



City of  
**Moonee Valley**

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# **Ordinary Meeting of Council**

Tuesday, 25 August 2015 at 7.00pm

**Agenda**

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# Ordinary Meeting of Council

Tuesday, 25 August 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 Bryan Lancaster Acting Chief Executive  
Mr Adam Boyle Acting Director Community Services  
Mr Carey Patterson Acting Director Corporate Services  
Mr Gil Richardson Acting Director City Works & Development  
Mr Anthony Smith Acting Director Environment & Lifestyle  
Ms Yvonne Hansen Manager Governance & Local Laws

**Business:**

**1. Opening**

**2. Apologies**

**3. Confirmation of Minutes**

Ordinary Meeting of Council held on Tuesday, 28 July 2015 and the  
Special Meeting of Council held on Tuesday, 4 August 2015.

**4. Declarations of Conflict of Interest**

**5. Presentations**

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**BRYAN LANCASTER**  
Acting Chief Executive

## REPORTS BY MAYOR AND COUNCILLORS

### Recommendation

That reports by the Mayor and Councillors be received.

### 8.1 Report by Mayor, Councillor Sharpe

8 July 2015	Opened NAIDOC Flag Raising Event held at the Clocktower Centre  Attended photo opportunity in Queens Park for National Tree Day  Attended Reception hosted by The Governor and Judge Anthony Howard at Government House
10 July 2015	Attended Mortgage Choice new franchise opening in Pascoe Vale Road, Moonee Ponds
12 July 2015	Attended Bully Zero Christmas in July Event  Officiated at Grand Loo Opening, Community Garden Avondale Heights  Attended Moonee Valley Bridge Club's 40 <sup>th</sup> Year Celebration
13 July 2015	Chaired Special Committee of Council for the appointment of Chief Executive Officer
14 July 2015	Attended on site meeting in Travancore  Chaired Public Forum  Chaired Councillor Briefing
16 July 2015	Chaired Interview Panel for the Appointment of the Chief Executive Officer  Chaired appointment of the Chief Executive Officer Special Committee Meeting  Attended on site meeting with resident in East Keilor
18 July 2015	Attended Victorian Separation Anniversary Dinner
21 July 2015	Attended meeting with resident regarding town planning permit application  Attended meeting with Acting Director Environment & Lifestyle and Cr Nicole Marshall  Attended meeting with Aussie Premier League representatives, Manager and Coordinator Leisure & Open Space Planning

	Attended meeting with Senior Sergeant Ian Jones of Moonee Ponds Police
	Chaired Councillor Workshop
22 July 2015	Attended Essendon Fields Hotel and Events Centre Launch
	Chaired consultation briefing and meeting in relation to 201 Pascoe Vale Road, Essendon application
	Chaired consultation briefing and meeting in relation to 1068-1070 Mt Alexander Road, Essendon application
23 July 2015	Attended meeting with Edgar's Mission
	Attended meeting with Acting Chief Executive
	Attended briefing with Acting Director Corporate Services
	Attended meeting with residents regarding Craig Street, East Keilor, Acting Chief Executive and Acting Director Corporate Services
	Opened Essendon Junction Activity Centre Structure Plan information session
24 July 2015	Launched first "Do Not Leave Children in Cars" signs at Milleara Integrated Learning and Development Centre for Children
	Attended meeting with resident and Manager Strategic & Statutory Planning
24 – 26 July 2015	Attended Municipal Association of Victoria Councillor Development Weekend
28 July 2015	Hosted Flemington Primary School grade three students for school presentation in Council Chambers, assisted by Deputy Mayor
	Hosted Flemington Primary School grade four students for school presentation in Council Chambers, assisted by Deputy Mayor
	Chaired Ordinary Meeting of Council
29 July 2015	Attended "Power of a Friend – Stop Physical Bullying Together Forum" at Church of Scientology
30 July 2015	Attended Local Government Professionals Forum at Melbourne Park Convention Centre
	Attended 2015 Melbourne Day Gala Cocktail Party
3 August 2015	Attended stage two interviews for the appointment of the Chief Executive Officer

4 August 2015	Chaired Appointment of the Chief Executive Officer Special Committee Meeting  Attended Niddrie Traders Meeting in Keilor Road, Niddrie  Met with fellow Cr Nicole Marshall, Acting Environment & Lifestyle Director, Acting Corporate Services Director, and Manager Finance in relation to expression of Interest for Audit Committee Independent Members  Chaired Special Council Meeting
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## **8.2 Report by Councillor Nation**

11 July 2015	Attended NAIDOC Ball at Melbourne Town Hall
13 July 2015	Attended Special Committee of Council for the appointment of Chief Executive Officer
14 July 2015	Attended Public Forum  Attended Councillor Briefing
16 July 2015	Attended interview panel for the appointment of the Chief Executive  Attended Appointment of the Chief Executive Officer Special Committee Meeting
21 July 2015	Attended Councillor Workshop
22 July 2015	Attended Essendon Fields Hotel and Events Centre Launch at Essendon Fields
24 July 2015	Attended Municipal Association of Victoria Councillor Development Weekend, Torquay
25 July 2015	Attended Municipal Association of Victoria Councillor Development Weekend, Torquay  Attended meetings with Councillors from Metropolitan Melbourne Councils
26 July 2015	Attended Municipal Association of Victoria Councillor Development Weekend, Torquay
28 July 2015	Assisted Mayor with school presentation to grade three students from Flemington Primary School at Council Chambers  Assisted Mayor with school presentation to grade four students from Flemington Primary School at Council Chambers  Attended Ordinary Meeting of Council

29 July 2015	Attended Municipal Association of Australia's Youth Entrepreneurship & Economic Development in Local Government event in Melbourne
30 July 2015	Attended round table discussions with Victorian Local Governance Association and LeadWest on behalf of the Mayor at Toyota, Altona North  Attended on-site meeting with resident regarding planning application in Taylor Street, Moonee Ponds
3 August 2015	Attended stage two interviews for the appointment of the Chief Executive Officer  Attended Appointment of the Chief Executive Officer Special Committee Meeting
4 August 2015	Attended Special Council Meeting

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

8 July 2015	Chaired consultation briefing and meeting in relation to 13-21 Russell Street, Essendon
14 July 2015	Attended Public Forum  Attended Councillor Briefing
16 July 2015	Attended interview panel for the appointment of the Chief Executive Officer  Attended Appointment of the Chief Executive Officer Special Committee Meeting
18 July 2015	Attended farewell dinner for Reverend Alan Colyer
21 July 2015	Attended Councillor Workshop
22 July 2015	Attended Essendon Fields Hotel and Events Centre Launch  Attended consultation briefing and meeting in relation to 201 Pascoe Vale Road, Essendon application  Attended consultation briefing and meeting in relation to 1068-1070 Mt Alexander Road, Essendon application
23 July 2015	Attended Essendon Junction Activity Structure plan information session at Ukrainian House, Russell Street, Essendon
24 July 2015	Met with Manager Strategic & Statutory Planning and Officer in relation to town planning objection
25 July 2015	On-site visit with residents in Taylor Street, Moonee Ponds



	On-site visit with residents in Duffy Street, North Essendon
26 July 2015	Attended National Tree Day event at Boeing Reserve, Strathmore Heights
28 July 2015	Attended Ordinary Meeting of Council
3 August 2015	Attended stage two interviews for the appointment of the Chief Executive Officer
	Attended Appointment of the Chief Executive Officer Special Committee Meeting
4 August 2015	Attended Special Council Meeting

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

8 July – 4 August 2015    Verbal Report

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

8 July 2015	Attended NAIDOC flag raising event held at the Clocktower Centre
	Attended LeadWest Board Meeting at Victoria University, Footscray
11 July 2015	Attended NAIDOC Ball at Melbourne Town Hall
12 July 2015	Attended Grand Loo Opening, Community Garden Avondale Heights
	Attended Moonee Valley Bridge Club's 40 <sup>th</sup> Year Celebration
13 July 2015	Attended the Appointment of the Chief Executive Officer Special Committee Meeting
14 July 2015	Attended Tenders Committee Meeting
	Attended Public Forum
	Attended Councillor Briefing
16 July 2015	Attended interview panel for the appointment of the Chief Executive Officer
	Attended Appointment of the Chief Executive Officer Special Committee Meeting
22 July 2015	Met with President, Union Road Traders Association and fellow Myrnong Ward Councillors
	Attended Moonee Valley Interfaith Committee Meeting at Council Offices
23 July 2015	Attended CityLink Tullamarine widening information session at St Brendan's Hall, Flemington

24 – 26 July 2015	Attended Councillor Development Weekend, Torquay
28 July 2015	Met with Acting Director Environment & Lifestyle and Manager Strategic & Statutory Planning in relation to Capital Grants  Attended Ordinary Meeting of Council
1 August 2015	Attended Community Planting Day hosted by Friends of Moonee Ponds Creek
2 August 2015	Attended Community Planting Day hosted by Friends of 5-Mile Creek
3 August 2015	Attended stage two interviews for the appointment of the Chief Executive Officer  Attended Appointment of the Chief Executive Officer Special Committee Meeting
4 August 2015	Met with Manager Economic Development & City Sustainability in relation to Union Road Traders Association  Attended Special Council Meeting

#### **8.6 Report by Councillor Giuliano**

8 July – 4 August 2015    Verbal Report

#### **8.7 Report by Councillor Marshall**

8 July 2015	Attended NAIDOC flag raising event held at the Clocktower Centre
13 July 2015	Attended the Appointment of Chief Executive Officer Special Committee of Council Meeting
14 July 2015	Met with President Moonee Ponds Traders Association  Attended Public Forum  Attended Councillor Briefing
15 July 2015	Attended Planning Portfolio meeting with Acting Director City Works & Development and Manager Strategic & Statutory Planning  Met with Manager Economic Development & City Sustainability and Coordinator Economic Development
16 July 2015	Attended interview panel for the appointment of the Chief Executive Officer  Attended Appointment of the Chief Executive Officer Special Committee Meeting

21 July 2015	Attended Councillor Workshop
22 July 2015	Meeting with President, Union Road Traders Association and fellow Myrnong Ward Councillors
23 July 2015	Attended CityLink Tullamarine widening information session at St Brendan's Hall, Flemington
28 July 2015	Attended Ordinary Meeting of Council
29 July 2015	Met with Chinese community group
30 July 2015	Attended Strategic Planning Advisory Committee Meeting
3 August 2015	Attended stage two interviews for the appointment of the Chief Executive Officer  Attended Appointment of the Chief Executive Officer Special Committee Meeting  Attended Integrated Transport Committee Meeting
4 August 2015	Met with Acting Director Community Services, Manager Family & Children's Services and representative of Chinese community group  Meeting with Mayor, Cr Narelle Sharpe, Acting Director Environment & Lifestyle, Acting Director Corporate Services, Manager Finance in relation to expression of interest for Audit Committee Independent Members  Met with Manager Economic Development & City Sustainability in relation to Union Road Traders Association  Attended Special Council Meeting
Throughout reporting period	Attended meetings with residents in relation to issues of concern. Attended sites of planning concerns.

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

8 July – 4 August 2015    Verbal Report

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

8 July 2015	Attended consultation briefing and meeting in relation to 22 Green Street, Airport West  Attended consultation briefing and meeting in relation to 444 Buckley Street, West Essendon
9 July 2015	Attended NAIDOC Week event – Charlie's Country – Film at Avondale Heights Library & Learning Centre
11 July 2015	Attended NAIDOC Ball at Melbourne Town Hall

13 July 2015	Attended the Appointment of the Chief Executive Officer Special Committee Meeting Attended Public Forum Attended Councillor Briefing
16 July 2015	Attended interview panel for the appointment of the Chief Executive Officer Attended the Appointment of the Chief Executive Officer Special Committee Meeting
21 July 2015	Attended Councillor Workshop
22 July 2015	Attended Essendon Fields Hotel and Events Centre Launch  Attended consultation briefing and meeting in relation to 11 Sovereign Way, Avondale Heights
23 July 2015	Attended VLGA's "Where to next for Metropolitan Planning in Melbourne" Forum
24 – 26 July 2015	Attended Councillor Development Weekend, Torquay
28 July 2015	Attended Ordinary Meeting of Council
30 July 2015	Attended on-site meeting with resident in Taylor Street, Moonee Ponds
3 August 2015	Attended stage two interviews for the appointment of the Chief Executive  Attended Appointment of the Chief Executive Officer Special Committee Meeting Attended Integrated Transport Committee Meeting
4 August 2015	Attended Special Council Meeting

## REPORTS

**9.1                      67-69 Lebanon Street, Strathmore (Lots 1 & 2 TP825084D) -  
Construction of eight dwellings**

**File No:** FOL/15/590  
**Author:** Principal Statutory Planner  
**Directorate:** City Works & Development  
**Ward:** Buckley

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<b>Proposal</b>	<ul style="list-style-type: none"><li>• 8 double storey dwellings</li></ul>
<b>Applicant</b>	Z.D.A. Design Pty Ltd
<b>Owner</b>	Saleh Challenge Pty Ltd
<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: 13 Provided: 13
<b>Restrictive Covenants</b>	Yes, Covenant 2002286 prevents the quarrying of the land
<b>Easements</b>	Yes, a 1.83 metre wide drainage and sewerage easement
<b>Site Area</b>	1,892 square metres
<b>Number Of Objections</b>	14
<b>Consultation Meeting</b>	6 May 2015
<b>Proposal</b>	<ul style="list-style-type: none"><li>• 8 double storey dwellings</li></ul>

## Executive Summary

- The application seeks planning approval for the construction of eight double storey dwellings.
- The site has an area of 1,892 square metres and is located on the south-western side of Lebanon Street, Strathmore. The site comprises an existing single storey rendered brick dwelling.
- The application was advertised and 14 objections were received. The concerns raised related to overdevelopment, neighbourhood character, visual bulk, site coverage, car parking, traffic, extent of crossovers, permeability, stormwater runoff, impacts on infrastructure (i.e. drains and pipes), front setback, side and rear setbacks, noise, proximity to Essendon Airport, loss of gardens and landscaping, overlooking, overshadowing, access to daylight, reduced sunlight to solar panels at No.65 Lebanon Street, conversion of study/retreat/sitting/living rooms to bedrooms, entrances to Dwellings 4 and 7 being obscured, private open space inadequate, compliance with Clause 55.03-10 (Parking Location), not in accordance with Neighbourhood Residential Zone, rubbish bin collection, reduction in property values and errors within the report submitted to Council.
- A Consultation Meeting was held on 6 May 2015, attended by Councillor Chantry, Councillor Giuliano, objectors, the applicant 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 if Council were in a position to decide on the application, that the decision would have been to issue a Notice of Decision to Grant a Permit subject to conditions.



Figure 1 – Aerial photo of the subject site and surrounds

## Recommendation

That Council with respect to an Application for Review against Council's failure to decide the application within the prescribed time, resolves to advise the Victorian Civil and Administrative Tribunal (VCAT) and other parties to the application, that if Council were in a position to decide on the application, that the decision would have been to issue a Notice of Decision to Grant a Permit in relation to Planning Permit Application No. MV/91/2015 for the construction of eight dwellings at No.67-69 Lebanon Street, Strathmore (Lots 1 & 2 TP825084D), 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) Replacement of the word 'unit' with 'dwelling'.
  - b) The redirection of front pedestrian pathways for Dwellings 1 and 6 towards their respective driveways, with additional landscaping provided in front of Dwellings 1 and 6 as a result of this.
  - c) Relocation of the mailboxes for Dwellings 1 and 6 adjacent to their respective driveways, as a result of Condition 1.b).
  - d) The replacement of alucobond cladding on the front façade of Dwellings 1 and 6 with lightweight timber cladding that respects the neighbourhood character.
  - e) The first floor Bedroom 2 of Dwelling 6 set back a minimum of 4.0 metres from the eastern property boundary, with suitable articulation of this elevation through the use of different colours and materials.
  - f) Dwellings 1 and 6 excavated further so that their finished floor levels at ground floor are as close to natural ground level as possible.
  - g) All first floor levels reduced to 2.4 metres in height (floor to ceiling levels).
  - h) Deletion of the first floor retreat area of Dwelling 5.
  - i) Deletion of internal walls associated with the ground floor study area of Dwelling 5 to provide a more open layout.
  - j) Deletion of internal walls associated with the ground floor living and study areas of Dwelling 8 to provide a more open layout.
  - k) The ground floor front porch, entry and study area of Dwelling 7 rearranged to provide a new entrance that would be visible from the street and internal access way.
  - l) The east facing ground floor study windows of Dwellings 2 to 5 (inclusive) and the west facing ground floor living room window of Dwelling 8 provided with window sill heights a minimum of 1.4 metres above the shared internal access way.
  - m) The ground floor east facing habitable room windows, terrace and deck

areas of Dwellings 6 to 8 (inclusive) treated/screened in accordance with the requirements of Clause 55.04-6 (Overlooking) of the Moonee Valley Planning Scheme.

- n) The ground floor west facing terrace area of Dwelling 1 treated/screened in accordance with the requirements of Clause 55.04-6 (Overlooking) of the Moonee Valley Planning Scheme.
- o) A notation that all obscure glazed windows (i.e. 'obsc') are to be 'fixed' or 'restricted awning to a maximum of 150mm', with a 'maximum of 25% transparency'.
- p) Infrastructure and street trees located a minimum of 1.0 metre from the edge of proposed crossovers.
- q) The provision of 300mm trench grates in front of all garage doors and at the bottom of vehicle access ramps.
- r) WSUD details in accordance with Conditions 3 and 4.

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, an amended and correct STORM Rating Report must be submitted to and approved by the Responsible Authority. The amended STORM Rating Report must achieve a minimum rating of 100%.
- 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 (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).

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.

- 5. 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.

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. 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.
8. Buildings or works must not be constructed over or adjacent to any easement or within one metre of an existing Council drainage asset without the prior written consent of Council (or of the authorities or agencies with an interest in the easement) 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 dwellings.
11. 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).
- 12. 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.
- 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. Before the development commences  
An engineering design plan (EDP) and a drainage layout plan (DLP) together with supporting calculations must be submitted to and approved by the Responsible Authority. The EDP and DLP must be prepared by a civil engineer with suitable qualifications to the satisfaction of the responsible authority, and must be in accordance with Council's drainage design guidelines. Once approved the EDP and DLP will be endorsed and will form part of this permit.

Construction of Infrastructure Service (Drainage) requirement

The drainage works must be constructed in accordance with the endorsed EDP and DLP together with any provisions, recommendations and requirements to the satisfaction of the Responsible Authority.

After Practical Completion of Works

Prior to occupancy of development, as constructed plans must be submitted and approved by the Responsible Authority.

All costs associated with the preparation of the plan and installation and construction of the associated infrastructure works must be borne by the permit holder.

16. 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.
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. Any new building must be constructed so as to comply with any noise attenuation measures required by Section 3 of the Australian Standard AS 2021-2000, Acoustics – Aircraft Noise Intrusion – Building Siting and Construction, issued by the Standards Australia International Ltd.
19. Before the development starts, or any trees or vegetation removed, an amended 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) Planting on the land comprising trees and shrubs capable of:
    - i. Providing a complete garden scheme.
    - ii. Softening the building bulk.
    - iii. Minimising the potential of any overlooking between habitable rooms of adjacent dwellings.
  - c) The use of drought tolerant species.
  - d) All existing tree species to be retained included within the landscape schedule.
  - e) The provision of at least two canopy trees within the front setback of Dwelling 1, which are able to achieve a minimum mature height of 4 metres.
  - f) The provision of additional garden beds within the front setback of Dwellings 1 and 6 to soften the appearance of the development from Lebanon Street.
  - g) The proposed design features such as paths, paving, lawn and mulch.
  - h) The use of non-invasive plant species within any easements which will ensure that existing infrastructure assets are not damaged by root systems.

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.

20. 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.

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 the 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.
- A Council drain (minimum 300mm dia RCP RRJ) or as specified by the Responsible Authority must be constructed to reach the approved point of discharge (approximately 55m).
- 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.
- The existing bluestone wall is within Council's road reserve. The bluestone wall and existing levels within the road reserve must not be altered.

## 1. Introduction

### 1.1. Subject Site and Surrounds

The subject site is located on the south-western side of Lebanon Street, Strathmore. The site is irregular in shape with a frontage to Lebanon Street of 36.09 metres and a maximum depth of 72.64 metres resulting in a total area of 1,892m<sup>2</sup>.

The land has an approximate 6.0 metre fall from the south-west of the site to the north-east.

It appears that a 1.83 metre wide drainage and sewerage easement exists to the south of the site adjoining part of the rear property boundary.

The site comprises a single storey rendered brick dwelling and associated outbuildings. The existing dwelling has a front setback of approximately 12.30 metres. Vehicle access is obtained from an existing crossover to the north along Lebanon Street. There is no significant landscaping or vegetation on the subject site. There appear to be three street trees located at the front of the site.



**Figure 2 – Subject site (No.67-69 Lebanon Street, Strathmore)**

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. The built form found within the immediate vicinity is predominantly traditional in style and character, comprising of brick, render and weatherboard dwellings with pitched tiled roofing.

### 1.2. Proposal

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

**Table 1**

No. of dwellings	Eight (3 x 4 bedrooms, 1 x 3 bedrooms and 4 x 2 bedrooms)
No. of car spaces	Thirteen
Max. building height	8.43 metres

Site coverage	43.15%
Permeability	31.20%

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

Clause 21.02 Key Issues and Influences

Clause 21.03 Vision

Clause 21.04 Sustainable Environment

Clause 21.05 Housing

Clause 21.06 Built Environment

Clause 22.03 Stormwater Management (Water Sensitive Urban Design)

#### Zoning

Clause 32.08 General Residential Zone

#### 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 the inclusion of conditions on any permit granted.
- Traffic and Transportation Unit

No objection.

- ESD Officer

No objection subject to the submission of a correct STORM Rating Report and the inclusion of associated WSUD conditions on any permit granted.

#### **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, fourteen (14) 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 6 May 2015, attended by Councillor Chantry, Councillor Giuliano, objectors, the applicant 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 public parks/reserves, schools and the No.501 bus route. 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 generally complies with the objectives and strategies of Clause 21.04 (Sustainable Environment). However, it is noted that this application for a planning permit was lodged prior to this policy being introduced into the Moonee Valley Planning Scheme and therefore was not required to provide a Sustainable Design Assessment. The proposal accords with the objectives of Clause 21.04-7 (Waste) and can be adequately catered for by Council's waste collection service.

The proposal complies with the objectives and strategies of Clause 21.05 (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 21.06 (Built Environment). A number of the objectives and strategies within this clause

appear to overlap with those contained within the neighbourhood character precinct profile and ResCode, and therefore the key concepts of Clause 21.06 are discussed below within Sections 3.3 and 3.5 of this report.

The proposal generally complies with Clause 22.03 Stormwater Management (Water Sensitive Urban Design). However, as mentioned earlier Council's ESD Officer recommended corrections to the STORM Rating Report which are to be done through conditions on any permit granted. The relevant WSUD requirements, including water treatment measures and relevant annotations, are to also be included as conditions on any permit granted in accordance with this policy.

### **3.3. Neighbourhood Character Guidelines**

The subject land is identified as being within character area 'Garden Court 3'.

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

*"New developments will allow the vegetation to continue to dominate the streetscape, and be partially hidden from the streets behind established planting and trees. Building styles will continue to be architecturally diverse, but appear cohesive with consistent siting, form and use of materials.*

*The use of lighter finishes will reinforce the palette of materials. Consistent front setbacks will complement the existing siting patterns, while no or low front fencing will ensure gardens are clearly visible from the street. Well established gardens will further contribute to the dominance of vegetation in this precinct."*

It is considered that the development provides a suitable response to the preferred character statement of Garden Court 3 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 5.5 metre wide setback between Dwellings 1 and 6 across the site frontage. It is also noted that Dwelling 1 is set back a minimum of 3.0 metres from the western (side) property boundary at ground floor level and Dwelling 6 is set back a minimum of 4.0 metres from the eastern (side) property boundary at ground floor level.</p> <p>Building envelope similar to other medium density style developments within the immediate area. Importantly, the dwellings have been located and designed in a tandem arrangement for each parcel/lot that makes up the subject site and garages do not protrude forward of the front building line.</p> <p>Paving within the front garden areas should be minimised. The redirection of pedestrian pathways for</p>
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	<p>Dwellings 1 and 6 towards their respective driveways would increase landscaping opportunities and provide an improved garden theme across the site frontage. This is to be included as a condition on any permit granted accordingly.</p>
Built Form	<p>Predominantly traditional elements with regard to roof styles and building materials, finishes and colours complementing existing dwellings within the streetscape. However, it is considered that the use of alucobond cladding on the front façade of Dwellings 1 and 6 does not respect or complement the existing neighbourhood character and should be modified to a lightweight timber cladding accordingly. Furthermore, the cantilevered section of the bedroom along the eastern elevation of Dwelling 6 does not complement the built form and siting of original dwelling stock and should be deleted, with this eastern elevation suitably articulated through the use of different colours and materials. These are to be included as conditions on any permit granted.</p> <p>Well-articulated on each elevation.</p> <p>Double storey height is generally responsive to existing and emerging building heights within the locality. However, given the slope of the land exacerbates the height and visual bulk of the proposed dwellings on the streetscape and adjoining properties, it is considered that all first floor levels should be reduced to 2.4 metres in height (floor to ceiling) with Dwellings 1 and 6 to incorporate additional excavation so that their ground floor levels are as close to natural ground level as possible. These are to be included as conditions on any permit granted.</p>
Design Detail	<p>A mix of brick and lightweight materials which are considered to be characteristic of traditional dwellings in the area. Proposed colours are predominantly greys and browns, which contribute to the streetscape and complement the predominant palette of materials in the area. However, as discussed earlier the use of alucobond cladding to Dwellings 1 and 6 does not respect or complement the existing neighbourhood character and should be modified to a lightweight timber cladding accordingly.</p> <p>Pitched roofing with prominent eaves have been provided to all proposed dwellings.</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.</p>

	No front fence is proposed, which ensures views of the front garden are maintained. Front fencing is not a typical occurrence along surrounding streets and therefore this is considered acceptable.
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### 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
Eight dwellings (3 x 4 bedrooms, 1 x 3 bedrooms and 4 x 2 bedrooms)	12	12
Residential visitors	1	1
Total	13	13

As referenced under Section 2.3 of this report, Council's 'Traffic and Transportation Unit' have no objection to the proposed development. However, it is noted that Dwellings 5 and 8 contain study, living and retreat areas that could potentially be used as bedrooms, which would require additional car parking spaces. Therefore, the first floor retreat area of Dwelling 5 is to be deleted, the ground floor study area of Dwelling 5 is to be opened up with the deletion of internal walls, and the ground floor living and study areas of Dwelling 8 are to be opened up with the deletion of internal walls. These are to be included as conditions on any permit granted.

It is not anticipated that the proposed development will generate a cumulative impact or have an adverse effect on the local road network.

### 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
Clause 55.02-1 (Standard B1) Neighbourhood Character	As discussed under Sections 3.2 and 3.3 of the report, it is considered that the proposal is appropriate subject to modification.
Clause 55.03-1 (Standard B6) Street Setback	Dwellings 1 and 6 are proposed to be set back a minimum of 8.5 metres from the Lebanon Street frontage.  Under this standard the required front setback should be a minimum of 8.65 metres. Therefore the proposal does not comply with the requirements of this

	<p>standard.</p> <p>While the proposal does not comply with the requirements of this standard, this is a non-compliance of 0.15 metres which is considered negligible as the minimum 8.5 metre setback complements predominant street setbacks within the immediate vicinity, which appear to range between 7-8 metres. Furthermore, the staggered setbacks across the frontage provide a suitable transition between adjoining dwellings given the angled nature of the front property boundary. It is also noted that the proposed setbacks combined with the wide street frontage allow for large garden areas and canopy trees to help soften the built form from the streetscape.</p>
<p>Clause 55.03-5 (Standard B10) Energy Efficiency</p>	<p>Based on the section shadow diagrams there will be no overshadowing of the existing solar panels associated with No.65 Lebanon Street from proposed Dwelling 6. As highlighted previously, conditions will be imposed to address the built form aspects associated with the height and cantilevered section of Dwelling 6. The deletion of this aspect and reduced height will further ensure the energy efficiency of the adjoining dwelling will not be unreasonably compromised.</p>
<p>Clause 55.03-7 (Standard B12) Safety</p>	<p>As the Dwelling 7 front porch is obscured from the street and internal accessway it should be rearranged with the adjoining study area to provide a new entrance that would be visible from the street and internal accessway, and this is to be a condition on any permit granted.</p>
<p>Clause 55.03-8 (Standard B13) Landscaping</p>	<p>It is considered that the front pedestrian pathways for Dwellings 1 and 6 should be removed and replaced with additional landscaping and canopy trees in accordance with the aims and objectives of the Garden Court 3 precinct profile and this is to be a condition on any permit granted.</p> <p>A professional landscape plan with an improved garden theme will need to be provided, with additional plantings and canopy trees within the front setback area of Dwellings 1 and 6, and this is to be a condition on any permit granted.</p>
<p>Clause 55.03-10 (Standard B15) Parking Location</p>	<p>The east facing ground floor study windows of Dwellings 2-5 (inclusive) and the west facing ground floor living room window of Dwelling 8 are set back a minimum of 1.0-1.2 metres from the shared accessway and do not meet the setback</p>

	requirements under this standard. Therefore, these window sills are required to be a minimum of 1.4 metres above the shared accessway, in order to protect residents from vehicular noise within the proposed development, and this is to be a condition on any permit granted.
Clause 55.04-6 (Standard B22) Overlooking	<p>There is overlooking potential from the ground floor east facing habitable room windows, terrace and deck areas of Dwellings 6-8 (inclusive) into existing habitable room windows and the secluded private open space area associated with No.65 Lebanon Street. There is also overlooking potential from the ground floor west facing terrace of Dwelling 1 into existing habitable room windows and the secluded private open space area associated with No.71 Lebanon Street. These areas and windows are to be treated/screened in accordance with the requirements of this standard as a condition on any permit granted.</p> <p>Furthermore, all obscure glazed windows and privacy screens are to be 'fixed' or 'restricted awning to a maximum of 150mm' with a 'maximum of 25% transparency', and this is to be a condition on any permit granted.</p>
Clause 55.05-2 (Standard B26) Dwelling Entry	As previously highlighted, the entrance to Dwelling 7 is obscured from the street and internal accessway and should be rearranged with the adjoining study area to provide a new entrance to help identify this dwelling. This is to be a condition on any permit granted.
Clause 55.06-1 (Standard B31) Design Detail	As discussed under Sections 3.2 and 3.3 of the report, it is considered that the proposal is appropriate subject to modification.

### 3.6. Objections

**Table 5**

<b>Issue</b>	<b>Officer Response</b>
Overdevelopment	This is considered acceptable as discussed within Sections 3.2, 3.3 and 3.5 of this report.
Neighbourhood character / visual bulk	This is considered acceptable, subject to modification, as discussed within Sections 3.2, 3.3 and 3.5 of this report.
Site coverage	The proposed development meets the requirements of Clause 55.03-3 (Site Coverage).
Car parking / traffic	This is considered acceptable as discussed within Sections 2.3 and 3.4 of this report. The proposed development provides adequate car parking on site

	and Council's Traffic and Transportation Unit have no objection to the proposal.
Extent of crossovers along Lebanon Street	The proposed development meets the requirements of Clause 55.03-9 (Access).
Permeability / stormwater runoff	<p>The proposed development meets the requirements of Clause 55.03-4 (Permeability).</p> <p>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 (refer Condition 13).</p>
Impacts on infrastructure (i.e. drains and pipes)	The proposed development meets the requirements of Clause 55.02-4 (Infrastructure). 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.
Front setback	This is considered acceptable as discussed within Sections 3.3 and 3.5 of this report.
Side and rear setbacks	The proposed development meets the requirements of Clause 55.04-1 (Side and Rear Setbacks).
Noise / proximity to Essendon Airport	<p>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.</p> <p>It is noted that the subject site is not covered by the DDO9, which relates to flight paths in the vicinity of Essendon Airport. However, given the proximity of the proposed development to Essendon Airport, it is considered that all proposed dwellings are to comply with Section 3 of 'AS 2021-2000 Acoustics – Aircraft Noise Intrusion – Building Siting and Construction' and this is to be included as a condition on any permit granted (refer Condition 18).</p>
Loss of gardens and landscaping	The proposed development meets the requirements of Clause 55.03-8 (Landscaping), subject to the inclusion of conditions on any permit granted, as discussed within Sections 3.3 and 3.5 of this report (refer Conditions 1.b, 19 and 20).
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 (refer Conditions 1.m, 1.n and 1.o).

Overshadowing	The proposed development meets the requirements of Clause 55.04-5 (Overshadowing Open Space).
Access to daylight	The proposed development meets the requirements of Clause 55.04-3 (Daylight to Existing Windows).
Reduced sunlight to solar panels at No.65 Lebanon Street	The proposed development meets the requirements of Clause 55.03-5 (Energy Efficiency), subject to the inclusion of conditions on any permit granted, as discussed within Section 3.5 of this report. Specifically, increased setbacks to the first floor level of Dwelling 6 from the eastern property boundary, with an overall reduction in the height of this dwelling, are to be conditions on any permit granted (refer Conditions 1.e, 1.f and 1.g).
Conversion of study, retreat, sitting and living areas to bedrooms	This is considered acceptable subject to the inclusion of conditions on any permit granted, as discussed within Section 3.4 of this report (refer Conditions 1.h, 1.i and 1.j).
Entrances to Dwellings 4 and 7 being obscured	The proposed development meets the requirements of Clause 55.05-2 (Dwelling Entry), subject to the inclusion of a condition on any permit granted, as discussed within Section 3.5 of this report (refer Condition 1.k).
Private open space inadequate	The proposed development meets the requirements of Clause 55.05-4 (Private Open Space).
Compliance with Clause 55.03-10 (Parking Location)	The proposed development meets the requirements of Clause 55.03-10 (Parking Location), subject to the inclusion of a condition on any permit granted, as discussed within Section 3.5 of this report (refer Condition 1.l).
Proposal not in accordance with the 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 General Residential, to which an assessment must be made.
Rubbish bin collection	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 approximately 22 metres of kerbside space for the collection of bin/recycling receptacles at the front of the site, which can accommodate 16 typical 'SULO' sized bins.
Reduction in property values	This is not a valid planning consideration.
Errors within the report submitted to Council	This 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.

