City of Moonee Valley

Ordinary Meeting of Council

Tuesday, 26 April 2016 at 7.00pm

Agenda

Ordinary Meeting of Council

Tuesday, 26 April 2016 at 7.00pm
to be held at the Moonee Valley Civic Centre

TO :

Members:	Cr Andrea Surace	Mayor
	Cr Paul Giuliano	
	Cr Jan Chantry	
	Cr Shirley Cornish	
	Cr Jim Cusack	
	Cr Nicole Marshall	
	Cr Cam Nation	
	Cr Narelle Sharpe	
	Cr John Sipek	
Officers:	Mr Bryan Lancaster	Chief Executive Officer
	Mr Anthony Smith	Director Corporate & Community Services
	Mr Henry Bezuidenhout	Acting Director Planning & Development
	Mr Gil Richardson	Acting Director City Services
	Ms Yvonne Hansen	Manager Legislative Services & Support

Business:

1. Opening

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3. Confirmation of Minutes

Ordinary Meeting of Council held on Tuesday, 22 March 2016.

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BRYAN LANCASTER
Chief Executive Officer

REPORTS BY MAYOR AND COUNCILLORS

Recommendation
That reports by the Mayor and Councillors be received.

8.1 Report by Mayor, Councillor Surace

10 March 2016	Attended Airport West Structure Plan Review – Community Reference Group Workshop held at Skyways Hotel, Airport West
11 March 2016	Attended Memorial Service and Major General Pompey Elliott 2016 Annual Reunion Luncheon held at Keilor East RSL
	Attended meeting with Representative from the Women's Caring for Veterans of War Association
	Attended briefing with Manager Communications and Customer Service and Communications Officer regarding scheduled interview and photo opportunity with The Weekly Review newspaper
12 March 2016	Attended Theatre Season Launch Cocktail Function at the Clocktower Centre
15 March 2016	Attended interview and photo opportunity with The Weekly Review
16 – 17 March 2016	Attended LeadWest Delegation Conference with Chief Executive Officer in Canberra
18 March 2016	Opened Women in Business Luncheon hosted by Moonee Valley Council
19 March 2016	Attended 45th Anniversary Thanksgiving Breakfast
20 March 2016	Officiated the Opening of the New Tennis Courts at Strathmore Tennis Club
	Attended Council's Mediterranean Fiesta held at the Centreway in East Keilor
	Attended The Community Welcome Dinner held at Flemington Community Centre, Flemington
21 March 2016	Attended Harmony Day – Community Morning Tea held at Flemington Community Centre, Flemington
22 March 2016	Hosted St Christopher's Catholic Primary School for Governance Forum
	Attended meeting with resident, Acting Manager Statutory Planning, Acting Director Planning and Development and Chief Executive Officer

	Chaired Ordinary Meeting of Council
29 March 2016	Attended briefing in relation to 2016 Spirit of Moonee Valley Event with Manager Arts, Culture and Libraries and Coordinator Arts and Culture
30 March 2016	Commenced Municipal Association of Victoria Company Directors Course
31 March 2016	Attended Municipal Association of Victoria Company Directors Course
	Attended photo Opportunity for Launch of Aberfeldie Park Sports Pavilion
	Officiated at launch of Aberfeldie Park Sports Pavilion
1 April 2016	Attended Municipal Association of Victoria Company Directors Course
4-5 April 2016	Attended Australian Smart Cities and Infrastructure Conference in Sydney
6 April 2016	Officiated at Turning of the Sod at Embracia Aged Care Home site at North Road, Avondale Heights
	Attended Essendon District Football League's Season Launch 2016
7-8 April 2016	Attended Australian Local Government Women's Association Conference Dinner
9 April 2016	Attended Theatre Performance "The Gypsy Palace" at Clocktower Centre
	Officiated at Step Off 2016 Event at Festival Hall, West Melbourne
11 April 2016	Officiated at Family & Children Services Professional Development Day 2016 at Moonee Valley Racing Club
	Attended meeting with Manager Infrastructure Services and Leisure Facilities Officer in relation to East Keilor Leisure Centre Feasibility Study
12 April 2016	Attended briefing with Manager Community Planning and Sponsorship Co-ordinator in relation to 2016 Mayoral Charity Race Event
	Attended meeting with Coordinator Communications and Publications and Media and Communications Officer in relation to High Tea Event
	Participated in a tour of Avondale Heights Library and Learning Centre with Chief Executive Officer and Library Officers

