off Government Road in Essendon. The Reserve is defined in the Open Space Strategy as a Regional Park, its primary classification being 'Waterway' and secondary classifications being 'Nature Conservation' and 'Linear'.



Five Mile Creek is a tributary of the Moonee Ponds Creek. The Five Mile Creek catchment historically extended as far as the Essendon Airport as a sequence of vegetated water holes, however urbanisation has seen most of the Creek buried within piped stormwater drains. The construction of the Tullamarine Freeway and its associated drainage system has also reduced the extents of the catchment.

Five Mile Creek Reserve has a rich history (including pre-European habitation) and an active Friends' Group, which have helped to create a tranquil green open space around the two waterways.

Five Mile Creek Reserve currently lacks a Master Plan or Management Plan to guide future works. Moonee Valley City Council's Open Space Strategy recommends to *"prepare and implement a landscape Management Plan for this reserve in consultation with Melbourne Water, taking into consideration the environmental and recreational values of this area"*.

### **Discussion**

On 1 November 2014, Council commenced initial information gathering to determine community attitudes to Five Mile Creek Reserve and to assist the development of the Draft Master Plan.

In addition to the information session conducted at the reserve, flyers were sent out to residents within 500 metres of the reserve. Feedback was collected in person, via email and return paid envelope from 1 November until 5 December 2014.

Feedback gathered was highly constructive, with the largest number of responses favouring upgrades to pathways throughout the reserve to improve safety and amenity. The community also identified retention of the natural character of the reserve as being of high importance, and there was strong support for measures to improve the state of the local environment, through weed removal, revegetation, and management of waste. The community also identified as desirable, improvements in general amenity through upgrades to the play space and barbeque area, and provision of interpretive signage.

The Draft Master Plan has been developed taking this feedback into account and includes recommendations of improved pathway systems, creek health initiatives, amenity improvements and site specific land management practice.

Council has also commissioned a Land Management Plan for the Reserve, to help to guide the revegetation and weed management of the site.

### **Consultation**

It is proposed that Council officers will hold a workshop with the community and stakeholders on Saturday 18 April 2015 at the Five Mile Creek Reserve, to seek comment on the Draft Master Plan. Stakeholders and residents within 500 metres of the park will be advised of the workshop via postal mail-out. In addition, the meeting will be advertised on Council's website and social media streams. As the consultation will be taking place in the early afternoon (from 1pm-3pm) the local Lions Club will be commissioned to provide a barbeque and refreshments.

Feedback on the Draft Master Plan will be received from 25 March until 25 April.

Feedback from the community will assist Council in refining the Draft Master Plan, and will inform any changes which may be required prior to putting the Master Plan forward to the Councillors for adoption.

## **Implications**

### **1. Legislative**

Prior to any construction works a Cultural Heritage Management Plan will be required. Any built works undertaken as a result of this Master Plan will need to comply with the relevant Australian standards and requirements of a Cultural Heritage Management Plan.

### **2. Council Plan / Policy**

Planning for improvements to Five Mile Creek Reserve through the development of a Master Plan will contribute to Council Plan 2013-2017 Theme 'Green, Clean and Beautiful', Strategy 3: 'Seek opportunities to expand and protect habitat along waterways by providing significantly more indigenous planting'.

It will also 'Increase access to a broader range of play spaces appropriate for the whole family'.

Improvements within Five Mile Creek Reserve also have the potential to help meet the objectives of Council's Leisure Strategy (2013), Walking and Cycling Strategy (2012), and the City Sustainability Policy (2013).

### **3. Financial**

The Master Plan will provide a long term framework for prioritising improvement works at Five Mile Creek Reserve. All of the master plan proposals will be subject to Council's annual budgetary process.

### **4. Environmental**

The Five Mile Creek Reserve Master Plan will help Council meet the targets identified within the City Sustainability Policy, particularly with regard to biodiversity, waterway management, remnant vegetation management and sustainable transport.

## **Conclusion**

Moonee Valley City Council's *Open Space Strategy* determined that Five Mile Creek is a Regional open space in Essendon, and recommended the preparation of a Master Plan.

Community consultation is required to provide feedback on the Draft Master Plan which has been prepared in-house following information gathering with local residents and stakeholders.

The Master Plan is required to establish a long term vision for the Five Mile Creek Reserve and to guide future development of the park.

## **9.7 Early Years Reference Group**

**File No:** FOL/10/1167  
**Author:** Coordinator Family & Children Services Planning  
**Directorate:** Community Services  
**Ward:** Municipal

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### **Purpose**

For Council to consider and endorse the Early Years Reference Group (EYRG) recommendation to:

- Appoint two new parent representatives to the EYRG Advisory Committee.
- Amend the Early Years Reference Group Terms of Reference Membership.

### **Executive Summary**

- The Moonee Valley EYRG has been operational since 2009 with diverse membership of senior early years providers and parents.
- Council formally established the EYRG as an Advisory Committee of Council and endorsed the EYRG Terms of Reference in 2011.
- Council's Community Advisory Committee Operating Guidelines have been in effect since 2013.
- Currently the Mayor and Portfolio holder for Family, Aged, Disability and Youth, Cr. Narelle Sharpe is the Chair of the EYRG and Cr. Nicole Marshall is the Deputy Chair.
- One of the two parent representatives resigned from the EYRG in late 2014.
- Expressions of Interest for parent representatives were sought in late 2014/early 2015 to fill the vacant parent representative position on the EYRG.
- The EYRG members highly regarded two applications and nominated both for the EYRG, increasing the parent representatives from two to three parents.
- The Moonee Valley Early Years Plan 2014-22 now has a broadened scope for families from pregnancy to children 12 years.
- In early 2015 the EYRG discussed and proposed updating the EYRG Terms of Reference Membership to reflect changes across the early years sector and maintain relevance over time.