**Appendices**

Appendix A: Objections - 67-69 Lebanon Street Strathmore

Appendix B: Clause 55 ResCode - 67-69 Lebanon Street Strathmore

Appendix C: Advertised Plans (separately circulated)

## APPENDIX A

### Location of Objectors Properties

29 Dagonet Street, STRATHMORE VIC 3041
86 Lebanon Street, STRATHMORE VIC 3041
98 Lebanon Street, STRATHMORE VIC 3041
92 Lebanon Street, STRATHMORE VIC 3041
25 Dagonet Street, STRATHMORE VIC 3041
152 Arvon Road, STRATHMORE VIC 3041
90 Lebanon Street, STRATHMORE VIC 3041
63 Lebanon Street, STRATHMORE VIC 3041
59 Lebanon Street, STRATHMORE VIC 3041
65 Lebanon Street, STRATHMORE VIC 3041
94 Lebanon Street, STRATHMORE VIC 3041
100 Lebanon Street, STRATHMORE VIC 3041
132 Arvon Road, STRATHMORE VIC 3041
71 Lebanon Street, STRATHMORE VIC 3041



**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>	✓ (subject to conditions)	✓ (subject to conditions)
<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	✓
<i>B7 - Building Height Objective</i>	✓	✓
<i>B8- Site Coverage Objective.</i>	✓	✓
<i>B9- Permeability Objectives</i>	✓	✓
<i>B10 - Energy Efficiency Objectives</i>	✓ (subject to conditions)	✓ (subject to conditions)
<i>B11 - Open Space Objective</i>	N/A	N/A
<i>B12 - Safety Objective</i>	✓ (subject to conditions)	✓ (subject to conditions)
<i>B13 - Landscaping Objectives</i>	✓ (subject to conditions)	✓ (subject to conditions)
<i>B14 - Access Objectives</i>	✓	✓
<i>B15 - Parking Location Objectives</i>	✓ (subject to conditions)	✓ (subject to conditions)
<i>B16 - 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>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>	✓ (subject to conditions)	✓ (subject to conditions)
<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>	✓ (subject to conditions)	✓ (subject to conditions)
<i>B32 - Front Fences Objective</i>	✓	✓
<i>B33 - Common Property Objectives</i>	✓	✓
<i>B34 - Site Services Objectives</i>	✓	✓

✓ - complies  
X - non-compliance  
N/A - not applicable

**9.2                      33 Strelton Avenue, Strathmore (Lot 3 on LP 95874) -  
Construction of three dwellings**

**File No:** FOL/15/590  
**Author:** Senior Statutory Planner  
**Directorate:** City Works & Development  
**Ward:** Buckley

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<b>Proposal</b>	<ul style="list-style-type: none"><li>• Three three-bedroom dwellings</li><li>• Two double storey, one single storey</li></ul>
<b>Applicant</b>	ARG Planning
<b>Owner</b>	Legudi Nominees 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 – Two or more dwellings
<b>Car Parking Requirements (Clause 52.06)</b>	Required = 6 spaces Provided = 6 spaces
<b>Bicycle Requirements</b>	N/A
<b>Restrictive Covenants</b>	Yes, Covenants 1327077 and 1380884 which prohibit quarrying and pottery manufacturing
<b>Easements</b>	None
<b>Site Area</b>	808 square metres
<b>Number Of Objections</b>	12
<b>Consultation Meeting</b>	22 April 2015

## Executive Summary

- The application seeks planning approval for the construction of three dwellings.
- The site is currently vacant and has a total area of approximately 808 square metres. It is located on the southern side of Strelton Avenue, Strathmore.
- The application was advertised and 12 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 an existing tree, devaluation of properties, impact on infrastructure, traffic and parking impacts.
- A Consultation Meeting was held on 22 April 2015, attended by The Mayor Councillor Sharpe, Councillor Chantry, objectors, the applicant 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 Environmentally Sustainable Design (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/494/2014 for the construction of three dwellings at 33 Strelton Avenue, Strathmore (Lot 3 on LP 95874), 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 elevations of each dwelling to be labelled correctly and according to their orientation.
  - b) Deletion of all references to a visitor car space from the elevation plans.
  - c) The porch of Dwelling 1 to be noted as having a height less than 3.6 metres.
  - d) The provision of double glazing to the windows of Bedroom 1 of Dwelling 3.
  - e) The provision of pedestrian visibility splays in accordance with Clause 52.06-8 (Design Standards for Car Parking) of the Moonee Valley Planning Scheme.
  - f) Design details of the permeable paving as it functions along each gradient change along the shared access way in accordance with Condition 3.
  - g) The provision of an acoustic fence/wall along the south-eastern boundary, commencing adjacent to the front wall of Dwelling 1 and finishing adjacent to the entrance of Dwelling 2.

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.

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).

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

4. 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, such as noise, EPA issues, traffic management, waste management etc.

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

- 5. 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.

- 6. Prior to the issue of an Occupancy Permit, all boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
- 7. Service units, including air conditioning units, must not be located on any of the balconies or terrace areas unless appropriately visually and acoustically screened to the satisfaction of the Responsible Authority.
- 8. Floor levels shown on the endorsed plan(s) must not be altered or modified without written consent of the Responsible Authority.
- 9. The privacy screens/obscure glazing as shown on the endorsed plans must be installed prior to the occupation of the buildings.
- 10. 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.

11. 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.
12. 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.
13. 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.
14. 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.
15. 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 canopy trees within the front setback of Dwelling 1 which are able to achieve a minimum mature height of 4 metres.
  - e) Features such as paths, paving and access ways.

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.

16. 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.

17. 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 reservation 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 is located on the south-western side of Strelton Avenue, Strathmore. The site is rectangular in shape with a frontage of 17.68 metres and a depth of 45.72 metres, yielding an area of approximately 808 square metres. There are two restrictive covenants registered on the Certificate of Title which both relate to restrictions against quarrying operations. No easements or other restrictions affect the land.



**Figure 2 – Subject Site (33 Strelton Avenue, Strathmore)**

The subject land is currently vacant with some vegetation located toward the rear, including a mature olive tree, and features a slope of approximately 5 metres from the rear of the site (south-west) to the street (north-east).

The surrounding land is within a General Residential Zone and has been developed for residential uses. The surrounding land is an established residential area, which is increasingly characterised by contemporary architecture both in the form of single dwellings and multi dwelling developments. More traditional dwelling stock remains a large portion of the immediate area, which is characterised by its sloping topography as well as its proximity to parklands and the Essendon Airport. The southern side of Strelton Avenue is located on the higher side of the sloping land, resulting in more visually dominant buildings presenting to the street.

### **1.2 Proposal**

It is proposed to construct three dwellings, with two being double storey and one being single storey.

The proposal can be summarised as follows:

**Table 1**

No. of dwellings	Three three-bedroom dwellings
No. of car spaces	6
Max. building height	7.74 metres
Site coverage	42.22%
Permeability	32.8%

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

## **2. Background**

### **2.1 Relevant Planning History**

No historical planning applications are relevant to the site.

### **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

Clause 21.02 Key Issues and Influences

Clause 21.03 Vision

Clause 21.04 Sustainable Environment

Clause 21.05 Housing

Clause 21.06 Built Environment

Clause 22.03 Stormwater Management (Water Sensitive Urban Design)

#### Zoning

Clause 32.08 General Residential Zone

#### 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

#### Comments

Council's Municipal Strategic Statement has been recently updated, with one of the main changes being the incorporation of Clause 21.04-3 (Ecologically Sustainable Development) into the Moonee Valley Planning

Scheme. This clause requires developments of three or more dwellings to provide a Sustainable Design Assessment using STEPS/SDS or any other approved assessment tool. As the proposed development has been lodged prior to this requirement being incorporated into the planning scheme, it is not considered necessary to require such an assessment in this instance.

## **2.3 Referrals**

### External

- Not applicable.

### Internal

- Engineering Services Unit  
No objection subject to standard conditions.
- Traffic and Transportation Unit  
No objection subject to standard conditions and notes.
- ESD Officer  
No objection subject to standard conditions and the following non-standard condition:
  - Design details of the permeable paving as it functions along each gradient change along the shared access way.

## **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 a notice displayed on site for 14 days. As a result, twelve objections were received from the properties contained within **Appendix A** of this report.

## **2.5 Consultation Meeting**

A Consultation Meeting was held on 22 April 2015, attended by The Mayor Councillor Sharpe, Councillor Chantry, objectors, the applicant 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 (Bus Route 501 along Strelton Avenue). 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 21.05 (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 objectives and strategies of 21.06 (Built Environment). A number of the objectives and strategies appear to overlap with those contained within the relevant Neighbourhood Character Precinct Profile and ResCode. The key concepts of Clause 21.06-4 (Urban Design), including the Neighbourhood Character Precinct Profile Guidelines, are discussed in Section 3.3.

The proposal conditionally complies with Clause 22.03 (Stormwater Management – Water Sensitive Urban Design) and is considered capable of meeting the required on site stormwater treatment by achieving 100%, or greater, using the STORM assessment tool. A condition of permit will require that the relevant design requirement conditions will also be placed on any permit issued in accordance with this policy as described under Section 2.3 of this report.

### **3.3 Neighbourhood Character Guidelines**

The subject land is identified as being within character area Garden Court 3, which sets out the following preferred character statement:

‘New developments will allow the vegetation to continue to dominate the streetscape, and be partially hidden from the streets behind established planting and trees. Building styles will continue to be architecturally diverse, but appear cohesive with consistent siting, form and use of materials.

The use of lighter finishes will reinforce the palette of materials. Consistent front setbacks will complement the existing siting patterns, while no or low front fencing will ensure gardens are clearly visible from the street. Well established gardens will further contribute to the dominance of vegetation in this precinct.’

It is considered that the development provides a suitable response to the preferred character statement and design guidelines of the Garden Court 3 Precinct as follows:

**Table 2**

Siting and Building Envelope	The siting and massing of the proposed development is considered to be an acceptable response to the existing and preferred character of the immediate area, and complies with the relevant ResCode standards. The proposal provides staggered setbacks to the street frontage which are appropriate in context with the character of setbacks nearby. The location of the shared
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	access way along the south-eastern boundary, and the provision of landscaped open space areas to the front and alongside of Dwelling 1, ensures that the character of spacing between built form within the streetscape is maintained. The dwellings have been appropriately sited so as to avoid visual and amenity impacts on adjoining sensitive interfaces,
Built Form	The built form of the proposed development generally responds to the existing and preferred character of the area, featuring varied setbacks to the streetscape. Multi storey built form is suitably articulated through varied setbacks and sited away from visually sensitive interfaces. The scale and massing of the built form is an appropriate response to the opportunities and constraints of the site, with the dwellings partially excavated into the sloping land to ensure the double storey built form is not exacerbated where it is sited on the higher points of the site.
Design Detail	The proposal incorporates modern and traditional design elements referencing the character of built form within the streetscape and the surrounding area. The selected building materials and finishes, setbacks, roofing, detailing, articulation, building height and width are appropriate within the surrounding context and are consistent with the existing and preferred character of the area.
Landscaping and front fencing	Opportunities for landscaping throughout the site are considered to be acceptable, subject to the submission of a fully detailed landscape plan as a condition of any permit issued.

### 3.4 Clause 52.06 (Car Parking)

The proposal provides the required amount of car parking as set out in the table below:

**Table 3**

	Requires	Provides
Three three-bedroom dwellings	6	6
Total	6	6

As stated in Section 2.3 of this report, Council's Traffic and Transportation Unit had no objection to the application subject to a standard permit note stipulating that future residents would not be eligible for parking permits. Additionally, a condition of permit will ensure the notation of pedestrian visibility splays in accordance with Clause 52.06-8.

### 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	The required setback is 8.12 metres.  The development has a minimum setback of 8.18 metres to the front wall of Dwelling 1, although the front porch protrudes ahead by approximately 1.3 metres. A condition of permit (Condition 1 c) will require the height of the porch to be noted as less than 3.6 metres to ensure it qualifies as an allowable encroachment under the standard.
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 (refer to Condition 15) will require the submission of a fully detailed landscape plan, which will provide for canopy tree planting within the front setback.
Clause 55.03-10 (Standard B15) Parking Location	The proposed parking facilities are suitably designed for the convenient access and use of future residents. Habitable room windows in proximity are generally provided with setbacks, sill heights and double glazing which address the requirements of this clause.  While the habitable room windows of Dwelling 3 are not provided with the setbacks and sill heights required under the standard a variation is considered acceptable, subject to the provision of double glazing (refer to Condition 1 d).

### 3.6 Objections

**Table 5**

Issue	Officer Response
Overdevelopment	The proposal 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 ResCode, subject to conditions, which demonstrates an acceptable level of built form on the subject site.
Neighbourhood character Visual bulk and scale	This is considered acceptable as discussed within Sections 3.2 and 3.3 of this report.
Traffic/car parking/access issues	As detailed in Section 3.4 of this report, the requirements of Clause 52.06-8 will be met as a condition of permit to ensure the design of parking facilities is acceptable (refer to Condition 1 e). The proposal provides the appropriate number of car parking spaces as per Clause 52.06 of the Moonee Valley Planning Scheme. As noted at Section 2.3 of this report, Council's Traffic and Transportation Unit has no objection to the proposal.
Amenity impacts (overlooking, overshadowing, noise etc.)	As discussed under Section 3.5 of this report, the proposal meets the relevant objectives and standards of ResCode relating to noise, overshadowing, overlooking and other amenity impacts. A condition of permit will require the provision of an acoustic fence/wall along the south-eastern boundary to reduce vehicular noise impacts upon the neighbouring property.
Removal of existing olive tree	The existing vegetation on site is not protected by any planning controls and is not of any native species, and can therefore be removed without planning permission.
Impact on infrastructure	The proposed dwellings are not considered to pose any unreasonable burden on the infrastructure in the area. Council's Engineering Services Unit has no objection to the proposal.
Waste collection	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 given that only one driveway is proposed, there is ample room for the collection of bin/recycling receptacles at the front of the site.
Reduction in property values	This is not a relevant planning consideration.

**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.

**Appendices**

Appendix A: Location of Objectors - 33 Strelton Avenue, Strathmore

Appendix B: ResCode Assessment 33 Strelton Avenue Strathmore

Appendix C: Advertised Plans (separately circulated)



**Location of Objectors**

24 Streldon Avenue, STRATHMORE
24 Streldon Avenue, STRATHMORE
26 Streldon Avenue, STRATHMORE
27-29 Streldon Avenue, STRATHMORE
27-29 Streldon Avenue, STRATHMORE
28 Streldon Avenue, STRATHMORE
28 Streldon Avenue, STRATHMORE
30 Streldon Avenue, STRATHMORE
31 Streldon Avenue, STRATHMORE
31 Streldon Avenue, STRATHMORE
31 Streldon Avenue, STRATHMORE
31 Streldon Avenue, STRATHMORE

### 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>	✓ (Condition)	✓
<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>	X	✓
<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>	✓	✓
<i>B 18 - Walls on Boundaries Objective</i>	✓	✓
<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>	✓	✓
<i>B 23 - Internal Views Objective</i>	✓	✓

<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>	✓	✓
<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                      129 Tennyson Street, Essendon (Lot 1 on TP 520713X) -  
Construction of four dwellings**

**File No:** FOL/15/590  
**Author:** Senior Statutory Planner  
**Directorate:** City Works & Development  
**Ward:** Buckley

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<b>Proposal</b>	<ul style="list-style-type: none"><li>• Four two-bedroom dwellings</li><li>• Double storey</li></ul>
<b>Applicant</b>	LAT Architects
<b>Owner</b>	Michael and Frances Jackanic
<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: 4 car spaces Provided: 4 car spaces
<b>Restrictive Covenants</b>	None
<b>Easements</b>	None
<b>Site Area</b>	627 square metres
<b>Number Of Objections</b>	10
<b>Consultation Meeting</b>	22 October 2014
<b>Proposal</b>	<ul style="list-style-type: none"><li>• Four two-bedroom dwellings</li><li>• Double storey</li></ul>

## Executive Summary

- The application seeks planning approval for the construction of four dwellings.
- The site is currently occupied by a single storey dwelling and has a total area of approximately 627 square metres. It is located on the western corner of the intersection between Tennyson Street and Vanberg Road.
- The application was advertised and 10 objections were received, including one petition with 17 signatories. The concerns raised related to neighbourhood character, visual bulk and scale, overdevelopment, amenity impacts (overlooking, overshadowing, noise etc.), waste collection, loss of vegetation, traffic and parking impacts as well as the impact on bicycle traffic along Vanberg Road.
- A Consultation Meeting was held on 22 October 2014, attended by The Mayor Councillor Sharpe, Councillor Giuliano, objectors, the applicant and Council's Planning Officer. No resolution was achieved at this meeting.
- The application was internally referred to Council's Arborist, Engineering Services Unit, Traffic and Transportation Unit and Environmentally Sustainable Design (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/217/2014 for the construction of four dwellings at 129 Tennyson Street, Essendon (Lot 1 on TP 520713X), 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 porch of Dwelling 1 to be noted as having a height less than 3.6 metres.
  - b) The first floor balconies of Dwellings 2 to 4 to be set back at least 3 metres from the street, while maintaining dimensions set out under Standard B28 of Clause 55.05-4 (Private Open Space) of the Moonee Valley Planning Scheme.
  - c) Any internal reconfigurations as a result of Condition 1 b).
  - d) The length of walls along the southern boundary reduced to comply with Standard B18 of Clause 55.04-2 (Walls on Boundaries) of the Moonee Valley Planning Scheme.
  - e) The south facing first floor window of Dwelling 2 to be fixed and obscured to comply with Standard B22 of Clause 55.04-6 (Overlooking) of the Moonee Valley Planning Scheme.
  - f) Screening provided to prevent internal overlooking between the balconies of Dwellings 2 and 3 to comply with Standard B23 of Clause 55.04-7 (Internal Views) of the Moonee Valley Planning Scheme.
  - g) The provision of pedestrian visibility splays alongside each access way in accordance with Clause 52.06-8 (Design Standards for Car Parking) of the Moonee Valley Planning Scheme.
  - h) Each crossover to be a minimum 3 metres in width.
  - i) Any changes as a result of Conditions 3 and 4.

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. An amended STORM assessment report for each dwelling must be submitted simultaneously with the submission of amended plans in accordance with Condition 1. The STORM assessments must obtain a minimum of 100% to comply with Clause: 22.03-4 (Stormwater Management) of the Moonee Valley Planning Scheme.
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 (ie. nominate the specific rainwater tank and/or specific raingarden that the 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 (ie. denoting if porous or not); and
- f) Integration of other WSUD features such as swales, ponds, etc.

Where applicable, any stormwater treatment measure (eg. 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. Prior to the issue of an Occupancy Permit, all boundary walls must be cleaned and finished 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 street trees must not be removed or replaced without the written consent of the Responsible Authority. The replacement is to be to the satisfaction of the Responsible Authority. All fees associated with the removal and replacement/replanting of the street tree must be borne by the permit applicant and must be undertaken prior to the issue of an Occupancy Permit to the satisfaction and requirements of the Responsible Authority.
13. Prior to the commencement of the development, the applicant must provide details of replacement street trees, which is to include:
  - a) Method of mulching and mounding;
  - b) The species of the replacement planting;
  - c) The size of planting and its maturity; and
  - d) The location of the replacement planting.All fees associated with the removal and replacement of the street trees must be borne by the permit/applicant.
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. 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 canopy trees within the front setback of each dwelling which are able to achieve a minimum mature height of 4 metres.
  - e) Features such as paths, paving and access ways.

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. Provision must be made for the storage and disposal of garbage to the satisfaction of the Responsible Authority. All garbage storage areas must be screened from public view.
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.
- 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  $C=0.80$ .
- Prior to the commencement of any buildings and works, separate approval must be obtained from the Moonee Valley City Council in relation to the proposed removal and/or replacement of the nominated street tree(s). Please contact Council on 9243 8888 to speak with Council's Arborist.
- 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 is located on the western side of Tennyson Street, Essendon, on the corner of Vanberg Road which abuts the site to the north. The site is rectangular in shape with a frontage of 15.24 metres and a depth of 41.15 metres, yielding an area of approximately 627 square metres. No covenants, easements or other restrictions affect the land.

The site is occupied by a single storey rendered brick dwelling with front setback of 4 metres. Vehicle access to the site is obtained from an existing single-width crossover located in the north-western corner of the subject site. The front setback of the existing dwelling is provided with some moderate vegetation. The site has a fall of approximately 1 metre from the north-western corner to the south-eastern corner.



**Figure 2 – Subject Site (129 Tennyson Street, Essendon)**

The surrounding land is within a General Residential Zone and has been developed for residential uses. The character of the area, both immediately and in a wider context, is mixed in terms of architectural styles and building scale and form. The area is characterised by residential development in the form of single and double storey dwellings, as well as several multi dwelling and older walk-up apartment developments within surrounding streets. The area features moderate landscaping, with medium to large trees located within property boundaries and a number of street trees located within the road reserve. Front fencing is also mixed within the streetscape, with a variety of fencing styles as well as some dwellings without front fences.

## **1.2 Proposal**

It is proposed to construct four double storey dwellings.

The proposal can be summarised as follows:

**Table 1**

No. of dwellings	Four two-bedroom dwellings
No. of car spaces	4
Max. building height	7.4 metres
Site coverage	58%
Permeability	29%

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

## 2. Background

### 2.1 Relevant Planning History

Planning permit application MV/10970/1999, for the 'Development of three double storey dwellings, two being attached', was refused by Council on 18 October 1999.

### 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
Clause 21.02	Key Issues and Influences
Clause 21.03	Vision
Clause 21.04	Sustainable Environment
Clause 21.05	Housing
Clause 21.06	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

#### Comments

Council's Municipal Strategic Statement has been recently updated, with one of the main changes being the incorporation of Clause 21.04-3 (Ecologically Sustainable Development) into the Moonee Valley Planning Scheme. This clause requires developments of three or more dwellings to provide a Sustainable Design Assessment using STEPS/SDS or any other approved assessment tool. As the proposed development has been lodged prior to this requirement being incorporated into the planning scheme, it is not considered necessary to require such an assessment in this instance.

## 2.3 Referrals

### External

- Not applicable.

### Internal

- Arborist

No objection subject to standard conditions.

- Engineering Services Unit

No objection subject to standard conditions.

- Traffic and Transportation Unit

No objection subject to standard conditions, as well as the following non-standard conditions:

- Plans must be submitted to show pedestrian sight triangles prior to the pedestrian path as per AS/NZS 2890.1:2004 for all vehicular access points as reversing movements over a pedestrian pathway is required for egress. No vegetation or obstructions within the sight triangles can be >600mm in height.
- A note should be placed on any permit issued stating residents and visitors will not have access to residential parking permits.
- All driveway widths must be provided on amended plans and be a minimum of 3 metres in width.
- ESD Officer  
No objection subject to conditions requiring an amended STORM assessment, as well as standard conditions.

## 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 notices displayed on site for 14 days. As a result, ten objections (including one petition with 17 signatories) were received from the properties contained within **Appendix A** of this report.

## 2.5 Consultation Meeting

A Consultation Meeting was held on 22 October 2014, attended by The Mayor Councillor Sharpe, Councillor Giuliano, objectors, the applicant 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 schools, local businesses and public transport options (Route 59 Tram, Route 503 and 510 Bus within 400 metres). 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.

The subject site is located within 200 metres of a waterway (Moonee Ponds Creek to the north) and the application would involve significant ground disturbance, which is a trigger for a Cultural Heritage Management Plan to be provided. However, a statement provided by a suitably qualified expert has been provided indicating that the site has experienced significant ground disturbance. As such, a Cultural Heritage Management Plan would not be required in accordance with the Aboriginal Heritage Act 2006.

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

The proposal complies with Clause 21.05 (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 objectives and strategies of 21.06 (Built Environment). A number of the objectives and strategies appear to overlap with those contained within the relevant Neighbourhood Character Precinct Profile and ResCode. The key concepts of Clause 21.06-4 (Urban Design), including the Neighbourhood Character Precinct Profile Guidelines, are discussed in Section 3.3.

The proposal conditionally complies with Clause 22.03 (Stormwater Management – Water Sensitive Urban Design) and is considered capable of meeting the required on site stormwater treatment by achieving 100%, or greater, using the STORM assessment tool. A condition of permit will require that the relevant design requirement conditions will also be placed on any permit issued in accordance with this policy as described under Section 2.3 of this report.

#### **3.3 Neighbourhood Character Guidelines**

The subject land is identified as being within character area Garden Suburban 1, which sets out 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 streets.'

It is considered that the development provides a suitable response to the preferred character statement and design guidelines of the Garden Suburban 1 Precinct as follows:

**Table 2**

Siting and Building Envelope	<p>The siting and massing of the proposed development is considered to be a generally appropriate response to the existing and preferred character of the immediate area. Generally, the proposal provides staggered setbacks to the street frontage which are appropriate in context with the character of setbacks nearby. A condition of permit will ensure the development complies with ResCode in relation to street setbacks (See Section 3.5), which will ensure the siting and massing of the development to each streetscape is an acceptable design outcome</p> <p>The location of the site on a corner lot ensures that the character of spacing between buildings within each streetscape would not be disrupted. The dwellings have been suitably sited so as to avoid visual and amenity impacts on adjoining sensitive interfaces,</p>
Built Form	<p>The built form of the proposed development generally responds to the existing and preferred character of the area, featuring varied setbacks to the streetscape. Multi storey built form is suitably articulated through varied setbacks, and are sited away from visually sensitive interfaces. The scale and massing of built form is an appropriate response to the opportunities and constraints of the site, with the dwellings provided with a suitable level of separation, articulation and material variation to reduce the visual impact of double storey built form to the street and neighbouring residential properties.</p>
Design Detail	<p>The proposal incorporates modern and traditional design elements referencing the character of built form within the streetscape and the surrounding area. The selected building materials and finishes, setbacks, roofing, detailing, articulation, building height and width are appropriate within the surrounding context and are consistent with the existing and preferred character of the area.</p>
Landscaping	<p>Opportunities for landscaping throughout the site are</p>



and front fencing	considered to be acceptable, subject to the submission of a fully detailed landscape plan as a condition of any permit issued. The provision of a 1 metre timber front fence is consistent with each streetscape, and allows for views to the landscaped front yards of each dwelling.
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### 3.4 Clause 52.06 (Car Parking)

The proposal provides the required amount of car parking as set out in the table below:

**Table 3**

	Requires	Provides
Four two-bedroom dwellings	4	4
Total	4	4

As stated in Section 2.3 of this report, Council's Traffic and Transportation Unit has no objection to the application subject to conditions. In relation to the concern raised in relation to pedestrian sight triangles, a condition of permit (refer to Condition 1 g) will ensure the notation of pedestrian visibility splays in accordance with Clause 52.06-8 (as opposed to AS/NZS 2890.1:2004) which is considered to be appropriate in this instance.

### 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 for Dwelling 1 is 3 metres from Tennyson Street, and 2 metres from Vanberg Road. Dwellings 2 to 4 are required to be set back 3 metres from Vanberg Road.</p> <p>Dwelling 1 is generally set back as required by the standard, however its porch encroaches along both street frontages. A condition of permit will require that the porch has a height of less than 3.6 metres to ensure it qualifies as an allowable encroachment under the standard (refer to Condition 1 a).</p> <p>Dwellings 2 to 4 are generally set back 3 metres from the street, although the first floor balconies sit flush above the porches and therefore disqualify them as allowable</p>

	<p>encroachments under the standard. A condition of permit will require these balconies to be set back at least 3 metres to comply with the standard, which will leave the overall porch heights at approximately 3.2 metres (refer to Condition 1 b).</p> <p>Therefore, the proposal conditionally complies with this clause.</p>
<p>Clause 55.03-8 (Standard B13) Landscaping</p>	<p>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 tree planting within the front setback of each dwelling.</p>
<p>Clause 55.04-2 (Standard B18) Walls on Boundaries</p>	<p>The proposal involves boundary construction as follows:</p> <p>South maximum height – 3.28 metres (B18 3.6m)</p> <p>South average height – 3.25 metres (B18 3.2m)</p> <p>South B18 length – 17.79 metres</p> <p>South proposed length – 21.59 metres</p> <p>West maximum height – 3.2 metres (B18 3.6m)</p> <p>West average height – 3.2 metres (B18 3.2m)</p> <p>West B18 length – 11.31 metres</p> <p>West proposed length – 6.34 metres</p> <p>The proposal achieves compliance along the western boundary, although it exceeds the requirements of the standard along the southern boundary. A condition of permit will require that the length of walls along the southern boundary is reduced to comply with this clause (refer to Condition 1 d).</p> <p>The exceedance of the maximum average boundary wall height is considered to be minor and would not cause any unreasonable amenity or visual impact on the neighbouring property to the south, particularly subject to the reduction of the overall length of boundary walls. The variation to the maximum average</p>

	height required under the standard is considered to be acceptable.
Clause 55.04-6 (Standard B22) Overlooking	Boundary fencing prevents overlooking to adjoining properties, being constructed to at least 1.8 metres from the finished floor level of the south facing deck areas of each dwelling. A condition of permit will ensure the south facing first floor window of Dwelling 2 is screened to comply with this clause (refer to Condition 1 e).
Clause 55.04-7 (Standard B23) Internal Views	Internal overlooking is generally prevented by the siting of built form as well as internal fencing and screening, with the exception of the balconies of Dwellings 2 and 3. A condition of permit will require the provision of screening to address this area of non-compliance (refer to Condition 1 f).

### 3.6 Objections

**Table 5**

<b>Issue</b>	<b>Officer Response</b>
Overdevelopment	The proposal 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 ResCode, subject to conditions, which demonstrates an acceptable level of built form on the subject site.
Neighbourhood character Visual bulk and scale	This is considered acceptable as discussed within Sections 3.2 and 3.3 of this report.
Traffic/car parking/access issues Impact on bicycle traffic along Vanberg Road	As detailed in Section 3.4 of this report, the requirements of Clause 52.06-8 will be met as a condition of permit to ensure the design of parking facilities is acceptable. The proposal provides the appropriate number of car parking spaces as per Clause 52.06 of the Moonee Valley Planning Scheme, and the extent of crossovers meets the requirements of ResCode. As noted at Section 2.3 of this report, Council's Traffic and Transportation Unit has no objection to the proposal subject to conditions, including a condition relating to the provision of visibility splays to each access way to maintain pedestrian, cyclist and motorist safety.

Amenity impacts (overlooking, overshadowing, noise etc.)	As discussed under Section 3.5 of this report, the proposal meets, or is capable of meeting, the relevant objectives and standards of ResCode relating to noise, overshadowing, overlooking and other amenity impacts.
Removal of vegetation	The existing vegetation on site is not protected by any planning controls and is not of any native species, and can therefore be removed without planning permission. The development is considered capable of a landscaping scheme that would be compatible with the character of the area, as discussed above.
Waste collection	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. It is considered that there is adequate room for the collection of bin/recycling receptacles within both street frontages.

#### **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.

#### **Appendices**

Appendix A: Location of Objectors - 129 Tennyson Street, Essendon

Appendix B: ResCode Assessment - 129 Tennyson Street, Essendon

Appendix C: Advertised Plans (separately circulated)

**Location of Objectors**

118 McPherson Street, ESSENDON
125 Tennyson Street, ESSENDON
117 Tennyson Street, ESSENDON
123 Tennyson Street, ESSENDON
127 Tennyson Street, ESSENDON
27 Vanberg Road, ESSENDON
35a Vanberg Road, ESSENDON
125 Tennyson Street, ESSENDON (Petition)
31-33 Vanberg Road, ESSENDON
29 Vanberg Road, ESSENDON

### 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.

Title and Objective	Complies with Standard	Compliance with Objective
<i>B1 - Neighbourhood Character</i>	✓	✓
<i>B 2 - Residential Policy</i>	✓	✓
<i>B 3 - Dwelling Diversity</i>	N/A	N/A
<i>B 4 - Infrastructure Objectives</i>	✓	✓
<i>B 5- Integration with the Street Objective</i>	✓	✓
<i>B6 - Street Setback Objective</i>	✓ (Condition)	✓
<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>	N/A	N/A
<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>	✓	✓
<i>B 18 - Walls on Boundaries Objective</i>	✓ (Condition)	✓
<i>B 19 - Daylight to Existing Windows Objective.</i>	✓	✓
<i>B 20 - North-facing Windows Objective</i>	N/A	N/A
<i>B 21 - Overshadowing Open Space Objective</i>	✓ (Condition)	✓
<i>B 22 - Overlooking Objective</i>	✓ (Condition)	✓
<i>B 23 - Internal Views Objective</i>	✓	✓

<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>	✓	✓
<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

**9.4                      322, 324 & 326 Pascoe Vale Road, Essendon - (Lot 1 on TP943636E, Lots 1 & 2 on TP650146F and Lots 6, 7 & 8 on PS6852) - Construction of a four storey building to comprise of 44 dwellings, reduction of the car parking requirements and alteration of the access to a Road Zone Category 1**

**File No:** FOL/15/590  
**Author:** Principal Statutory Planner  
**Directorate:** City Works & Development  
**Ward:** Buckley

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<b>Proposal</b>	<p>Amendment to the existing approved development.</p> <p><u>Alterations to the permit</u></p> <ul style="list-style-type: none"><li>• Alteration to what the permit allows.</li><li>• Addition of conditions 1f) - i).</li><li>• Modification to conditions 13 and 16.</li></ul> <p><u>Alterations to the endorsed plans</u></p> <ul style="list-style-type: none"><li>• Increase the height of the development from four to five stories.</li><li>• Increase in the number of dwellings from 44 to 50.</li><li>• Increase in the number of car spaces by 1.</li><li>• Increase in the number of bicycle spaces by 1.</li><li>• Modification of the side and rear setbacks.</li><li>• Internal modifications.</li><li>• Minor external modifications.</li></ul>
<b>Applicant</b>	Beluli Enterprises C/- Hansen Partnership P/L
<b>Owner</b>	Beluli Enterprises Pty Ltd
<b>Planning Scheme Controls</b>	General Residential Zone (GRZ)
<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>	Additional spaces required – 7 (6 residential & 1 visitor) Additional spaces proposed – 1
<b>Bicycle Requirements</b>	Additional spaces required – 0 Additional spaces provided – 1
<b>Restrictive Covenants</b>	N/A
<b>Easements</b>	N/A
<b>Site Area</b>	2,184 square metres
<b>Number Of Objections</b>	3
<b>Consultation Meeting</b>	N/A

### Executive Summary

- The application seeks approval for an amendment to a currently approved development.
- The approved development (MV/20853/2010) allows for the construction of a four storey building comprising 44 dwellings, reduction of the car parking requirements and alteration of the access to a Road Zone Category 1. The amendment seeks the provision of an additional level (5 storeys total), an increase in the number of dwellings (50 dwellings total) and alterations to the approved building layout (setbacks and internal layout).
- The site has an area of 2,184 square metres and is located on the eastern side of Pascoe Vale Road, Essendon. The development site encompasses a number of allotments known as 322, 324 and 326 Pascoe Vale Road. The site is flat and is occupied by three single storey detached dwellings.
- The application was advertised and three objections were received. The concerns raised related to the approved and amended proposal being an overdevelopment, overlooking from the approved balconies, increased congestion, insufficient parking, dependency on neighbouring vegetation for screening, decrease in property value and the developer should be required to stick to the approved four storeys.
- A Consultation Meeting was not held as less than 10 objections were received by Council.
- The application was externally referred to VicRoads and internally referred to Council's Engineering Services Unit, Traffic and Transportation Unit, Senior Urban Design Officer and Environmental Sustainable Development (ESD) Officer. Conditional support to the application was provided.

- On 20 July 2015, the applicant lodged an application for review with VCAT against Council's failure to determine the application within the prescribed time.
- This assessment report finds that the proposed amendments demonstrate an adequate level of compliance with the relevant policies and provisions of the Moonee Valley Planning Scheme, and recommends that with respect to an Application for Review against Council's failure to decide the application within the prescribed time, Council resolves to advise the Victorian Civil and Administrative Tribunal (VCAT) and other parties to the application, that if Council were in a position to decide on the application, that the decision would have been to issue a Notice of Decision to Grant a Permit be issued as outlined in the recommendation section of this report.



Figure 1 - Aerial Photo (322, 324 & 326 Pascoe Vale Road, Essendon)

## Recommendation

That Council with respect to an Application for Review against Council's failure to decide the application within the prescribed time, Council resolves to advise the Victorian Civil and Administrative Tribunal (VCAT) and other parties to the application, that if Council were in a position to decide on the application, that the decision would have been to issue a Notice of Decision to Grant an Amended Permit in relation to Planning Permit Application No. MV/20853/2010/A in accordance with the following:

### Alterations to the permit

- Alteration to what the permit allows to allow the:  
Construction of a five storey building to comprise of 50 dwellings, reduction in car parking requirements and alteration of the access to a Road Zone Category 1 at 322, 324 & 326 Pascoe Vale Road, Essendon (Lot 1 on TP943636E, Lots 1 & 2 on TP650146F and Lots 6, 7 & 8 on PS6852).
- Incorporate new conditions:
  1. f) The rear interface of the building modified to ensure no additional overshadowing will occur (on the September Equinox) to the rear secluded open space of 3/1 Cameron Road, Essendon in accordance with TP104, TP202 and TP507 (all Revision G) submitted to Council on 10 July 2015.
  - g) An amended STORM assessment to the satisfaction of the Responsible Authority to include the following:
    - i. all impermeable surfaces,
    - ii. ensure runoff from trafficable surfaces is not used for toilet flushing.
  - h) A roof plan which graphically shows all roof areas, both treated by WSUD and untreated.
  - i) Demonstrate how impervious areas at ground level are to be treated by any nominated raingardens.
- Modification to the following conditions:
  13. Before the development starts, or any trees or vegetation removed, an amended 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 in the evidence presented to the Tribunal by John Patrick Landscape Architects (Plan 11-393L01 VCAT dated October 2011) but modified to show:
    - a) Plans which accord with the site layout plan for endorsement as a consequence of Condition 1 of this permit;
    - b) A planting schedule to show the number and species of proposed plants including pot size at planting and height and spread at

maturity;

- c) The '*soft landscape paving surface*' within the front setback of the development to be replaced with massed tufted grasses;
- d) All planter boxes with minimum soil depths to the satisfaction of the Responsible Authority;
- e) Landscape furniture;
- f) The proposed design feature such as paths, lawn and mulched areas;
- g) Incorporation of drought tolerant plant species;
- h) Irrigation system connected to rainwater tanks on the land.