	Participated in a tour of Milleara Integrated Learning and Development Centre with Chief Executive Officer and Officers
	Officiated at 1 Million Stars to End Violence Launch at Sam Merrifield Library
	Chaired Public Forum and Councillor Briefing

8.2 Report by Councillor Giuliano

9 March 2016	Opened Moonee Valley/Moreland/Hume Neighbourhood Watch forum held in Council Chambers
11 March 2016	Attended Community Aviation Consultation Group meeting
	Attended Memorial Service and Major General Pompey Elliott 2016 Annual Reunion Luncheon held at Keilor East RSL
12 March 2016	Attended Theatre Season Launch Cocktail Function at the Clocktower Centre
	Attended Theatre Performance – “Australia Day” at the Clocktower Centre
15 March 2016	Attended on site meeting in Napier Street, Essendon with Manager Building, Health and Property Services
	Chaired Councillor Workshop
16 March 2016	Officiated Citizenship Ceremony at the Clocktower Centre
20 March 2016	Attended Council’s Mediterranean Fiesta held at the Centreway in Keilor East
22 March 2016	Attended meeting with Essendon North Trader and Manager Building, Health and Property Services and Acting Manager Statutory Planning
	Attended Ordinary Meeting of Council
23 March 2016	Attended Consultation briefing and meeting in relation to 229 Mascoma Street, Strathmore application
	Attended Consultation briefing and meeting in relation to 40 Forrester Street, Essendon application
6 April 2016	Attended Essendon District Football League's Season Launch 2016
12 April 2016	Attended Public Forum and Councillor Briefing

8.3 Report by Councillor Chantry

9 March 2016	Attended Moonee Valley/Moreland/Hume Neighbourhood Watch forum held in Council Chambers
11 March 2016	Attended Community Aviation Consultation Group meeting
12 March 2016	Visited resident at Montgomery Park regarding Master Planning process
	Attended Theatre Season Launch Cocktail Function
	Attended Theatre Performance – "Australia Day"
15 March 2016	Attended Councillor Workshop
18 March 2016	Attended Women in Business Luncheon hosted by Moonee Valley Council
19 March 2016	Attended 45th Anniversary Thanksgiving Breakfast
20 March 2016	Attended the Opening of the New Tennis Courts at Strathmore Tennis Club
	Attended Council's Mediterranean Fiesta held at the Centreway in Keilor East
21 March 2016	Chaired ANZAC Centenary Community Coordinating Committee meeting
22 March 2016	Attended Ordinary Meeting of Council
24 March 2016	Attended Theatre Performance "4000 Miles" at the Clocktower Centre
30 March 2016	Commenced Municipal Association of Victoria Company Directors Course
	Attended Rotary Function, Guest Speaker John Tanner, Commissioner, Brimbank Council
31 March 2016	Attended Municipal Association of Victoria Company Directors Course
	Attended launch of Aberfeldie Park Sports Pavilion
1 April 2016	Attended Municipal Association of Victoria Company Directors Course
	Opened the "Authenticity Exhibition" at the Incinerator Arts Gallery
2 April 2106	Visited residents regarding Buckley Park LATM with member for Essendon, Danny Pearson MP
6 April 2016	Attended Consultation briefing and meeting in relation to 27 Hotham Road, Niddrie application
9 April 2016	Attended Theatre Performance "The Gypsy Palace" at the Clocktower Centre

10 April 2016	Attended Moonee Valley Brass performance "The Armed Man" held at the Clocktower Centre
11 April 2016	Attended meeting with Manager Infrastructure Services and Leisure Facilities Officer in relation to East Keilor Leisure Centre Feasibility Study
12 April 2016	Attended Public Forum and Councillor Briefing