### **Recommendation**

That Council:

1. Acknowledge Dianne Truccolo for her contributions as parent representative on the EYRG.

2. Appoint Christine Lawrey and Mary Pollerd as parent representatives to the EYRG Advisory Committee.
3. Endorse the updated Early Years Reference Group Terms of Reference (as provided in **Appendix A** – separately circulated).

### **Background**

The Moonee Valley Early Years Reference Group (EYRG) was informally established in December 2009. In February 2011, the EYRG was formally established as an Advisory Committee of Council and the EYRG Terms of Reference (ToR) were endorsed. The ToR included specific membership of the Chair – Councillor, two parent representatives, early years organisations and Council staff. In January 2013, Council endorsed revised Community Advisory Committee Guidelines (as provided in **Appendix B** – separately circulated).

Throughout 2014, the EYRG actively contributed to the development of the Moonee Valley Early Years Plan (MVEYP) 2014-22. The MVEYP, adopted by Council in December 2014, now has a broadened scope for families from pregnancy to children 12 years. Together with the broadened scope and resignation of Dianne Truccolo in October 2014, one of the two parent representatives on the EYRG, this presented an opportunity to seek Expressions of Interest from parents to fill the vacancy and update the EYRG Terms of Reference.

### **Discussion**

The EYRG recommends two parent nominations to the EYRG membership. This will bring the parent representation to three on the EYRG. The two new nominations are Moonee Valley residents, with children attending local children's services, a commitment to contributing to their community and progressing the interests of children and families in Moonee Valley.

The updated EYRG membership supports a representative approach to universal, targeted and intensive services supporting children and families in Moonee Valley. Overall, it is proposed that membership be reviewed as required to support equitable and transparent representation and respond to relevant changes across the children and family services sector.

Currently the EYRG membership includes:

- Chair – Councillor

The membership also prescribes one representative from each of the following organisations:

- Doutta Galla Community Health Service
- VICSEG
- Caroline Chisholm Pregnancy and Family Support Service
- Baptcare
- Catholic Education Office
- DEECD

- Grandparents Australia
- Centre for Community Child Health
- Playgroup Victoria
- Noah's Ark – West Metro Melbourne
- Local resident/Parent representative x 2
- Manager Family and Children's Services and Council Officers as required.

The capacity for organisations such as VICSEG, Grandparents Victoria and Centre for Community Child Health to attend the EYRG meetings on a regular basis has been limited. Organisations and Departments, such as Dootta Galla/cohealth and Department of Education and Early Childhood Development (DEECD)/Department of Education and Training have changed over time.

Introducing the broader membership categories provides a level of flexibility and capacity to respond to the changing early years environment over time. Current and future membership would indicatively fall under the following:

- **Pregnancy, Child and Family Support:** Caroline Chisholm, Baptcare
- **Health services:** cohealth
- **Early intervention:** Noah's Ark
- **Children's services – education and care:** Child care/ Kindergarten Cluster Managers
- **Education:** Catholic Education Office, Centre for Community Child Health, Primary Schools, Learning Board
- **Aboriginal and Torres Strait Islander (ATSI):** local Elders, ATSI services
- **Community organisations:** Playgroup Victoria, VICSEG, Grandparents Australia
- **Peak organisations –** Community Child Care, Early Learning Association
- **Community representatives:** Children, Parents, Local residents
- **Government:** Victorian Department Education and Training, Federal Government

The EYRG Terms of Reference has been updated to align with Council's Community Advisory Committee Operating Guidelines to reduce repetition and any potential inconsistencies.

### **Consultation**

A public Expression of Interest process was conducted from November 2014 to the 30 January 2015 seeking a new parent representative to the EYRG. This included a broad communications plan including the Valley View, media alerts/advertorials, corporate social media and Council's website.

Two parents nominated by the due date of 30 January 2015. The resumes of both parents were reviewed and submitted to Cr. Narelle Sharpe, EYRG Chair and Portfolio holder for Family, Aged, Disability and Youth and Cr. Nicole Marshall, Deputy Chair EYRG for consideration. A summary of the parents' attributes, involvement and interests was presented to the EYRG membership in February 2015. The EYRG members present unanimously agreed to recommend to Council to endorse both parent nominations to the EYRG.

## **Implications**

### **1. Legislative**

The Local Government Act 1989 outlines that an advisory committee provides advice to Council. The Act also confirms aspects of good governance for Local Government: effective and inclusive decision-making, strong leadership and engaged communities. The EYRG assists Council to fulfil good governance through enhancing parent representation and engagement in Moonee Valley. Additionally, the Human Rights Charter supports an increased membership of parents to cater for the diversity of families and children.

### **2. Council Plan / Policy**

Increasing parent representation on the EYRG contributes to meeting the Council Plan 2013-17 Strategic Objectives:

- Provide the community with meaningful and genuine opportunities to contribute to Council planning.