Landscaping in accordance with this approved plan and schedule must be completed before the building is occupied. Once approved by the Responsible Authority these plans become part of the endorsed plans of this permit. All landscaping is to be maintained to the satisfaction of the Responsible Authority, including the replacement of dead, dying or diseased plants.

16. Prior to the commencement of the development, the applicant shall submit an amended Waste Management Plan to the Responsible Authority for approval. The Waste Management Plan shall be in accordance with the City of Moonee Valley's "Waste Management Plans – Guidelines for Applicants" and once approved shall be implemented to the satisfaction of the Responsible Authority. The Plan must provide that waste cannot be collected between 6.30am and 10.00am Monday to Friday (excepting public holidays).

#### Alterations to the endorsed plans

- Increase the height of the development from four to five stories.
- Increase in the number of dwellings from 44 to 50.
- Increase in the number of car spaces by 1.
- Increase in the number of bicycle spaces by 1.
- Modification of the side and rear setbacks.
- Minor external modifications.
- Internal modifications.

#### **Permit Notes**

- This permit has been amended to alter the planning permit and the endorsed plans pursuant to Section 72-76B of the Planning and Environment Act 1987 on \*insert date Permit is generated\*.

## 1. Introduction

### 1.1 Subject Site and Surrounds

The subject site is located on the eastern side of Pascoe Vale Road in Essendon. The site comprises six separate allotments known as 322, 324 and 326 Pascoe Vale Road. The site is rectangular in shape, with a frontage of 42.99 metres, a depth of 52 metres and an area of 2,184 square metres. The site is approximately 40 metres north of Cameron Road. The site is currently occupied by two single dwellings and a site office associated with the approved development.



**Figure 2 - Application Site (322, 324 & 326 Pascoe Vale Road, Essendon)**

The western side of Pascoe Vale Road is developed with commercial buildings used for a range of uses including a gym, pet supplies, storage, auto parts and offices. Directly to the south the land is used and developed with single dwellings. Further south, the land is zoned mixed-use and is currently undergoing significant change with the construction of recently approved five and six storey developments at 314 and 316 Pascoe Vale Road.

Strathmore train station is approximately 300 metres to the north, and a neighbourhood activity centre (as defined in Clause 21.07 – Activity Centres) is adjacent to the train station in Woodland Street and Pascoe Vale Road. The land is close to the Moonee Ponds Creek, Cross Keys Reserve and the Cross Keys Hotel.

### 1.2 Proposal

It is proposed to amend the existing planning permit and endorsed plans by incorporating the following changes:

Alterations to the permit

- Alteration to what the permit allows.
- Incorporate a new conditions 1f) to 1i).
- Modification to conditions 13 and 16.

Alterations to the endorsed plans

- Increase the height of the development from four to five stories.
- Increase in the number of dwellings from 44 to 50.
- Increase in the number of car spaces by 1.
- Increase in the number of bicycle spaces by 1.
- Modification of the side and rear setbacks.
- Minor external modifications.
- Internal modifications.

Refer **Appendix A** Plans (separately circulated)

## **2. Background**

### **2.1 Relevant Planning History**

On 12 March 2010 an application was lodged with Council to construct a five storey building to comprise 51 dwellings, reduce the car parking requirements of Clause 52.06 (Car parking) and alter access to a Road Zone Category 1.

On 13 February 2011 the applicant amended the application to seek construction of a four storey building to comprise 44 dwellings, reduce the car parking requirements of Clause 52.06 (Car parking) and alter access to a Road Zone Category 1.

Notwithstanding the above amendment, on 3 May 2011 Council refused the application at its Planning and Citizens Meeting (Officers Report – **Appendix B**).

Council's decision was subsequently set aside following a VCAT hearing on 25 and 26 October 2011 (Beluli Development Pty Ltd v Moonee Valley CC[2011] VCAT 2142 – **Appendix C**). An extension of time to commence works has been issued by Council and plans have recently been endorsed (**Appendix D**) in accordance with the approved permit (**Appendix E**).

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

State Planning Policy Framework

Clause 11	Settlement
Clause 15	Built Environment and Heritage
Clause 16	Housing
Clause 17	Economic Development

Local Planning Policy Framework

- Clause 21.01 Municipal Profile
- Clause 21.02 Key Issues and Influences
- Clause 21.03 Vision
- Clause 21.04 Sustainable Environment
- Clause 21.05 Housing
- Clause 21.06 Built Environment
- Clause 21.08 Economic Development
- Clause 21.09 Transport
- Clause 22.03 Stormwater Management (Water Sensitive Urban Design)

Zoning

- Clause 32.08 General Residential Zone

Particular and General Provisions

- Clause 52.06 Car Parking
- Clause 52.29 Land Adjacent to a Road Zone, Category 1
- Clause 52.34 Bicycle Facilities
- Clause 52.35 Urban Context Report and Design Response for Residential Development of Five or More Storeys
- Clause 65 Decision Guidelines

**2.3 Referrals**

External

- VicRoads  
No objection.

Internal

- Traffic and Transportation Unit  
No objection.
- Senior Urban Design Officer  
No objection.
- Environmental Sustainable Development (ESD) Officer  
No objection subject to conditions.

**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 three notices erected on site for 14 days.

As a result, three objections were received from the properties contained within **Appendix F** of this report.

A response to the objections is provided in Section 3.3 of this report.

### **3. Discussion**

#### **3.1 Are the amendments considered satisfactory against the relevant provisions of the Moonee Valley Planning Scheme?**

The proposal continues to meet the relevant State Planning Policy Framework. 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. It is noted that under the original assessment Melbourne 2030 informed State Planning Policy and included objectives to make Melbourne a more compact city and to focus population growth within and close to activity centres. Whilst Melbourne 2030 has been replaced with Plan Melbourne since the initial decision, the underpinning objectives to intensify development in close proximity to public transport and a range of services still remains. In terms of strategic location it is considered that the amended proposal continues to meet the relevant objectives and strategies of both State and Local Planning Policy.

The strategic merits of the proposal have not changed since the original decision and these were well explained in the original officer's report (**Appendix B**) and the VCAT decision (**Appendix C**). The subject site continues to provide for increased housing around a neighbourhood activity centre, in close proximity to public transport and a range of infrastructure. Therefore, the question on whether a fifth storey is acceptable or not does not come down to the already established and clearly defined strategic context, rather it is an assessment on whether or not the design response fits its context, enhances the character of the area through providing a high architectural and urban design response, minimises off-site amenity impacts, provides suitable on-site amenity for future residents and does not result in unacceptable parking and traffic impacts.

#### **Architectural and Urban Design Response**

Whilst a number of setbacks are altered the amended proposal maintains the design theme of the approved development. The three storey street wall is retained, as is the stepping of the built form, from a three storey mass down to two storeys adjacent to the adjoining residential properties.

The 2 metre central break in the front façade is maintained and enhanced by creating a deeper light well thus ensuring that the extended mass across the frontage of the building is broken into two readable forms.

As a result of the amendments the rear setback of the basement is slightly increased from the rear boundary (from 2m to 3.25m), resulting in a deeper soil area to encourage meaningful landscaping.

The additional level is setback 12.4m from the front property boundary, between 12.5m and 15.5m from the rear boundary, 12.6m from the



southern boundary and 14.2m from the northern boundary. The additional level will be centralised within the levels below and visibility from the site frontage and the adjoining Pascoe Vale Road properties will be minimal (Refer TP701). It is acknowledged that in some instances the additional level will be seen from the Cameron Road properties. When visible from the rear open spaces of 7, 9 and 11 Cameron Road the uppermost level will be clearly recessive and views will be filtered by the vegetation along the rear boundary as well as softened through the use of planter boxes at balcony level. From an urban design perspective it is considered that the additional level can be absorbed into the approved development without detriment to the existing and emerging character of the surrounding area.

#### Off Site Amenity Impacts

It is considered that the proposed amendment will not result in any additional unreasonable off-site-amenity impacts. It is considered that the visibility of the uppermost floor will be minimal in most instances and where visible the fifth storey will be recessive to the rising built form. As discussed above, it is not considered that the additional level will result in unreasonable built form impacts.

In relation to overshadowing, the revised proposal will slightly increase overshadowing to the rear open space of 320A Pascoe Vale Road during the early part of the day (on the September equinox). At 9am, the shadowing will increase by approximately 13.3m<sup>2</sup>, with approximately 18m<sup>2</sup> remaining unshaded. At 10am the increase in shadowing is approximately 11.8m<sup>2</sup>, with over 36m<sup>2</sup> of the secluded private open space remaining unshaded. From this time onwards the open space is unshaded from the development. It is considered that this impact is acceptable given the context of the site. The property to the south will continue to receive an acceptable level of solar access throughout the day.

The abutting properties at 7 and 9 Cameron Road are only affected by a minor increase (approximately 9% and 3%) in shadowing after 3pm on the September equinox and the impact would remain acceptable and well within any ResCode requirement. It is noted that the property at 1 Cameron Road has been developed with three separate dwellings. It is unclear whether these dwellings were considered as part of the original development approved by VCAT. It is acknowledged that the proposed amendment will increase shadowing to the secluded private open space of 3/1 Cameron Road shortly after 1pm on the September equinox. The increase in shadowing is not a result of the proposed fifth storey but is a result of the podium's reduced rear setback. This shadowing will increase resulting in greater shadowing than the originally approved development at 2pm. It is also noted that the shadowing would further reduce solar access to an area of secluded private open space which already receives less than the recommended minimum in ResCode. To address this area of concern, the applicant has prepared a series of "discussion" plans (**Appendix G**) showing that modifications (through conditions) to the rear interface of the building can ensure that the solar access to 3/1 Cameron Road will not be further reduced as a result of the proposed amendments.

It is considered suitable to include these as conditions on any permit issued.

It is noted that the development will result in a number of modifications to the side and rear setbacks as follows:

Level		Street (west)	Rear (east)	Side (north)	Side (south)
Ground	Approved	5.50m	5.58m	6.00m	3.84m
	Proposed	5.50m	5.53m	5.90m	4.13m
Level 1	Approved	5.58m	5.53m	6.50m	3.84m
	Proposed	5.60m	5.53m	5.84m	4.13m
Level 2	Approved	5.58m	7.03m	9.36m	6.70m
	Proposed	5.60m	5.53m	7.35m	5.64m
Level 3	Approved	9.53m	12.43m	12.07m	9.36m
	Proposed	7.17m	10.92m	9.93m	7.94m
Level 4	Approved	-	-	-	-
	Proposed	12.45m	12.49m	14.24m	12.69m

**Table 1 – Approved v Proposed Setbacks**

\*Ground = First Storey, Level 1 = Second Storey.....

As can be seen from the above table, the setback modifications appear marginal in most instances and a large buffer is maintained between the development and all sensitive interfaces. It is not considered that the reduced setbacks will result in unreasonable built form impacts. Furthermore, the side and rear setbacks continue to respect the spacing and setbacks of residential development found within the surrounding area and the setbacks continue to provide ample room for meaningful landscaping.

It is noted that as a result of the revised setbacks a number of habitable room windows will be within 9m of an adjoining property boundary. These windows are suitably located to avoid overlooking and therefore remain unscreened (refer sections TP01 & TP 02). Given the provided setbacks, window placements and the provision of screening where required, the revised development continues to comply with overlooking requirements of the Moonee Valley Planning Scheme.

#### On-Site Amenity

It is considered that on balance the amenity of future residents will be improved as a result of a number of internal and external changes. A number of the approved dwellings (A001, A006, A013, A101, A106, A107 and A113) were provided with studies without any access to natural daylight. The internal and external modifications have allowed all of these dwellings achieve natural daylight penetration and where possible improve the layouts to provide two bedroom dwellings in lieu of one bedrooms plus studies. All balconies remain suitable in size and dimension and common areas are still accessible and useable.

It is also noted that the amended proposal is accompanied with an Ecological Sustainable Development (ESD) Report which was not required

by the originally approved development. The ESD report set out a number of ESD principles which the amended development can aim to achieve including management of stormwater runoff through rainwater re-use. It is considered that these initiatives add to the future on-site amenity and are supportable subject to conditions.

### 3.2 Parking Provision, Traffic and Access

It is noted that the original development assessed and approved by VCAT included the provision of eight visitor car spaces. Notwithstanding this, it is noted that a lesser number of visitor car spaces was not sought by the applicant at that stage, nor was it assessed by Council or VCAT and therefore the amended proposal must be assessed on its merits against Clause 52.06 of the Moonee Valley Planning Scheme taking into account the relevant information as discussed below.

A comparison of the approved development, the revised proposal and the requirements of Clause 52.06 (Car Parking) are as follows:

**Table 2**

Allocation	Approved Spaces	Amendment Proposes	Clause 52.06 Requires
Dwellings (22 x 1 bed & 28 x 2 bed)	44	50	50
Visitors	8	3	10
Total	52	53	60

As can be seen from the above table the amended development has a statutory requirement to provide 60 spaces (50 residential & 10 visitor). The amended proposal intends to provide 50 residential spaces. The provision of one space for each one and two bedroom dwelling is consistent with the approved development and continues to meet the requirements of Clause 52.06. The amended proposal seeks to reduce the amount of visitor parking for the approved development. Only three visitor car spaces are proposed in lieu of the required 10, eight visitor car spaces were provided as part of the original approval.

The applicant has submitted a Car Parking Assessment prepared by Cardno (**Appendix H**). The Car Parking Assessment includes a recent parking occupancy survey of on-street parking availability within the surround area. The parking occupancy survey indicates a minimum of seven on-street spaces being available for visitor parking during the peak hour, suitable to cater for the maximum anticipated off-site demand of two spaces (Refer page. 12 Cardno report – **Appendix H**).

Council's Traffic & Transportation Unit, having reviewed this assessment, have no objection to the proposed reduction in car parking requirements. It is considered that the amended proposal provides sufficient parking on-site to cater for the development.

The proposed amendment does not change the approved access arrangements. The application was referred to VicRoads who had no

objection to the proposal. It is considered that an increase in six dwellings will have little impact on the efficiency and operation of Pascoe Vale Road and the surrounding street network.

### 3.3 Are the changes to the permit pre-amble and conditions acceptable?

It is noted that the permit preamble, Waste Management and Landscape conditions will require modification to correspond with the amended proposal. This is considered acceptable as outlined in the recommendation section.

### 3.4 Objections

**Table 3**

Issue	Officer Response
Overdevelopment	As discussed within Section 3.1 of this report the proposed amendments have been assessed against the relevant requirements of the Moonee Valley Planning Scheme taking into account the potential off-site amenity impacts and are considered acceptable.
Overlooking	As discussed within Section 3.1 of this report the proposal continues to comply with overlooking requirements.
Traffic & Parking	As discussed within Section 3.2 of this report the increase in traffic as a result of the development is considered to be minimal. Furthermore the parking provision is considered acceptable. Any short-term increase in traffic and parking issues during the construction phase will be managed by Council through a Construction Management Plan.
The principle of amending a VCAT approved development	Pursuant to Section 72 of the Planning and Environment Act 1987 the applicant is entitled to apply for an amendment to an approved proposal. Council must assess the proposal on its merits and the applicable controls.
Decrease in property value as a result of the proposal	Decrease in property value is not a strict planning concern. The amenity controls within the Planning Scheme are embedded to ensure that fair and equitable development can occur in the right locations without unreasonably impacting on the amenity of an adjoining property. It is considered that the proposal complies with the amenity requirements of the scheme as discussed in Section 3.1.
Not notified of the original proposal	The objector has been contacted in relation to this concern and further options have been provided to the objector should they wish to proceed. Notwithstanding this clerical error, the objector's investment property was notified and the original

	officer's report and VCAT decision took into account the amenity impacts on all abutting properties and considered that the proposal was acceptable. The objector has received notice of the amended application.
--	---

#### **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 SPPF, LPPF and the relevant Particular and General Provisions of the Moonee Valley Planning Scheme.

In light of the above, the proposed development is considered appropriate subject to conditions as outlined within the above recommendation.

#### **Appendices**

Appendix A: Advertised Plans (separately circulated)

Appendix B: Report to Council 3 May 2015 (separately circulated)

Appendix C: VCAT Decision - 322, 324 & 326 Pascoe Vale Road, Essendon  
(separately circulated)

Appendix D: Endorsed+Condition+1+Plans  
322+324+326+Pascoe+Vale+Road+Essendon (separately circulated)

Appendix E: Planning Permit - 322, 324 & 326 Pascoe Vale Road Essendon

Appendix F: Objectors properties details

Appendix G: Revised Plans (separately circulated)

Appendix H: Cardno Traffic report dated 24.4.15 (separately circulated)

Moonee Valley City Council | 9 Kellaway Avenue Moonee Ponds  
PO Box 126 Moonee Ponds Victoria Australia 3039  
Telephone 03 9243 8888 | Facsimile 03 9377 2100  
Email council@mvcc.vic.gov.au | Website mvcc.vic.gov.au  
ABN 54 651 216 324 | DX 212139



File Ref: MV/20853/2010  
Enquiries: Jennifer Kemp

7 May 2014

BELULI ENTERPRISES P/L  
C/- F R Perry and Associates P/L  
Lvl 13/30 Collins Street  
MELBOURNE VIC 3000

Dear Sir/Madam

**Moonee Valley Planning Scheme Application No.:** MV/20853/2010  
**Location:** 322, 324 & 326 Pascoe Vale Road, ESSENDON  
**Proposal:** Construction of a four storey building to comprise of 44 dwellings,  
reduction of the car parking requirements and alteration of the  
access to a Road Zone Category 1

I refer to the above permit which has been amended under the provisions of Section 71  
of the Planning and Environment Act. The changes include:

- Condition 1a) to be re-worded to state "Any requirements of VicRoads (Conditions 17-22)".
- Condition 18 f) to be renumbered as Condition 19.
- Condition 18 g) to be renumbered as Condition 20.
- Condition 18 h) to be renumbered as Condition 21.
- Condition 18 i) to be renumbered as Condition 22.
- Condition 19 to be renumbered as Condition 23.

Please find enclosed your copy of the Amended Permit MV/20853/2010 issued on 15  
November 2011. If you have any queries you may contact Jennifer Kemp of Council's  
Statutory Planning Office on telephone 03 9243 1118

Yours faithfully

A handwritten signature in black ink, appearing to read "Jennifer Kemp".

Jennifer Kemp  
Town Planner

SEC71-1



**PLANNING AND ENVIRONMENT ACT 1987  
Form 4**

**AMENDED PLANNING PERMIT**

**PLANNING PERMIT NO.:** MV/20853/2010

**PLANNING SCHEME:** Moonee Valley Planning Scheme

**RESPONSIBLE AUTHORITY:** Moonee Valley City Council

**ADDRESS OF LAND:** 322, 324 & 326 Pascoe Vale Road, ESSENDON

**THE PERMIT ALLOWS FOR:** Construction of a four storey building to comprise of 44 dwellings, reduction of the car parking requirements and alteration of the access to a Road Zone Category 1  
**In accordance with endorsed plans**

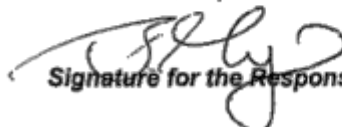
**THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:**

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 requirements of VicRoads (Conditions 17 to 22).
  - b. All balustrading provided to balconies on the first and second levels to be constructed to a height of 1.7 metres and provided with 25% permeability.
  - c. The access ramp to commence at the property boundary line and from that line to comprise grades of 1:14 for the first 5 metres, 1:5.1 for the next 11.7 metres and 1:8 for 2 metres at its base.
  - d. The location of the water tanks as required by Condition 11.
  - e. The location of external plant equipment and services.
  - f. A schedule of all external material and finishes. The schedule must show the material, colour (including colour samples) and finishes of all external walls, roof, fascias, windows frames, fences and paving.

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

15 November 2011  
**Date Issued**

SECT1-2

  
**Signature for the Responsible Authority**



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 Occupancy Permit being issued, all boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
4. 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.
5. Prior to the commencement of the development, a Construction Management Plan must be submitted to and approved by the Responsible Authority detailing the construction activity proposed. The plan must include, but not limited to:
  - a. Hours of construction;
  - b. Phone numbers of on-site personnel or other supervisory staff to be contactable in the event of issues arising on site;
  - c. Scaffolding and hoarding for the site;
  - d. Parking and Traffic movement of all worker's vehicles and construction vehicles;
  - e. Allocated areas for loading and unloading;
  - f. Site evacuation plan and procedure;
  - g. Occupational health and safety policy;
  - h. Hazard identification and control;
  - i. Environmental management and waste minimisation;
  - j. Protection of surrounding roads from site contamination and damage including rumble grid and or wash down bay facility;
  - k. Onsite stormwater contamination;
  - l. Chemical storage;
  - m. Noise and vibration;
  - n. Risk assessment;
  - o. Works Timetable;
  - p. Number of workers expected to work on the site at any one time.

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

6. Floor levels shown on the endorsed plan(s) must not be altered or modified without written consent of the Responsible Authority.
7. The privacy screens as shown on the endorsed plans must be installed prior to the occupation of the building.

15 November 2011  
**Date Issued**

  
**Signature for the Responsible Authority**

SEC71-2





8. 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 occupation of the dwellings hereby permitted;
  - b. Thereafter be maintained and made available for such use at all times and not used for any other purpose;
  - c. Be properly formed to such levels that it can be used in accordance with the endorsed plan;
  - d. Be drained and sealed with an all weather seal coat.
9. Standard concrete vehicular crossing must be constructed to suit the proposed driveway in accordance with the Responsible Authority's standard specification and any vehicle crossings no longer required must be removed and the land, footpath and kerb and channel replaced all to the satisfaction of the Responsible Authority.
10. 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 the 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.
11. All stormwater runoff from the proposed roof area must be harvested via rainwater tank(s) and reused for the buildings facilities (toilets, irrigation etc). All stormwater overflow from the rainwater tank(s) must drain via an underground drainage system and discharge to the approval legal point of discharge to the satisfaction of the Responsible Authority.
12. Prior to the occupation of the dwellings hereby permitted, the development must be provided with external lighting capable of illuminating access to the basement 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.
13. 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 in the evidence presented to the Tribunal by John Patrick Landscape Architects (Plan 11-393L01 VCAT dated October 2011) but modified to show:
  - a. Plans which accord with the site layout plan for endorsement as a consequence of Condition 1 of this permit;

15 November 2011  
**Date Issued**

SEC71-2

  
**Signature for the Responsible Authority**

**Page 3 of 6**



- b. A planting schedule to show the number and species of proposed plants including pot size at planting and height and spread at maturity;
- c. The 'soft landscape paving surface' within the front setback of the development to be replaced with massed tufted grasses;
- d. All planter boxes with minimum soil depths to the satisfaction of the Responsible Authority;
- e. Landscape furniture;
- f. The proposed design feature such as paths, lawn and mulched areas;
- g. Incorporation of drought tolerant plant species;
- h. Irrigation system connected to rainwater tanks on the land.

Landscaping in accordance with this approved plan and schedule must be completed before the building is occupied. Once approved by the responsible authority these plans become part of the endorsed plans of this permit. All landscaping is to be maintained to the satisfaction of the Responsible Authority, including the replacement of dead, dying or diseased plants.

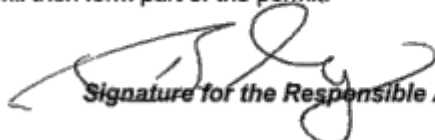
- 14. Prior to the occupation of the development hereby permitted, all landscaping (including trees, shrubs and lawn) must be completed in accordance with any approved landscape plan to the satisfaction of the Responsible Authority.
- 15. Prior to the issue of an Occupancy Permit, all fencing on boundaries that is damaged or in poor condition must be replaced. The cost of such fencing must be met by the owner and completed to the satisfaction of the Responsible Authority.
- 16. Prior to the commencement of the development, the applicant shall submit a Waste Management Plan to the Responsible Authority for approval. The Waste Management Plan shall be in accordance with the City of Moonee Valley's "Waste Management Plans – Guidelines for Applicants" and once approved shall be implemented to the satisfaction of the Responsible Authority. The Plan must provide that waste cannot be collected between 6.30am and 10.00am Monday to Friday (excepting public holidays).

**Start VicRoads Conditions**

- 17. Scaled (1:250 or larger) functional layout plans are required to be submitted to VicRoads for review and approval prior to the commencement of works showing:
  - a. Clear sight lines at the property line to ensure adequate visibility between vehicles leaving the carpark and pedestrians on the frontage road footpath in accordance with Australian Standard As/NZX 2890.1:2009 Section 3.2.4(b), amended plans are to be submitted to the Responsible Authority for endorsement. Once approved these plans will then form part of the permit.

15 November 2011  
**Date Issued**

SEC71-2

  
**Signature for the Responsible Authority**



Please note that the height of the side fence adjacent to the driveway, on the property boundary may need to be lowered to satisfy the above condition or setback further to allow sufficient sight lines.

18. To the satisfaction and at no cost to VicRoads, the proposed crossover on Pascoe Vale Road must be constructed generally in accordance with the submitted plans and shall be amended to show:
- a. The crossover flared 60 degrees with 3.0 radial turnouts at the kerb line and there shall be 1.0 clearance from any fixed object.
  - b. These plans must be approved by VicRoads and the Responsible Authority prior to the commencement of development and will form part of the planning permit.
  - c. All vehicular movements to and from Pascoe Vale Road must be made in a forward manner.
  - d. There must be no gate or other obstruction to the movements of vehicles within 6.0 metres of the property line.
  - e. Any redundant crossovers to the development from Pascoe Vale Road shall be removed and the kerb and channel, footpath and nature strip reinstated to the satisfaction of and at no cost to VicRoads.
19. To the satisfaction of and at no cost VicRoads, the developer shall be responsible for the relocation and reinstatement of any trees, road furniture and any other services that may be required in this work.
20. Work site traffic management to be in accordance with "Road Management Act 2004 – Worksite Safety Traffic Management – Code of Practice; and AS 1742.3 – 2009 Part 3 Traffic control devices for works on roads. If Traffic congestion becomes excessive at anytime, the contractor must undertake measures to ease congestion.
21. A traffic management plan is to be submitted to VicRoads for its consideration at least 14 days prior to the commencement of works onsite. No traffic management devices are to be erected on Pascoe Vale Road until VicRoads issues authorization for the erection of those devices in accordance with the traffic management plan.
22. Any works associated with the proposed development shall be performed at no cost to VicRoads.

**End VicRoads Conditions**

23. 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 this permit.

15 November 2011  
**Date Issued**

SEC71-2

  
**Signature for the Responsible Authority**

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Before the permit expires or within three (3) months afterwards the owner or occupier of the land may in writing request the responsible authority to extend the expiry date.

**Note:** This permit has been issued at *the direction of the Victorian Civil and Administrative Tribunal following an order issued by the Tribunal on the 14 November 2011.*

**THIS PERMIT HAS BEEN AMENDED AS FOLLOWS:**

Date of Amendment	Brief description of amendment
7 May 2014	Section 71 Amendment to <b>Conditions 1a), 18f), 18g), 18h), 18i) and 19.</b>

15 November 2011  
**Date Issued**

SEC71-2

  
**Signature for the Responsible Authority**

**Page 6 of 6**

**Objectors List (Address Only) for MV/20853/2010/A at 322, 324 & 326 Pascoe Vale Road,  
ESSENDON**

**Objector's Mailing Address**

28 Peterleigh Grove, ESSENDON VIC 3040
2/328 Pascoe Vale Road, ESSENDON VIC 3040
7 Cameron Road, ESSENDON VIC 3040

## **9.5 Riverside Park Draft Concept Design**

**File No:** FOL/15/590  
**Author:** Coordinator, Open Space & Urban Design  
**Directorate:** Environment & Lifestyle  
**Ward:** Buckley

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### **Purpose**

To seek approval of Council to endorse the Draft Riverside Park Concept Design for community consultation.

### **Executive Summary**

- Council has developed a Draft Concept Design to guide the future upgrade of Riverside Park.
- The Draft Concept Design provides a design for a new layout and upgrade of car parking, playspaces, picnic and barbeque areas, paths, planting and drainage for Riverside Park.
- The Draft Concept Design was developed in consultation with key stakeholders and the community.

### **Recommendation**

That Council:

1. Endorse the Draft Riverside Park Draft Design for community consultation period from 28 August to 25 September 2015.
2. Receive a further report following the conclusion of the community consultation.

### **Background**

Riverside Park within the Maribyrnong River Regional Parklands is classified as a Regional open space through the Moonee Valley Open Space Strategy (2011). The Strategy highlights that the community regards the open space along the Maribyrnong River as the most popular within Moonee Valley. As part of the larger Regional open space network, Riverside Park captures a broader population, aims to protect and enhance environmental values of the River and includes a higher level of facility provision than other open spaces.

The Maribyrnong River Master Plan which Council endorsed in 2011 makes recommendations for Riverside Park to include an upgraded parkland and relocation of the carpark to increase open space along the Maribyrnong River.

The Playspace Plan 2013 identifies the playspace upgrade of the Riverside Park playspace. The playspace is classified as medium and caters for two age groups. Upgrade designs were prepared in 2013 and the first stage of construction of the junior playspace, the Black Sapphire Pirate Ship was completed in 2014. The second stage of works, the upgrade of the senior playspace, car park and picnic area and

landscaping was suspended by Council on 21 October 2014 due to the emergence of concerns by residents regarding the extent of the works.

Community consultation on the suspended design was undertaken in October and November 2014. Feedback was received on a variety of issues, with the car park upgrade being the main concern for some residents. This feedback indicated strong opposition to the project, specifically regarding the car park location and the removal of the roundabout.

At the Ordinary Council Meeting held 25 November 2014, a report was presented including options for consideration regarding the Riverside Park Car Park and Playspace Contract. The report contained feedback results from the community consultation and made recommendation with regard to the termination of the contract.

Following decision was made by Council at the Ordinary Council Meeting held 25 November Council meeting:

‘... the Mayor advised that Council resolved to negotiate the termination of the contract and as such it is Council’s intention that the project will no longer proceed, that the roundabout at the Boulevard and Fawkner Street will remain and that a full consultation program will be undertaken with the community and affected residents to develop a new concept plan for Riverside Park’

Project planning commenced in 2015 for the preparation of a new design for Riverside Park incorporating extensive consultation processes for the detailed design.

## **Discussion**

The Draft Concept Design for the upgrade of Riverside Park has been prepared and can be found in **Appendix A** (separately circulated). The design includes a significant playspace which caters for a broad age group and continues the themes of water and adventure complimenting the Black Sapphire Pirate Ship. It also provides a number of picnic areas which are integrated with the playspace to provide interaction with carers and children. There is also a picnic area away from the playspace which offers an alternative location for visitors. The design resolves the configuration of the carpark and its location to the Maribyrnong River.

Key principles that have guided the design process include:

- actively engaging the community and addressing community expectations through the design process
- enhancing the open space and responding to its riverside location and to existing elements including trees, pirate ship, open space areas and the path network
- making improvements to the car park and enhancing vehicular, pedestrian and cycling circulation and linkages
- considering sustainability through inclusion of WSUD elements, sustainable materials and elements and providing opportunity to increase planting and habitat

Design elements are outlined below.

### Play opportunities

The expanded play opportunities predominantly focus on older children aged 7-12 years to complement the existing Pirate Ship that is designed for younger children. Rocks, logs and planting will create a natural context for play. Elements have been selected that provide a range of play types (creative, social, physical and cognitive) and multiple levels of challenge for various age groups and abilities. Additional elements around the junior playspace will extend play opportunities for younger children.

### Picnic and barbeque facilities

Two main picnic/barbeque areas are proposed with shelters and associated planting. A shelter has also been provided near the pirate ship for group gatherings. Additional seating has been provided throughout the park and within a new shaded plaza area. A range of seating options provide for both large and small groups and for individual visitors.

### Car parking

The reconfigured car park has an improved layout and incorporates WSUD elements. The design has designated crossing points for improved pedestrian safety. The proposed car park location responds to community feedback to retain the car park in the same location. It is now less obtrusive, provides 23 carspaces which includes two disabled parking bays. It is the same capacity to the existing carpark but within a smaller footprint which has allowed better connection between the two playspaces.

### Drainage

A water sensitive urban design approach has been taken to drainage. Water is directed from the entry road and car park into passively irrigated tree pits and rain gardens. A shallow grassed soakage pit will allow stormwater to naturally filter down through the soil to the Maribyrnong River.

### Toilet

The existing toilet unit that was installed in 2010 has been retained in its current location. The toilet design allows for an additional unit to be placed beside the existing unit and this option has been allowed for in the Draft Concept Design due to feedback that additional toilets are required.

### Planting

Additional tree and garden bed planting has been proposed to increase vegetation, provide shade and increase habitat.

### Paths

Pedestrian paths are provided to key areas within the park and as connections to the river promenade and the Boulevard. Designated crossing points will direct pedestrians through the car park and a 2.5m wide shared path will provide for cycling access from the Boulevard. Paths are proposed to be hard paved to reduce ongoing maintenance.

### Consultation

The consultation process was rigorous and was undertaken in a number of stages to ensure the optimum amount of feedback from stakeholders and the community.



Step 1. Notification to consult on the design for Riverside Park:

A flier advising of Council's decision in November 2014 to undertake a design and community consultation for Riverside Park was letter box dropped to approximately 1,800 local residents from 7 April 2015 and emailed to people who had provided consultation feedback in 2014.

Step 2. Ideas generation:

The next stage to generate ideas from the community was undertaken from 20 April to 17 May 2015. Brochures inviting suggestions for Riverside Park and advertising two on-site consultation sessions, together with a survey were letter box dropped to 1,800 local residents. A webpage for the project included a link to an online version of the survey. Signage was installed in the Park directing people to the online survey and advertising the on-site consultation sessions. Advertising was undertaken through Facebook, Twitter and local parenting blogs, whilst people who had provided previous feedback were also emailed or posted brochures and surveys.

Two on-site sessions were held Wednesday, 6 May and Saturday, 9 May. Attendees and park users were invited to share their ideas for the park upgrade or raise issues of concern and to complete a survey. The Saturday session also included a children's model making activity and precedent image selection.

Step 3 Consultation with local schools:

A design session with 12 grade five students from Aberfeldie Primary School was held on the 21 April 2015. A range of activities including drawing, selection of precedent images and discussion were used to engage and draw out play preferences. Student responses included an overwhelming preference for climbing structures and a sense of value for creative and sensory play. Other significant preferences included sculptural elements, active play, giant swing, water play, nature play and trampolines.

A total of 280 completed survey responses were received including 247 hard copy (paper) surveys and 33 online surveys. The survey analysis report can be found in Survey Analysis Report **Appendix B** (separately circulated).

A total of 31 other written responses were received in addition to the survey by post, email and Facebook.

A summary of written feedback has been prepared including comments received as part of the survey and feedback received during last year's consultation. This summary can be found in Feedback Summary and Draft Design Responses **Appendix C** (separately circulated).