8.4 Report by Councillor Cornish

9 March – 12 April 2016 Verbal Report

8.5 Report by Councillor Cusack

9 March 2016	Attended LeadWest Meeting for March 2016 held at Melton Library and Learning Hub, Melton
	Attended Moonee Valley/Moreland/Hume Neighbourhood Watch forum held in Council Chambers
12 March 2016	Attended Theatre Season Launch Cocktail Function
	Attended Theatre Performance – "Australia Day"
15 March 2016	Attended Australian Services Union Local Government Breakfast
	Attended Councillor Workshop
16 March 2016	Attended Citizenship Ceremony at the Clocktower Centre
18 March 2016	Attended 3CR Community Radio 40th Anniversary Art Exhibition
	Attended Outdoor Cinema Screening held in Debney Park, Flemington
20 March 2016	Attended Travencore Residents fundraiser BBQ in Calwell Park
	Attended The Community Welcome Dinner held at Flemington Community Centre, Flemington
21 March 2016	Attended Harmony Day morning tea at Flemington Police Station
	Attended Anzac Centenary Community Coordinating Committee meeting
22 March 2016	Attended collaboration meeting with Principal of Mount Alexander College, Cr Nicole Marshall, Chief Executive Officer, Acting Director City Services and Acting Director Planning and Development
	Attended Ordinary Meeting of Council

23 March 2016	Attended Consultation briefing and meeting in relation to 199-203 Union Road, Ascot Vale application
24 March 2016	Attended Theatre Performance “4000 Miles” at the Clocktower Centre
28 March 2016	Attended meeting with Resident on a series of planning matters
31 March 2016	Attended launch of Aberfeldie Park Sports Pavilion
2 April 2016	Attended meeting with Eritrean women concerned about safety on the Ascot Vale Estate
3 April 2016	Attended community BBQ Travencore Park
6 April 2016	Attended Consultation briefing and meeting in relation to 20 Argyle Street, Moonee Ponds application
	Attended Consultation briefing and meeting in relation to 46 Mangalore Street, Travancore application
7 April 2016	Attended Union Road Traders Councillor meeting
9 April 2016	Attended Step Off 2016 Event at Festival Hall, West Melbourne
12 April 2016	Attended Public Forum and Councillor Briefing

8.6 Report by Councillor Marshall

10 March 2016	Attended Airport West Structure Plan Review – Community Reference Group Workshop held at Skyways Hotel, Airport West
12 March 2016	Attended “Tastes of Union Road” Union Road, Ascot Vale
15 March 2016	Attended Councillor Workshop
16 March 2016	Attended Citizenship Ceremony at the Clocktower Centre
18 March 2016	Attended Women In Business Luncheon hosted by Moonee Valley Council
20 March 2016	Attended Moonee Ponds Primary Fete
22 March 2016	Attended collaboration meeting with Principal of Mount Alexander College, Cr Jim Cusack, Chief Executive Officer, Acting Director City Services and Acting Director Planning and Development
	Attended Ordinary Meeting of Council

23 March 2016	Attended Consultation briefing and meeting in relation to 199-203 Union Road, Ascot Vale application
24 March 2016	Attended Strategic Planning Advisory Committee March meeting
30 March 2016	Attended Flemington Rotary Club Function
31 March 2016	Attended launch of Aberfeldie Park Sports Pavilion
1 April 2016	Attended meeting with representatives from SALT3 Waste Management, Acting Director City Services, Acting Director Planning and Development, Manager Operations and Waste Projects Officer
6 April 2016	Attended Consultation briefing and meeting in relation to 20 Argyle Street, Moonee Ponds application
	Attended Consultation briefing and meeting in relation to 46 Mangalore Street, Travancore application
7 April 2016	Attended meeting with representatives from the Union Road Traders Association
9 April 2016	Attended “Pop Up Movie” in Pin Oak Crescent, Flemington
12 April 2016	Attended Public Forum and Councillor Briefing
Throughout reporting period	attended planning permit application sites and meetings with residents in relation to issues of concern

8.7 Report by Councillor Nation

9 March – 12 April 2016 Verbal Report

8.8 Report by Councillor Sharpe

9 March – 12 April 2016 Verbal Report

8.9 Report by Councillor Sipek

9 March – 12 April 2016 Verbal Report

REPORTS

9.1 53-55 Amelia Avenue, Essendon (Lots 21 & 22 PS8229) - Construction of four dwellings