### **3. Financial**

There are no direct financial implications from this report.

### **4. Environmental**

All activity conducted by the EYRG will be consistent with Council's City Sustainability Policy.

## **Conclusion**

The Moonee Valley EYRG has been in operation since 2009 and formally established in 2011. The role of parent representatives has increased over time and affords increased engagement with the community. One of the two parent representatives of the EYRG resigned in late 2014. Nominations were sought and two Expressions of Interest were received and recommended by the EYRG. Together with membership changes over time and the broadened scope of the MVEYP 2014-22, this provided an opportunity to update the EYRG Terms of Reference and align this with Council's Community Advisory Committee Operating Guidelines.

**9.8 Lincoln Park, 66-68 Lincoln Road, Essendon - Expressions of Interest for Community Use**

**File No:** PR22337  
**Author:** Coordinator Property Services  
**Directorate:** Corporate Services  
**Ward:** Buckley

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**Purpose**

To consider an expression of interest for community use of Lincoln Park.

**Executive Summary**

- Council seeks to activate the use of Lincoln Park and provide opportunities for community based organisations or commercial operators to provide community use options for the site. Refer location photo at **Appendix A**.
- Council invited expressions of interest for community use of Lincoln Park in local newspapers on 9 and 10 February 2015. Expressions of Interest closed on 27 February. Council received one submission.
- Council received one expression of interest from the Regional Farmers Market Pty Ltd (RFM) to conduct a fresh produce farmers market once a month on a Saturday from 8.00am – 1.00pm.
- The RFM submission is consistent with Council's objectives for activation of Lincoln Park.
- It is proposed that Council accept the submission from the RFM and enter into a licence agreement subject to the RFM obtaining requisite planning approval.

**Recommendation**

That Council:

1. Accept the submission from the Regional Farmers Market Pty Ltd (RFM) to conduct a fresh produce farmers market at Lincoln Park, 66-68 Lincoln Road, Essendon one Saturday a month subject to the RFM obtaining requisite planning approval.
2. Enter into a licence agreement with the RFM for a maximum term of two years with an annual licence fee of \$5,000 (plus GST).
3. Authorise the Chief Executive to sign the licence agreement.
4. Develop a policy to deal with future applications seeking to conduct community and commercial markets on Council owned or controlled land.

## Background

Moonee Valley City Council (Council) sought expressions of interest from community organisations and/or commercial operators to activate community use opportunities at Lincoln Park, 66-68 Lincoln Road, Essendon.

The successful proponent will be required to obtain a planning permit and enter into a licence agreement with Council for use of the reserve. A copy of the Expression of Interest document is attached at **Appendix B** (separately circulated).

Council's objectives for activation of Lincoln Park for community use activities are:

- To facilitate the development of a regular, high quality community use activity; and
- To activate the use for the enjoyment and benefit of the local community.

## Discussion

Council seeks to activate the use of Lincoln Park and provide opportunities for community based organisations or commercial operators to provide community use options for the site.

Council only received one expression of interest from the Regional Farmers Market Pty Ltd (RFM) to conduct a fresh produce farmers market once a month. Their submission is summarised below:

- The RFM has been running farmers markets for over 15 years and conduct 21 farmers market around Victoria each month.
- Experienced and reputable organisation with established standards and quality processes.
- The RFM previously conducted a farmers market at the site.
- Propose to run the market once a month on the second or fourth Saturday from 8.00am – 1.00pm.
- Only use the part of the park that fronts Richardson Street leaving the majority of the park including the playground available for normal public use.
- Provide a maximum of 60 stalls each market. Stallholders required to meet strict criteria and standards to sell at the market (i.e. fresh food sold directly from the maker/producer).
- Happy to support local community groups to participate at no charge.
- The market would be accredited by the Victorian Farmers Market Association.

The proposed activation and use of Lincoln Park by the RFM is consistent with Council's objectives and satisfactorily meets our assessment criteria such as:

- Capacity and track record
- Community benefit
- Corporate responsibility



Importantly, the proposal to conduct a farmers market at Lincoln Park is considered to be not detrimental to the use of the reserve and that the proposed tenure and licence:

- Would be for periodic/intermittent use only
- Will only impact part of the reserve
- Would still encourage the community use of the reserve generally
- Would not unduly restrict or limit public access to any portion of the reserve while the market is in progress.

Subsequently, it is proposed to accept the submission from the RFM to conduct a fresh produce farmers market at Lincoln Park one Saturday a month, subject to the RFM obtaining requisite planning approval.

The RFM submission is provided at **Appendix C** (separately circulated).

### **Consultation**

Council invited expressions of interest for community use of Lincoln Park in the Moonee Valley Leader on 9 February and The Moonee Valley Weekly on 10 February 2015. Expressions of Interest closed on 27 February. One submission was received.

### **Implications**

#### **1. Legislative**

Lincoln Park Reserve is Crown land permanently reserved for public recreation. Council is the appointed Committee of Management for the reserve under the *Crown Land (Reserves) Act 1978*. Council is responsible for not only protecting and maintaining the reserve, its natural features and assets which are regulated under Council's Local Laws, but also develop and enhance the use of the reserve for the enjoyment of its citizens.