Key feedback themes include:

- Concerns about the car park location, desire for it to be retained within the park and to be upgraded in existing position.
- Play space to be upgraded and to relate to adjacent lawn areas open space, to cater for older children and to include nature play and water play
- Improved picnic and barbeque facilities and more seating and drinking fountains
- More trees and planting

- More toilets to be provided and better maintenance of toilets
- Upgrade of paths
- Space for food/coffee vans
- More shelter and shade trees
- Retain round about
- Fence pirate ship
- Better lighting
- Include heritage interpretation

The feedback has been incorporated into the Riverside Park Draft Concept Design.

## **Implications**

### **1. Legislative**

Any built works undertaken as part of this park upgrade will need to comply with the relevant Australian standards and requirements of a Cultural Heritage Management Plan as required under the *Aboriginal Heritage Act 2006* and *Aboriginal Heritage Regulation 2007*.

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

Planning for improvements to Riverside Park will contribute to Council Plan 2013-2017 Theme 2 Green, Clean and Beautiful: Strategic objective 5: Protect and enhance the quality and scale of open space for conservation and community enjoyment.

Theme 5: Excellence in governance – Dynamic, effective and accountable: Strategic objective 2: Build a culture of governance that instils a high level of community respect and confidence in Council decision-making. Strategic objective 3: Provide the community with meaningful and genuine opportunities to contribute to Council planning.

Improvements within Riverside Park meet objectives of Council's Open Space Strategy 2011, Playspace Plan 2013 and Maribyrnong River Master Plan 2011

### **3. Financial**

The Draft Riverside Park Concept Design provides a design for improvement works. Implementation of the upgrade works for Riverside Park will be subject to Council's annual budgetary process.

### **4. Environmental**

The Draft Riverside Park Concept Design proposes a water sensitive urban design approach to drainage that will assist in cleansing stormwater from the car park before it enters the Maribyrnong River.

The Draft Concept Design proposes additional planting that will increase canopy cover along the Maribyrnong River and provide additional habitat.

## **Conclusion**

Riverside Park is classified in the Council endorsed Open Space Strategy 2011 as a Regional open space and part of the Maribyrnong River Regional Parkland.

The Draft Concept Design proposes upgrades that are in accordance with Council's Open Space Strategy 2011, Maribyrnong River Master Plan 2011 and Playspace Plan 2013. The design has been developed through an extensive community consultation process and offers an exciting playspace for a range of age groups, a variety of barbeque and picnic areas and an improved carpark layout, creating a safer pedestrian and vehicle environment.

The Draft Concept Design for Riverside Park is an inspiring design to be presented to the community for further feedback.

## **Appendices**

Appendix A: Draft Riverside Park Concept Design (separately circulated)

Appendix B: Riverside Park Upgrade Survey Analysis Report (separately circulated)

Appendix C: Riverside Park Consultation Feedback Summary and Draft Design Responses (separately circulated)

## 9.6 EKLC Feasibility Study Concept Plan

**File No:** FOL/15/590  
**Author:** Coordinator, Open Space & Urban Design  
**Directorate:** Environment & Lifestyle  
**Ward:** Buckley

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### Purpose

To endorse the East Keilor Leisure Centre Concept Plan with variations to enable the completion of the East Keilor Leisure Centre Feasibility Study.

### Executive Summary

- An action of the Council adopted Aquatic Leisure Centre Plan 2014, is the preparation of a Feasibility Study to determine options for the redevelopment of East Keilor Leisure Centre. Council was successful in securing a Sport and Recreation Victoria, Community Facility Fund Planning Grant of \$30k to undertake the Feasibility Study.
- The key principles of the ALCP have guided the development of the Draft Concept Plan which is required as the basis of the Feasibility Study.
- Council endorsed the Draft Concept Plan for community consultation at the Council Ordinary meeting held 24 March 2015 and the results of the consultation are discussed within this report.
- Since the closure of the consultation period, a petition 'Save the East Keilor 50 metre Outdoor Pool' was presented to Council at its meeting held 28 July 2015.
- As a result of community consultation and feedback from Council, the Feasibility Study will be expanded to include options as outlined in **Appendix A** (separately circulated).

### Recommendation

That Council complete the East Keilor Leisure Centre Feasibility Study inclusive of options as documented in **Appendix A** (separately circulated).

### Background

The Council adopted Aquatic Leisure Centre Plan 2014 (ALCP) discusses the benefits of modern aquatic leisure centres and confirms the need for a municipal level centre in the north east of the municipality. A key action of the ACLP 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 were 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 EKLC Feasibility Study should 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 (ie. 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**

To arrive at the Concept Plan (**Appendix B** – separately circulated), different concepts were presented to Council that included various ‘components’ that could be included in a Draft Concept Plan for EKLC that would then be exhibited to the community for comment. The components of the Concept Plan are listed below.

- 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

The Concept Plan will fill the gap in service provision that was identified in the ALCP. The Concept includes a hydrotherapy pool which will be used by people with various disabilities or who are recovering from physical trauma. People who are recovering from physical trauma benefit from the use of warm water exercises, aiding in the recovering from injury, and for other therapeutic purposes.

## **Leisure Water**

The provision of Leisure water - catering for families and children and will include a beach entry, water sprays, a tipping bucket, etc. 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**

Disability access is provided in the hot water pool. These pools are widely used by disability groups and individuals. The provision of these features is required both through changes to government legislation with regard to disability access, and to provide for the aging sector of the East Keilor community. Current standards require modern centres to have ramp access into all pools and accessible change facilities.

## **Change Facilities**

Improved change facilities - including family change rooms and change villages. These family change rooms will 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.

On deck (poolside) showers complement other change facilities and will 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.

## **Included Components**

- A 25m pool, providing 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

The Concept Plan, as consulted represents a tripling of year round aquatic provision, and a significant increase in the provision of health and fitness. Along with substantial improvements in the provision of change facilities, gym/cardio space, and water play area. The Concept Plan includes all of the necessary features for a modern aquatic facility, and meets all of the principles of the ALCP, particularly in regard to Affordability and Viability.

The Concept Plan, has been well received by the community however since the closure of the consultation period, a petition “Save the East Keilor Leisure Centre 50 metre outdoor pool” was presented at the 28 July 2015 Ordinary Meeting of Council. As a result of this petition, it is proposed that the Feasibility Study be expanded to review and thoroughly assess the variations that have been discussed by councillors and the community which are document in **Appendix A** (separately circulated). In particular the investigation of a 50m outdoor swimming pool with ramp access.

All proposals will be thoroughly assessed in terms of options for renewal where appropriate, staging of construction and consideration of possible staged implementation over multiple financial years.

## Consultation

Consultation on the Draft Concept Plan, commenced March 31 and ran until 24 April, 2015. Consultation included:

- Workshops and informal drop-in sessions held at EKLC
- Workshop held with the EKLC Community Reference Group (CRG)
- A manned display for Seven days at the Westfield Shopping Centre, Airport West
- Meeting with Moonee Valley Youth Voice Leadership Group
- Feedback was also sought from all Moonee Valley Schools
- Four drop-in sessions held at EKLC
- Feedback was sort via email to 2,800 EKLC members
- Consultation updates via email to 2,800 EKLC members

A comprehensive advertising campaign was undertaken, using the Councils website, social media and an advertorial in the Leader newspaper

- Feedback was sought through the following publications:
  - Future of EKLC Newsletter
  - Aged and Disability Newsletter
  - MV Express
- A1 Concept boards were displayed at:
  - Niddrie, Avondale Heights and Sam Merrifield libraries
  - MVCC Civic Centre
  - East Keilor Leisure Centre
  - Queens Park Swimming Pool
- A survey in both electronic and hard copy was sent to 2,800 members of EKLC. The survey was also made available at all drop in sessions, and at the three libraries. 198 people responded to the survey. Comments from the survey are provided as **Appendix C**.
- Consultation was undertaken with Belgravia Leisure the current operator at EKLC and Sport and Recreation Victoria.

The Concept Plan, has been well received by the community.

- 338 surveys were completed
- 282 or 83% supported the concept plan
- 193 provided comments
- 56 or 17% commented on the lack of outdoor water

While feedback has been received advocating for the retention of a 50m pool, these comments constitute only 17% of overall responses. Responses from people surveyed relating to the indoor 25m pool and leisure water indicated that of the 56 respondents who mentioned the lack of outdoor water:



- 66% of respondents currently lap swim at East Keilor Leisure Centre
- 83% of respondents stated they were likely or very likely to use an indoor 25m lap pool

Since the closure of the consultation period, a petition 'Save the East Keilor 50 metre Outdoor Pool' was presented to Council at its meeting held 28 July 2015.

## **Implications**

### **1. Legislative**

The concept for the future redevelopment of EKLC adheres 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**

In presenting this report Council achieves its Strategic Objective to "Support the community in becoming healthier and more physically active", in accordance with Council Plan 2013-2017 Theme 1: Friendly and safe - A community where people feel connected and safe.

The delivery of the EKLC Feasibility Study will deliver on an action in the Council adopted Aquatic Leisure Centre Plan 2014.

### **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. \$250,000 has been identified in the 2015/16 draft annual budget to commence design development, should this be required. Any further funding will be subject to future budget consideration.

### **4. Environmental**

Any redevelopment 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**

An action of the Council adopted Aquatic Leisure Centre Plan 2014, is the preparation of a Feasibility Study to determine options for the redevelopment of the East Keilor Leisure Centre. Council was successful in securing a Sport and Recreation Victoria, Community Facility Fund Planning Grant of \$30k to undertake the Feasibility Study.

The key principles of the ALCP have guided the preparation of a Draft Concept Plan which was endorsed by Council for public consultation. Feedback on the Draft Concept Plan showed the community generally supported the proposal, however there was some concern over the lack of outdoor water.

As a result of consultation with councillors and the community the Feasibility Study will be expanded to include variations to the Concept Plan. All proposals will be thoroughly assessed in terms of options for renewal where appropriate, staging of construction and consideration of possible staged implementation over multiple financial years.

### **Appendices**

Appendix A: East Keilor Leisure Centre Feasibility Options (separately circulated)  
Appendix B: East Keilor Leisure Centre Concept Plan 1A (separately circulated)  
Appendix C: East Keilor Leisure Centre Consultation Analysis Report

## Analysis Report – initial findings

5 May 2015

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### Background and Methodology

To ensure that the community was consulted regarding the re-design of the East Keilor Leisure Centre, in April 2015 Council undertook a community survey on the topic.

The research process involved both a hard (paper) copy of the survey distributed through the current Leisure Centre and other Council facilities (such as libraries), and an online version which was promoted through social media, Council's website and posters.

The survey was available to complete for all of April 2015, achieving a total of 338 responses; 257 completed online and 81 completed on paper (manually entered into the database). One duplicate response was identified and removed.

## About the Sample



66%

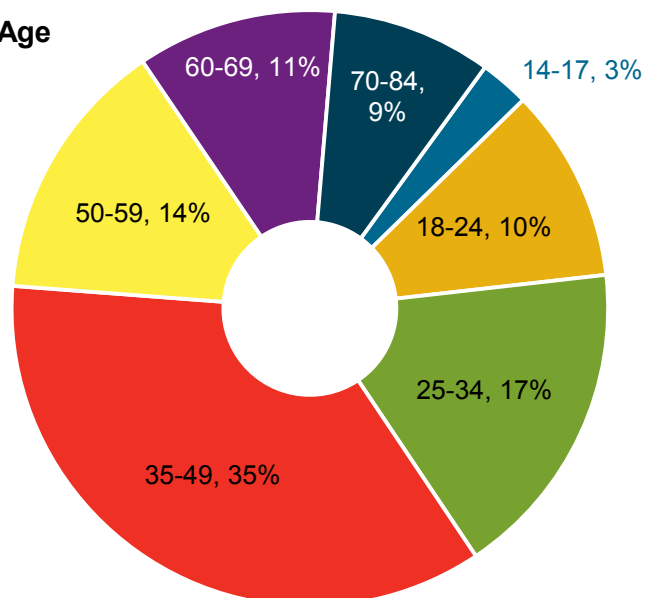


32%

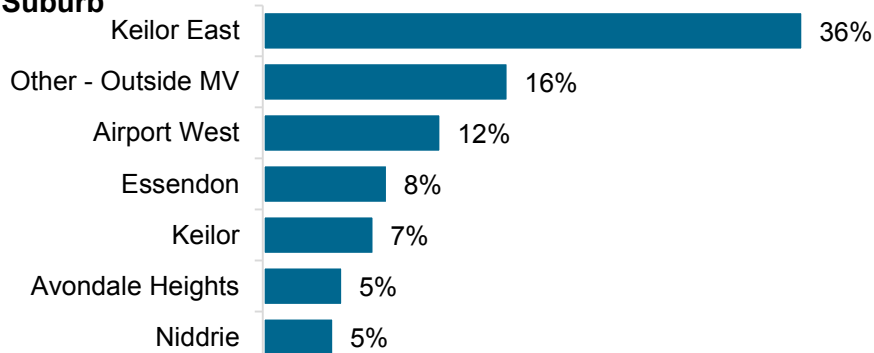


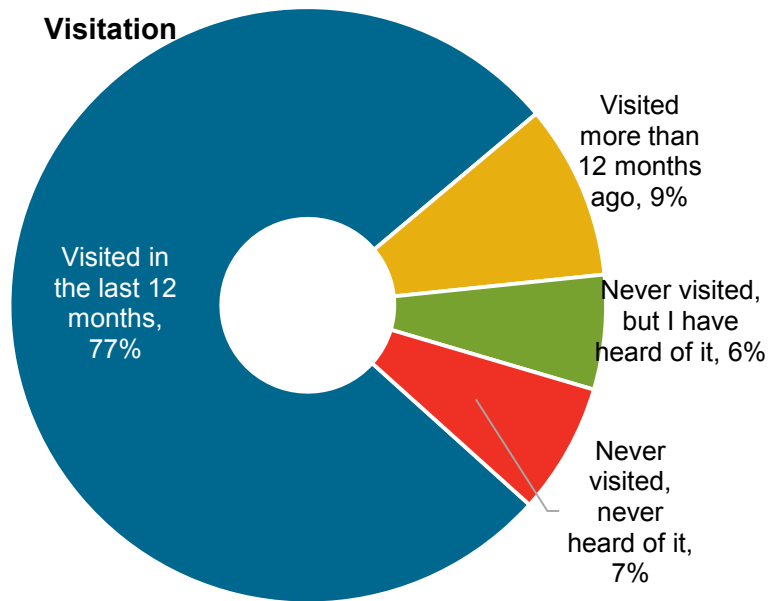
48%  
kids <16

### Age



### Suburb



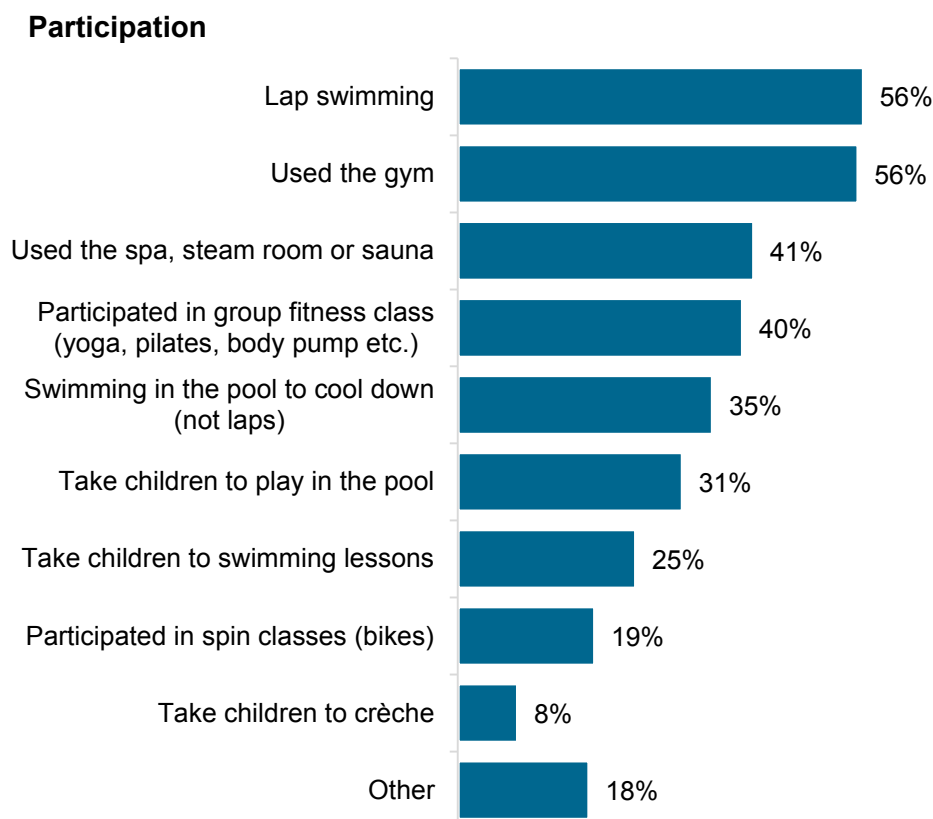


## Research Findings

### Participation

Those who indicated that they had visited the East Keilor Leisure Centre in the 12 months prior to interview (263 people) were asked which of a list of activities they undertake at the centre.

It is clear that the sample is predominately comprised of those who swim laps and/or use the gym. On average, people indicated they participated in 3.3 of these activities (including other); few indicated that they only participate in only one (18 per cent).



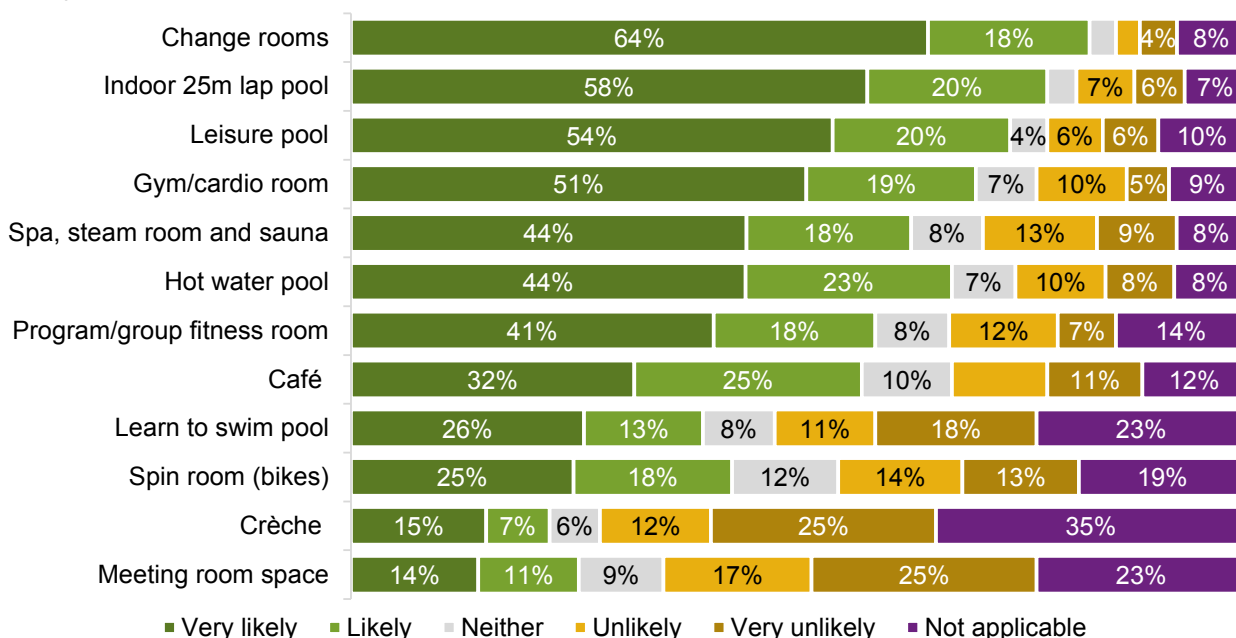
Those who indicated they swim laps also showed high incidences of undertaking other activities such as using the gym (62 per cent), and using the spa etc. (53 per cent). Those who specified that they use the gym show high incidences of also attending group fitness class (57 per cent) and lap swimming (62 per cent).

There were a wide range of additional activities put forth in the other comments; the top two were mentions of aqua aerobics / walking in the pool (17 people) and comments relating to the 50m or outside pool (8 people).

## Likely future use

All respondents were asked to indicate how likely they would be to use each of the facilities included in the proposed re-design. The features likely to result in the highest levels of use were the change rooms, lap pool and leisure pool.

### Likely use of facilities



When analysing by just those respondents with children aged 15 years or under, the incidence of being likely to use the crèche increases from 22 per cent to 35 per cent.

Of those who indicated that they currently use the East Keilor Leisure Centre for lap swimming (146 people), 78 per cent said that they would be very likely to use the indoor 25m lap pool. Only 6.8 per cent said that they would be unlikely or very unlikely to use the 25m lap pool.

## Additional comments

An open ended question was included in the survey, providing respondents with the opportunity to share anything else they would like to say about the proposed East Keilor Leisure Centre upgrade; 193 people shared additional thoughts.

These comments are still being coded, however 56 comments have been identified which mention the need for an outdoor and/or 50m lap pool. This equates to 29 per cent of comments, or 17 per cent of overall respondents. Of these 56 people who mentioned outdoor/50m pool, 66 per cent indicated that they currently use the East Keilor Leisure Centre for lap swimming. Furthermore, of those who commented on the need for an outdoor/50m pool, 83 per cent said that they would be likely or very likely to use an indoor 25m lap pool.

**9.7                      25 Rose Avenue Niddrie - Proposed Road Discontinuance and Sale of Land**

**File No:** FOL/15/590  
**Author:** Coordinator Property Services  
**Directorate:** Corporate Services  
**Ward:** Buckley

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**Purpose**

To consider a part road discontinuance and sale of land by private treaty.

**Executive Summary**

- Council considered a confidential report at its meeting on 26 May 2015 regarding a terms of settlement agreement with the owners of 25 Rose Avenue, Niddrie.
- Council resolved to commence statutory procedures pursuant to section 206 of the *Local Government Act* 1989 ('the Act') to discontinue a 239m<sup>2</sup> section of disused road and sell the land to the owners of 25 Rose Avenue, Niddrie by private treaty. Refer location photo at **Appendix A.**
- The subject section of road appears to have been occupied by successive owners for over 30 years.
- The road remains in the original certificate of title and Council is the current registered proprietor of the land. Council has the authority to discontinue the road and sell the land by private treaty.
- Statutory procedures under the Act have been completed. Public notices appeared in the local newspapers and no submissions were received.
- Following the sale of the subject land, Council will be required to prepare a planning scheme amendment to rezone the subject land from Public Use Zone (PUZ) to Residential 1 Zone (R1Z).



## Recommendation

That Council:

1. Note that after having given notice pursuant to sections 206 and 223 and clause 3 of Schedule 10 to the *Local Government Act* 1989 of a proposal to discontinue a 239m<sup>2</sup> section of disused road abutting 25 Rose Avenue, Niddrie contained on Certificate of Title Volume 2358 Folio 590 and shown as Lot 1 on TP949369T, no submissions were received.
2. Is of the opinion that the 239m<sup>2</sup> section of road as shown at **Appendix B** is no longer required for public use and that it should be discontinued and sold to the owners of 25 Rose Avenue, Niddrie for a consideration of \$80,000 (GST incl).
3. Publish a notice pursuant to clause 3(a) of Schedule 10 to the *Local Government Act* 1989 in the Victorian Government Gazette.
4. Authorise the Chief Executive Officer to execute the instrument of land transfer and any other associated documents.

## Background

Council considered a confidential report at its meeting on 26 May 2015 regarding a terms of settlement agreement with the owners of 25 Rose Avenue, Niddrie.

Council resolved to commence statutory procedures pursuant to section 206 and clause 3 of Schedule 10 to the Act to discontinue a 239m<sup>2</sup> section of disused road abutting the west side of 25 Rose Avenue, Niddrie as shown at **Appendix B** contained on Certificate of Title Volume 2358 Folio 590 and described as Lot 1 on TP949369T and sell the land to the owners by private treaty.

## Discussion

Evidence shows that the subject road has been occupied by the current and previous owners of the land for over 30 years. Since the subject road is no longer required for public use and has been occupied for many years, it is considered appropriate to discontinue the section of road and sell the land to the property owner.

## Consultation

Public notice was given in the Weekly Review and Moonee Valley Leader on 17 June 2015. Public submissions closed on 15 July 2015. No written submissions were received.

## Implications

### 1. Legislative

Council has acted under sections 206 and 223 of the Act regarding this road discontinuance and sale of land proposal. All relevant statutory procedures have been fully complied with.

**2. Council Plan / Policy**

The application has been processed in accordance with Council's Road Discontinuance and Sale of Land Policy and the Local Government Best Practice Guideline for the Sale and Exchange of Land.

**3. Financial**

Council has agreed to sell the subject land to the landowner for \$80,000 (GST incl.) in accordance with a Terms of Settlement Agreement.

**4. Environmental**

There are no environmental implications.

**Conclusion**

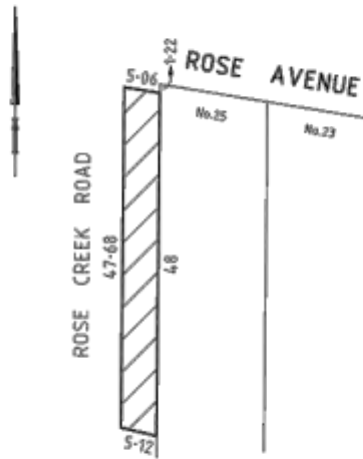
Since the subject road is no longer required for public use and is currently occupied by the owners of 25 Rose Avenue, Niddrie, it is considered appropriate to discontinue the section of road and sell the land to the property owner.

**Appendices**

Appendix A: Location Photo

Appendix B: Advert and Gazette





**9.8 Annual Review of the Domestic Animal Management Plan  
2013-2017**

**File No:** FOL/15/590  
**Author:** Acting Coordinator Parking Control & Local Laws  
**Directorate:** Corporate Services  
**Ward:** Municipal

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**Purpose**

The purpose of this report is to provide Council with its annual review of the Domestic Animal Management Plan 2013 – 2017.

**Executive Summary**

- In accordance with Section 68A (3), Council must review its Domestic Animal Management Plan (“the Plan”) on an annual basis, and if appropriate, amend the Plan accordingly.
- At its Meeting held 28 May 2013, Council adopted its current Plan and resolved to receive an annual progress report on the initiatives identified in the Plan.

**Recommendation**

That Council:

1. Receive and note the Annual Review of the Domestic Animal Management Plan 2013-2017.
2. Note that no amendments are required to the Domestic Animal Management Plan 2013-2017.

**Background**

The primary focus of the Plan is the management of companion animals, namely dogs and cats, their owners and the concerns of the wider community while addressing a range of legislative issues relating to animal management within Moonee Valley.

It is well understood that animal management entails more than just the collection of animals. Animal management officers play an important role in promoting responsible pet ownership throughout the municipality and to help promote a positive environment for domestic animals.

**Discussion**

Council’s Domestic Animal Management Plan is designed to improve the provision of animal management services by maintaining the traditional Local Government role while responding to new and emerging animal management issues.

As such, identified in the plan are eight objectives with associated actions and timelines for initiatives to be implemented. The objectives are:

1. Officer Training and Development: Ensure that all staff involved in animal management has the knowledge and skills necessary to effectively carry out their work.
2. Identification and Registration: Ensure that Council is promoting and encouraging the registration and identification of domestic animals.
3. Encouraging Responsible Pet Ownership: Ensure that Council is minimising the incidents of nuisances involving domestic animals.
4. Dog Attacks: Ensure that Council is minimising the risk of attacks by dogs on individuals and other animals.
5. Dangerous, Menacing and Restricted Breed Dogs: Ensure that Council has strategies, programs and services to identify and ensure compliance by dangerous, menacing and restricted breed dogs.
6. Overpopulation and High Euthanasia: Ensure that Council has strategies, programs and services to address any animal over-population and high euthanasia rates for dogs and cats.
7. Domestic Animal Businesses: Ensure that Council has strategies, programs and services to address any domestic animal businesses.
8. Annual Review of Plan and Annual Reporting: Ensure that Council reviews its DAM plan on an annual basis and provides appropriate reporting in its Annual Report.

Provided as **Appendix A** (separately circulated) is a review of each of these objectives and the progress made to date. It is pleasing to highlight the following initiatives that have been introduced:

- a) The completion of the Dog Only Park Feasibility Study and initial consultation process:

The Study was prepared by a working group made up of representatives from Local Laws, Parks and Gardens and the Open Space unit.

As a result of the assessment of the potential locations for the development of a Dog Only Park, the working group identified three locations as being the most suitable. These were:

- Alf Pearce Reserve
- Cliff Whitworth Reserve
- Ian J McWilliams Park

In order for Council to gauge the level of community support for the establishment of a fenced dog only park and the possible locations, a preliminary consultation process was undertaken via a community survey. The survey ran for six weeks and it was found that there was a high level of community support for the establishment of Dog Only Park within the community. The study and the results of the consultation have been referred to the Leisure & Open Space Planning Department for further action.

b) The launch of the Lost Pets Facebook Page:

Council launched the Lost Pets Facebook Page in April 2015. The Facebook page has already resulted in several lost pets being successfully reunited with their rightful owners.

The success of the Lost Pets Facebook Page will be evaluated in December 2015.

These initiatives provide a platform which fosters responsible pet ownership, whilst contributing to service delivery improvements for the Community.

Further to the actions documented in Part 6 of **Appendix A** (separately circulated), Council has taken steps to minimise animal euthanasia rates through its negotiations with the Lost Dogs Home, by seeking a reduction in the euthanasia rates of at least 50% over the period of the agreement.

### **Consultation**

The nature of this report does not require any consultation.

### **Implications**

#### **1. Legislative**

Section 68A of the Domestic Animals Act 1994 requires all Councils to prepare a 4 yearly Domestic Animal Management Plan together with undertaking an annual review of this plan, and if appropriate, amend the plan as required.

Additionally, there are no Human Rights implications that emanate from this report.

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

In presenting this report to council, council is achieving its Strategic Objective to Support the community in becoming healthier and more physically active in accordance with Council Plan 2013-2017 Theme 1: Friendly and safe - A community where people feel connected and safe.

#### **3. Financial**

There are no financial implications associated with this report.

#### **4. Environmental**

There are no environmental impacts associated with this report.

### **Conclusion**

Council is commissioned with the responsibility of ensuring responsible pet ownership for the municipality. It is important that sound policies and procedures are in place that support and assist the Community in fulfilling their obligations as pet owners.

### **Appendices**

Appendix A: Key Actions - Excerpt from Domestic Animal Management Plan 2013-2017

## 1 OFFICER TRAINING AND DEVELOPMENT

**Objective:** to ensure that all staff involved in animal management has the knowledge and skills necessary to effectively carry out their work.

### 1.4 Offer at least 2 opportunities for additional internal training each year.

Identify additional training opportunities e.g. Prosecutions training, conflict management, communication/education technique.	Annually	<b>Completed</b> Identified through Individual Performance Plans. 2 Officers successfully completed the Certificate IV in Statutory Compliance this year. All AMOs now hold this qualification.
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## 2 IDENTIFICATION AND REGISTRATION

**Objective:** to ensure that Council is promoting and encouraging the registration and identification of domestic animals.

### 2.1 Update the council registration database by cross-referencing with pet shop dog and cat sales notifications data.

Activity	When	Evaluation
Check the registration details of all notifications of dogs and cats sold at pet shops and follow up those that aren't registered.	Quarterly	<b>Completed</b> 386 notifications received for the 2014/15 financial year. 35% of those registered after receiving responsible pet ownership welcome pack.

### 2.2 Increase dog and cat registration numbers each year.

Targeted door knocking of non-renewed pets each year.	No later than July, annually	<b>Completed</b> 750 SMS reminder messages sent in July to those residents who did not renew their registrations. This resulted 142 renewed registrations. 767 properties door knocked by an Animal Management Officer.
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Investigate the possibility of an electronic renewal process for animal owners that elect to receive non paper renewals and notifications.	December 2014	<b>Completed</b>  Investigation determined electronic renewal process is not possible due to restrictions associated with the Pathways system. No other options are available at this stage.
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2.3 Monitor and regulate excess animal permits.

Create and maintain a database to record all excess animal permits issued.	October 2013  Annually	<b>Completed</b>  Database maintained. 91 renewal notices sent to permit holders. 79 permits issued.
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2.4 Conduct a feasibility study on the merits of lifetime tags.

Investigate the merits or otherwise of introducing lifetime tags for dogs and cats.	October 2014	<b>In Progress</b>  Benchmarking has been conducted with a number of Councils which has demonstrated that the implementation of lifetime tags is appropriate.  It is proposed that lifetime tags be implemented for the 2016/17 registration year.
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### 3 ENCOURAGING RESPONSIBLE PET OWNERSHIP

**Objective:** to ensure that Council is minimising the incidents of nuisances involving domestic animals.

3.1 Improve and update information regarding nuisance issues.

Activity	When	Evaluation
Encourage residents to report animal nuisances (including feral strays) to enable	Ongoing	AMOs have participated in three Mobile Customer Service Sessions, where they spoke with the

Council to assist in resolving complaints and improve the general amenity.		<p>community about nuisance matters relating to barking dogs, trespassing cats, wild cats and nuisance dogs.</p> <p>Council has information pamphlets that are readily available to the community, these pamphlets are located at Citizen Services and distributed through Responsible Pet Ownership packs issued to new owners of dogs and cats.</p>
Review Council website and social media for effective ways of connecting with animal owners.	Bi-annually	<p>Lost pets Facebook page launched.</p> <p>20 posts relating to lost pets have been put up by Council.</p> <p>422 shares of posts made.</p> <p>657 page likes.</p> <p>Website information reviewed and updated regularly to reflect current advice from DELWP and Council processes. Last updated 30/04/15.</p>
Investigate new and effective options for disposal of animal excrement.	December 2013	<p><b>Completed</b></p> <p>No viable alternative to dog poo bag dispensers has been identified.</p> <p>The provision of small “Pooch Pouches” (for the temporary holding of waste bags) issued upon the renewal of registration, has been investigated. However, the cost has been found to be prohibitive.</p>

3.3 Promote responsible pet ownership service available.

Investigate new and effective options to assist those residents who are unable to temporarily care for their animal.	December 2013	<b>Completed</b> Council has the “Petlink’s program”, where volunteers assist clients of Council’s Aged and Disability Services with the walking and feeding/caring of pets in the clients home.
Investigate the possible introduction of a dog only park.	December 2014	<b>Completed</b> Feasibility Study was developed and finalised. Three parks were identified which may be suitable for the possible establishment of a fenced dog only park. Residents were invited to participate in a survey to determine the level of support for options provided. The study and the consultation results has been referred to the Leisure & Open Space Planning Department for further action.

## 4 DOG ATTACKS

**Objective:** to ensure that Council is minimising the risk of attacks by dogs on individuals and other animals.

4.1 Improve awareness of safety around dogs to help minimise number of dog attacks.

Activity	When	Evaluation
Targeted education campaigns in areas where high numbers of dog attacks have been recorded.	Ongoing	<b>Completed</b> 50 dog attacks have been reported to Council for the financial year.  AMOs participated in three Mobile Customer Service Sessions and conducted three school and community visits to raise awareness of dog attacks and off leash safety issues.

4.2 Improve reporting of rushes and dog attacks.

Improve information on the website and brochures for reporting dog rushes and attacks.	July 2014	<b>Completed</b> Website information reviewed and updated regularly to reflect current advice from DELWP and council processes. Last updated 30/04/15. There have been five dog attacks reported since last update of information.
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**5 DANGEROUS, MENACING AND RESTRICTED BREED DOGS**

**Objective:** to ensure that Council has strategies, programs and services to identify and ensure compliance by dangerous, menacing and restricted breed dogs.