File No: FOL/16/130
Author: Statutory Planner
Directorate: Planning & Development
Ward: Buckley

Planning File No.	MV/607/2015
Proposal	Construction of four (one triple and three double storey) dwellings
Applicant	Archsign Pty Ltd
Owner	George Hanna
Planning Scheme Controls	General Residential Zone
Planning Permit Requirement	Clause 32.08-4 – Construction of two or more dwellings on a lot
Car Parking Requirements	Requires: 6 car spaces Provides: 6 car spaces
Restrictive Covenants	None. Supreme Court of Victoria approved the removal of Covenant 1044418 and Covenant 1387167 from the Certificate of Title on 26 October 2012.
Easements	None
Site Area	470 square metres
Number Of Objections	31
Consultation Meeting	27 January 2016

Executive Summary

- The application seeks planning approval for the Construction of four (one triple and three double storey) dwellings.
- The site comprises of two lots and has an area of approximately 470 square metres in total. The site is located on the north-western side of Amelia Avenue and is currently occupied by a brick building within the front portion of the property and previously used as a mechanics.
- The application was advertised and as a result 31 objections were received. The concerns raised related to a overdevelopment of the site, unwanted precedent, neighbourhood character compromised (triple storey form, boundary to boundary form, single storey streetscape, single dwelling streetscape, generous open spaces on properties and garage dominance unwanted), site layout and building massing (street setback, excessive overall height and limited landscaping opportunities), on-site amenity impacts (poor internal amenity, small rooms, small secluded private open space areas and limited daylight to habitable rooms), off-site amenity impacts (loss of natural light, overshadowing, overlooking, increased noise, loss of privacy, boundary walls, visual dominance and impact on solar power), carparking (street parking demand, rear laneway access narrow, safety concerns and no traffic report provided), safety (debris from terraces in high winds and pedestrian laneway access), roof terraces, site contamination from motor mechanics, waste collection, against re-zoning of land in 2014, social health and wellbeing, destroys community feel, property protection during construction and the covenant having been removed.
- Two letters of support were also received by Council through the public notification process of this application.
- A Consultation Meeting was held on 27 January 2016, attended by Councillor Giuliano, Councillor Sharpe, Councillor Chantry, objectors, the applicant and Council's Planning Officer. No resolution was achieved at this meeting.
- Environment Protection Authority Victoria (EPA) have issued a Statement of Environment Audit on 12 March 2008 stating the site is suitable for standard residential, medium and high density residential, recreational/open space, industrial and commercial use (except agricultural use such as commercial market gardens). As such, the site is deemed is appropriate for the construction of four dwellings.
- Supreme Court of Victoria approved the removal of Covenant 1044418 and Covenant 1387167 from the Certificate of Title on 26 October 2012.
- 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 against 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 MV/607/2015 for the Construction of four dwellings at No. 53-55 Amelia Avenue, Essendon (Lot 21 and 22 on Plan of Subdivision 8229), subject to the following conditions:

1. Prior to an Occupancy Permit being issued:
   a) An application to consolidate Lot 21 and Lot 22 must be submitted to Council; or
   b) An application to subdivide the land in accordance with the development permit must be submitted to Council.
2. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The amended plans must be drawn to scale with dimensions and 3 copies must be provided. The amended plans must be generally in accordance with the plans submitted and assessed with the application but modified to show:
   a) The elevations renamed as ‘north-east’, ‘north-west’, ‘south-east’ and ‘south-west’ accordingly.
   b) The following windows noted to be double glazed in accordance with Clause 55.03-10 (Parking Location) and Clause 55.04-8 (Noise) of the Moonee Valley Planning Scheme:
      i) All windows associated with Dwelling 1;
      ii) Bedroom 1 associated with Dwelling 2;
      iii) Bedroom 1 associated with Dwelling 3; and

iv) Bedroom 2 associated with Dwelling 4.