The Department of Environment, Land, Planning and Water has advised that it will support a proposal to activate the site for an activity such as a farmers market provided Council is satisfied that such use is not detrimental to Lincoln Park.

#### **2. Council Plan / Policy**

Currently, Council has no specific policy in relation to dealing with applications and requests for community and commercial markets on Council owned or controlled land. It is proposed that a policy be developed to determine if and under what conditions Council will issue a licence to allow the conduct of community and commercial markets on Council owned or controlled land.

#### **3. Financial**

There are no significant financial implications for Council other than administrative and statutory costs. Council will receive up to \$5,000 (plus GST) revenue per annum (based on a fee of \$500 (plus GST) per event).

#### **4. Environmental**

The market activities will be confined to the Richardson Street side, so the majority of the reserve including the playground will be unaffected and available for normal public use during market times.

Also, every effort will be made to minimise damage to the reserve during market activities and the operator will be fully responsible for the cost of any ground repairs and reinstatement. A security deposit will be required from the applicant.

#### **Conclusion**

The activation of Lincoln Park for a farmers market is considered a desirable initiative and will provide a social, cultural and economic benefits to the community of Moonee Valley.

## APPENDIX A



## **9.9 Attendance at the 2015 ALGA National General Assembly of Local Government**

**File No:** FOL/09/241  
**Author:** Director Corporate Services  
**Directorate:** Corporate Services  
**Ward:** Municipal

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### **Purpose**

The purpose of this report is to seek endorsement for the attendance of Councillors at the Australian Local Government Association (ALGA) 2015 National General Assembly of Local Government, to be held in Canberra on 14-17 June 2015.

### **Executive Summary**

- The National General Assembly is convened by the ALGA as a service to local government associations (wherein resolutions of the Assembly help to inform ALGA when developing priorities on behalf of local government).
- The theme for the upcoming meeting will be “*Closest to the Community: Local Government in the Federation*”.

### **Recommendation**

That Council:

1. Note that in accordance with the Resources, Facilities and Reimbursement of Expenses to Councillors Policy, attendance of the Mayor, Councillor Narelle Sharpe, at the National General Assembly of Local Government is approved as a matter of policy entitlement.
2. Endorse the attendance of Councillors Jim Cusack, Cam Nation, John Sipek and Andrea Surace at the Australian Local Government Association 2015 National General Assembly of Local Government to be held in Canberra on 14-17 June 2015.
3. Approve the ‘Children Left Unattended in Cars’ motion for submission to the National General Assembly Business Papers.

### **Background**

The National General Assembly of Local Government is convened by the Australian Local Government Association.

The upcoming National General Assembly of Local Government will be held at the National Convention Centre in Canberra on 14-17 June 2015.

The theme of the 2015 Assembly is “*Closest to the Community: Local Government in the Federation*” and reflects current issues being debated nationally and priority issues facing local government.

### **Discussion**

The ALGA National General Assembly brings together councils from across Australia to participate and engage in discussion on matters affecting local government and provides access to influential decision makers of the federal government (at both the political and departmental levels).

Moonee Valley City Council has previously recognised the importance of this national local government forum and has resolved that as a matter of policy, that the Mayor be authorised to attend such forums as Council’s representative. Clearly, should other Councillors wish to also attend, approval is required, in line with Council procedures.

Council is committed to effective two-way communication and consultation with the community, government and private sector by ensuring Councillors have opportunities to advocate on behalf of the community at state and federal levels. As such, it is deemed appropriate that Councillors are given the opportunity to attend this important event.

The ALGA 2015 Assembly theme, “*Closest to the Community: Local Government in the Federation*”, identifies that as part of its role, councils provide crucial local planning, services, programs and infrastructure including local roads, community halls, sports, cultural and recreation facilities that underpin the life of every local community throughout Australia and it is in this way local government is indeed the level of government that is ‘closest to the community’.

The Assembly will hear speakers from both the federal government and the federal opposition, in particular from the Hon. Tony Abbott, Prime Minister, and the Hon. Bill Shorten, Leader of the Opposition.

The National General Assembly of Local Government also provides an important opportunity for councils to influence the national policy agenda through submitting motions to the Assembly. To be eligible for inclusion in the Business Papers, and then debated on the floor of the Assembly, motions must be relevant to the work of local government nationally, be consistent with the themes of the Assembly and complement or build on the policy objectives of the state government association.

In light of the above, it is proposed that Council submit the following motion for inclusion in the National General Assembly Business Papers:

*“That the National General Assembly of Local Government calls on the Federal Government to support local governments in implementing a national safety campaign aimed at stopping children being left unattended in cars, including financial support for the strategic roll out of signage across appropriate local, state and federal government owned land.”*

Given the large amount of Council controlled car park facilities across the country and continuing incidences of children being left unattended in cars, this issue is relevant to the transport safety work of local government nationally. The motion is also consistent with the Assembly’s theme of local government being closest to the community.

## **Consultation**

The nature of this report does not require any consultation.

## **Implications**

### **1. Legislative**

There are no direct legislative implications that arise from the presentation of this report to Council.

There are no Human Rights implications resulting from this report.

### **2. Council Plan / Policy**

This report aligns with Council Plan 2013-2017 Theme 5 – Excellence in governance. It supports Council's commitment to effective two-way communication and consultation with the community, government and private sector by ensuring Council advocates on behalf of the community at State and Federal levels.