5.1 Ensure owners of declared dogs comply with relevant legislation and Regulations.

Undertake annual property inspections of declared dogs.	Annually	<b>Completed</b> 7 properties inspected 3 Dangerous Dog inspections 3 Dangerous (Guard) Dog inspections 1 Restricted Breed Dog inspection
Maintain register of all breaches detected during inspection and undertake prosecutions where applicable.	Annually	<b>Completed</b> MVCC declared dog register & Victorian Declared dog register updated with inspection outcomes and cross referenced to confirm all records correct and up to date.

5.2 Investigate and identify suspected unregistered Restricted Breed Dogs.

Activity	When	Evaluation
Conduct regular audit on identified incorrectly registered dogs, unregistered restricted dangerous and menacing breed dogs.	Annually	<b>Completed</b> 29 restricted type breed dogs (American Staffordshire Terriers and AST X) registered in 14/15 financial year.

## 6 OVERPOPULATION AND HIGH EUTHANASIA

**Objective:** to ensure that Council has strategies, programs and services to address any over-population and high euthanasia rates for dogs and cats.

6.1 Promote de-sexing of animals.

Promotion of AVA/MAV de-sexing voucher scheme.	Ongoing	40 vouchers issued in 14/15 financial year. 20 vouchers invoiced to Council for reimbursement of AVA pricing
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6.2 Promote adoption of stray and unwanted pets.

Investigate the possibility of offering free first year registration for animals adopted from shelters and pounds.	February 2014	<b>Completed</b> Initiative investigated and found to be not possible, as free registration (other than transfer of registration) is in breach of Domestic Animals Act 1994.
Promote the adoption programs of the Cat Protection Society, Lost Dogs Home and the RSPCA.	Ongoing	Between July 2014 and June 2015 there have been 344 pets adopted by MV residents. Adoptions programs have also be advertised through shared posts on the Lost Pets Facebook page. There has been a 33% increase in adoptions by residents compared to last financial year.

## 7 DOMESTIC ANIMAL BUSINESSES

**Objective:** to ensure that Council has strategies, programs and services to address any domestic animal businesses.

7.1 Identify and register all Domestic Animal Businesses in the municipality.

Activity	When	Evaluation
Identify and inspect all businesses that should be registered DABs in the municipality.	Bi-annual	<b>Completed</b> All 4 identified DABs have been audited to ensure they meet the Code of Practice adopted by the State Government.  1 additional business and 2 suspected breeders inspected and deemed not to meet requirements.

## 8 ANNUAL REVIEW OF PLAN AND ANNUAL REPORTING

**Objective:** to ensure that Council reviews its DAM plan on an annual basis and provides appropriate reporting in its Annual Report.

## 9.9 Thrive - Draft Youth Engagement Strategy

**File No:** FOL/15/590  
**Author:** Youth Planner  
**Directorate:** Community Services  
**Ward:** Municipal

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### Purpose

To seek endorsement of the release of the draft Youth Engagement Strategy, 'Thrive'.

### Executive Summary

- The draft Youth Engagement Strategy ('Thrive') (**Appendix A** – separately circulated) has been developed to provide Council, the service sector and young people with strategies to address the needs, wants and aspirations of young people in Moonee Valley.
- Moonee Valley City Council defines 'young people' as those aged 12 – 25 years of age who live, work, study or socialise in Moonee Valley.
- Moonee Valley is currently home to 20,644 young people, which equates to approximately 17.5% of the total residential population.
- Between 2011 and 2024, the number of persons aged 12 to 24 is forecast to increase by 2,629 persons, and will comprise of 15% of the population.
- In recognition of the different needs, wants and experiences of young people, school-aged young people (12 – 17 years) and young adults (18 – 25 years) are divided into different groups. All references to school-aged young people and young adults in Thrive reflect these different age brackets.
- Thrive aligns Council with the national best-practice model for youth development by focussing on six action areas of being loved and safe; having material basics; being healthy; learning; participation; and supportive systems and environments.
- An extensive research exercise and community engagement process involving in excess of 780 young people was undertaken to inform the strategic directions of Thrive.
- Thrive will be available for public comment for four weeks from Monday 31 August through to Sunday 27 September.
- The outcomes of the exhibition period will be reported to Council's Ordinary meeting of 27 October 2015.

## Recommendation

That Council:

1. Endorse the draft Youth Engagement Strategy ('Thrive') for public exhibition and comment from Monday 31 August through to Sunday 27 September 2015, as presented at **Appendix A**;
2. Note and receive the Thrive Background Report and Thrive Consultation Report as presented at **Appendix B** and **Appendix C**, as the evidence-base documents in the development of Thrive; and
3. Note that the outcomes of the Public Exhibition period will be presented to Council at its Ordinary Meeting of Tuesday 27 October 2015.

## Background

Moonee Valley City Council is home to 7,415 school-aged young residents (12-17 years) and 13,229 young adult residents (18-25 years). This equates to approximately 17.5% of the total residential population of Moonee Valley. Young people living elsewhere also access the many secondary schools, employment, retail precincts and leisure facilities that Moonee Valley provides.

Council takes a whole-of-organisation approach in the delivery of its Youth Portfolio, with Council's Youth Services team leading policy, program and advocacy support for young people, specifically through three service streams:

1. Youth engagement: programs, events and cultural activities to engage young people and build civic pride.
2. Youth planning and projects: leadership development, advocacy and planning.
3. Counselling and individual support: counselling and case-management.

Council's previous Youth Engagement Strategy concluded its term in December 2014. To build a solid evidence-base and community involvement in the development of the next strategy, Council has undertaken a comprehensive background research process and consultation program. The findings of the background research and consultation program have formed the evidence-base for Thrive.

Thrive has been drafted in careful consideration of the need to:

- Use engaging, informal language to make it a document young people understand, connect to, and see their input reflected in.
- Reference the evidence base for each strategic direction.
- Offer advice on how young people and the services sector can also contribute to Council's and the community's shared vision.

Unlike most Council strategies, Thrive is not time-bound in the view that the strategies are holistic enough to remain relevant in 5–10 years-time. Thrive Action Plans, which will be developed and reviewed annually in partnership with young people and community partners, will include a rigorous monitoring and evaluation component.



## Discussion

The background research project investigated current and future demographic trends for young people in Moonee Valley and found that some areas, especially Moonee Ponds, Ascot Vale and Flemington, are expected to have an increase in young residents over the next ten years.

The research also found that while young people in Moonee Valley fare well on average in regards to physical health, education and employment, there are some areas Council and the community services sector can strengthen, especially in regards to mental and sexual health. The findings of this research has been documented in the Thrive Background Report (**Appendix B** – separately circulated).

An extensive consultation program was undertaken over a 6 month period where some 669 surveys from young people were collected and 118 school students participated in workshops. Council further undertook workshops and surveys with the youth services sector and engaged with Councillors and Council staff. The outcomes of this consultation program are documented in the Thrive Consultation Report (**Appendix C** – separately circulated).

The structure of Thrive is based on the Australian Research Alliance for Children and Youth (ARACY) Nest Framework. This Framework is a holistic framework that offers Council, the services sector and young people themselves opportunities for positive involvement.

In line with the Framework, the six action areas of Thrive are described below:

Thrive (Nest Framework) Action Area	Description
1. Being loved and safe	<ul style="list-style-type: none"><li>• Positive relationships with families, educators and the wider community</li><li>• Self-esteem</li><li>• Community safety</li></ul>
2. Having material basics	<ul style="list-style-type: none"><li>• Employment</li><li>• Housing and rental affordability</li></ul>
3. Being healthy	<ul style="list-style-type: none"><li>• Physical, mental and sexual health</li></ul>
4. Learning	<ul style="list-style-type: none"><li>• Education settings (i.e. schools)</li><li>• Study spaces</li><li>• Life-long learning</li></ul>
5. Participation	<ul style="list-style-type: none"><li>• Civic participation</li><li>• Community leadership</li></ul>
6. Supportive systems and environments	<ul style="list-style-type: none"><li>• Services sector partnerships</li><li>• Young people friendly places and spaces</li></ul>

Thrive, as presented at **Appendix A**, details the specific objectives, summary of trends and consultation findings, and the strategies that Council will use to respond within each of these six Action Areas. The Plan also specifically recognises that Council can't achieve the objectives of Thrive on its own, with each Action Area

making suggestions to young people on how they can contribute to Thrive as an individual (or as support service organisation).

The approach in developing the Strategy as a tool for Council, the services sector and young people themselves, has ensured all can contribute to Council's shared vision of a place where young people can truly thrive.

## **Consultation**

In addition to the 780 young people and the 30 service providers involved in the consultation program, the Community Planning and Development Department conducted a Council Staff Workshop in March 2015 with 27 participants and a Senior Managers Forum Workshop in June 2015 with approximately 20 participants.

An update on progression and early engagement outcomes was presented at the Moonee Valley Principals Breakfast held on 28 May 2015; and an engagement workshop was conducted with Councillor's at its workshop session held on 7 July 2015.

Youth Voice, Council's primary reference group of young people, have been included and involved in each step of the process.

Thrive is the focus for this year's Youth Summit on Thursday 27 August 2015. The estimated 100 young people involved in the Summit will be asked for their views on how Council can implement the strategies contained in Thrive for the first Action Plan. In addition, Youth Summit participants will be asked how Council can support young people to continue to be involved in the development and review of subsequent Thrive Action Plans.

Thrive will be available for public comment from Monday 31 August to Sunday 27 October.

## **Implications**

### **1. Legislative**

In seeking to achieve the best outcomes for the local community, Councils must ensure that services and facilities provided by the Council are accessible and equitable under the Local Government Act 1989.

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

In presenting this report to Council, it is achieving its Strategic Objective to Deliver high quality and contemporary community services that are good value for money in accordance with Council Plan 2013-2017 Theme 1: Friendly and safe - A community where people feel connected and safe.

Thrive also aligns with the objectives of Council's Public Health and Wellbeing Plan 2013-2017, especially 'safe and connected communities', 'healthy people' and 'strong governance and partnerships'.

### **3. Financial**

Costs associated with the development of Thrive are accommodated within recurrent budget allocations.

#### **4. Environmental**

The promotion of Thrive will be focussed towards online and social media to reduce printing runs.

#### **Conclusion**

Council's draft Youth Engagement Strategy, 'Thrive', provides Council, the service sector and young people with clarity around how, together, we can address the needs, wants and aspiration of young people who live, work, study and socialise in Moonee Valley.

Thrive has been drafted to align Moonee Valley with the national best-practice model and was directly influenced by the views and feedback of over 780 young people who informed Council's strategic direction of Thrive. Further feedback during the exhibition period will ensure even stronger community ownership of Thrive by Councils' partners and importantly young people.

#### **Appendices**

Appendix A: Thrive: Draft Youth Engagement Strategy (separately circulated)  
Appendix B: Thrive: Background Report FINAL (separately circulated)  
Appendix C: Thrive: Consultation Report FINAL (separately circulated)

## **9.10 Appointment of Grants Advisory Panel members**

**File No:** FOL/15/590  
**Author:** Coordinator, Community Planning & Engagement  
**Directorate:** Community Services  
**Ward:** Municipal

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### **Purpose**

To appoint councillors and community members to the Grants Advisory Panel to support the assessment of the Biannual Grants category.

### **Executive Summary**

- At its Ordinary meeting on 23 June 2015, Council endorsed the implementation of an integrated Grants Program, which included the Terms of Reference for the establishment of a Grants Advisory Panel to assess the Biannual Grants.
- As per the Terms of Reference (**Appendix A**), the panel will comprise three councillors, two Council executive members and up to five community members.
- Councillors are to be appointed annually at the Statutory meeting of Council, however, as the first round of Grants to be assessed by the Panel, falls prior to this meeting, three Councillors will be appointed to support the assessment process for the first round of the 2015/16 Biannual Grants.
- Community members are appointed annually to support the assessment of two rounds of Biannual Grants within the financial year.
- Following invitation via a public Expression of Interest process, seven community members submitted applications to join the panel.
- Five community members are recommended for appointment to the panel.
- These recommendations have been assessed based on merit, skills and expertise; and taking into account diverse representation of views and backgrounds.
- A summary of applications and the Assessment Panel Recommendation is provided at **Appendix B**.
- The Panel will meet up to two times to develop recommendations for Round 1 Biannual grants, these meeting dates are scheduled for 10 and 17 September 2015 from 5.30pm.
- Recommendations from the Panel will be presented to Council to award grants at the 27 October 2015, Ordinary meeting.

## Recommendation

That Council:

1. Appoint Councillors Sharpe, Nation and Sipek to the Grants Advisory Panel for the first round of grants for 2015/16;
2. Appoint Councillor Sharpe as the Chair of the Grants Advisory Panel for the first round of grants for 2015/16;
3. Appoint Heather Watson, Chris Clark, Tony Fisher, Jane Harris, and Norm Short as community member representatives on the Grants Advisory Panel for a period of 12 months;
4. Offer positions to Michael Kemp and Gordon Ireland should applicants identified at recommendation 3 decline or withdraw their application; and
5. Authorise officers to provide feedback to Michael Kemp and Gordon Ireland and invite them to consider other current or future Council reference and advisory group opportunities.

## Background

At its Ordinary meeting on 23 June 2015, Council endorsed the implementation of an integrated Grants Program, which included the Terms of Reference for the establishment of a Grants Advisory Panel, which would assess the Biannual Grants (**Appendix A**).

The Biannual Grants category provides funding to support projects that increase community participation and access to information, services and strengthen wellbeing and economic growth across the city.

Biannual grants are assigned across three financial levels, with the depth of detail required in community application and assessment, appropriately proportionate to the level of financial support requested: up to \$5,000; \$5,001-\$10,000 and \$10,001 to \$20,000.

The formation of Grants Advisory Panel provides a structure to assess grant applications in a consistent and transparent manner, as well as supporting broader local involvement, investment and skill development opportunities.

## Discussion

As per the Terms of Reference, the total number of voting members for the Panel will be no more than 10, comprised of:

- Three Councillors including one Councillor nominated as Chair and one nominated as Deputy Chair
- Director Community Services or nominee
- Director Environment and Lifestyle or nominee
- Up to five Community Members selected through the EOI process

Councillors are to be appointed annually at the Statutory meeting of Council, however, as the first round of Grants to be assessed by the Panel falls prior to this meeting, three Councillors will be appointed to support the assessment process for the first round of the 2015/16 Biannual Grants. The annual appointment of Councillor Membership will occur at the statutory meeting of Council on 4 November 2015.

Community members were invited to submit Expressions of Interest, with the opportunity being advertised broadly and promoted directly through Council's networks. Community member appointments will be for a 12 month period to assess Rounds 1 and 2 of the 2015/16 Biannual grants.

An assessment panel was convened to undertake consideration of applications based on merit, skill and expertise and taking into account diverse representation of views and backgrounds. The assessment panel was comprised of the Director Environment & Lifestyle, the Manager Governance and Local Laws and the Manager Library and Learning.

Seven applications were received, all of which had the requisite skill and experience to become panel members. Given the Terms of Reference allows for up to five community panel members, 2 applications cannot be accommodated on the 2015/16 Panel.

Following assessment and giving consideration to factors such as gender, abilities, age and cultural background, the Assessment Panel provide Council recommendation via a priority ranked order. This can be found as a summary of Community Member applications and Assessment Panel Recommendation at **Appendix B.**

Should any of the five recommended members decline or withdraw from the process, then the two applicants ranked sixth and seventh will be invited to join in order of their assessed ranking. The two nominees who were not successful will be kept informed of other opportunities for participation in Council activities.

Panel members will be provided with support to understand the objectives of the Grants program and to utilise the online grants system to assess applications.

All panel members must declare any conflict of interest in relation to any application that they assess, and Members of the Panel are ineligible to receive any grant, sponsorship or funding from Council that is awarded through or on the advice of this Panel.

The Panel will meet twice to develop recommendations for Round 1 Biannual grants, these meeting dates are Thursday 10 and 17 September 2015, from 5.30pm.

The recommendations of the Panel will be presented to Council to award grants at the 27 October Ordinary meeting.

### **Consultation**

Expressions of Interests were invited from 1 July – 23 July 2015. This was promoted broadly through Council's website, email and e-newsletter networks and advertorials.

## **Implications**

### **1. Legislative**

The integrated grants program, including the creation of the Grants Advisory Panel, has been developed taking into consideration the provisions of the Local Government Act 1989.

The Grants Advisory Panel is in accordance with the Charter of Human Rights and Responsibilities Act 2006 as it will create opportunities for the community to participate in public life.

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

In presenting this report, Council is achieving its Strategic Objective to Support other organisations in contributing to community wellbeing in accordance with Council Plan 2013-2017 Theme 1: Friendly and safe - A community where people feel connected and safe.

### **3. Financial**

No additional funding outside the existing operating budget is required to establish the Grants Advisory Panel.

### **4. Environmental**

The Advisory Panel's use of an online grants management program, ensures a significant reduction in paper usage.

## **Conclusion**

The formation of a Grants Advisory Panel strengthens Council's volunteer engagement and community leadership development processes, and ensures our community is engaged in decision making practices.

## **Appendices**

Appendix A: Grants Advisory Panel - Terms of Reference (TOR)

Appendix B: Grants Advisory Panel - Assessment Summary



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## **Grants Advisory Panel Terms of Reference July 2015**

### **1. Purpose**

The Grants Advisory Panel meets twice annually to assess and provide objective advice and recommendations to Council on the allocation of the Biannual Grants category.

### **2. Definitions**

- **Chairperson** means the nominated Councillor as appointed by Council.
- **Acting Chairperson** means an alternative Councillor from within the Panel, in the absence of the Chairperson.
- **Panel** means the Grants Advisory Panel.
- **Community Member** is a member of the Panel who is not a Councillor or a member of Council staff.
- **Council** means Moonee Valley City Council
- **Councillor** means a Councillor of Moonee Valley City Council.

### **3. Context**

Council is committed to building the capacity of individuals, businesses and community groups to promote a friendly and safe, clean, green and beautiful, vibrant, diverse and sustainable community. Each year Council invests funds in individuals and organisations through an open and competitive Moonee Valley Grants Program.

### **4. Responsibilities of the Grants Advisory Panel**

The role of the Panel is to make recommendations to Council on the allocation of the Biannual Grants, in particular, Panel members will be required to:

- Ensure adherence to relevant policy and Grants guidelines and assessment criteria;
- Review and assess Biannual Grant applications against predetermined selection criteria;
- Provide advice on the relative merit of Grant Applications; and
- Agree on a set of recommendations for funding allocations to be presented to Council for decision making at an Ordinary Meeting.

### **5. Decision making**

The decision-making role of the Panel is limited to advising and making recommendations regarding funding allocations.



## **6. Membership**

### **6.1 Appointments to the Panel**

Council shall undertake an expression of interest (EOI) process calling for interested Community Members to participate in the assessment process of two rounds of the Biannual Grant program.

Council will select and appoint Community Members based on merit, skills and expertise and taking into account diverse representation of views and backgrounds.

Council will recognise Moonee Valleys' diverse community and give consideration to factors such as gender, abilities, age and cultural background.

Councillors shall be appointed annually at the Statutory Meeting of Council, or as required if a vacancy occurs.

### **6.2 Membership**

The Panel will be convened by Council and shall comprise:

- Three Councillors including one Councillor nominated as Chair and one nominated as Deputy Chair
- Director Community Services or nominee
- Director Environment and Lifestyle or nominee
- Up to five Community Members selected through the EOI process

The total number of voting members will be ten.

### **6.3 Appointment period**

Panel members are selected on an annual basis and appointed for a 12 month period.

### **6.4 Resignation of Advisory Panel member**

A Panel member may resign from the Panel by advising the Council in writing.

## **7. Operations**

- 7.1 Meeting schedule: Panel members will be required to undertake between 1-2 days reading time, and be available for up to 2 days meeting time, per grant round dependent on the number of applications they are required to assess.
- 7.2 Quorum: To achieve a quorum, one Councillor, one Council Executive (or their nominee) and two Community Members are required to be in attendance at each meeting.
- 7.3 Administration support: Council Officers will provide administrative support to the Assessment Panel.
- 7.4 The Panel shall follow the general consensus principle, when determining its recommendations.
- 7.5 Panel members will not publicly comment on behalf of the group. Neither will they seek to advocate on the needs of any individuals or organisations.

**8. Expectations and requirements of members**

Members are required to:

- 8.1 Understand and adhere to the principles of related Policy and Grants guidelines and assessment criteria.
- 8.2 Adhere to the Confidentiality and Disclosure Agreement.
- 8.3 Treat information with sensitivity.
- 8.4 Keep informed of current developments, issues and concerns in the local community.
- 8.5 Prepare for and actively participate in meetings.
- 8.6 Declare in advance any potential conflict of interest and to exit the room during the deliberation of any application in which they have an interest. Conflicts will be recorded in the minutes of the Advisory Panel meeting.
- 8.7 Act in a courteous manner, respecting others views and opinions. All members should respect the decision of the consensus view as adjudicated by the Chair.

**9. Support provided to Grants Advisory Panel members**

- 9.1 All Panel members will be briefed on the context of respective grant applications they will be assessing.
- 9.2 The Community Grants Officer can provide advice support and background information on each of the applications to be reviewed by Panel members.

**10. Reports**

- 10.1 Advisory Panel recommendations are reported to Council for adoption.
- 10.2 In order to avoid canvassing, membership of the Panel is to remain anonymous, with only the structure, (number of Councillors, Council Officers and Community Members) to be made available to the general public.

**11. Conflict of interest**

- 11.1 All Advisory Panel members are required to complete a Conflict of Interest and Confidentiality Statement prior to assessing any grant applications.
- 11.2 Members of the Panel are ineligible to receive any grant, sponsorship or funding from Council that is awarded through or on the advice of this Panel.

**12. Review**

The Terms of Reference will be reviewed on an annual basis.

### Grants Advisory Panel – Community Member Applicant Summary and Assessment Panel Recommendation

Expressions of Interest were assessed in accordance with the Terms of Reference (Item 6.1), in consideration of:

- Connection to community;
- Skills; and
- Understanding of local issues.

In making assessment, the Terms of Reference also state that, *“Council will recognise Moonee Valleys’ diverse community and give consideration to factors such as gender, abilities, age and cultural background.”* Based on this assessment, the Panel has evaluated applicants and ranked them in the following order of recommendation:

Applicant Name	Applicant Summary
Heather Watson	Resident Essendon Interest in Health and Sport
Chris Clark	Resident Moonee Ponds Interest in Arts, education, youth and environment
Tony Fisher	Resident Niddrie Interest in Sports
Jane Harris	Resident Moonee Ponds Interest in Arts
Norm Short	Resident Moonee Ponds Interest sport, responsible gambling
Michael Kemp	Resident Ascot Vale Interest in sustainable gardening

**Gordon Ireland**

Non resident

Interest in supporting business

## **9.11 Graffiti Management Policy**

**File No:** FOL/15/590  
**Author:** Manager, Leisure & Open Space Planning  
**Directorate:** Environment & Lifestyle  
**Ward:** Municipal

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### **Purpose**

To present Council's Graffiti Management Policy which outlines Council's commitment to the removal and enforcement of illegal graffiti and strategies related to graffiti prevention and early intervention in the City of Moonee Valley.

### **Executive Summary**

- The Moonee Valley community has expressed a desire for a community that is vibrant and diverse; clean, green and beautiful; sustainable; and friendly and safe.
- Following resolution to carry Notice of Motion No. 2013/11, officers have developed a comprehensive Graffiti Management Policy to proactively manage graffiti-related issues.
- There are many forms of graffiti in our community. While tagging can contribute to poor perceptions of safety, in other contexts, legal street art can play a role in creating vibrancy and diversity in an area.
- Council undertakes significant work around the removal of graffiti as well as prevention and enforcement strategies. Council's Graffiti Management Policy builds on these existing graffiti management initiatives.
- The Graffiti Management Policy provides a whole-of-Council approach and makes commitments across three key areas including graffiti prevention and early intervention, graffiti removal and graffiti enforcement.
- The Graffiti Management Policy will be implemented through an internal coordination group (Streetscape Working Group), which consists of representatives from across Council.

### **Recommendation**

That Council:

1. Adopt the Graffiti Management Policy, inclusive of supporting the implementation of prevention, removal, enforcement and street art initiatives.
2. Receive future reports detailing progress on the implementation of the policy and associated emerging graffiti management issues.

## **Background**

The Moonee Valley community has expressed a desire for a community that is vibrant and diverse; clean, green and beautiful; sustainable; and friendly and safe.

Particular types of graffiti such as street art can play a role in creating a vibrant and diverse community, but other types of graffiti, including tagging, can contribute to poor perceptions of safety.

Notice of Motion No. 2013/11, directed the development of a comprehensive Graffiti Management Policy to proactively address graffiti-related issues.

Council undertakes significant work in removing illegal graffiti, including tagging, through the employment of a graffiti removal officer and engagement of contractors. Council also works with Department of Justice corrections' teams who assist with removal of graffiti in the municipality. In addition to this, Council supports partnership projects to remove graffiti including the recent initiative between the Racecourse Road Traders and the Newmarket Phoenix Soccer Club.

Recent Council initiatives that focus on graffiti prevention and early intervention include a project that engaged an artist to paint electricity service boxes along Puckle Street. In addition, Council has initiated numerous streetscape and open space improvements projects as well as developed design principles to discourage graffiti. Enforcement initiatives include the Snap Solve and Send phone application and an ongoing collaboration with Victoria Police.

Council recognises that illegal graffiti will never be eliminated and graffiti management requires a whole-of-Council approach across a number of responsible service areas. This includes not only the removal of graffiti, but also graffiti prevention and enforcement activities.

The Graffiti Management Policy takes a proactive and holistic approach and provides structure to encourage continuous improvement and partnerships across Council and with external partners to respond to graffiti in the City of Moonee Valley.

## **Discussion**

Council's Graffiti Management Policy builds on Council's existing graffiti management initiatives and provides commitment to support perceptions of safety and pride in the community through promoting a safe, clean and welcoming environment where people feel confident and safe.

This policy addresses all aspects of graffiti, including tagging and street art and focuses on three key areas of prevention and early intervention, removal and enforcement. A number of strategies have been identified under each of these key areas:

- Prevention and early intervention strategies include:
  - Active engagement with artists and other community members
  - Develop a registry of approved locations for street art works
  - Consideration of murals or street art in appropriate and approved locations, including working with businesses/private property owners
  - Design principles to discourage illegal graffiti.

- Removal strategies include:
  - Proactively removing illegal graffiti from Council property (once reported, within 48 hours)
  - Removing offensive graffiti from private property
  - Supporting private property owners and our community to remove graffiti by promoting and providing removal graffiti kits, supporting groups to borrow the graffiti removal trailer and assisting Pensioner Card holders in removal.
- Enforcement strategies include:
  - Promoting the Snap, Solve, Send mobile app to enable accessible reporting by community and response by Council
  - Identifying and liaising with Victoria Police on hot spots to apprehend and where appropriate re-direct offenders
  - Work with businesses to ensure they are not selling spray cans to minors.

The implementation of this policy is managed via an organisation wide approach, with operational coordination managed via the Streetscape Working Group, whose membership comprises management and operational staff from each of Council's Directorates.

The Graffiti Management Policy recognises that graffiti management requires a coordinated and proactive approach to reduce the negative impacts of graffiti. The policy reinforces Council's commitment and embeds its accountability to manage graffiti through coordination across Council.

### **Consultation**

In developing the Graffiti Management Policy, Council has drawn on consultation activities that have recently taken place for a number of different strategies and strategic Council documents.

Through these consultations, Moonee Valley community members and businesses have identified graffiti tagging as impacting on amenity and perceptions of safety. For others, graffiti street art was seen as an opportunity for activation of shopping strips, assisting with vibrant and diverse urban renewal initiatives and helping to prevent inappropriate graffiti. It was also noted through these consultations that much could be done to reduce incidences of graffiti through activation of streetscapes, encouraging of community arts initiatives and further enhancing local community pride.

Victoria Police and Council's Community Safety Reference Group have also been consulted in the development of this Policy and will be ongoing partners through implementation.

Internal consultation has also taken place with representatives from across Council departments who are responsible for prevention and early intervention, graffiti removal and enforcement processes.

The development, implementation and evaluation of approaches and processes are the responsibility of several service Departments inclusive of Arts & Culture,

Economic Development & City Sustainability, Leisure & Open Space Planning, Parks & Gardens, Infrastructure, Operations, Governance & Local Laws, Community Planning & Development and Citizen and Information Services.

The Streetscape Working Group lead review process of the Policy and will guide the implementation of the policy. The group will ensure both appropriate internal consultation and community engagement in regard to any new community based projects and or those initiatives that will affect community. The Streetscape Working Group is committed to periodic reporting to Council on emerging issues and corresponding strategies that it develops.

## **Implications**

### **1. Legislative**

The Graffiti Management Policy has been guided by the *Graffiti Prevention Act 2007* including provisions in this Act which give Council authority to remove offensive graffiti from private property and assets.

The *Charter of Human Rights and Responsibilities Act 2006* has been considered, namely Council's role in ensuring freedom, respect, equality and dignity of all residents.

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

In presenting this report to Council, Council is achieving its Strategic Objective to Build a community where people feel safe in both public and private spaces in accordance with Council Plan 2013-2017 Theme 1: Friendly and safe - A community where people feel connected and safe.

### **3. Financial**

The implementation of this policy is accommodated within recurrent budget allocations.

### **4. Environmental**

The Graffiti Management Policy is consistent with Council's City Sustainability Policy and assists in creating safe and vibrant public realm that complements Council's environmental and sustainability principles.

## **Conclusion**

Moonee Valley's Graffiti Management Policy builds on Council's existing approach to managing graffiti and provides commitment to support safety and pride in the community through promoting a safe, clean and welcoming environment where people feel confident and safe.

Through a coordinated, whole-of-Council approach, the policy addresses graffiti prevention and early intervention, graffiti removal and graffiti enforcement to make Moonee Valley a safe and welcoming place to live, work, study and recreate.

## **Appendices**

Appendix A: Moonee Valley Graffiti Management Policy 2015



<b>POLICY TITLE</b>	<b>Graffiti Management Policy</b>
<b>POLICY TYPE</b>	<b>Council</b>
<b>DIRECTORATE</b>	<b>Environment &amp; Lifestyle Directorate</b>

## 1. Background

Moonee Valley City Council's goal is to create a community that is vibrant and diverse; clean, green and beautiful; sustainable; and friendly and safe. Through a strategic prevention and early intervention graffiti management approach, Council aims to reduce negative impacts and ongoing costs associated with removal and enforcement of illegal graffiti and to promote a sense of safety and pride in our community.

## 2. Purpose

The Graffiti Management Policy outlines Council's commitment to:

- 2.1 Support safety and pride in the community through promoting a safe, clean and welcoming environment where people feel confident and safe.
- 2.2 Ensure an effective, coordinated and proactive approach to graffiti management through prevention, education, removal and enforcement.
- 2.3 Support a whole of community, multifaceted approach through:
  - 2.3.1 Prevention and early intervention by: eliminating illegal graffiti before it occurs, education campaigns, implementing urban design principles that reduce opportunities for graffiti and enabling street art where appropriate.
  - 2.3.2 Removal of illegal graffiti through creating partnership projects with local traders, community groups, service providers and other levels of government and by empowering residents through use of removal kits.
  - 2.3.3 Enforcement via proactive monitoring measures of graffiti to reduce illegal graffiti offences.

## 3. Scope

This Policy defines Council's approach to illegal or offensive graffiti and the associated removal and responses within the capacity of Council's General Purpose Local Law and the *Graffiti Prevention Act 2007*. It also outlines Council's approach to graffiti prevention including street art and murals in appropriate locations to activate and create vibrant urban spaces in Moonee Valley.

## 4. Definitions

<b>Graffiti</b>	<p>Defined in the <i>Graffiti Prevention Act 2007</i>, to “write, draw, mark, scratch or otherwise deface property by any means so that the defacement is not readily removable by wiping with a dry cloth.”</p> <p>It can include spraying, writing, scratching or slashing an identifying mark or symbol on someone else’s property without their consent.</p> <p>Materials commonly used to do graffiti include spray cans, felt tip markers, any form of paint or sharp instruments.</p>
<b>Illegal graffiti</b>	<p>Placing graffiti on someone else’s property without their consent is a criminal offence under the <i>Graffiti Prevention Act 2007</i>.</p>
<b>Offensive graffiti</b>	<p>Obscene in nature and has the potential to cause offence to the community or certain groups within the community. In particular, it often includes defamatory remarks about race and gender and includes offensive words, phrases or graphics.</p>
<b>Tagging</b>	<p>Style of calligraphy writing that depicts the initials or nickname of the person responsible.</p>
<b>Throw-ups</b>	<p>‘Fat’ bubble style outline of a word (usually a tag name) drawn quickly.</p>
<b>Crew tagging</b>	<p>The tag represents the name of a crew of graffiti writers rather than an individual.</p>
<b>Political or social comments</b>	<p>Slogans used to show concern about particular issues</p>
<b>‘Piece’</b>	<p>Generally a more complex work involving some form of ‘artistry’. They are usually a highly stylized and colourful version of a tag or crew name</p>
<b>Mural</b>	<p>A mural is any piece of artwork painted or applied directly on a wall, ceiling or other large permanent surface. A distinguishing characteristic of mural painting is that the architectural elements of the given space are harmoniously incorporated into the art.</p>
<b>Stencilling</b>	<p>Pre-formatted template placed on the wall or footpath and sprayed over with a spray can (There is an emerging problem of private organisations paying graffers to spray stencils or their logo for advertising purposes).</p>
<b>Stickering</b>	<p>Placing stickers on structures.</p>

<b>Postering</b>	Involves gluing posters to structures.
<b>Street art</b>	Refers to artistic work implemented with the permission of the person/authority who owns the surface/wall where the artwork is located, and with the permission of Council.
<b>Illegal Street art</b>	Refers to artistic work implemented without the permission of the person/authority who owns the surface/wall where the street artwork is located. (Particular identified sites may also require approval by Council where heritage and or signage controls are stipulated in the Planning Scheme).
<b>Graffiti Prevention Act 2007</b>	The Act is to reduce the incidence of graffiti by creating graffiti-related offence; and providing search and seizure powers for members of the police force and providing power for a Council to enter private property for the purpose of removing graffiti.
<b>Crime Prevention Through Environmental Design (CPTED)</b>	A planning approach to deter illegal behaviour through the design of the built environment that address perceptions of safety and fear of crime. CPTED has been used extensively to reduce incidences of graffiti.

## 5. Responsibility

The implementation of this policy is managed via an organisation wide approach, with coordination managed via the Streetscape Working Group, whose membership comprises management and operational staff from each of Council's Directorates.

In relation to graffiti, the Streetscape Working Group is responsible for:

- Coordinating the implementation of the policy and its review in a consultative and collaborative process at identified periodic intervals; and
- Annually planning and advocating for new initiatives and continuous improvement responses to resource graffiti management.

The development, implementation and evaluation of approaches and processes are the responsibility of several service Departments inclusive of Arts & Culture, Economic Development & City Sustainability, Leisure & Open Space Planning, Parks & Gardens, Infrastructure, Operations, Governance & Local Laws, Community Planning & Development and Citizen and Information Services.

All Council Officers and Council contractors are responsible for implementation and/or adherence to this policy.

## 6. Legislation

The aim of the *Graffiti Prevention Act 2007* is to reduce the incidence of graffiti by creating graffiti-related offence, providing search and seizure powers for members of the police force and providing power for a Council to enter private property for the purpose of removing graffiti.

*Graffiti Prevention Act 2007* adopts a zero-tolerance approach towards graffiti and focuses on policing and enforcement. Offences included in the Act are:

- Marking graffiti meaning “a person must not mark graffiti on property if the graffiti is visible from a public place unless the person has first obtained the express consent of the owner, or an agent of the owner, of the property to do so”<sup>1</sup>
- Marking offensive graffiti meaning “a person must not mark graffiti that is visible from a public place if the graffiti, or any part of the graffiti, would offend a reasonable person”.
- Possessing a prescribed graffiti implement which states that “A person must not, without lawful excuse, possess a prescribed graffiti implement— (a) on property of a transport company; or (b) in an adjacent public place; or (c) in a place where the person is trespassing or has entered without invitation.”