c) The introduction of skylights in association with the following windows in accordance with Clause 55.03-5 (Energy Efficiency) of the Moonee Valley Planning Scheme:

i) Kitchen associated with Dwelling 1;

ii) Bedroom 2 associated with Dwelling 2; and

iii) Bedroom 2 associated with Dwelling 3.

d) The introduction of screening to the following elements:

i) Kitchen windows associated with Dwelling 2 and 3;

ii) Staircase windows associated with Dwelling 2 and 3;

iii) South-western edge of the Terrace associated with Dwelling 4;

iv) South-western and north-eastern edges of the roof terraces associated with Dwelling 2 and 3;

v) North-western edge of the roof terrace associated with Dwelling 2; and

vi) South-eastern edge of the roof terrace associated with Dwelling 3;

to be fixed or openable to a maximum 150mm to a height of 1700mm above Finished Floor Level and to be screened to a minimum 75% in accordance with Clause 55.04-6 (Overlooking) and Clause 55.04-7 (Internal Views) of the Moonee Valley Planning Scheme.

e) The provision of a softer and natural finish to the double garage door associated with Dwelling 1 including the provision of window openings.

f) An amended Colour and Material Schedule (including colour samples) to reflect Neighbourhood Character – Garden Suburban 6.

g) The shared carport associated with Dwellings 2 and 3 noted to be open on the north-eastern elevation.

h) The external storage spaces associated with Dwelling 2 and Dwelling 3 to be noted to be secure.

i) A 1.8 metre high separation fence between the private open space areas of Dwellings 2 and 3.

j) The provision of a 6 cubic metre external storage space associated with Dwelling 4 in accordance with Clause 55.05-6 (Storage) of the Moonee Valley Planning Scheme.

k) The provision of Pedestrian Visibility Splays on either side of the driveway associated with Dwelling 1 in accordance with Clause 52.06-8 (Design Standards for Car Parking) of the Moonee Valley Planning Scheme.

l) The provision of a 300mm wide trench grate at the bottom of each garage and carport.

m) All water sensitive design treatment measures and associated notations shown on the relevant plans as a result of Condition 4 in accordance with

Clause 22.03 of the Moonee Valley Planning Scheme. This must be consistent with the information provided in the correct STORM report.

n) All STEPS treatment measures and associated notation shown on the relevant plans as a result of Condition 5 in accordance with Clause 21.04 of the Moonee Valley Planning Scheme. This must be consistent with the information provided within a correct STEPS report.

o) A notation on the plan to ensure compliance with Condition 14.

p) Details of the northern boundary fencing to be a minimum 1.8 metres in overall height.

q) The mail and electricity boxes to be no greater than 1.3 metres in overall height.

When approved, these plans will be endorsed and will form part of this permit.

3. Except with the prior written consent of the Responsible Authority, the layout of the land and the size, design and location of the buildings and works permitted must always accord with the endorsed plans and must not be altered or modified.

4. An amended STORM assessment must be submitted simultaneously with the submission of amended plans in accordance with Condition 2. The STORM assessment must obtain a minimum of 100% to comply with Clause 22.03-4 (Stormwater Management) of the Moonee Valley Planning Scheme.

5. An amended STEPS report must be submitted simultaneously with the submission of amended plans in accordance with Condition 2. The STEPS assessment must comply with Clause 21.04 (Sustainable Environment) of the Moonee Valley Planning Scheme.

6. A minimum 30 days prior to any building or works commencing, all WSUD Details (relating to the WSUD treatment measures nominated in the approved and complying STORM report), such as cross sections and/or specifications, to assess the technical effectiveness of the proposed stormwater treatment measures, must be submitted for approval by the Responsible Authority.

7. 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 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 prevention of contamination which must be in the form of a detailed statement or report which outlines all 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) Arrangements for chemical storage;

l) Noise and vibration control;

m) Risk assessment;

n) Works timetable; and

o) Number of workers expected to work on the site at any one time.

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

The development must be carried out in accordance with the endorsed CSMP and the provisions, requirements and recommendations of the endorsed CSMP must be implemented and complied with to the satisfaction of the Responsible Authority.