### **3. Financial**

A cost of approximately \$2,500 (covering conference registration, airfares, meals and taxi fares) per registrant would be incurred, which can be met from the Civic Governance conference allocation for the 2014/2015 year.

### **4. Environmental**

There are no environmental implications resulting from this report.

## **Conclusion**

As this is an important forum for Local Government, it is recommended that Council endorse the attendance of Councillors at the 2015 National General Assembly of Local Government.

## **9.10                      Report on Audit Committee**

**File No:** FOL/14/1253  
**Author:** Manager Governance & Local Laws  
**Directorate:** Corporate Services  
**Ward:** Municipal

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### **Purpose**

To present the unconfirmed Minutes of Council's Audit Committee Meeting held on 23 February 2015, provided as **Appendix A**.

### **Executive Summary**

Audit Committee meetings are held quarterly or as required; and the minutes of these meetings are submitted for consideration.

### **Recommendation**

That Council receive the unconfirmed Minutes of the Audit Committee Meeting held on 23 February 2015.

### **Background**

The Audit Committee is an Advisory Committee of Council established pursuant to Section 139 of the *Local Government Act* 1989 ('the Act').

Council's financial management is delivered through the planning of resource allocations as part of our Annual Budget. Regular quarterly monitoring and reporting through the Audit Committee facilitates:

1. the enhancement of the credibility and objectivity of internal and external financial reporting.
2. effective management of financial and other risks, and the protection of Council assets.
3. compliance with laws and regulations as well as use of best practice guidelines.
4. the effectiveness of the internal audit function.
5. the provision of an effective means of communication between the external auditor, internal audit staff.
6. management and Council.

### **Discussion**

The Audit Committee Charter requires that the Committee report to Council on the findings and recommendations from its meetings. This report provides a summary of matters considered at the Audit Committee meeting held 23 February 2015 as follows:

1. The Audit Committee minutes of 17 November 2014, presented to Council on 16 December 2014, were confirmed by the Audit Committee without change.
2. Audit Arrangement Letter – External Financial Report Audit of Moonee Valley City Council  

The Audit Committee noted the external financial audit for the financial year ending 30 June 2015 and were advised that in future years, unless otherwise advised, it will be conducted by the Victoria Auditor-General's Office (VAGO).
3. Audit Strategy for Financial Year Ending 30 June 2015  

The Audit Strategy, prepared to communicate the Victorian Auditor-General's planned approach to the audit of the Council's annual financial report, standard statements and the performance statement for the year ending 30 June 2015, was received and noted by the Audit Committee.
4. Audit Committee Meeting Schedule and Independent Committee Members Tenure  

Audit Committee members adopted a meeting schedule consisting of six meetings per year, increasing from the current schedule of five meetings per year. The Audit Committee also recommended that Council appoint independent members of the Audit Committee which will be subject to a future Council report.
5. Internal Audit Status Report 2013/14 and 2014/15  

The Audit Committee noted the status of the internal audit program for the 2013/14 and 2014/15 financial years which included an overview of ongoing and finalised items.
6. Review of Account Payable (including ACL Data Interrogation)  

In accordance with the adopted Internal Audit Plan for 2013/14, a review was undertaken of the Accounts Payable function and carried out ACL data interrogation. The report was received and noted by the Audit Committee.
7. Review of Fraud Management Framework  

In accordance with the adopted Internal Audit Plan for 2013/14, a review was undertaken of the Council's Fraud Management Framework to assist in identifying key areas susceptible to fraud risk, assess the effectiveness of specific controls and manage identified fraud risk. The report was received and noted by the Audit Committee.
8. Financial Performance Report – December 2014  

The Audit Committee received and noted the Finance Performance Report which outlines Council's financial performance for the six months to December 2014.
9. Investment Policy 2015  

Council's Investment Policy establishes parameters to guide Council's investment decision and given the continuous developments in financial markets it is prudent that Council's investment strategy is reviewed annually. The Audit committee recommended that Council endorse the 2015 Investment Policy.



## **Consultation**

The nature of this report does not require any consultation.

## **Implications**

### **1. Legislative**

The Local Government Act 1989 prescribes that Council must establish an Audit Committee and that such committee will be advisory in nature.

### **2. Council Plan / Policy**

In presenting this report to Council, Council is achieving its strategic objective of a dynamic, effective and accountable organisation through excellence in governance.

### **3. Financial**

This report does not have any direct financial implications.

### **4. Environmental**

There are no environmental implications resulting from this report.

## **Conclusion**

The Audit Committee plays an integral role in assisting Council to manage financial, compliance and other risks, it is therefore recommended that Council receive and note the unconfirmed Minutes of the Audit Committee meeting held 23 February 2015.

## APPENDIX A



# **Audit Committee Meeting**

**Monday, 23 February 2015**

**Minutes**

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## Report Index

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# Minutes of the Audit Committee Meeting

Monday, 23 February 2015 at 6.00pm  
held at the Moonee Valley Civic Centre

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## PRESENT

**Members:** Mr David Ashmore                      Chairperson  
Mr Hugh Parkes  
Mr Bruce Potgieter  
Cr Nicole Marshall  
Cr Narelle Sharpe

**Officers:** Mr Neville Smith                      Chief Executive  
Mr Anthony Smith                      Director Corporate Services  
Mr Dale Monk                      Manager Finance  
Mr Danny Bilaver                      Acting Coordinator Governance

**Invited** Mr Mark Peters                      HLB Mann Judd  
**Guests:** Ms Shamiso Kamunga                      HLB Mann Judd  
Mr Tim Loughnan                      VAGO

## 1. Apologies

An apology for non-attendance was received for Mr Mark Holloway.