The *Graffiti Prevention Act 2007* also carries significant penalties, including up to 2 years’ imprisonment and a fine of up to \$26,428.

## 7. Policy

Council recognises that illegal graffiti (such as tagging) can contribute to poor perceptions of safety. In other contexts, commissioned or authorised street art can play a role in creating vibrancy and diversity in an area.

Different organisations have varying approaches to graffiti management depending on the community’s tolerance to graffiti as contributing to the urban and social character of a community. However, councils generally hold a zero tolerance to tagging, offensive graffiti and illegal murals, stickering and posterage.

Positive effects of legal graffiti/street art expressions include:

- Opportunities for artists to develop their skill and creativity;
- Opportunity for community to experience the artistic work of others;
- Contribution to the vibrancy of an area; and
- Creation of local identity, pride and character of local neighbourhoods via supported legal street art forms.

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<sup>1</sup> Graffiti Prevention Act 2007 – Sect 5:  
[http://www5.austlii.edu.au/au/legis/vic/consol\\_act/gpa2007217/s5.html](http://www5.austlii.edu.au/au/legis/vic/consol_act/gpa2007217/s5.html)

Negative impacts include:

- Economic impacts associated with the removal of illegal graffiti;
- Contributing to poor perceptions of safety; and
- Contributing to a reduction in local pride via views of cleanliness and the quality of the physical environment.

The objective of this policy is to support safety and community pride, manage the negative impacts of illegal graffiti and recognise the need for a coordinated management approach to graffiti through:

- prevention and early intervention
- removal, and
- enforcement.

## **7.1 Prevention and early intervention**

Whilst there is no definitive best-practice approach to graffiti management, there is general agreement that illegal graffiti will never be eliminated and therefore, graffiti management rather than eradication is the most practical and reasonable approach.

Council acknowledges that one of the effective strategies in illegal graffiti prevention is active engagement and development of partnerships to create a broader approach to the management and removal of graffiti across the municipality.

Council recognises the role community education plays in empowering our community to appreciate and respond to impacts and opportunities associated with graffiti. Council will provide the following local graffiti prevention strategies:

- 7.1.1 Active engagement with artists and other community members to promote and provide appropriate avenues for creativity and skill development opportunities.
- 7.1.2 Consideration of murals and commissioning of legal street art in appropriate locations that contribute to the amenity of the area and prevent illegal graffiti on the site.
- 7.1.3 Work with businesses and private property owners to develop and/or commission murals and legal street art in appropriate locations.
- 7.1.4 Develop and maintain a registry of approved locations and street art works in Moonee Valley to encourage protection.
- 7.1.5 Community education and partnership approaches to support a coordinated response that develops solutions and opportunities for graffiti prevention, education, removal and enforcement. Council will consider opportunities to support or facilitate clean up days that enable engagement with community members, business and influential local leaders.
- 7.1.6 Urban Design Guidelines to inform built form to develop safe and welcoming spaces through the implementation of CPTED principles. These include landscape plantings, surface finishes

(i.e. texture and colour), and incorporating graffiti reduction principles in the design of buildings, walls, fences, etc.

- 7.1.7 Support rapid removal of illegal graffiti to discourage the recurrence of graffiti, as it reduces exposure time of the graffiti and makes the graffiti physically easier to remove.
- 7.1.8 Encourage use of graffiti resistant materials or protective coatings to assist with removal.

## 7.2 Removal

Removal involves the elimination of illegal graffiti including directly by Council or empowering residents by providing graffiti removal kits.

### 7.2.1 Removal of Illegal graffiti from Council and public property:

Council property includes but is not limited to Council-owned buildings, parking meter, bench, waste bin, public artwork, bridge or street sign.

Council will proactively remove illegal graffiti from its property in a timely manner. Once reported, rapid removal of offensive graffiti on Council property will take place within 48 hours via its Graffiti removal team and other service contractors.

### 7.2.2 Removal of illegal graffiti on private property and assets:

Graffiti on private property includes a house, shop, office, factory or other building, fences, walls, garage or a private letter box.

Removal on private property and assets is reliant on property owners. For numerous reasons property owners do not always remove the graffiti promptly.

In support of private property owners and our community, Council will:

- Provide and promote graffiti removal kits to residents and businesses for removal of graffiti. These kits are available from Council's Civic Centre.
- Support community groups to access Council's graffiti removal trailer to assist with clean up days.
- Proactively use the provisions *Graffiti Prevention Act 2007* to remove offensive graffiti from private property and assets.

Council will utilise the provisions of the *Graffiti Prevention Act 2007* to remove graffiti by gaining consent from such entities through issuing of notices under Sections 18(2) and 18(3) of the *Graffiti Prevention Act 2007*.

ITEM 9.11 - **APPENDIX A**

Under the provisions of the *Graffiti Prevention Act 2007* Council can take action to remove or obliterate graffiti from private property when graffiti is deemed 'offensive in nature' or 'when it is affecting community perceptions of safety.' The removal of obscene or offensive graffiti will be fast-tracked through immediate contact with the property owner or their representative. The *Racial and Religious Tolerance Act 2001* may be used to support fast removal. The Act makes it illegal to write racist graffiti in public places.

According *Graffiti Prevention Act 2007*, Council officers will provide written notice to the owner or occupier of our intention to remove graffiti. Once consent is obtained (or once ten days has passed) Council can arrange for the graffiti to be removed. The removal of obscene or offensive graffiti will be fast-tracked through immediate contact with the property owner or their representative.

- For residents who are Pensioner Concession Card holders or who are unable to remove the graffiti themselves, Council will assist with the removal of the graffiti.

- 7.2.3 Council will work with traders and other private property owners to identify hotspots and options to address graffiti-related issues. Such options will include limiting access to hotspot areas (e.g. above shop fronts), prevention through commissioning of works and encouraging CPTED design principles including the use of materials to discourage graffiti.
- 7.2.4 In terms of reporting, community members are encouraged to report graffiti to Council if on Council property or directly to asset managers or owners as promoted on Council's website.
- 7.2.5 Council will support where available and appropriate, the utilisation of the Department of Justice's Graffiti Offenders Program (or alike programs) to assign graffiti offenders to impacted sites within the municipality, to assist with graffiti removal.

### **7.3 Enforcement**

To deter illegal graffiti and support the apprehension of offenders, Council will:

- 7.3.1 Promote the Snap Solve Send phone application for community members to take photos on their smart phone of graffiti and send it directly to Council to support removal and/or build a database of graffiti.
- 7.3.2 Identify and liaise with Victoria Police on local graffiti hot spots to enable proactive patrols in an attempt to apprehend offenders and where appropriate re-direct to other community activities.

- 7.3.3 Work with local business to ensure they are not selling spray cans to minors - the *Graffiti Prevention Act 2007* prohibits the sale of aerosol paint containers to persons under 18 years old, unless proof is provided that it is for his or her employment.

## **8. Consultation**

Council has undertaken consultation on a number of policies, plans and strategies, where graffiti was identified, including:

- The Council Plan 2013-17
- Moonee Valley 2035 Community Vision (MV2035)
- Public Health and Wellbeing Plan 2013 - 17
- Arts and Culture Strategy 2014 - 18
- Economic Development Strategy 2014
- Youth Engagement Plan (under development).
- Community Safety Program (under development).
- Structure plans, Master Plans and Precinct plans.

## **9. Related Documents**

- General Purpose Local Law 2008
- *Local Government Act 1989*
- *Graffiti Prevention Act 2007*
- Arts and Culture Plan 2014 - 18
- Public Health and Wellbeing Plan 2013 - 17
- Economic Development Strategy 2014
- Open Space Asset Management Plan
- Community Safety Program (under development).
- Youth Engagement Strategy (under development).



## **9.12                      Gum Trees in Keilor East**

**File No:** FOL/15/590  
**Author:** Manager, Parks & Gardens  
**Directorate:** Environment & Lifestyle  
**Ward:** Rosehill

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### **Purpose**

To advise Council of the outcome of the inspection of street-trees undertaken throughout Keilor East with a view to identify locations where the removal of unsafe, unsuitable or inappropriate eucalypt trees would be appropriate.

### **Executive Summary**

- This report has been prepared in response to Notice of Motion 2015/08 from Councillor Sipek, which was adopted at the Ordinary Council Meeting held 28 April 2015.
- There are reported to be a number of unsafe or inappropriate eucalypt street-trees in Keilor East.
- An audit of the condition of all street-trees in Keilor East has occurred which identified that of the 74 tree removals required, that 42 of these are eucalypts (refer **Appendix A**).
- The removal of unsafe, unsuitable or inappropriate eucalypt trees as identified, as a result of the audit are scheduled to be removed in August 2015.

### **Recommendation**

That Council receive and note the Gum Trees in Keilor East report.

### **Background**

As resolved at the Ordinary Council Meeting held 28 April 2015, this report details the scheduled tree inspections conducted June 2015, in investigating the possible removal of unsafe, unsuitable or inappropriate gum trees in Keilor East, with a view to identify eucalyptus trees that were unsafe, unsuitable or inappropriate.

Council has in place a cycle of street-tree inspections that results in each street-tree within the municipality being audited every two-years. These audits identify works that need to be undertaken which are then programmed to occur soon after.

The audit of each street-tree in Keilor East (of which there are 5,234) took place in June of this year identified a range of works that needed to occur which included (but not limited to) the removal of 42 eucalypts.

## **Discussion**

Council's Tree Management Strategy (adopted) outlines how trees are managed in streets and landscapes within the municipality. It also provides a platform for the staged upgrade of the city's streetscapes and helps residents, local businesses, developers and those working with Council, to understand the vision, policies, actions and procedures relating to Moonee Valley's street-trees.

The Tree Management Strategy dissects the city into nine distinct precincts which are Flemington, Ascot Vale, Moonee Ponds, Avondale Heights, Keilor East, Airport West, Strathmore, Essendon and Niddrie.

The subject matter in this report is relevant to the Keilor East precinct which is bounded by the interstate freight railway line, Calder Freeway, Buckley Street, Steele Creek and the Maribyrnong River.

This precinct includes some areas of high local landscape value especially the Steele Creek linear reserve. Housing styles are typically post-war era dating from the 1950's to present. Residential streets throughout the precinct range from 20m wide to 40m wide with footpaths and grassed nature strips. A small number of streets contain median strips and in the case of Dinah Parade, the median is occupied by transmission lines and avenue tree planting.

The residential growth in the northwest led to the development of suburbs including Strathmore, Niddrie, Airport West, Avondale Heights and Keilor East. Street plantings in these areas reflect the landscape trends during the periods in which they were developed.

The establishment of streetscapes in the municipality's outer areas such as Keilor East predominantly occurred in the late 1960s and early 1970s during a time when native trees and plants were growing in popularity. Preservation of the street character in all precincts remains important in order to retain the overall urban character of Moonee Valley.

Street planting in the Keilor East is pre-dominantly native although some exotic species have also been used. Species commonly used in this precinct include Brush Box, Eucalypt and Ash. Planting styles typically allow for one tree per lot (or more than one tree on wider allotments).

There are a total of 46,645 street-trees in Moonee Valley, 5,234 of which are located in Keilor East and 398 of these are eucalypts (typically greater than 6m in height).

Council's most recent audit of all street trees in Keilor East identified that of these 398 eucalypts that there are 42 in various stages of decline or have outgrown their original intent and have become unsafe and are otherwise needing to be removed.

The locations of these 42 removals are included in Appendix A of this report. It is anticipated that the removals will be programmed to occur in August of this year.

## **Consultation**

Residents adjacent to trees programmed for removal will be notified in writing prior to any work being undertaken. This consultation is consistent with the approach nominated in Council's Tree Management Strategy which is also the case in terms of subsequent replanting.

**1. Legislative**

The tree work relevant to this report takes into account Council's commitment to the community via our Tree Management Strategy and our obligations under Energy Safe Victoria's Power-line Clearance Regulations 2010.

**2. Council Plan / Policy**

Council's management of trees and in particular the tree removals relevant to this report are consistent with Council Plan 2013-17 Theme 2 Green, clean and beautiful. A sustainable environment for future generations.

**3. Financial**

Council's Park Unit has adequate funds allocated in its recurrent budget to undertake the works nominated in this report.

**4. Environmental**

The management of Council's existing trees and the ongoing planting and replacement of additional trees go a long way to promote our urban ecology and achieve biodiversity outcomes while at the same time improving liveability in Moonee Valley.

**Conclusion**

Council's approach to the management and replanting of street-trees is underpinned by two primary documents, Council's Tree Management Strategy and 10 Year Tree Planting Plan.

The Tree Management Strategy in particular dissects the municipality into nine distinct precincts. The character of the Keilor East precinct is nominated as being predominantly of native tree species and in doing so assists to capitalise on the natural corridor of that area, Steele Creek.

There are however a number of eucalypt trees (42 of the existing 398) that have been identified as being in various stages of decline or have outgrown their original intent and have become unsafe and are in need of being removed.

In consultation with the relevant residents the removed trees will be replaced with dwarf varieties of eucalypt species which are much more conducive to an acceptable balance between retaining the nominated precinct theme and resident expectations while at the same time complementing Moonee Valley's urban ecology and liveability.

**Appendices**

Appendix A: MVCC Pre Audit Tree Removal List - Keilor East June 2015

Moonee Valley Council Pre Audit Removal List - Keilor East June 2015					
Street	Number	Suburb	Defect	DBH (mm)	Species
ELLEN AVE	11	EK	UNSAFE	500mm	Euc
Arcade Way	111	EK	Dead/Dying	450	Euc
Ash Grove	1	EK	Dead/Dying	350	Euc
Benauld Close	12	EK	Unsafe	400	Euc
Benauld Close	4	EK	Unsafe	450	Euc
Berenbong	10	EK	Dead/Dying	300	Euc
BUCKLEY ST		EK	unsuitable	500MM	Euc x 4 btwn Medway & Rachelle Rd
Chandler in Mues	20	EK	Dead/Dying	450	Euc
David Ave	18	EK	Dead/Dying	400	Euc
Groves	20	Ek	Dead/Dying	100	Euc
Heatherlea	40	EK	Unsuitable	350	Euc
HENRY ST	5	EK	unsuitable	300mm	Euc sp
Herbert Cre	18	EK	Dead/Dying	200	Euc
Keith Grove	8	EK	Dead/Dying	150	Euc
LINCOLN DVE	16	EK	Dead	350mm	Euc sp
Lincoln Dve	79	EK	Unsafe	450	Euc
Lincoln Dve	37	EK	Dead/Dying	300	Euc
Milleara Rd	155	EK	Unsuitable/Wires	100	Euc
Milleara Rd	225	EK	Dead/Dying	50	Euc
Milleara Rd front of mall		EK	Dead/Dying	150	Euc
Millerara Rd	64	EK	Dead/Dying	500	Euc
Millerara Rd	102	Ek	Dead/Dying	100	Euc
Millerara Rd	116	Ek	Dead/Dying	450	Euc
Millerara Rd	132	Ek	Dead/Dying	550	Euc
Millerara Rd	154	Ek	Dead/Dying	200	Euc
Millerara Rd	172	Ek	Dead/Dying	100	Euc
Millerara Rd	163	Ek	Dead/Dying	300	Euc
Millerara Rd	165	Ek	Dead/Dying	450	Euc
Noga	105	EK	P/Unsafe	250	Euc
Noga	40	EK	P/Unsafe	250	Euc
Park Dve	Opp 32	EK	Unsafe	300	Euc
ParksideAve	40	Ek	Unsafe/Unsuitable	550	Euc
Roberts St	9	EK	Dead/Dying	100	Euc
Sterling	110	EK	Dead/Dying	150	Euc
Sterling	65	EK	Unsuitable/Unsafe	500	Euc
Sterling Dve	183	EK	Dead/Dying	700	Euc
Sterling Dve & Cecilia		EK	Dead/Dying	550	Euc
TALBOT RD in Rosehill	1	EK	UNSAFE	200mm	Euc x 2

## 9.13                      2014/15 Annual Financial Report

**File No:** FOL/15/590  
**Author:** Manager Finance  
**Directorate:** Corporate Services

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### Executive Summary

This report presents Council's 2014/15 Annual Financial Report, consisting of the Financial Statements and Notes, for adoption in principle.

### Recommendation

That Council:

1. Notes the recommendation of the Audit Committee.
2. Adopts in principle the 2014/15 Annual Financial report.
3. Nominate and authorise Councillor Narelle Sharpe and Councillor Cam Nation to certify (on behalf of Council) the Annual Financial Report, in the final form.

### Background

The Victorian Auditor-General's Office has completed the external audit of the 2014/15 Annual Financial Report.

The Annual Financial Report consisting of the Financial Statements and Notes (refer **Appendix A**), has been prepared in accordance with relevant legislation, applicable Australian Accounting Standards and other related accounting guidelines.

The Audit Committee at its meeting of Wednesday 12 August 2015, in accordance with Section 137 of the *Local Government Act 1989*, having reviewed the Annual Financial Report consisting of the Financial Statements and Notes, recommended that Council adopt the 2014/15 Annual Financial Report on an "in principle" basis and submit them to the Victorian Auditor-General for final audit.

In accordance to Section 131(8) of the *Local Government Act 1989*, the completed Annual Financial Report is to be signed by the Principal Accounting Officer and authorised by two Councillors having regard to the recommendations, if any, from the Victorian Auditor-General.

The Victorian Auditor-General's certification is anticipated in September 2015.

### Discussion

The Annual Financial Report is prepared strictly in accordance with the applicable Australian Accounting Standards which includes the Australian equivalent to International Financial Reporting Standards (AIFRS). These Standards require the preparation of five mandatory statements. These statements include:

- “Comprehensive Income Statement” (Operating – Accrual Statement). This comprises non-cash items such as Depreciation and cost of goods (assets) sold, and excludes Capital Expenditure and Transfers to and from Other Reserves.
- “Balance Sheet” which lists Council’s assets and liabilities. It indicates the overall financial position of Council.
- “Statement of Changes in Equity”. This indicates movements in Council’s Reserve Funds.
- “Statement of Cash Flows”. This indicates all cash expended and received for all activities during the financial year.
- “Statement of Capital Works” which details Councils capital works expenditure for the financial year. It sets out the expenditure on creating or buying property, infrastructure, plant and equipment by each category of asset.

For the 2014/15 financial year, Council is also required to prepare two “Budget Comparison Notes” with variance explanations to the 2014/15 Annual Budget. These being:

1. Income and expenditure
2. Capital Works

The following analysis of the 2014/15 Annual Financial Report is at a macro level, which reflects the nature of the Report’s disclosures. It is not designed nor intended to be used as a Management report that provides details of programs, or resultant variances. No analysis has been provided for the Statement of Changes in Equity.

## **1. Income Statement**

The operating result represents the accrual accounting treatments, which includes the non-cash items of depreciation and cost of goods (assets) sold, but excludes expenditure on Capital items, loan proceeds and loan principal repayments and transfers to and from other reserves.

As at 30 June 2015, Council reported a net surplus position of \$16.22 million, compared to a Budgeted Operating result of \$7.14 million. The surplus is primarily due to open space developer contributions above budget of \$1.85 million, rate revenue of \$1.40 million above budget, contributions of non-monetary assets of \$2.10 million, employee costs below budget \$2.33 million and actual depreciation lower than budget \$2.19 million. Materials and services were \$3.67 million unfavourable due to expenditure budgeted for as part of the capital program of \$4.95 million which was operational in nature.

## **2. Balance Sheet**

Council’s Balance Sheet indicates that Council’s overall financial position and its cash and liquidity position is sound and within acceptable financial parameters.

Council’s cash position as at 30 June 2015 was represented by cash on hand and investments of \$40.42 million. This represents an increase in cash holdings of \$8.77 million during the 2014/15 financial year, primarily the result of delays

in the capital works program. These programs will be carried over into the 2015/16 financial year.

The value of Council's property, infrastructure, plant and equipment non-current assets as at 30 June 2015 is \$1.244 billion, an increase of \$22.29 million from 30 June 2014, due primarily to the revaluation of Council's property and infrastructure assets and the acquisition of assets as part of Council's capital works program.

Trade payables brought to account were \$9.69 million, a decrease of \$2.90 million on the June 2014 level. The decrease is primarily due to the payment in full of the outstanding Defined Benefits Superannuation call of 2012/13, of \$3.22 million.

Council's end-of-year working capital ratio is 2:1 which exceeds the target ratio of 1.27:1 due primarily to an increase in cash holdings, and a reduction in interest bearing loans and borrowings and trade payables. This ratio is used to assess Council's ability to meet current commitments and is derived by dividing current assets by current liabilities.

### **3. Cash Flow Statement**

Cash flow is favourable primarily due to under expenditure in capital works as a result of a number of projects carried forward to 2014-2015, open space developer contributions above budget of \$1.85 million, rate revenue of \$1.40 million above budget and employee costs below budgeted expectation of \$2.33 million.

### **4. Statement of Capital Works**

Capital expenditure for the year ended 30 June 2015 was \$9.14 million below budget. Projects totalling \$8.40 million will be carried forward into the 2015/16 financial year. In addition, expenditure identified as operational in nature within a number of programs was reclassified as operating expenses, \$4.95 million.

### **Conclusion**

The Annual Financial Report indicates that Council's overall financial position is sound for the financial year ended 30 June 2015.

### **Appendices**

Appendix A: Annual Financial Report 2014-2015 (separately circulated)

**9.14                      Performance Statement 2014/15 and Governance and Management Checklist - Adoption in Principle by Council**

**File No:** FOL/15/590  
**Author:** Corporate Planning Administration Support Officer  
**Directorate:** Office of Chief Executive

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**Executive Summary**

This report presents Council's Performance Statement 2014/15 and Governance and Management Checklist 2014/15 for review and recommendation to Council to adopt, in principle, before Council forwards the Statement to the Victorian Auditor-General for final audit approval.

**Recommendation**

That Council adopt, in principle the:

1. Performance Statement 2014/15 and forward the Statement to the Victorian Auditor-General for final audit and approval.
2. Governance and Management Checklist 2014/15.

**Background**

Under Section 131 of the *Local Government Act 1989* the Annual Budget 2014/15 included a list of prescribed indicators of service performance, financial and sustainable capacity performance required by regulations to be reported against in the performance statement. The Performance Statement represents an independent certification of Council's results against the prescribed indicators. In addition section 131 requires Council to report on Council's assessment against the prescribed governance and management checklist for 2014/15.

**Discussion**

This is the first year of operation of the Local Government Performance Reporting Framework (LGPRF). As part of the LGPRF the Governance and Management Checklist is a new requirement for 2014/15. All data was collected according to the *Local Government Act 1989* and *Local Government (Planning and Reporting) Regulations 2014*. Given that this is the first year of reporting against the LGPRF Council is unable to compare previous results. We will, however be able to comment on trends in the results from next year.

Council has had a consistently strong financial position over time. Council performed well in the Local Government Community Satisfaction Survey, achieving consistent ratings compared with last year's results and the inner metropolitan region in the relevant LGPRF measures of satisfaction with council decisions and sealed local roads.



Subject to Council adopting the recommendations in this Report, the Performance Statement will be forwarded to the Victorian Auditor-General for certification. It is also a statutory requirement for Council to include the Performance Statement in the Annual Report 2014/15.

### **Conclusion**

The Chief Executive and two Councillors are required to sign the Performance Statement – refer **Appendix A** (separately circulated). It is recommended that the Audit Committee recommend Council adopt, in principle, the Performance Statement shown as **Appendix A** (separately circulated).

The Chief Executive and one Councillor are required to sign the Governance and Management Checklist – refer **Appendix B** (separately circulated). It is recommended that the Audit Committee recommend Council adopt, in principle, the Governance and Management Checklist shown as **Appendix B** (separately circulated).

### **Appendices**

Appendix A: Moonee Valley City Council Performance Statement 2014-15

Appendix B: Governance and Management Checklist 2014/15



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## Performance Statement

For the year ended 30 June 2015

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### Description of municipality

The City of Moonee Valley is situated to the north-west of Melbourne's CBD and is in the inner metropolitan region of Melbourne. It includes the suburbs of Flemington, Travancore, Ascot Vale, Moonee Ponds, Aberfeldie, Niddrie, Essendon West, Essendon, Essendon North, Avondale Heights, Keilor East, Strathmore, Strathmore Heights, Airport West and the locality known as Essendon Fields. The municipality is ideally situated between the Melbourne CBD and the Tullamarine Airport.

Moonee Valley is a diverse, primarily established residential municipality. Complementing its residential areas is an eclectic mix of retail strips and centres, combined with offices, some industrial areas and Essendon Airport. The main industries include manufacturing, rental, hiring and real estate services, construction, transport, postal and warehousing and the retail trade. Moonee Valley is an attractive destination to do business, with around 10,000 businesses being located in the municipality. The majority of businesses are small, with more than 85 per cent employing less than five employees.

The Council covers 43 square kilometers and has a population of 117,337 which is expected to grow to 149,311 by 2036.

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## Sustainable Capacity Indicators

For the year ended 30 June 2015

Indicator/measure	Results
	2015
<b>Own-source revenue</b> <i>Own-source revenue per head of municipal population</i> [Own-source revenue / Municipal population]	<b>\$1,030</b>
<b>Recurrent grants</b> <i>Recurrent grants per head of municipal population</i> [Recurrent grants / Municipal population]	<b>\$140</b>
<b>Population</b> <i>Expenses per head of municipal population</i> [Total expenses / Municipal population]	<b>\$1,094</b>
<b>Infrastructure per head of municipal population</b> [Value of infrastructure / Municipal population]	<b>\$4,226</b>
<i>Population density per length of road</i> [Municipal population / Kilometres of local roads]	<b>250</b>
<b>Disadvantage</b> <i>Relative socio-economic disadvantage</i> [Index of Relative Socio-economic Disadvantage by decile]	<b>8</b>

### Definitions

“adjusted underlying revenue” means total income other than —

- (a) non-recurrent grants used to fund capital expenditure; and
- (b) non-monetary asset contributions; and
- (c) contributions to fund capital expenditure from sources other than those referred to in paragraphs (a) and (b)

“infrastructure” means non-current property, plant and equipment excluding land

“local road” means a sealed or unsealed road for which the council is the responsible road authority under the *Road Management Act 2004*

“population” means the resident population estimated by council

“own-source revenue” means adjusted underlying revenue other than revenue that is not under the control of council (including government grants)

“relative socio-economic disadvantage”, in relation to a municipality, means the relative socio-economic disadvantage,

expressed as a decile for the relevant financial year, of the area in which the municipality

is located according to the Index of Relative Socio- Economic Disadvantage (Catalogue Number 2033.0.55.001) of SEIFA

“SEIFA” means the Socio-Economic Indexes for Areas published from time to time by the Australian Bureau of Statistics on its Internet website

“unrestricted cash” means all cash and cash equivalents other than restricted cash.

## Service Performance Indicators

For the year ended 30 June 2015

Service/Indicator/measure	Results
	2015
<b>Governance (Measure 5)</b> <b>Satisfaction</b> <i>Satisfaction with council decisions</i> [Community satisfaction rating out of 100 with how council has performed in making decisions in the interest of the community]	59
<b>Statutory Planning (Measure 9)</b> <b>Decision making</b> <i>Council planning decisions upheld at VCAT</i> [Number of VCAT decisions that did not set aside council's decision in relation to a planning application / Number of VCAT decisions in relation to planning applications] x 100	54%
<b>Roads (Measure 18)</b> <b>Satisfaction</b> <i>Satisfaction with sealed local roads</i> [Community satisfaction rating out of 100 with how council has performed on the condition of sealed local roads]	67
<b>Libraries (Measure 22)</b> <b>Participation</b> <i>Active library members</i> [Number of active library members / Municipal population] x 100	18%
<b>Waste Collection (Measure 27)</b> <b>Waste diversion</b> <i>Kerbside collection waste diverted from landfill</i> [Weight of recyclables and green organics collected from kerbside bin / Weight of garbage, recyclables and green organics collected from kerbside bins] x 100	44%
<b>Aquatic facilities (Measure 33)</b> <b>Utilisation</b> <i>Utilisation of aquatic facilities</i> [Number of visits to aquatic facilities / Municipal population]	6
<b>Animal management (Measure 37)</b> <b>Health and safety</b> <i>Animal management prosecutions</i> [Number of successful animal management prosecutions]	9
<b>Food safety (Measure 41)</b>	100%

Service/Indicator/measure	Results 2015
<b>Health and safety</b> <i>Critical and major non-compliance notifications</i> [Number of critical non-compliance notifications and major non-compliance notifications about a food premises followed up / Number of critical non-compliance notifications and major non-compliance notifications about food premises] x 100	
<b>Home and community care (Measure 47 &amp; 48)</b> <b>Participation</b> <i>Participation in HACC service</i> [Number of people that received a HACC service / Municipal target population for HACC services] x 100	18%
<b>Participation</b> <i>Participation in HACC service by CALD people</i> [Number of CALD people who receive a HACC service / Municipal target population in relation to CALD people for HACC services] x 100	16%
<b>Maternal and child health (Measure 52 &amp; 53)</b> <b>Participation</b> <i>Participation in MCH service</i> [Number of children who attend the MCH service at least once (in the year) / Number of children enrolled in the MCH service] x 100	82%
<b>Participation</b> <i>Participation in MCH service by Aboriginal children</i> [Number of Aboriginal children who attend the MCH service at least once (in the year) / Number of Aboriginal children enrolled in the MCH service] x 100	74%

## Definitions

“Aboriginal child” means a child who is an Aboriginal person

“Aboriginal person” has the same meaning as in the Aboriginal Heritage Act 2006

“active library member” means a member of a library who has borrowed a book from the library

“annual report” means an annual report prepared by a council under sections 131, 132 and 133 of the Act

“class 1 food premises” means food premises, within the meaning of the *Food Act 1984*, that have been declared as class 1 food premises under section 19C of that Act

“class 2 food premises” means food premises, within the meaning of the *Food Act 1984*, that have been declared as class 2 food premises under section 19C of that Act

“Community Care Common Standards” means the Community Care Common Standards for the delivery of HACC services, published from time to time by the Commonwealth

“critical non-compliance outcome notification” means a notification received by council under section 19N(3) or

(4) of the *Food Act 1984*, or advice given to council by an authorized officer under that Act, of a deficiency that poses an immediate serious threat to public health

“food premises” has the same meaning as in the *Food Act 1984*

“HACC program” means the Home and Community Care program established under the Agreement entered into for the purpose of the Home and

Community Care Act 1985 of the Commonwealth

“HACC service” means home help, personal care or community respite provided under the HACC program

“local road” means a sealed or unsealed road for which the council is the responsible road authority under the *Road Management Act 2004*

“major non-compliance outcome notification” means a notification received by a council under section 19N(3) or (4) of the *Food Act 1984*, or advice given to council by an authorized officer under that Act, of a deficiency that does not pose an immediate serious threat to public health but may do so if no remedial action is taken

“MCH” means the Maternal and Child Health Service provided by a council to support the health and development of children within the municipality from birth until school age

“population” means the resident population estimated by council

“target population” has the same meaning as in the Agreement entered into for the purposes of the Home and Community Care Act 1985 of the Commonwealth

“WorkSafe reportable aquatic facility safety incident” means an incident relating to a council aquatic facility that is required to be notified to the Victorian WorkCover Authority under Part 5 of the *Occupational Health and Safety Act 2004*.

## Financial Performance Indicators

For the year ended 30 June 2015

Dimension/Indicator/measure	Results	Forecasts				Material Variations
	2015	2016	2017	2018	2019	
<b>Operating position</b> <b>Adjusted underlying result</b> <i>Adjusted underlying surplus (or deficit)</i> [Adjusted underlying surplus (deficit) / Adjusted underlying revenue] x 100	10%	6%	6%	7%	7%	2015 included non-budget items of \$2.1m in addition to income above budget of \$7m.
<b>Liquidity</b> <b>Working capital</b> <i>Current assets compared to current liabilities</i> [Current assets / Current liabilities] x 100	200%	173%	189%	207%	230%	No material variations.
<b>Unrestricted cash</b> <i>Unrestricted cash compared to current liabilities</i> [Unrestricted cash / Current liabilities] x 100	104%	70%	70%	76%	88%	No material variations.
<b>Obligations</b> <b>Loans and borrowings</b> <i>Loans and borrowings compared to rates</i> [Interest bearing loans and borrowings / Rate revenue] x 100	4%	1%	N/A	N/A	N/A	The variation between 2015 and 2016 is due to the repayment of borrowings in 2016.
<i>Loan and borrowings repayments compared to rates</i> [Interest and principal repayments on interest bearing loans and borrowings / Rate revenue] x 100	4%	3%	1%	N/A	N/A	The variation between 2016 and 2017 is due to the repayment of borrowings in 2016.
<b>Indebtedness</b> <i>Non-current liabilities compared to own source revenue</i>	2%	1%	1%	1%	1%	The variation between 2015 and 2016 is due to the repayment of borrowings in 2016.

Dimension/Indicator/measure	Results	Forecasts				Material Variations
	2015	2016	2017	2018	2019	
[Non-current liabilities / Own source revenue] x 100						
<b>Asset renewal</b> <i>Asset renewal compared to depreciation</i> [Asset renewal expenses / Asset depreciation] x 100	50%	73%	57%	55%	55%	2015 is based on actual asset renewal spend which was lower than budgeted.
<b>Stability</b> <b>Rates concentration</b> <i>Rates compared to adjusted underlying revenue</i> [Rate revenue / Adjusted underlying revenue] x 100	68%	70%	71%	71%	72%	No material variations.
<b>Rates effort</b> <i>Rates compared to property values</i> [Rate revenue / Capital improved value of rateable properties in the municipality] x 100	0.3%	0.3%	0.3%	0.3%	0.3%	No material variations.
<b>Efficiency</b> <b>Expenditure level</b> <i>Expense per property assessment</i> [Total expenses / Number of property assessments]	\$2,385	\$2,503	\$2,613	\$2,703	\$2,798	Although expenses have increased, the number of property assessments over the four years has stayed the same as we don't know what the increase (or decrease) could be in assessment numbers.
<b>Revenue level</b> <i>Average residential rate per residential property assessment</i> [Residential rate revenue / Number of residential property assessments]	\$1,420	\$1,504	\$1,580	\$1,659	\$1,742	The SRP is based on a 5% increase in rate revenue but does not factor in the change in assessment numbers.
<b>Workforce turnover</b> <i>Resignations and terminations compared to average staff</i> [Number of permanent staff resignations and terminations / Average number of permanent staff]	7%	7%	7%	7%	7%	No material variations.



<i>Dimension/Indicator/measure</i> for the financial year] x 100	Results	Forecasts				Material Variations
	2015	2016	2017	2018	2019	

ITEM 9.14 - APPENDIX A

**Definitions**

“adjusted underlying revenue” means total income other than—

(a) non-recurrent grants used to fund capital expenditure; and

(b) non-monetary asset contributions; and

(c) contributions to fund capital expenditure from sources other than those referred to in paragraphs (a) and (b)

“adjusted underlying surplus (or deficit)” means adjusted underlying revenue less total expenditure

“asset renewal expenditure” means expenditure on an existing asset or on replacing an existing asset that returns the service capability of the asset to its original capability

“current assets” has the same meaning as in the AAS “current liabilities” has the same meaning as in the AAS

“non-current assets” means all assets other than current assets

“non-current liabilities” means all liabilities other than current liabilities

“non-recurrent grant” means a grant obtained on the condition that it be expended in a specified manner and is not expected to be received again during the period covered by a council’s Strategic Resource Plan

“own-source revenue” means adjusted underlying revenue other than revenue that is not under the control of council (including government grants

“population” means the resident population estimated by council

“rate revenue” means revenue from general rates, municipal charges, service rates and service charges

“recurrent grant” means a grant other than a non-recurrent grant

“residential rates” means revenue from general rates, municipal charges, service rates and service charges levied on residential properties

“restricted cash” means cash and cash equivalents, within the meaning of the AAS, that are not available for use other than for a purpose for which it is restricted, and includes cash to be used to fund capital works expenditure from the previous financial year

“unrestricted cash” means all cash and cash equivalents other than restricted cash.