8. 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; and

   d) A report confirming completion and commissioning of all WSUD Response treatment measures written by the author of the WSUD Response and STORM or MUSIC model approved pursuant to this permit, or licensed installing/commissioning plumber, or similarly qualified person or company. This report must be to the satisfaction of the Responsible Authority and must confirm that all WSUD treatment measures 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' User's Guide or a Building Maintenance Guide.

9. Before the buildings approved by this permit are occupied, all retaining walls and boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.

10. 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.

11. Floor levels shown on the endorsed plans must not be altered or modified

without the prior written consent of the Responsible Authority.

12. Before the building approved by this permit are occupied, the privacy screens and other measures to prevent overlooking as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority.

    All privacy screens and other measures to prevent overlooking as shown on the endorsed plans must at all times be maintained to the satisfaction of the Responsible Authority.

13. Before the buildings approved by this permit are occupied, the areas set aside for the parking of vehicles, together with the associated driveways and access lanes as shown on the endorsed plans must be:

    a) Constructed;

    b) Available for use in accordance with the endorsed plans;

    c) Properly formed to such levels and drained so that they can be used in accordance with the endorsed plans; and

    d) Finished with a permanent trafficable surface (such as concrete, asphalt or paving),

    in accordance with the endorsed plans to the satisfaction of the Responsible Authority.

    The area set aside for the parking of vehicles, together with the associated driveways and access lanes as shown on the endorsed plans must:

    e) be maintained and made available for such use; and

    f) not be used for any other purpose

    to the satisfaction of the Responsible Authority.

14. The Right of Way to the rear of the property is to be constructed to the eastern boundary of the site, approximately 15 metres, in accordance with the Moonee Valley City Council Drawing No.43 (Standard Asphalt for Right of Ways). All costs associated with the construction of the Right of Way must be borne by the permit holder.

    Prior to the commencement of buildings and works, detailed engineering drawings to show the construction of the Right of Way are to be submitted to and approved by the Responsible Authority. The Right of Way is to be surveyed and designed by a qualified surveyor/civil engineer respectively. The plans are to indicate existing surface levels, proposed surface levels and construction of the Right of Way in accordance with the Moonee Valley City Council Drawing No.43 (Asphalt Right of Ways Typical Sections).

    Construction of the right of way as specified in this permit must be satisfactorily completed upon the issue of an Occupancy Permit for the approved development. The Right of Way is to be constructed and properly drained to the satisfaction of the Responsible Authority.

15. 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.

16. An on-site stormwater detention drainage system must be installed on the land to the satisfaction of the Responsible Authority.

    Before the development starts a Drainage Layout Plan, including computations and manufacturers specifications, to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The Drainage Layout Plan must be prepared by a Civil Engineer with suitable qualifications to the satisfaction of the Responsible Authority and must depict an on-site stormwater detention drainage system to be installed on the land.

    When approved, the Drainage Layout Plan will form part of this permit.

    The on-site stormwater detention drainage system must be installed and the provisions, recommendations and requirements of the endorsed Drainage Layout Plan must otherwise be implemented and complied with to the satisfaction of the Responsible Authority.

17. Before the buildings approved by this permit are occupied, all boundary fencing is to be constructed in accordance with the endorsed plans to the satisfaction of the Responsible Authority.

18. 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 land.

19. Before the development starts, and before any trees or vegetation are removed a landscape plan and schedule to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The landscape plan and schedule must be prepared by a person or firm with suitable qualifications to the satisfaction of the Responsible Authority, drawn to scale and 3 copies must be provided. The landscape plan and schedule must be generally in accordance with the landscape plan submitted with the application but modified to show:

    a) In accordance with Condition 1;

    b) Buildings, outbuildings and trees in neighbouring allotments that would affect the landscape design;

    c) Planting on the land comprising trees and shrubs capable of:

        i) Providing a complete garden scheme;

        ii) Softening the building bulk;

        iii) Provide trees capable of reaching 4.0 metres in height along the south-western pedestrian access way with a minimum planting height of 2 metres;

        iv) Providing a canopy tree capable of reaching a mature minimum height of 4 metres within the front setback of the site; and

        v) Minimising the potential of any overlooking between habitable rooms of adjacent dwellings;

d) The proposed design features such as paths, paving, lawn and mulch;

e) 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;

f) The use of drought tolerant species;

g) Lighting along the common pedestrian pathway; and

h) All trees on the land that are proposed to be removed or destroyed;

When approved the amended landscape plan and schedule will be endorsed and will form part of this permit.