## 2. Confirmation of Minutes

- 2.1 Moved by Mr Potgieter, seconded by Cr Marshall that the Minutes of the Audit Committee Meeting of Council held on Monday, 17 November 2015 be confirmed.

**CARRIED**

## 2.2 Matters Arising

### a) Internal Audit – Implementation of Recommendations

Moved by Mr Potgieter, seconded by Cr Sharpe that the Audit Committee note the item and to be further presented to the next Audit Committee Meeting – 20 April 2015 with:

- i. Completed actions removed.
- ii. A progress summary schedule provided

**3. Declarations of Conflict of Interest**

Nil.

**4. Declaration of Breaches of Legislation**

Nil.

**5. Chief Executive / Executive Update**

The Chief Executive, Mr Neville Smith, provided an update to the Audit Committee on the following matters:

- East West Link litigation matters
- Moonee Valley Racecourse Redevelopment
- City Link Widening
- Buckley Street Grade Separation
- Water mains refurbishment
- Essendon Football Club
- Reputational Risks including cases before Fair Work and the Equal Opportunity Commission
- Local Government Review
- Hopetoun Contamination
- Rate capping
- Kindergarten funding (15 hours)

The Director Corporate Services, Mr Anthony Smith advised that the Department of Human Services (DHS) Audit of Aged & Disability and Family & Children's Services will commence on Tuesday 24 February 2015. The purpose of this assessment is to review the services quality systems to determine their effectiveness and, where appropriate, issue certification to the Department of Human Services Standards and ISO 9001:2008 Quality Management Systems - Requirements.

**6. Reports**

Audit Committee members agreed that Reports 6.5 and 6.8 be brought forward for consideration.

**6.5                      Audit Arrangement Letter - External Financial Report Audit of Moonee Valley City Council**

**File No:** FOL/12/1439

**Author:** Manager Finance

**Directorate:** Corporate Services

### **Committee Resolution**

Moved by Mr Parkes, seconded by Cr Marshall that the Audit Committee note the external financial audit for the financial year ending 30 June 2015 and future years, unless otherwise advised, will be conducted by the Victoria Auditor-General's Office (VAGO).

**CARRIED**

#### **6.8                      Audit Strategy for Financial Year Ending 30 June 2015**

**File No:** FOL/12/1439

**Author:** Manager Finance

**Directorate:** Corporate Services

### **Committee Resolution**

Moved by Cr Marshall, seconded by Mr Potgieter that the Audit Committee receive and note the Audit Strategy for Council for the financial year ending 30 June 2015.

**CARRIED**

Mr Tim Loughnan left the meeting at 6.58pm.

#### **6.1                      Audit Committee Meeting Schedule and Independent Committee Members Tenure**

**File No:** FOL/14/1253

**Author:** Director Corporate Services

**Directorate:** Corporate Services

### **Committee Resolution**

Moved by Mr Parkes, seconded by Mr Potgieter that the Audit Committee, for the Audit Committee term set to begin 1 July 2015:

1. Adopt a meeting schedule consisting of six meetings per year if required.
2. Recommend that Council appoint independent members of the Audit Committee for a period to be determined by Council.

**CARRIED**

Audit Committee members agreed that Report 6.4 be brought forward for consideration

**6.4 Internal Audit Status Report 2013/14 and 2014/15**

**File No:** FOL/12/1439

**Author:** Manager Finance

**Directorate:** Corporate Services

**Committee Resolution**

Moved by Mr Potgieter, seconded by Cr Marshall that the Audit Committee:

3. Notes the status of the internal audit program refer Appendix A (separately circulated).
4. Recommends the benchmark be 60 days from receipt of the draft version of the report.
5. Requests Business Continuity Planning and Disaster Recovery be the first review of the 2015/16 financial year.

**CARRIED**

**6.2 Review of Accounts Payable (including ACL Data Interrogation)**

**File No:** FOL/12/1439

**Author:** Manager Finance

**Directorate:** Corporate Services

**Committee Resolution**

Moved by Cr Sharpe, seconded by Cr Marshall that the Audit Committee receive and note the Review of Accounts Payable (including ACL Data Interrogation) refer **Appendix A** (separately circulated), noting the management actions and timelines.

**CARRIED**

**6.3 Review of Fraud Management Framework**

**File No:** FOL/12/1439

**Author:** Manager Finance

**Directorate:** Corporate Services

**Committee Resolution**

Moved by Mr Potgieter, seconded by Cr Marshall that the Audit Committee receive and note the Review of Fraud Management Framework refer **Appendix A** (separately circulated), noting the management actions and timelines.

**CARRIED**

**6.6 Financial Performance Report - December 2014**

**File No:** FOL/12/1439

**Author:** Manager Finance

**Directorate:** Corporate Services

**Committee Resolution**

Moved by Mr Parkes, seconded by Mr Potgieter that the Audit Committee receives the December 2014 Financial Performance Report.