## Other Information

For the year ended 30 June 2015

### Basis of preparation

Council is required to prepare and include a performance statement within its annual report. The performance statement includes the results of the prescribed sustainable capacity, service performance and financial performance indicators and measures together with a description of the municipal district and an explanation of material variations in the results. This statement has been prepared to meet the requirements of the *Local Government Act 1989* and *Local Government (Planning and Reporting) Regulations 2014*.

Where applicable the results in the performance statement have been prepared on accounting bases consistent with those reported in the Financial Statements. The other results are based on information drawn from council information systems or from third parties (e.g. Australian Bureau of Statistics).

The performance statement presents the actual results for the current year and for the prescribed financial performance indicators and measures, the results forecast by the council’s strategic resource plan. The *Local Government (Planning and Reporting) Regulations 2014* requires explanation of any material variations in the results contained in the performance statement. Council has adopted materiality thresholds relevant to each indicator and measure and explanations have not been provided for variations below the materiality thresholds unless the variance is considered to be material because of its nature.

The forecast figures included in the performance statement are those adopted by council in its strategic resource plan on 23 June 2015 and which forms part of the council plan. The strategic resource plan includes estimates based on key assumptions about the future that were relevant at the time of adoption and aimed at achieving sustainability over the long term. Detailed information on the actual financial results is contained in the General Purpose Financial Statements. The strategic resource plan can be obtained by contacting council.

## **Certification of the Performance Statement**

In my opinion, the accompanying Performance Statement has been prepared in accordance with the *Local Government Act 1989* and the *Local Government (Planning and Reporting) Regulations 2014*.

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Dale Monk, B.Bus (Acc) CPA

**Principal Accounting Officer**

**Dated:**

In our opinion, the accompanying performance statement of Moonee Valley City Council for the year ended 30 June 2015 presents fairly the results of council's performance in accordance with the *Local Government Act 1989* and the *Local Government (Planning and Reporting) Regulations 2014*.

The performance statement contains the relevant performance indicators, measures and results in relation to service performance, financial performance and sustainable capacity.

At the date of signing, we are not aware of any circumstances that would render any particulars in the performance statement to be misleading or inaccurate.

We have been authorised by the council and by the *Local Government (Planning and Reporting) Regulations 2014* to certify this performance statement in its final form.

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Narelle Sharpe

**Councillor**

**Dated:**

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Cam Nation

**Councillor**

**Dated:**

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Bryan Lancaster

**Acting Chief Executive Officer**

**Dated:**



## Governance and Management Checklist

The following are the results in the prescribed form of Council's assessment against the prescribed governance and management checklist.

Column 1		Column 2
Governance and Management Items		Assessment
1	<b>Community engagement policy</b> (policy outlining Council's commitment to engaging with the community on matters of public interest)	Yes 21/10/2008 Community Consultation Service Charter 2008
2	<b>Community engagement guidelines</b> (guidelines to assist staff to determine when and how to engage with the community)	Yes 15/06/2010 Consultation Planner 2010
3	<b>Strategic Resource Plan</b> (plan under section 126 of the Act outlining the financial and non-financial resources required for at least the next 4 financial years)	Yes 23/06/2015 Strategic Resource Plan 2015-19
4	<b>Annual budget</b> (plan under section 130 of the Act setting out the services to be provided and initiatives to be undertaken over the next 12 months and the funding and other resources required)	Yes 23/06/2015 Annual Budget 2015/16
5	<b>Asset management plans</b> (plans that set out the asset maintenance and renewal needs for key infrastructure asset classes for at least the next 10 years)	No Council has four year asset management plans in place. Council is currently undertaking 10 year service planning which will inform the development of the revised plans. Ten year plans are expected to be in place by 2020/21.
6	<b>Rating strategy</b> (strategy setting out the rating structure of Council to levy rates and charges)	No Council is awaiting the finalisation of the Rate capping and Variation Framework as it will form the basis of the Rating Strategy.

Column 1		Column 2
Governance and Management Items		Assessment
7	<b>Risk policy</b> (policy outlining Council's commitment and approach to minimising the risks to Council's operations)	Yes 16/12/2014 Risk Management Policy 2014-17
8	<b>Fraud policy</b> (policy outlining Council's commitment and approach to minimising the risk of fraud)	Yes 22/10/2013 Fraud Prevention Control Plan 2013-2015 and Fraud Control Policy 2013
9	<b>Municipal emergency management plan</b> (plan under section 20 of the <i>Emergency Management Act 1986</i> for emergency prevention, response and recovery)	Yes 25/11/2014 Municipal Emergency Management Plan October 2014
10	<b>Procurement policy</b> (policy under section 186A of the <i>Local Government Act 1989</i> outlining the matters, practices and procedures that will apply to all purchases of goods, services and works)	Yes 23/06/2015 Procurement Policy 2015
11	<b>Business continuity plan</b> (plan setting out the actions that will be undertaken to ensure that key services continue to operate in the event of a disaster)	Yes 20/10/2014 Business Continuity Plan 24/06/2015 IT Disaster Recovery Plan
12	<b>Disaster recovery plan</b> (plan setting out the actions that will be undertaken to recover and restore business capability in the event of a disaster)	Yes 24/06/2015 IT Disaster Recovery Plan 20/10/2014 Business Continuity Plan
13	<b>Risk management framework</b> (framework outlining Council's approach to managing risks to the Council's operations)	Yes 09/10/2012 Risk Management Strategy 2011-2020
14	<b>Audit Committee</b> (advisory committee of Council under	Yes 10/04/1997

Column 1		Column 2
Governance and Management Items		Assessment
	section 139 of the Act whose role is to oversee the integrity of a Council's financial reporting, processes to manage risks to the Council's operations and for compliance with applicable legal, ethical, and regulatory requirements)	Audit Committee 23/06/2015 Audit Committee Charter
15	<b>Internal audit</b> (independent accounting professionals engaged by the Council to provide analyses and recommendations aimed at improving Council's governance, risk and management controls)	Yes 05/12/2012 HLB Mann Judd
16	<b>Performance reporting framework</b> (a set of indicators measuring financial and non-financial performance, including the performance indicators referred to in section 131 of the Act)	Yes 01/07/2014 Local Government Performance Reporting Framework
17	<b>Council Plan reporting</b> (report reviewing the performance of the Council against the Council Plan, including the results in relation to the strategic indicators, for the first six months of the financial year)	No Council is currently reviewing its council plan performance reporting frameworks and will have a framework in place for 2015/16.
18	<b>Financial reporting</b> (quarterly statements to Council under section 138 of the Act comparing budgeted revenue and expenditure with actual revenue and expenditure)	Yes Financial Performance Report 26/08/2014, 25/11/2014, 24/02/2015 and 26/05/2015.
19	<b>Risk reporting</b> (six-monthly reports of strategic risks to Council's operations, their likelihood and consequences of occurring and risk minimisation strategies)	Yes Date of reports to Audit Committee: 13/08/2014, 17/11/2014, 23/02/2015, 20/04/2015 and 15/06/2015.
20	<b>Performance reporting</b> (six-monthly reports of indicators measuring the results against financial and non-financial performance, including performance indicators referred to in section 131 of the Act)	No Council is currently reviewing its council plan performance reporting frameworks and will have a framework in place for 2016/17.
21	<b>Annual report</b>	Yes

Column 1		Column 2
Governance and Management Items		Assessment
	(annual report under sections 131, 132 and 133 of the Act to the community containing a report of operations and audited financial and performance statements)	Considered at Ordinary Meeting of Council 28/10/2014. Annual Report 2013/14
22	<b>Councillor Code of Conduct</b> (Code under section 76C of the Act setting out the conduct principles and the dispute resolution processes to be followed by Councillors)	Yes 28/05/2013 Councillor Code of Conduct 2013-16
23	<b>Delegations</b> (a document setting out the powers, duties and functions of Council and the Chief Executive Officer that have been delegated to members of staff )	Yes 26/08/2014 Instrument of Delegation to Members of Council Staff
24	<b>Meeting procedures</b> (a local law governing the conduct of meetings of Council and special committees)	Yes 15/09/2009 Governance Local Law 2009 (amended 21/09/2010)

I certify that this information presents fairly the status of Council's governance and management arrangements.

\_\_\_\_\_  
 Bryan Lancaster  
 Acting Chief Executive Officer  
 Dated:

\_\_\_\_\_  
 Cr Narelle Sharpe  
 Mayor  
 Dated:

## **9.15                      Advocacy Agenda Progress Report - June 2015**

**File No:** FOL/15/590  
**Author:** Coordinator Corporate Planning  
**Directorate:** Office of Chief Executive  
**Ward:** Municipal

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### **Purpose**

The purpose of this report is to provide Council with an update on progress against Council's advocacy priorities for the last six months of the 2014/15 financial year, as contained in **Appendix A**.

### **Executive Summary**

- The Advocacy Agenda 2013-17 ("the Agenda") has been developed to encourage partnerships and support from other levels of government, agencies and organisations to obtain positive outcomes for Moonee Valley today and into the future.
- The Agenda will contribute to the achievement of the Council Plan 2013-17 strategic objectives. Council will undertake advocacy in relation to transport infrastructure, major developments, managing growth, business investment, arts and culture, investment for community, and health and wellbeing.

### **Recommendation**

That Council receive and note the Advocacy Agenda Progress Report for the last six months of 2014/15.

### **Background**

The City of Moonee Valley is rapidly evolving and growth and change is placing pressure on the liveability of our community and the health and wellbeing of our citizens. The Advocacy Agenda 2013-17 identifies the local challenges that require resources and other means that are beyond Council's direct control. The establishment of partnerships, improved awareness of the challenges facing Moonee Valley and securing additional investment will result in better community outcomes, now and in the future.

The Advocacy Agenda 2013-17 will help leverage the support and investment required to achieve the Council Plan 2013-17 strategic objectives. The Agenda, like the Council Plan, is informed by the Moonee Valley Next Generation 2035 Community Vision.

Advocacy is a strategic method:



*to persuade, partner, educate or inform so other levels of government or stakeholders change their policy, action or investment to improve community outcomes.*

The Advocacy Agenda comprises eight advocacy themes that are linked to the Council Plan themes of Sustainable Living, Vibrant and Diverse, Friendly and Safe and Excellence in Governance.

The themes of the Advocacy Agenda are:

- Transport infrastructure
- Major developments
- Managing growth
- Business investment
- Arts and culture
- Investment for community
- Health and wellbeing
- Leadership

### **Discussion**

Councillors and Council Officers have worked hard to advocate on behalf of the local community in the past six months. The advocacy work has ranged from lobbying State and Federal Government on big infrastructure projects, to holding information sessions about local issues, and applying for funding and support for vulnerable communities. Some of the key projects that Council has been advocating on behalf of the community in the past six months included:

**City Link widening:** Council identified and raised concerns with the State Government over the City Link widening project, including improvements to the intersections to the Calder and Tullamarine Freeways, proposed lane alignments, new bridge designs, including disability accessible pedestrian bridges and need for adequate noise monitoring and controls.

**Moonee Valley Racecourse redevelopment:** Council is continuing to work with the Minister for Planning and Moonee Valley Racing Club to support the redevelopment of the important site. Council successfully advocated for the condition of five per cent of affordable housing at the site and lower building heights.

**Melbourne Water M102 Water Main:** This important project is currently building new water infrastructure for the city of Melbourne for the next 150 years. Council successfully advocated to State Government to build a new bridge at Steele Creek, additional vegetation plantings and secured licence areas and fees.

It is worth noting a significant amount of work has been undertaken in partnership with councillors to update our advocacy priorities to better reflect new and emerging needs and to capitalise on a change of state government.

Details about all the advocacy work Council has undertaken in the past six months can be found in **Appendix A**.

## **Consultation**

The nature of this report does not require any external consultation.

## **Implications**

### **1. Legislative**

The Preamble of The Local Government Act 1989 specifies that 'it is the role of the Council to provide leadership for the local community through advocacy, decision making and action'.

The Agenda considers the Charter of Human Rights and Responsibilities Act 2006 as it creates opportunities for the community to participate in public life. Major Developments (Theme 2) sets our Council's intention to increase the capacity and opportunity for our community to have a voice in development proposals and decisions they may be impacted by or interested in.

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

The Agenda specifically addresses eight Strategic Objectives of the Council Plan and contributes to Council's commitment of 'Excellence in governance – dynamic, effective and accountable', the fifth Council Plan theme.

The Agenda also delivers on commitments contained in Integrated Transport Plan, Moonee Valley Planning Scheme, Community Consultation Charter, Economic Development Strategy, Arts and Culture Plan, Maribyrnong River Master Plan, Leisure Strategy, The Public Health and Wellbeing Plan, Learning Framework, Healthy Ageing Strategy, Early Years Plan and the Youth Engagement Strategy.

### **3. Financial**

There are no budgetary or funding considerations as a result of this report.

### **4. Environmental**

There are no environmental implications resulting from this report.

## **Conclusion**

Progress reports are an important means for Council to report to the community on progress against the Advocacy Agenda 2013-17 and offer a summary of the services, activities and works Council has undertaken in the previous two quarters.

## **Appendices**

Appendix A: Advocacy Agenda Progress Report - June 2015

### Advocacy Agenda Progress Report – June 2015

Council Plan Theme	Advocacy Agenda Theme	Advocacy Activities
Sustainable Living – clear direction for growth and development of the city	Theme 1 – transport and infrastructure	<p><b><u>City Link widening:</u></b></p> <p>In April 2014 Transurban announced that it had reached an in-principle agreement with the State Government for a major upgrade to the western section of CityLink, the Bolte Bridge-West Gate Freeway interchange and the Tullamarine Freeway. The widening works are proposed in a number of locations and will impact on Moonee Valley. Construction will begin in late 2015 and end in 2018.</p> <ul style="list-style-type: none"> <li>• Council had regular meetings with the project director VicRoads and Transurban to discuss high level issues.</li> <li>• In January 2015 the State Government released a report on the City Link widening project for Council consideration. Council noted a number of potential issues and requested improvements to the approach roads and intersections to the Calder and Tullamarine Freeways, proposed lane alignments, new bridge designs, including disability accessible pedestrian bridges and need for adequate noise monitoring and controls.</li> <li>• Detailed design and legislative changes are expected to be released in mid 2015.</li> </ul> <p><b><u>Essendon Junction level crossing (rail under road grade separation):</u></b></p> <p>As part of the Essendon Junction Structure Plan process it was identified that grade separation was needed on Buckley Street, with Council's preference being the undergrounding of the railway line. The State Government has allocated funds for the removal of fifty dangerous level crossings over the next eight years. Buckley Street (Essendon Junction level crossing) has been identified in the list of 50, however is not in the top 20 level crossings to be removed in the next four years.</p>

Council Plan Theme	Advocacy Agenda Theme	Advocacy Activities
		<ul style="list-style-type: none"> <li>• The project is regularly discussed at the monthly Metropolitan Planning Authority (MPA) meeting, and with the Project Management Group for the project (which includes government agencies).</li> <li>• The State Government's proposal is for road over rail at Essendon. Council's position is that this is unsafe for residents and will block off large sections of the activity centre.</li> <li>• Council continues to advocate for rail under road option.</li> </ul> <p><b><u>Yarra Trams Super Stop</u></b></p> <p>Yarra Trams is currently preparing to upgrade the tram stop at Moonee Ponds Junction. Construction is scheduled to begin in mid-January 2016. In order to provide a safer environment for all users Council is advocating to Public Transport Victoria for funds to:</p> <ul style="list-style-type: none"> <li>• upgrade the bus interchange for improved access for people with a disability</li> <li>• install new toilets, signage and lighting</li> <li>• upgrade the landscaping around the interchange</li> </ul>
	Theme 2 – major developments	<p><b><u>East West Link:</u></b></p> <p>The East West Link was a State Government project to build an east west road link across Melbourne, spanning approximately 18 kilometres and including a tunnel section. Before cancellation by the current State Government, the project would have had a number of significant impacts on Moonee Valley. On 20 November 2014, Council lodged Supreme Court legal documents against the State Government for the removal of Moonee Valley land and open space during the project.</p> <ul style="list-style-type: none"> <li>• 15 April 2015 – State Government announced the East West Link project would not proceed, and a financial agreement had been reached with the East West Connect Consortium.</li> </ul>

Council Plan Theme	Advocacy Agenda Theme	Advocacy Activities
		<ul style="list-style-type: none"> <li>• April – June 2015 – Council has been negotiating with the State Government over the restoration of land and open space.</li> <li>• A Supreme Court hearing is set for August 2015 to resolve the issue.</li> </ul> <p><b><u>Moonee Valley Racecourse Redevelopment:</u></b></p> <p>Rezoning of the Moonee Valley Racecourse site for future development, including a mix of racing, residential and retail uses.</p> <ul style="list-style-type: none"> <li>• An Advisory Committee was appointed by the State Government to consider submissions and make recommendations on the redevelopment.</li> <li>• Planning Scheme Amendment C155 was approved by the Minister for Planning on 30 March 2015.</li> <li>• Amendment C155 rezones the land to the west of the Moonee Valley Racecourse to the Activity Centre Zone and means that there is no change to the Heritage Overlay that applies to the Racecourse site. There are also no changes to the Mixed Use Zone that applies to the north-eastern part of the site.</li> </ul> <p>Amendment C155 requires the Moonee Valley Racing Club to:</p> <ul style="list-style-type: none"> <li>• prepare an Integrated Transport Plan</li> <li>• provide for lower preferred building heights, including mandatory heights abutting the residential areas along McPherson, Thomas and Dean Streets</li> <li>• preserve heritage sites, including the main tote building</li> <li>• incorporate affordable housing into five per cent of the development</li> </ul> <p>Council successfully advocated for the imposition of a number of these conditions on the developer, including affordable housing and lower building heights. Council will continue to advocate to the Advisory Committee to get the best</p>

Council Plan Theme	Advocacy Agenda Theme	Advocacy Activities
		<p>outcomes for the community. Updates will be provided to the community as information becomes available.</p> <p><b><u>Flemington Racecourse Redevelopment:</u></b></p> <p>Victoria Racing Club and Green Land Corporation are proposing a major high density residential development at Flemington Racecourse, which will impact on the residents of Moonee Valley, and put additional pressure on local infrastructure.</p> <ul style="list-style-type: none"> <li>• Council advocated to the Minister for Planning and the Victorian Racing Club during 2014/15 on behalf of our residents in an effort to ensure that any development is well-planned and takes into account the potential impacts on the current community, as well as those on cultural heritage, transport and the environment, plus social and recreation impacts.</li> <li>• The project is still on hold pending a decision from the Minister in relation to a proposed process for assessment and development.</li> </ul> <p><b><u>Essendon Airport Development:</u></b></p> <p>Essendon Airport released its new master plan in July 2014.</p> <ul style="list-style-type: none"> <li>• Council has been regularly liaising with Essendon Airport through the following forums/meetings: <ul style="list-style-type: none"> <li>- Essendon Airport Planning Coordination Group.</li> <li>- Essendon Technology Precinct Liaison Group.</li> <li>- MPA monthly catch up meetings.</li> <li>- Working Group meetings (focusing on English Street intersection).</li> </ul> </li> <li>• Council has considered the following development proposals and provided in principle support subject to proposed changes, where relevant: <ul style="list-style-type: none"> <li>- Hotel development – English precinct.</li> </ul> </li> </ul>

Council Plan Theme	Advocacy Agenda Theme	Advocacy Activities
		<ul style="list-style-type: none"> <li>- Major Development Plan process for the proposed Hospital development.</li> <li>- Auto Centre.</li> <li>- Proposed hangars – Hart precinct.</li> </ul> <p><b><u>Moonee Ponds Market Site – 40 Hall Street and 34 -36 Margaret Street (formerly Leighton / Readings site):</u></b></p> <p>Council has been advocating to Caydon's to achieve a coordinated outcome for the site to benefit the community.</p> <ul style="list-style-type: none"> <li>• Two separate applications have been lodged covering the whole site for approx. 1200 residential dwellings, retail sites and carpark.</li> <li>• Council is currently advocating for developer contributions and reviewing the best solutions for new infrastructure to serve the existing and future community.</li> </ul> <p><b><u>Other Activities:</u></b></p> <ul style="list-style-type: none"> <li>• In April 2015 VCAT approved the development of an apartment block of 23 storey's at 1 Ascot Vale Road. Council advocated for a developer contribution to build a pedestrian traffic light near the site and this was approved by VCAT.</li> </ul>
Vibrant and diverse – opportunities for all	Theme 6 – investment community	<p><b><u>Melbourne Water M102 Water Main Upgrade (Essendon to Yarraville):</u></b></p> <p>These works are vital to securing long-term drinking water for Melbourne (one of three water mains), and will replace the existing water supply pipeline for the next 150 years. Construction commenced from March 2015 and is expected to be completed at the end of November 2015. The project affects the municipality through noise and dust, temporary traffic changes, impacts on residential and retail properties.</p>

Council Plan Theme	Advocacy Agenda Theme	Advocacy Activities
		<p>Council advocated to the State Government and was successful in securing:</p> <ul style="list-style-type: none"> <li>• A new bridge at Steele Creek that was funded by Council</li> <li>• Additional vegetation plantings funded by Council</li> <li>• Licence areas and fees</li> </ul> <p><b><u>Melbourne Water Aberfeldie Main Drain Upgrade</u></b></p> <p>Council successfully advocated to Melbourne Water to upgrade the Aberfeldie Main Drain in response to significant flooding that occurred in 2010 and 2011. Project includes Council delivering a portion of the works that will create another stormwater drain.</p> <ul style="list-style-type: none"> <li>• Council successfully advocated for Melbourne Water to hold a consultation event with the Moonee Valley community. The consultation event will be held in 2015/16.</li> </ul> <p><b><u>Melbourne Water North West Sewer, Montgomery Park</u></b></p> <p>A section of the north west sewer in Montgomery Park Essendon requires reconstruction. The project will commence in July 2015.</p> <ul style="list-style-type: none"> <li>• Council has successfully advocated to Melbourne Water for improvements to the park to lower the sewer below ground at completion of the project.</li> <li>• Two community consultation events were held at Council in 2014/15 to connect residents to Melbourne Water and improve communication.</li> </ul>



Council Plan Theme	Advocacy Agenda Theme	Advocacy Activities
Friendly and safe – a community where people feel connected and safe	Theme 7 – health and wellbeing	<ul style="list-style-type: none"> <li>• Council is a member of the MAV Prevention of Violence Against Women Network comprising local government representatives and key community partners. Members work together to promote and progress the task of leading communities in the prevention of violence against women.</li> <li>• Council is a member of the Western Melbourne Children and Youth Area Partnership, along with the Department of Human Services and Department of Education and Early Childhood Development. The partnerships bring together key agencies and the community to improve outcomes for vulnerable children and young people.</li> <li>• Council's Chief Executive is a member of the Western Metropolitan Regional Management Forum, which comprises secretaries from State Government Departments and some local council Chief Executive's and aims to strengthen coordination and cooperation between State and Local Government on regional issues.</li> <li>• Council is a member of the Western Region Community Safety Partnership along with Department of Justice, Department of Education and Early Childhood Development, Department Human Services, and Victoria Police.</li> </ul>
Excellence in Governance - Dynamic, effective and accountable	Theme 8 – leadership	<p><b><u>Bus Tour:</u></b> In April 2015, Council organised a bus tour of the municipality involving council officers and state members of Parliament, Ben Carroll and Danny Pearson, federal member Kelvin Thomson and representatives from federal opposition leader Bill Shorten's office, along with VicRoads and Essendon Fields representatives.</p> <ul style="list-style-type: none"> <li>• The bus tour visited a number of sites in the municipality earmarked for future major development and was a platform to discuss city in transition issues.</li> <li>• Council advocated for rail under road at Essendon Junction, explaining the</li> </ul>

Council Plan Theme	Advocacy Agenda Theme	Advocacy Activities
		<p>issues in an interactive and visual discussion.</p> <ul style="list-style-type: none"> <li>• Council and State Government also discussed possible solutions to traffic congestion at locations including the English Street and Matthews Avenue interchange, Keilor Road/Grange Road and Newman Street and the possible impacts of the CityLink/Tulla widening project on local streets. The need to install pedestrian lights on Milleara Road, Keilor East was also reported.</li> <li>• Following the tour the state government announced funding for the installation of pedestrian lights on Milleara Road, Keilor East.</li> </ul> <p><b><u>Securing Meetings with Key Decision Makers:</u></b></p> <p>Council has also been successful in gaining access to key state government advisers and decision makers.</p> <ul style="list-style-type: none"> <li>• This includes meeting to discuss the Flemington Events Precinct.</li> <li>• Meeting with DELWP deputy secretaries to discuss planning and development issues.</li> <li>• Hosting a visit by the Minister for Creative Industries, Martin Foley, to advocate for support for the Incinerator Gallery.</li> </ul>

## **9.16 Recording of Public Council Meetings Policy**

**File No:** FOL/15/590  
**Author:** Acting Coordinator Governance  
**Directorate:** Corporate Services  
**Ward:** Municipal

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### **Purpose**

The purpose of this report is to present for adoption the Recording of Public Council Meetings Policy.

### **Executive Summary**

- At Council's Meeting held 23 September 2014, a Notice of Motion was submitted requesting that the Chief Executive prepare a report which investigates ways that Council can utilise technology to improve the accessibility and transparency of Council meetings.
- Further to this, at Council's Meeting held 24 February 2015, Council resolved that a policy be prepared to govern the recording of Council meetings prior to the commencement of any audio recording of Council meetings, and to make the necessary arrangements for the audio recording of Council Meetings and subsequent podcasting on Council's website.
- Council is committed to increasing transparency of Council decision making by podcasting and archiving of its Council meetings. To facilitate Council's direction, the attached policy has been prepared which provides information and procedures in relation to the recording of public meetings.

### **Recommendation**

That Council adopt the Recording of Public Council Meetings Policy (provided as **Appendix A**).

### **Background**

The Local Government Act 1989 (the Act) requires minutes of Council's meetings to be kept. The minutes must contain accurate details of the meeting proceedings and the resolutions. While there is no obligation to do so, the Council has elected to audio record Council Meetings to allow access to the meeting process for those residents who are unable to attend meetings in person.

At Council's Ordinary Meeting held 24 February 2015, it was resolved to implement the audio recording and podcasting of all Public Council meetings, once a policy governing the recording of Council meetings has been prepared.

The Recording of Public Council Meetings Policy (the Policy) has been drafted to provide information for Councillors, officers and members of the public about the recording of public Council meeting.

## **Discussion**

Recording Council meetings increases accessibility to Council's decision making processes whilst improving communication with residents about Councils' forthcoming plans and projects. Further to this, it provides transparency in the decision making process of Council by providing a complement to formal minutes.

The Municipal Association of Victoria (MAV) encourages Council to maintain a publicly accessible audio archive of Council Meetings in order to provide a fuller public record of proceedings than can be made available in the formal written minutes.

Further, MAV provided Council's with a circular on the recording and publishing of council meetings where it was considered paramount that prior to commencing online publishing of council meeting recordings, Councils should have a policy in place which outlines how Council will manage the use of webcasting / audio recordings.

To facilitate Council's direction, the attached policy has been prepared which provides information and procedures in relation to the recording of public meetings. The policy includes information about the publishing and archiving of recordings, what parts of the meeting are available to the public, providing notice that a meeting is to be recorded and the recording of meetings by other people.

It is not considered that any future recording technology implemented by the Council will affect the intent or operation of the policy.

It should also be noted that whilst the policy seeks to provide guidance around the recording of public meetings, there are risks associated with the recordings being available to the general public.

The official record of Council meetings provides an accurate record of all resolutions from meetings, but it does not reflect the level of detailed discussion and debate that Councillors engage in prior to coming to a decision.

## **Consultation**

The nature of this report does not require any consultation.

## **Implications**

### **1. Legislative**

This report takes into consideration the Local Government Act 1989 and the Privacy and Data Protection Act 2014.

### **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 this report.

#### **4. Environmental**

There are no environmental implications resulting from this report.

#### **Conclusion**

Prior to recording public Council meetings, the only record of Council meetings was via the public minutes posted on Moonee Valley's website. Whilst minutes provide an accurate record of all resolutions from meetings, they are not a transcript of proceedings, therefore minutes do not reflect the level of detailed discussion and debate that Councillors may engage in, prior to coming to a decision.

By recording Council meetings, the community has increased accessibility to Council's decision making processes.

#### **Appendices**

Appendix A: Draft - Recording of Public Council Meetings Policy

<b>POLICY TITLE</b>	<b>Recording of Public Council Meetings Policy</b>
<b>POLICY TYPE</b>	<b>Council</b>
<b>GROUP</b>	<b>Corporate Services</b>

## 1. Background

Council has committed to increasing the transparency of its decision making process with the audio recording and podcasting of its Council meetings. This policy has been prepared to facilitate Council's direction, which provides information and procedures in relation to the recording and podcasting of public Council meetings.

## 2. Purpose

The purpose of this policy is to specify the arrangements for creating, storing, using/disclosing and disposing of the audio recording and podcasting public Council meetings.

This policy has been developed in line with the organisation's strategic objective of "building a culture of governance that instils a high level of community respect and confidence in Council decision-making", by applying effective communication of Council decisions with the community.

## 3. Scope

The policy extends to all:

- Open Ordinary and Special Meetings of Moonee Valley City Council and as such does not include meetings closed to the public in accordance with section 89(2) of the Local Government Act 1989 (the Act).
- Councillors, Council staff and members of the public gallery as visitors and contributors to a public meeting.
- Council staff involved in the storing, providing access to and managing of audio records on public meetings.

## 4. Definitions

**Audio recording:** means any recording made on any type of electronic device capable of recording sound. This includes but is not limited to recordings made by a digital or analogue audio recording device and stored on any type of media, in any type of format.

**Podcast:** means an audio file that is made available on a website.

**Public Council meetings:** means Ordinary and Special Meetings of Council as defined under the Local Government Act 1989.

**Meetings closed to the public:** means any part of a public meeting closed to the public under Section 89(2) of the Act.

## 5. Responsibility

The Governance & Local Laws Unit is responsible for the administration of the policy.

## 6. Legislation

This policy has been formulated with consideration given to the Local Government Act 1989 and the Privacy and Data Protection Act 2014.

## 7. Policy

- 7.1. Public Council meetings will be audio recorded to allow access to the meeting process for those residents who are unable to attend meetings in person and to assist in the preparation and verification of the minutes.
- 7.2. Public Council meeting recordings posted on the Council website are for information purposes only. The confirmed minutes of Council meetings will remain the official record of proceedings and decisions.
- 7.3. Audio recordings of all open sessions of Council will be made available on Council's website not later than the day following the meeting and will be retained and made publicly available for a minimum of 12 months following the meeting date.
- 7.4. Recordings of meetings (or parts of meetings) closed to members of the public in accordance with the confidentiality provisions of section 89(2) of the Local Government Act 1989 are exempt from public access and will only be made available to Councillors and the Executive Team where requested. Podcasting will not apply to such meetings or parts of meetings.
- 7.5. Except where Council may be required to retain them for a longer period under the Public Records Act 1973, audio recordings of Council and Committee meetings (open and closed sessions) will be destroyed after four years
- 7.6. Due to the nature of technical equipment, the Council does not and cannot guarantee that audio recordings or podcasts will be continuous or fault free.

- 7.7. Future recording technology that may become available and/or implemented by the Council will not affect the intent or operation of this policy.
- 7.8. At the commencement of each meeting, the Chair of the meeting will notify members of the public that the meeting is being recorded and that a recording of the open session of the meeting will be made available on Council's website. Notice will also be displayed on Council's website, on the relevant meeting Agenda and at the entrance of Council Chambers.
- 7.9. This policy does not allow the recording of Council meetings by any other person. Council does not generally permit individuals to make audio recordings of public meetings. Individuals are required to make a written request addressed to Council, should they seek to obtain permission to do so.

## **8. Consultation**

In the development of this policy, several other Councils were consulted to ensure that this policy has been prepared in accordance with industry best practice.

## **9. Related Documents**

### **Essential**

Governance Local Law 2009

Local Government Act 1989

Privacy and Data Protection Act 2014

### **General**

Code of Conduct (Councillors and Officers)



## 9.17 Report on Assemblies of Council

**File No:** FOL/15/590  
**Author:** Acting Coordinator Governance  
**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 July 2015.

### Background

In accordance with Section 80A (1) & (2) of the Act, the Chief Executive 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 July 2015, 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 to Build a culture of governance that instils a high level of community respect and confidence in Council decision-making in accordance with Council Plan 2013-2017 Theme 1: Excellence in governance Dynamic, effective and accountable.

#### **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.

### **Appendices**

Appendix A: Assemblies of Council

## RECORD OF ASSEMBLY OF COUNCILLORS

Tuesday, 14 July 2015 at 7.03pm at the Moonee Valley Civic Centre

### PRESENT

#### Councillors:

Narelle Sharpe, Cam Nation (7.23pm), Jan Chantry, Shirley Cornish, Jim Cusack, Paul Giuliano (7.12pm), Nicole Marshall, John Sipek and Andrea Surace (7.12pm).

#### Officers:

Bryan Lancaster	Acting Chief Executive
Peter Gaffney	Acting Director City Works & Development
Michelle Leonard	Acting Director Community Services
Carey Patterson	Acting Director Corporate Services
Anthony Smith	Acting Director Environment and Lifestyle
Henry Bezuidenhout	Manager Strategic & Statutory Planning
James Martin	Manager Communications & Corporate Planning
Sue Hecker	Manager Leisure & Open Space Planning
Gil Richardson	Manager Technical Services

### CONFLICT OF INTEREST DISCLOSURES

Nil.

### MATTERS CONSIDERED

1. Housing Strategy Update - Summary of consultation on Housing Issues and Opportunities Paper and next steps
2. Airport West Activity Centre Structure Plan Review - Draft Issues and Opportunities Report
3. Council's submission to the Better Apartments – A Discussion Paper
4. Integrated Transport Plan and Road Safety Plan review process
5. Dean Local Area Traffic Management Study
6. Holmes Local Area Traffic Management Study
7. Flemington Hill Traffic and Parking Study – Update
8. Tender Evaluation for Drainage Maintenance Services
9. 102A - 104 Maribymong Road, Moonee Ponds
10. 118A, 118B & 120 Buckley Street, Essendon
11. 63-69 Buckley Street, Moonee Ponds
12. Sterling Drive Reserve North, Keilor East
13. Health & Wellbeing - Year 3 Action Plan
14. Draft Community Safety Program
15. Friends of Liquiçá - Computer Training Proposal
16. Bill Posters
17. Recording of Public Council Meetings Policy

- 18. Endorsement of Interstate Travel for Council Representative
- 19. Items of a general nature raised by Councillors and Officers

**RECORD COMPLETED BY**

Anthony Smith                      Acting Director Environment & Lifestyle

## **RECORD OF ASSEMBLY OF COUNCILLORS**

Tuesday, 21 July 2015 at 6.30pm at the Moonee Valley Civic Centre

### **PRESENT**

#### **Councillors:**

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

#### **Officers:**

Peter Gaffney	Acting Director City Works & Development
Michelle Leonard	Acting Director Community Services
Carey Patterson	Acting Director Corporate Services
Anthony Smith	Acting Director Environment and Lifestyle
Henry Bezuidenhout	Manager Strategic & Statutory Planning
James Martin	Manager Communications & Corporate Planning
Sue Hecker	Manager Leisure & Open Space Planning
Amanda Allen	Coordinator Sports & Recreation
Rebecca Gardner	Coordinator Community Planning & Engagement
Aleesha Grace	Coordinator Corporate Planning
Tim Mileham	Coordinator Leisure Facilities & Projects
Gary Mills	Coordinator Property Services
Christy Amott	Social Research Officer
Colin Harris	External Projects Officer
Kate Heissenbuttel	Leisure Planner
Melanie Lorback	Senior Leisure Facilities Officer
Nina Stanwell	Community Grants Officer

### **CONFLICT OF INTEREST DISCLOSURES**

Nil.