Landscaping in accordance with the endorsed landscape plan and schedule must 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. Before the use is occupied all management measures of the site assessment or conditions of the Statement of Environmental Audit must be complied with to the satisfaction of the Responsible Authority. Written confirmation of compliance with the management measures of the site assessment or the conditions of the Statement of Environmental Audit must be provided by a suitably qualified environmental professional.

    If the management measures of the site assessment or the conditions of the Statement of Environmental Audit require ongoing maintenance or monitoring, before the use is occupied the owner of the land must enter into an Agreement with the Responsible Authority under Section 173 of the Planning and Environment Act 1987 to the satisfaction of the Responsible Authority. This agreement must be to the effect that except with written consent of the Responsible Authority all management measures of the site assessment or conditions of the Statement of Environmental Audit issued in respect of the land will be complied with to the satisfaction of the Responsible Authority. Written confirmation of compliance with the management measures of the site assessment or the conditions of the Statement of Environmental Audit must be provided by a suitably qualified environmental professional.

    A memorandum of the Agreement must be entered on the Title to the land and the owner must pay the costs of the preparation and execution of the Agreement and entry of the memorandum on Title.

22. 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 make a written request to the responsible authority to extend the expiry date.

If the development commences before the permit expires, within twelve (12) months after the permit expires, the owner or occupier of the land may make a written request to the Responsible Authority to extend the expiry date.

Permit Notes

- This is not a building permit under the Building Act. A separate building permit is required to be obtained for any demolition or building works.
- Before the development starts, the permit holder must contact the Moonee Valley City Council's Technical Services Department regarding legal point of discharge, vehicular crossings, building over easements, asset protection, road consent/occupancy, etc.
- An Asset Protection Permit must be obtained from Council prior to the 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 land.
- 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, tc=5mins, 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.
- Council will not accept any modifications to existing levels within the road reserve or to any Right Of Way. Any change in levels to match existing surface levels along property boundary lines must be made within the property boundary.
- 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 and/or easement. Council will not accept any modifications to existing levels within any road reserve or easement.

1. Introduction

1.1 Subject Site and Surrounds

The subject site is located on the north-western side of Amelia Avenue approximately 90 metres south-west of Woodland Street. The site is generally regular in shape with the exception of the rear boundary which follows the rear laneway orientation. The site has a frontage to Amelia Avenue of 12.2 metres

and a maximum length of 42.2 metres along the south-western boundary. The site has a total area of approximately 470 square metres.

The land has a sloping topography and an approximate 3.55 metre fall from the rear of the site to the front.

There appears to be no restrictions or easements on the Certificates of Title.

The site is currently occupied by a brick building within the front portion of the

property which was previously used as a mechanics.

Figure 2: Subject site (No.53-55 Amelia Avenue, Essendon)

The surrounding area to the east and south is comprised of predominantly residential zoned land and used and developed for residential purposes. The surrounding area can be characterised as a fairly traditional streetscape due to the single dwelling covenants restricting development within the area. Dwellings within Amelia Avenue are generally single or double storey. The roof forms within the streetscape are a mixture of hipped and gabled with predominantly tiled or metal roofing. The building materials which are present within the street are a mixture of brick, weatherboard and rendered finishes in differing colours.

The land to the north of the subject site comprises of Commercial 1 Zoned land and used and developed for a mix of commercial and residential purposes. Examples of apartment style development can be seen along Woodland Street. Further to the east, across the railway line, are predominantly commercial development along Pascoe Vale Road as well as the Strathmore train station which is in walking distance of the subject site.

Properties to the north and south of the subject site known as No. 51, No. 57 and No. 61 Amelia Avenue are bound by Environmental Audit Overlay under the Moonee Valley Planning Scheme, however the subject site is not.

Vehicle parking within Amelia Avenue is restricted along both sides of the roadway however is varied including 4 hour parking, permit parking, no parking areas and parking for public transport users.