**CARRIED**

**6.7 Investment Policy 2015**

**File No:** FOL/12/1439

**Author:** Manager Finance

**Directorate:** Corporate Services

**Committee Resolution**

Moved by Mr Parkes, seconded by Mr Potgieter that the Audit Committee recommend that Council endorse the Investment Policy 2015, provided as **Appendix A** – separately circulated.

**CARRIED**

**7. Other Business**

Mr Ashmore advised he would be an apology for the next meeting to be held 20 April 2015.

**8. Next Meeting**

Next meeting of the Audit Committee will be held on Monday, 20 April 2015.

The meeting concluded at 8.38pm.

**CONFIRMED**

**DAVID ASHMORE  
CHAIRPERSON**



## 9.11                      **Report on Assemblies of Council**

**File No:** FOL/09/1245  
**Author:** Manager Governance & Local Laws  
**Directorate:** Corporate Services  
**Ward:** Municipal

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### **Purpose**

The purpose of this report is to present to Council, the written records of Assembly of Councillors held in accordance with the provisions of Section 80A(2)(a) and (b) of the *Local Government Act 1989* (“the Act”).

### **Executive Summary**

It is a requirement that the Chief Executive ensures that the written record of an Assembly of Councillors is, as soon as practicable, reported at an Ordinary Meeting of the Council; and incorporated in the minutes of that Council meeting.

### **Recommendation**

That Council receive and note the written records of Assembly of Councillors, provided as **Appendix A**, received since the last report to Council in February 2014.

### **Background**

In accordance with Section 80A (1) & (2) of the Act, the Chief Executive Officer is to ensure that a written record of an Assembly of Councillors is, as soon as practicable, reported at an Ordinary Meeting of the Council; and incorporated in the minutes of that Council meeting.

Furthermore, the written record of an Assembly of Councillors is both kept for a period of 4 years after the date of the Assembly; and made available for public inspection at the offices of the Council for a period of 12 months after the date of the assembly.

### **Discussion**

Section 76AA of the Act defines an Assembly of Councillors as a meeting of an Advisory Committee of the Council, if at least one Councillor is present, or a planned or scheduled meeting of at least half of the Councillors and one member of Council staff which considers matters that are intended or likely to be:

- a) the subject of a decision of the Council; or
- b) subject to the exercise of a function, duty or power of the Council that has been delegated to a person or committee but does not include a meeting of the Council, a Special Committee of the Council, an Audit Committee established under section 139, a club, association, peak body, political party or other organisation.

Section 80A (1) and (2) of the Act provides that:

1. At an Assembly of Councillors, the Chief Executive Officer must ensure that a written record is kept of—
  - a) the names of all Councillors and members of Council staff attending;
  - b) the matters considered;
  - c) any conflict of interest disclosures made by a Councillor attending under subsection (3); and
  - d) whether a Councillor who has disclosed a conflict of interest as required by subsection (3) leaves the assembly.
2. The Chief Executive Officer must ensure that the written record of an assembly of Councillors is, as soon as practicable—
  - a) reported at an ordinary meeting of the Council; and
  - b) incorporated in the minutes of that Council meeting.

Records of Assemblies of Councillors, held since the last report to Council in February 2014, are provided as **Appendix A**.

### **Consultation**

All Council staff have been informed of Council's obligations under the Act.

### **Implications**

#### **1. Legislative**

This report is presented to Council in accordance with Section 80A of the Act. As this is a mandatory reporting requirement, there are no Charter of Human Rights implications for Council.

#### **2. Council Plan / Policy**

In presenting this report to Council, Council is achieving its strategic objective of a dynamic, effective and accountable organisation through excellence in governance.

#### **3. Financial**

There are no financial implications resulting from the presentation of this report.

#### **4. Environmental**

There are no environmental implications resulting from the presentation of this report.

### **Conclusion**

Council has an obligation under Section 80A (2) (a) & (b) of the Act, to present all records of Assemblies of Councillors to an Ordinary Meeting of Council. By receiving and noting this report, Council is ensuring compliance with this provision.

## APPENDIX A

### RECORD OF ASSEMBLY OF COUNCILLORS

Tuesday, 17 February 2015 at 6.25pm at the Moonee Valley Civic Centre

#### PRESENT

##### Councillors:

Narelle Sharpe, Shirley Cornish, Jim Cusack, Nicole Marshall and Andrea Surace.

##### Officers:

Neville Smith	Chief Executive
Tony Ball	Director Community Services
Anthony Smith	Director Corporate Services
Scott Widdicombe	Director Environment & Lifestyle
Henry Bezuidenhout	Manager Strategic & Statutory Planning
James Martin	Manager Communications & Corporate Planning
Lisa Dunlop	Coordinator Strategic Planning
Claire Johnson	Coordinator Communications & Publications
Brian Labadie	Senior Strategic Planner

#### CONFLICT OF INTEREST DISCLOSURES

Nil.

#### MATTERS CONSIDERED

1. Essendon Junction Structure Plan
2. Items of a general nature raised by Councillors and Officers.

#### RECORD COMPLETED BY

Anthony Smith                      Director Corporate Services

## RECORD OF ASSEMBLY OF COUNCILLORS

Tuesday, 24 February 2015 at 6.00pm at the Moonee Valley Civic Centre

### PRESENT

#### Councillors:

Narelle Sharpe, Cam Nation, Jan Chantry, Shirley Cornish, Jim Cusack, Nicole Marshall, John Sipek and Andrea Surace.