### **MATTERS CONSIDERED**

1. Community Satisfaction Survey
2. CityLink Widening Update
3. Proposed Super Stop Moonee Ponds Junction
4. East Keilor Leisure Centre Feasibility Study Draft Concept Plan
5. Capital Works Contribution Policy
6. Boules and Mallet Sports
7. Review of Council Properties
8. Purchase Opportunity 387 - 393 Keilor Road, Niddrie
9. Smarty Grants Overview
10. Items of a general nature raised by Councillors and Officers

### **RECORD COMPLETED BY**

Anthony Smith                      Acting Director Environment & Lifestyle

## RECORD OF ASSEMBLY OF COUNCILLORS

Tuesday, 28 July 2015 at 6.21pm at the Moonee Valley Civic Centre

### PRESENT

#### Councillors:

Narelle Sharpe, Cam Nation (6.30pm), Jan Chantry, Shirley Cornish, Jim Cusack, Paul Giuliano, John Sipek and Andrea Surace.

#### Officers:

Bryan Lancaster	Acting Chief Executive
Peter Gaffney	Acting Director City Works & Development
Michele Leonard	Acting Director Community Services
Carey Patterson	Acting Director Corporate Services
Anthony Smith	Acting Director Environment and Lifestyle
Henry Bezuidenhout	Manager Strategic & Statutory Planning
Yvonne Hansen	Manager Governance & Local Laws
James Martin	Manager Communications & Corporate Planning

### CONFLICT OF INTEREST DISCLOSURES

Nil.

### MATTERS CONSIDERED

1. 118A, 118B & 120 Buckley Street, Essendon
2. 102A - 104 Maribyrnong Road, Moonee Ponds
3. 63-69 Buckley Street, Moonee Ponds
4. Dean Local Area Traffic Management Study
5. Holmes Local Area Traffic Management Study
6. Flemington Hill Traffic and Parking Study - Update
7. Housing Strategy Update - Summary of consultation on Housing Issues and Opportunities Paper and next steps
8. Airport West Activity Centre Structure Plan Review - Draft Issues and Opportunities Report
9. Council's submission to the Better Apartments – A Discussion Paper
10. Integrated Transport Plan and Road Safety Plan Review Process
11. Sterling Drive Reserve North, Keilor East
12. Health & Wellbeing - Year 3 Action Plan
13. Draft Community Safety Program
14. Friends of Liquiçá - Computer Training Proposal
15. Endorsement of Interstate Travel for Council Representative
16. Cost Shifting and Grant Reduction in Local Government
17. Bill Posters
18. Recording of Public Council Meetings Policy
19. Report on Assemblies of Council
20. Report on Advisory Committees

21. Report on Tenders and Contracts Awarded
22. Notice of Motion - Heritage Gap Study
23. Notice of Motion - Obsolete Signage
24. Notice of Motion - Advertising Billboards at Napier Park
25. Notice of Motion - Land Acquired and Sold by Council
26. Notice of Motion - Parking Restrictions Brewster Street, Essendon
27. Tender Evaluation for Drainage Maintenance Services

**RECORD COMPLETED BY**

Anthony Smith                      Acting Director Environment & Lifestyle



## 9.18                      **Report on Advisory Committees**

**File No:** FOL/15/590  
**Author:** Acting Coordinator Governance  
**Directorate:** Corporate Services  
**Ward:** Municipal

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### **Purpose**

To present the minutes of Council's Advisory Committee meetings received since the last report to Council held in July 2015.

### **Executive Summary**

The minutes of Advisory Committee meetings received since the last report to Council are submitted for consideration.

### **Recommendation**

That Council receive and note the following confirmed Advisory Committee Meeting Minutes, received since the last report to Council in July 2015:

- a) Arts & Culture Advisory Committee held 9 February 2015 (**Appendix A**).
- b) Municipal Emergency Management Planning Committee held 14 May 2015 (**Appendix B**).
- c) Integrated Waterways Advisory Committee held 22 May 2015 (**Appendix C**).
- d) Early Years Reference Group held 9 June 2015 (**Appendix D**).

### **Background**

Council at its Statutory Meeting on 5 November appointed representatives to Advisory Committees, up to the month of October 2015.

Minutes from these meetings are presented to Council for information purposes.

### **Discussion**

Minutes from the following Advisory Committee Meeting Minutes are presented to Council in accordance with section 80A(2)(a) of the *Local Government Act 1989*:

- a) Arts & Culture Advisory Committee held 9 February 2015;
- b) Municipal Emergency Management Planning Committee held 12 February 2015;
- c) Integrated Waterways Advisory Committee held 22 May 2015; and
- d) Early Years Reference Group held 9 June 2015.

## **Consultation**

The nature of this report does not require any consultation to be undertaken, but rather the coordinator and compilations of minutes of the meetings held.

## **Implications**

### **1. Legislative**

These minutes are presented to Council in accordance with sections 80(2)(a) of the *Local Government Act* 1989 .

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

In presenting this report to council, council is achieving its Strategic Objective to Build a culture of governance that instils a high level of community respect and confidence in Council decision-making in accordance with Council Plan 2013-2017 Theme 1: Excellence in governance Dynamic, effective and accountable.

### **3. Financial**

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

### **4. Environmental**

There are no environmental implications resulting from this report.

## **Conclusion**

Advisory Committees allow for a more efficient and effective process of understanding specific areas, prior to being considered by Council.

## **Appendices**

Appendix A: Arts & Culture Advisory Committee held 9 February 2015

Appendix B: Municipal Emergency Management Planning Committee held 14 May 2015

Appendix C: Integrated Waterways Advisory Committee held 22 May 2015

Appendix D: Early Years Reference Group held 9 June 2015



## **Arts & Culture Community Advisory Committee**

# **Minutes**

### **MEETING #9**

**held Monday, 9 February 2015 at 6pm  
Committee Meeting Room (Level 2), Moonee Valley Civic Centre,  
9 Kellaway Avenue, Moonee Ponds**

<b>Attendees</b>	Cr Jan Chantry	Chairperson, Councillor Buckley Ward
	Cr Andrea Surace	(Sub) – Councillor – Rose Hill Ward
	Frank Di Blasi	Community member
	Kay Feain	Community member
	Paul Green	Community member
	Pip Grummet	Community member
	Vincenza Fazzalori	Community member
	Scott Widdicombe	Director, Environment and Lifestyle
	Maria Tence	Manager, Arts and Culture
	Patricia Keenan	Coordinator, Arts and Cultural Development
<b>Apologies</b>	Deb Gaehl	EA, Environment and Lifestyle (Minute taker)
	Suzanne Ridley	Community member

### **Order of Business**

#### **Welcome**

Chair Cr Chantry opened the meeting at 18.06pm and welcomed members, acknowledging the good turn up and the return of Frank Di Blasi to the committee.

#### **Apologies**

Chairperson noted an apology for Suzanne Ridley.

**1. Confirmation of Previous Minutes**

Moved by Kay Feain, seconded by Vincenza Fazzalori that the Minutes of the Arts & Culture Community Advisory Committee held on Monday, 1 December 2014 be confirmed.

**2. Declarations of Conflict of Interest**

None recorded.

**3. Actions Arising from Previous Minutes and Summary of Actions**

Refer to items below.

**4. Committee Membership**

**4.1 Call for new members**

Frank Di Blasi's membership status has been confirmed.

Call for two new members. Two positions are to be advertised and will appear on Council's website, link on-line to be sent to Committee Members.

**ACTION:** *Email the Call for New Members link on Council's website to the Committee.*

**4.2 Review of Terms of Reference**

Committee discussed reviewing item 5.1 Membership (on page 2) to make the membership more general.

Suggested changes to the Terms of Reference will be in-line with Council's processes and will be considered at the time of the next review to coincide with the new Council term.

**ACTION:** *To be noted for future review.*

**5. Arts & Culture Plan 2014-18**

**5.1 Achievements to date**

Quite a lot of suggestions and discussion took place regarding the Arts and Culture Plan implementation schedule sample circulated at the meeting and the goals of this Committee.

The Committee to be sent prior to next meeting, the Implementation Schedule listing the outcomes and illustrating the actions that have been delivered and those need to be delivered with the purpose of prioritising projects to coincide with the Council's budgeting cycles.

**ACTION:** *Forward to Committee members prior to next meeting by 30 April the Implementation Schedule for the Arts & Culture Plan.*

## **5.2 Priorities for 2016/17 budget year**

Maria Tence outlined the priorities for the 2016/17 budget year being: completing the design documentation, landscape concept and interpretation concept to obtain full Heritage Victoria permits to proceed with remedial works and upgrades at the Incinerator Gallery.

**ACTION:** *Information only, no action necessary.*

## **6. Update of Council's website – Arts and Culture Profile**

The web based Events Calendar is accessible to anyone in the community and can be updated with information about forthcoming events.

There is a form to be completed by Artists to register and provide currency of data and information.

**ACTION:** *Information only, no action necessary.*

## **7. Festival**

### **7.1 Winter Music**

A terrific response has been received for the community concert with 13 community choirs applying to perform. Pat Miller will curate the 2015 Concert Series which will begin with the 4 of the 13 choirs performing together to open the series.

**ACTION:** *Information only, no action necessary.*

### **7.2 Moonee Valley Festival Briefing**

Council does every year call for applications, for everything, advertised on Council's website.

Mayor and Councillor's Champagne breakfast – this year the Moonee Valley Early Years Plan will be launched. Accompanied children are able to attend.

Main stage: global theme for adults.

Trish Keenan gave an overview of the programs and distributed the festival map.

The festival program is also available on Council's website.

**ACTION:** *Information only, no action necessary.*

### **7.3 Mediterranean Fiesta Update**

To be held on Sunday 22 March at Centreway. The Mediterranean Fiesta includes the Greek, Italian, Ukranian and Croatian communities.

There will be cooking demonstrations on stage, ravioli making for kids.

The Centreway location creates a great piazza atmosphere.

The Moonee Valley Festival promotes the Pesto competitions from 15/16 February through to 15/16 March.

**ACTION:** *Information only, no action necessary.*

## 8. Clocktower Centre

Maria Tence provided an update on forthcoming activities at The Clocktower.

Program and Subscriber Cocktail / ANZAC commemoration function will be held on Wednesday 25 February, with invitations sent to ACCAC members.

New seats are now installed at The Clocktower, and new floor coverings to give the building a nice fresh look.

Morning Music program begins on Monday 16 February.

Invitations extended to local area politicians, both State and Federal; and to committee members of ACCAC and ANZAC CCCC to the “One Day of the Year” play that will display honour boards and highlight the theatre’s connection to World War I.

**ACTION:** *Information only, no action necessary.*

## 9. Incinerator Gallery

### 9.1 Program Update

Trish Keenan distributed the 2015 Incinerator Gallery program to the Committee, noting more exciting opportunities and increased activity at the premises, and how this program has been built up, especially over the past two years.

The Garden and Atrium space has been utilised and is open to all.

There are many free activities provided, making this financially accessible. Everything is listed on the website, some advertisements are in the paper, and some are listed on social media.

**ACTION:** *Information only, no action necessary.*

### 9.2 Update on Remedial Works and Upgrade

Trish Keenan informed meeting that Heritage Victoria provided feedback late last year on the revised concept. Based on their feedback the landscaping plan and interpretation plan are being formed. A requirement of the full heritage permit is that both plans are developed.

**ACTION:** *When the landscaping and interpretation plans are ready Trish Keenan will present the updated plans to the Committee.*

## 10. General Business

No items submitted by Committee members.

**11. Date of next meeting**

Chair Cr Chantry thanked everyone for attending.

The meeting closed at 7.41pm

The next meeting date will be **Monday, 11 May 2015 at 6pm.**

Pip Grummet advised she will be an apology for the next meeting.

**Meeting Schedule for 2015:**

Monday 10 August

Monday 16 November



## Municipal Emergency Management Planning Committee

Thursday, 14 May 2015  
Held at the Council Chamber,  
9 Kellaway Ave, Moonee Ponds  
Meeting Commenced at 17.45pm

### Minutes of Meeting

#### Attendance:

Name	Organisation
Hugh McCarry	MVCC
Tony Ball	MVCC
Carey Patterson	MVCC
Michele Leonard	MVCC
Alison Tuxworth	SES
Frank Armstrong	DHS/DOH
Phil Gregory	Essendon Airport
Guy McCrorie	MFB
Ian Jones	VicPol
Jade Cubela	Red Cross
Richard Lodder	ST John Ambulance
Sandra Faoro	SES (Essendon)

#### Apologies:

- Cr Jan Chantry, Greg Mulcahy

#### 2. WELCOME:

- Greg Mulcahy leaving MVCC on 29 May, currently on annual leave.

#### 3. MINUTES FROM PREVIOUS MEETING:

- No minutes from February meeting were distributed.

#### 4. ACTIONS ARISING FROM THE PREVIOUS MEETING:

- No actions from previous meeting.

1.



**5. CORRESPONDENCE**

- NWM EM Collaboration letter.
- Contact list for minutes to be updated
- Update to State Planning.

**6. REVIEW OF MEMP**

**7. AGENCY REPORTS**

*St John Ambulance*

*Richard Lodder*

- St. John could possibly have a name change
- Locally new vehicle will be purchased
- EM Conference in July

*VicPolice*

*Ian Jones*

- No emergencies in the last 3 months
- Perhaps new REMI to commence, if so will pass on contacts

*Metropolitan Fire Brigade*

*Guy McCrorie*

- 7 house fires in Essendon
- MFB Latrobe St fire
- Mental health first aid course is very good.

*State Emergency Service (Essendon)*

*Sandy Faoro*

- Very quiet this year
- Attended 28 different jobs
- People on the waiting list
- We are at capacity at the moment
- Assisted at the Sydney storms
- SES presentation at Kindergardens
- PR tin shake at DFO
- Working on developing a video in community safety

***State Emergency Service (Regional)***

***Alison Tuxworth***

- 150 Staff attended Sydney Storms
- Business as usual
- SES not getting phone numbers from MFB via ESTA

***Department of Human Services***

***Frank Armstrong***

- Many house fires since last meeting
- Docklands fire response, recovery and internal debrief, unusual events - flammable cladding
- Evacuation calls to Commercial arrangement in place mid-range protocol event
- Another fire Victoria St a 8 Storey building with 50 evacuated
- Exercise Featherbrook Wyndham and Melton
- Communication in an emergency in collaboration with Islamic Council of Australia.
- Risk workshop with EMV in Docklands & Gippsland
- NWM Collaboration project funding to finish this year
- Possible heatwave exercise with MVCC possibly in September.

***Red Cross***

***Jade Cubela***

- Quiet period at the moment
- Communicating in recovery course free if MVCC can provide venue & lunch (Tony ok)
- Marched at Anzac Day parade

***VCC***

***Peter Clarke***

- Volunteer week
- Report provided  
2.

***Essendon Airport / Essendon Fields***

***Phil Gregory***

- Overlay asphalt closed runway for 3 weeks
- Hotel construction in 3 months for 160 beds
- New airline “free spirit” to Burnie Tas
- Water annual training event.

***Centrelink (Federal DHS Centrelink)***

- No report

*Doutta Galla Community Health*

- No report

*Moonee Valley City Council*

*Tony Ball*

- Tony to chair MWN Collaboration Group
- Update on CERA process Tony Ball to chase up
- EMV presentation coordination improvement
- Jan Chantry to write letter to Greg Mulcahy to recognise and thank Greg for his Service.

Community Safety Register

- H & CC money feasibility volunteer coordination to be engaged.
- Team up calendar
- Tina and Amanda next meeting to visit
- NWM collaboration referenced by other regions and has strong reputation.
- NWM has strong presence in EM activities.

**8. GENERAL BUSINESS:**

- No report

**9. CLOSE OF MEETING AT 18.45**

**2015 MEMPC meeting dates starting at 5:30pm are:**

Thursday 13 August

Thursday 12 November



## Moonee Valley Integrated Waterways Advisory Committee

# Minutes

### MEETING #10

Friday, 22 May 2015 at 9am in the Council Committee Room,  
Moonee Valley Civic Centre, 9 Kellaway Avenue, Moonee Ponds

<b>Attendees</b>	Cr Shirley Cornish	Chairperson, Rose Hill Ward
	Cr Nicole Marshall	Myrnong Ward
	Elaine Brogan	RivCel
	Frank Kinnersley	Friends of the Moonee Ponds Creek
	Jesse Barrett	Melbourne Water (Program Leader)
	Kylie Swingler	Melbourne Water (Waterway and Land Officer)
	Mark Roberts	Friends of Napier Park
	Peter Somerville	Friends of Maribyrnong Valley
	Stuart Lacey	Friends of Afton Street (Coordinator)
	Sue Hooper	Friends of Steele Creek
	Tony Smith	Moonee Ponds Creek Co-ordination Committee
	Virginia Moylan	Friends of Five Mile Creek
	Anthony Smith	Acting Director, Environment and Lifestyle
	Mark Hammett	Manager, Parks and Gardens
	Michelle Gooding	Conservation Officer, Parks and Gardens
<b>Invited Guests</b>	Deb Gaehl	Executive Assistant, E&L (minute taker)
	Robyn Brown	Engagement and Communications Advisor, Melbourne Water
	Vince Miildoni	KBR (Kellogg Brown & Root)
	Christian Vasconcelo	KBR
Arrived 9.20am	Venta Slizys	Coordinator, Open Space & Urban Design, MVCC
Arrived 9.20am	James O'Dwyer	Landscape Architect, Open Space & Urban Design MVCC
Arrived 9.20am	Heather Graham	Senior Open Space Planner, Open Space & Urban Design MVCC
Arrived 9.20am	Colin Harris	Senior External Projects Manager, Technical Services MVCC

## Order of Business

### Welcome

Chair Cr Shirley Cornish opened the meeting at 9.04am.

### Apologies

No apologies recorded.

#### 1. Confirmation of Previous Minutes

Moved by Elaine Brogan, seconded by Tony Smith that the Minutes of the Moonee Valley Integrated Waterways Advisory Committee Council held on Friday, 22 May 2015 be confirmed.

#### 2. Declarations of Conflict of Interest

None recorded.

### *Presentations with invited guests*

#### 3. Melbourne Water Presentation

Presentation by Robyn Brown, Vince Miildoni and Christian Vasconcelo.

Robyn Brown updated the committee on the progress of the M102 project. They are 6 weeks into their construction phase and 32% complete through Moonee Valley. They will be entering their peak phase now with 4 concurrent work sites.

The Steele Creek pedestrian bridge at Rosehill Road will be replaced with a 3 metre wide bridge with 2.5m clearance between handrails. Final design will be completed by June 1, fabrication commencing June 8 for 4 weeks and assemble/install at the end of July.

Melbourne Water confirmed that they have completed environmental checks, have pedestrian detour in place and that Gallica Close closure is progressing well.

Frank K complimented Melbourne Water on their bridge design in their recognition of width between hand rails.

Outcome has been jointly delivered by Melbourne Water, Council and Integrated Waterways Advisory Committee – Cr Shirley Thanked Melbourne Water and Councillors.

A bridge opening was suggested to celebrate.

**ACTION:** *Michelle to prepare a letter of thanks on behalf of the Mayor.*

#### 4. Five Mile Creek Reserve Master Plan

James O'Dwyer provided an update following public consultation.

***Five Mile Creek Reserve Master Plan – History***

Initial information gathering was conducted throughout November and early December 2014. An information gathering session was held at the reserve on Saturday, 15 November 2014.

Biosis were commissioned to develop a Land Management Plan to guide revegetation works. This was completed in early 2015.

***Development of draft Master Plan***

The draft Master Plan was put out for community consultation in April 2015. The consultation was promoted via:

- Flyers sent to residents within 500m of the reserve
- Signage on-site in reserve
- Social media
- Draft Master Plan document was available to view on the council website

A consultation session was held at the reserve on Saturday, 18 April 2015.

The consultation closed on Friday, 24 April 2015.

Feedback collecting during the consultation has been largely supportive. Some of the major themes included:

- Paths & Access
- Water Quality
- Revegetation & Tree Planting
- Amenities
- Historical Interpretation

Amendments to the Master Plan were minor, and mostly confined to wording, however also included:

- Deletion of sedimentation pond in order to show a variety of potential future options in terms of water quality improvements
- Proposal of a new fence along Government Road to protect new tree plantings
- Proposed bollards to the Pascoe Vale Road laneway to prevent this access being blocked by parked cars

***Next Steps***

Heritage Insight has been commissioned to create a Cultural Heritage Management Plan (CHMP) to manage cultural heritage in the reserve which will be complete in late June.

**ACTION:** *James O'Dwyer to arrange for consultation signs to be removed.*

**5. Moonee Ponds Creek Linear Park Master Plan**

Venta Slizys provided an update on the master plan. Advising that it is currently on advertisement for tender for Consultancy Services due to close on the 12 June.

Tony requested a link to the tender document. Knows some people that might be interested.

A further update to be presented at the next meeting.

**ACTION:** *Tony S was advised that the tender was available on council's web site. Deb Gaehl to include on agenda for next meeting.*

**6. Aberfeldie Park Wetland Consultation**

Heather Graham provided an update on the final concept. Copy of Concept Plan distributed to Committee by email with the agenda.

***Introduction***

- A wetland was identified and located as part of the Aberfeldie Park Master Plan that was endorsed by Council in 2013.
- Last year Council engaged civil engineering consultants, who are wetland design specialists together with a landscape architect to develop a design for the AP wetland
- The design of the wetland has been funded by Melbourne Waters Living Rivers program.

***Goals of the project***

- The main goals of the wetland design project for Aberfeldie Park are to:
  - improve the ecology of the Maribyrnong River by cleansing storm water before it enters the river
  - provide habitat for local fauna
  - provide a different type of landscape in the park that will enhance the experience for park users

***The Design***

***Community Consultation***

- A community consultation process was undertaken in March where a draft concept design was presented to the community via a local resident letter box drop and an on-site information session.
- Some of the key comments made by the community included:
  - a lot of enthusiasm about the proposal generally
  - comments regarding dog access both support and some concern regarding conflict with habitat and dogs
  - safety issues around water for children
  - concerns regarding mosquitos/odour/algae

- concern regarding wanting planting to not be too dense/restrict viewlines
- access path from car park

### ***Final Concept Design***

- The community feedback was discussed and changes made to the concept in responses to the feedback including:
  - new proposed accessible grade path down embankment to replace the existing path
  - thinning out of proposed trees planting
  - fencing proposed for establishment of planting
  - safety issues to be addressed by thick planting, safe batter slopes and fencing in parts
  - issues of mosquitos/odour/algae will be dealt with through design

### ***Next Steps***

- The final concept has been finalised and the consultants are now preparing detailed design drawings suitable for construction which will be completed by middle of this year.
- Council will then be seeking funding from both Council and Melbourne Water for the construction of the wetland.

Frank K noted that there is a section of very steep path North east of the wetland and asked if could be addressed when Path 10 is realigned.

A further update will be presented at the next meeting.

**ACTION:** *Heather to investigate the potential for removing the steep section of path heading north away from wetland, beyond the newly aligned path 10, adjacent to athletics track.*

## **7. Aberfeldie stormwater drainage improvement**

Jesse Barrett of Melbourne Water provided a briefing to the meeting.

Jesse provided the meeting with a summary of the Melbourne Water flood mitigation project at Aberfeldie which is currently in design phase.

No net increase of storm water inflow, the project is just increasing the capacity of storm drains to ensure that overland flows during storm events are directed underground rather than flooding homes and roads.

The project will include the installation of additional grates in the street and significant road disruptions in Vida Street.

Construction is to commence in September/October.

Colin advised that Council has requested that the project includes the sealing of the Tilba Street carpark as a legacy, community consultation, removal of trees is minimised and replacements are undertaken at a rate of 3:1.

The committee raised the following concerns/comments:



- Grates in front of homes may limit the future possibility of subdivisions due to crossovers.
- Gross pollutant traps should be incorporated in to the design
- Tidal impacts of the river need to be considered
- Soil quality of Aberfeldie Park needs to be considered

The overall concept seems to be in conflict to the direction of environmental projects. Most projects are looking to above ground stormwater and creation of wetlands. However this one is the opposite.

Jesse commented that the water being targeted by this project are high end flood flows that are not suitable for wetland diversions.

Cr Nicole asked if the project is complementary to the Aberfeldie Wetlands project being undertaken by MVCC. Jesse confirmed that it was.

Cr Shirley asked for a notice of motion to review the Water Sensitive Urban Design (WSUD) triggers/planning in open space. Addendum to WSUD guidelines or water strategy or open space planning. Asked that town planners present to IWAC to identify the loopholes for projects such as this to be avoiding WSUDing processes.

**ACTION:** *Melbourne Water to present on what is happening to minimise pollutants flowing into the river.*

*Presentation at a future IWAC meeting from Planning.*

*Invited guests leave and regular meeting resumes.*

## **8. Actions Arising from previous Minutes and Summary of Actions**

### **8.1 Maribyrnong River Design Guidelines**

Update provided on requested review of the Maribyrnong River Valley Design Guidelines There has been no response received from the Minister as yet.

**ACTION:** *For information only.*

### **8.2 Parkland adjacent to 24 Craig Street, East Keilor/Steele Creek**

Mark Hammett provided an update on access issues from Valley Lake.

A fence will be going up on the northern boundary in early to mid July.

Bollards along the creek have been installed and are working well.

**ACTION:** *For information only.*

## **9. Grants and Funding**

Michelle Gooding provided an update on upcoming projects

### **9.1 Green Army update**

Round 1 completed with 7 graduates and 5 reserves on Maribyrnong River worked on.

Round 2 commences on 25<sup>th</sup> May and will be working on Moonee Ponds Creek focusing on parks such as Boeing Reserve, Strathnaver Reserve, KT Smith Reserve, Ormond Reserve and Travencore Reserves.

Round 3 application in in and will be advised soon. If successful this will see 2 teams running concurrently on both Moonee Ponds Creek and Maribyrnong River following up and enhancing works undertaken in Rounds 1 and 2.

**ACTION:** *For information only.*

## **9.2 20 Million Trees Grant**

20 Million Trees joint application with Lead West was successful and launched on Wednesday last week. Partner agreements are to be signed soon and planting will commence after that. There are 30,000 trees allocated to Moonee Valley over the next 3 years.

Michelle will be in touch with friends of groups soon to seek support and joint projects.

**ACTION:** *For information only.*

## **9.3 Melbourne Water Living Rivers funding**

The WSUD community perceptions project is progressing with the distribution of community surveys in June. Findings will be brought back to the group later in the year.

**ACTION:** *For information only.*

## **9.4 Community Grants**

Congratulations to Friends of Maribyrnong River, in particular Judy Ingram, for the successful grant to construct a fence along the Canning Street Escarpment to compliment the boxthorn removal and planting undertaken by the group and MVCC as part of the DSE grant.

Congratulations to the Friends of Moonee Ponds Creek, in particular, Kaye Oddie, for the success community grant for revegetation at Nursery Bend.

Community grants will be open again soon, groups are encouraged to contact Kimberley Cooper to discuss their ideas.

**ACTION:** *For information only.*

## **10. Planting Calendar**

Michelle Gooding provided an update on the upcoming planting day calendar. A copy of the calendar was emailed to the Committee with the agenda.

**ACTION:** *For information only.*

**11. Melbourne Water – Whole of water cycle management in the Maribyrnong Catchment discussion paper**

Michelle Gooding provided an update on the discussion paper. The paper was circulated to the Committee with the Agenda.

Michelle advised she was happy to incorporate any of the groups' comments into her response, otherwise groups are encouraged to provide feedback on the paper.

**ACTION:** *Michelle Gooding to receive feedback by Thursday 28<sup>th</sup> May.*

**12. Melbourne Water – Flood Strategy**

Michelle Gooding asked the group if they would like a presentation from the Flood Strategy Team. The group was interested.

**ACTION:** *Michelle to invite flood team to present at next meeting.*

**13. General Business**

**13.1 Naming of Footbridge to Livingston Bridge**

Peter asked if there had been any update on the possibility of renaming of the footbridge.

**ACTION:** *Deb Gaehl to include on agenda for next meeting.*

**13.2 Tea Gardens drain silting up the Maribyrnong**

Peter raised concern about the Milleara drain causing silting of the Maribyrnong River where it outlets at Tea Gardens Reserve.

Michelle answered that Council has recently developed a draft concept design for WSUD for Tea Gardens and Canning Street Reserve.

**ACTION:** *Michelle to send a copy of design to Peter.*

**13.3 Signage Strategy update**

Consultant hasn't commenced yet, Peters details have been provided as a stakeholder. Update to be postponed

**ACTION:** *Deb Gaehl to include on agenda for next meeting.*

**13.4 East West Link**

Thanks from community.

Although the project is not going ahead there are still hydrology issues for Moonee Ponds Creek.

Cr Shirley advised that the Moonee Ponds Creek Master plan was a good place to address issues such as naturalising the Travancore concrete section including a research/study of future options.

**ACTION:** *For information only*

### **13.5 Land acquisition overlay**

Sue H asked about the status of the acquisition overlay of land at the rear of the Rose Winery on Steele Creek.

**ACTION:** Anthony S to follow up and provide Sue with a response.

### **13.6 Concerns regarding Mt Alexander Road development**

Elaine B raised concern over the developments on Mt Alexander Road at Cliff Alison Reserve. Concerns included, lack of parking, shipping container imposing on roadway and soil on the road entering waterways.

It was suggested that Elaine raise these concerns formally through customer service whenever such issues are noticed by the community. Council has recently employed a building site enforcement officer that will respond to these reports.

**ACTION:** *For information only*

### **13.7 Moonee Ponds Creek**

It was noted that Melbourne Water recently undertook 'cleaning' of the Moonee Ponds creek, by removing sediment and vegetation from the concrete section at Strathmore Secondary College. This concrete section had been starting to naturalise and community were keen to see that remain rather than removal of it as it was providing some habitat values.

Jesse advised that the works were part of asset maintenance and the sediments are heavily contaminated as they are road run off.

**ACTION:** *For information only*

### **Close of Meeting / Next Meeting**

Chair Cr Cornish thanked everyone for coming.

The meeting closed at 10.52am

The next meeting will be on **Friday, 17 July 2015 at 9am**

### **Confirmed Meeting Schedule for 2015**

Friday 20 November



## Early Years Reference Group Community Advisory Committee

# Minutes

Tuesday, 9 June 2015, 10.30am-12.00pm at

Council Chamber, Moonee Valley City Centre, 9 Kellaway Ave, Moonee Ponds

<b>Attendees</b>	Cr Narelle Sharpe	Chair – Councillor
	Kay O’Connell	Anglicare
	Helen Cooney	Caroline Chisholm Society
	Tanya Druce	cohealth
	Donna Margrie	Noah’s Ark Early Childhood Intervention
	Hayley Robinette	Baptcare Family Services
	Rosie Dymus	Playgroup Victoria
	Christine Lawrey	Parent Representative
	Michele Leonard	Moonee Valley City Council
	Karina Viksne	Moonee Valley City Council
	Jennifer McCurry	Moonee Valley City Council
	Vicky Gillman	Moonee Valley City Council
<b>Apologies</b>	Cr Nicole Marshall	Deputy chair - Councillor
	Jo Southwell	cohealth
	Dick Verwey	Department Education & Training
	Judy Maguire	Department Education & Training

### Order of Business

#### Welcome

Cr Narelle welcomed Kay O’Connell to present and Tanya Druce from cohealth.

Cr Narelle respectfully acknowledged the traditional custodians of this land – the Wurundjeri people of the Kulin Nation, their spirits, ancestors, elders and community members past and present.

**1. Confirmation of Previous Minutes**

The minutes of meeting held 14 April 2015 were accepted.

**2. Declarations of Conflict of Interest**

No conflicts were presented.

**3. Items**

**3.1 Kay O'Connell – Project Manager for ChildFIRST, Anglicare**

Has executive role: advocates on behalf of Western Family Alliance, considers data, undertakes catchment planning and coordinates service delivery to better meet the needs of children 0-17 years of age. Discussion focussed on lack of emphasis on early intervention due to increased complexity of families referred and strength of partnership in agencies working together. Refer to link for Kay's presentation:

<http://www.wcfsa.org.au/sites/default/files/Western%20Child%20%26%20Family%20Services%20Alliance%20Introduction%20Module.pdf>

**3.2 Moonee Valley Early Years Plan (MVEYP) 2015-16 Action planning**

The MVEYP Action Plan was tabled and discussed in brief, such as 3.1.2 the role of the EYRG as strategic player across the municipality; 3.2.4 supporting Caroline Chisholm and retaining centre in Moonee Valley. Feedback and comments are requested about the action plan by 22 June.

**Action:** Draft to be emailed to EYRG members.

**3.3 Meeting times**

Proposed maintaining meeting time and extending invite time to allow for networking and lunch after the close of meeting. Members present agreed, though noted due to commitments may not always be able to stay on.

**Action:** Calendar invites to be updated with time to be extended.

**4. General Business**

**4.1 Member updates**

**Caroline Chisholm** – Local Member confirmed payment of funds for new facility and it is an exciting time.

**Playgroup Victoria** – A language enrichment playgroup is to start. Received funding for an Iranian playgroup in Avondale Heights, a playgroup to begin at Strathmore North Primary School.

**Action:** Refer link for 'Little Kids Day In':

<http://playgroup.org.au/site/DefaultSite/filesystem/documents/Final%20draft%20flyer.pdf>

**Noah's Ark** – Attending many forums on national quality standards and issues with robust discussion. Variance across the states. Challenge for Barwon is there are no soft entry points for families and issues for access.

**Baptcare** – programs being outsourced by agency and challenges with confusion about disability with NDIS introduction. Some agency management changes.

**Christine** – confirmed challenge for NDIS survey. Was currently focussed on preparing kinder child for school.

**co-health** – Rhonda Davis running 'Walkie Talkies', a program similar to 'Creepy Crawlies' for 18mths-6 years: a drop in session for families, will be held monthly and trialled until the end of 2015. Flyer currently being developed.

**MVCC** – Preparing for grant opportunities for central enrolment and capital works. Confirmed receipt of DET licence for Hopetoun Children's Centre for increased places; MCH acknowledged for obtaining 95% rate for parents attending; Dad's group coming up before Christmas; positive response to assessment and rating; preparing for Children's Week in October.

## 5. Close of Meeting / Next Meeting

11 August 2015, 10.30am- 12:00pm, lunch/networking to 12.15pm

Council Chambers

## 10. Notice of Motion

### 10.1 Notice of Motion No. 2015/20

**Title:** Right of Way Access for Abutting Development Proposals  
**From:** Cr Shirley Cornish  
**Ward:** Municipal  
**File No:** FOL/14/1258

Take notice that at the Ordinary Meeting of Council to be held on 25 August 2015, it is my intention to move:

That Council request the Acting Chief Executive to prepare a policy on Right of Way Access for Abutting Development Proposals including consideration of:

- a) Traffic management and capacity including width, existing traffic volume and future development opportunities;
- b) Distance from main access street and passing opportunities along right of way
- c) Pedestrian safety along the right of way and at the intersection with access street;
- d) Design and amenity issues such as materials, noise, dust, drainage etc;
- e) Heritage and need to undertake heritage study; and
- f) Naming of right of way.

#### Officer Comments

The Notice of Motion is supported as it is responding to an emerging issue.

It will build on requirements in the Moonee Valley Planning Scheme and Road Management Act (Road Management Plan).

For the policy to be effective it may also require a planning scheme amendment to introduce decision making guidelines and planning permit application requirements for future developments potentially accessing off laneways.