#### Officers:

Neville Smith	Chief Executive
Tony Ball	Director Community Services
Bryan Lancaster	Director City Works & Development
Anthony Smith	Director Corporate Services
Scott Widdicombe	Director Environment & Lifestyle
Henry Bezuidenhout	Manager Strategic & Statutory Planning
Yvonne Hansen	Manager Governance & Local Laws

### CONFLICT OF INTEREST DISCLOSURES

Nil.

### MATTERS CONSIDERED

1. Moonee Valley Amendment C153 - Permanent Heritage Controls for 80 and 82 Richardson Street, Essendon
2. 82 Richardson Street, Essendon
3. 12 Treadwell Road, North Essendon
4. Citylink Tullamarine Freeway Widening Update
5. Moonee Valley Racecourse Proposal - Moving Forward
6. Planning Scheme Amendment C139 - Anomalies 2014
7. Transport Strategies - Update
8. Dean Local Area Traffic Management Study
9. Holmes Local Area Traffic Management Study
10. Keilor East RSL Gaming Licence Application
11. Advocacy Agenda Progress Report - December 2014
12. Strategic Alliances
13. Financial Performance Report December 2014
14. General Revaluation 2016 And Valuer's Declaration Of Impartiality
15. Use Of Technology For Accessing Council Meetings

### RECORD COMPLETED BY

Anthony Smith                      Director Corporate Services

## **RECORD OF ASSEMBLY OF COUNCILLORS**

Monday 2 March 2015 at 6.25pm at the Moonee Valley Civic Centre

### **PRESENT**

#### **Councillors:**

Narelle Sharpe, Cam Nation (7.20pm), Jan Chantry, Shirley Cornish, Jim Cusack and Nicole Marshall,

#### **Officers:**

Neville Smith	Chief Executive
Tony Ball	Director Community Services
Bryan Lancaster	Director City Works & Development
Anthony Smith	Director Corporate Services
Scott Widdicombe	Director Environment & Lifestyle
Peter Gaffney	Manager Infrastructure
James Martin	Manager Communications & Corporate Planning
Dale Monk	Manager Finance

### **CONFLICT OF INTEREST DISCLOSURES**

Nil.

### **MATTERS CONSIDERED**

1. 2015/2016 Budget

### **RECORD COMPLETED BY**

Anthony Smith                      Director Corporate Services

## RECORD OF ASSEMBLY OF COUNCILLORS

Tuesday 3 March 2015 at 6.36pm at the Moonee Valley Civic Centre

### PRESENT

#### Councillors:

Narelle Sharpe, Cam Nation (6.56pm), Jan Chantry, Shirley Cornish, Jim Cusack, Nicole Marshall, and John Sipek.

#### Officers:

Neville Smith	Chief Executive
Tony Ball	Director Community Services
Bryan Lancaster	Director City Works & Development
Anthony Smith	Director Corporate Services
Scott Widdicombe	Director Environment and Lifestyle
Henry Bezuidenhout	Manager Strategic and Statutory Planning
Adam Boyle	Manager Community Planning & Development
Yvonne Hansen	Manager Governance & Local Laws
James Martin	Manager Communications & Corporate Planning
Lisa Dunlop	Coordinator Strategic Planning
Kosta Smirnis	Coordinator Engineering Services
Danny Bilaver	Acting Coordinator Governance
Troy Delia	Acting Coordinator Parking Control & Local Laws
Janine Speedy	Strategic Planning Officer
Bridget Maplestone	Strategic Research & Policy Officer

### CONFLICT OF INTEREST DISCLOSURES

Nil.

### MATTERS CONSIDERED

1. Planning Scheme Amendment C151 - LSIO and SBO Updates
2. Draft Housing Issues and Opportunities Paper
3. Grants Review
4. Council Support for Community Based Events Guidelines
5. Council Financial & Non-Financial Support
6. Corporate Gifts Policy
7. Electoral Representation Review (Consideration of draft Submission)
8. Items of a general nature raised by Councillors and Officers.

### RECORD COMPLETED BY

Anthony Smith      Director Corporate Services

## 10. Notices of Motion

### 10.1 Notice of Motion No. 2015/06

**Title:** Cost Shifting & Grant Reduction

**From:** Cr John Sipek

**Ward:** Municipal

**File No:** FOL/14/1258

That Council requests the Chief Executive prepare a report investigating the impact of cost shifting by both the Federal and State Governments onto Local Government and the reduction in grants provided to Local Government, over the last 10 years.

### Officer's Comments

Councils have facilitated and implemented programs that enhance the quality of life for its residents and have often achieved this with financial assistance from governments or government agencies. However, in the majority of such instances, the initial funding has been eroded or has ceased, but the programs or services continue at Council's cost.

Council's ability to sustain an upward trend of cost shifting and real grant reduction on an annual recurring basis is becoming increasingly difficult to absorb. Community expectations are such that councils will continue to deliver a wide variety of services at a reasonable (generally low) cost.

The continued downward trend of government funding is making it increasingly difficult for Councils to undertake strategic long-term financial planning.

With the State Government's policy position to cap rate increases in line with CPI, Local Government is expected to see increased funding difficulties in providing services to the community. As such, Councils are being required to assess their service provision funding priorities.