1.2 Proposal

The proposal is for the construction of four (one triple and three double) storey dwellings. The proposal can be summarised as follows:

Table 1

No. of dwellings	4 (2 x two bedroom and 2 x three bedroom) dwellings
No. of car spaces	6
Max. Building Height	9.3 metres above Natural Ground Level
Site Coverage	65.6%
Permeability	22%

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

The subject site is known as Lot 21 and 22 on Plan of Subdivision 8229 and in an effort to create clear and concise lots within the municipality, it is proposed that Condition 1 should be placed on any issued planning permit to ensure the consolidation of lots or a subdivision plan as a result of the four dwelling development.

2. Background

2.1 Relevant Planning History

Council's records indicate the following site history:

Application	Proposal	Status
MV/107/1969	Motor and Transmission Repairs.	Approved 30/6/1969
MV/540/2011	Variation of restrictive Covenant No.1387167 to allow for the construction of two triple storey dwellings on two individual lots less than 300 square metres.	Refused 3/8/2011
MV/780/2012 and MV/780/2012/A	Construction of two dwellings on two lots less than 300 square metres.	Approved 31/7/2013 Lapsed 31/7/2015

2.2 Removal of Covenants

On 26 October 2012, Covenant 1044418 and Covenant 1387167 were removed from the subject site through the Supreme Court as an independent governing body. As an independent governing body, Moonee Valley City Council cannot disclose any further information regarding the process or decision making process by the Supreme Court of Victoria.

2.3 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 21.03	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

Overlay

N/A

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

2.4 Referrals

External Referrals

Environment Protection Authority Victoria (EPA)

- Do not object to the construction of four residential dwellings on the subject site after a Statement of Environmental Audit was conducted on 5 March 2008 deeming the site appropriate for standard residential, medium and high density residential, recreational/open space, industrial and commercial uses (except agricultural use such as commercial market gardens). A standard EPA condition should be placed on any issued planning permit. (Refer to Condition 21).

Internal Referrals

Engineering Services Unit

- No objection subject to standard engineering and drainage conditions and the following non-standard conditions:
    - The provision of 300mm wide trench grates at the bottom of each garage and carport. (Refer to Condition 2l).
    - The right of way to the rear of the property is to be constructed to the eastern boundary of the site, approximately 15 metres, in accordance with the Moonee Valley City Council Drawing No. 43 (Standard

Asphalt for Right of Ways). All costs associated with the construction of the Right of Way must be borne by the permit holder.

Prior to the commencement of buildings and works, detailed engineering drawings to show the construction of the Right of Way are to be submitted to and approved by the Responsible Authority. The Right of Way is to be surveyed and designed by a qualified surveyor/civil engineer respectively. The plans are to indicate existing surface levels, proposed surface levels and construction of the Right of Way in accordance with the Moonee Valley City Council Drawing No. 43 (Asphalt Right of Ways Typical Sections).

Construction of the Right of Way as specified in this permit must be satisfactorily completed upon the issue of an Occupancy Permit for the approved development. The Right of Way is to be constructed and properly drained to the satisfaction of the Responsible Authority. (Refer to Condition 14).

Traffic and Transportation Unit

- No objection subject to standard conditions.

Environmental Sustainable Design (ESD) Officer

- No objection subject to standard ESD conditions and the following non-standard conditions:
    - All water sensitive design treatment measures and associated notations shown on the relevant plans as a result of Condition 4 in accordance with Clause 22.03 of the Moonee Valley Planning Scheme. This must be consistent with the information provided in the correct STORM report. (Refer to Condition 2m).
    - All STEPS treatment measures and associated notations shown on the relevant plans as a result of Condition 4 in accordance with Clause 21.04 of the Moonee Valley Planning Scheme. This must be consistent with the information provided in the correct STEPS report. (Refer to Condition 2n).

2.5 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 two notices erected on site, one facing Amelia Avenue and one facing the rear laneway for 14 consecutive days.

As a result 31 objections were received from the properties and two letters of support contained with **Appendix B** of this report.

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

2.6 Consultation Meeting

A Consultation Meeting was held on 27 January 2016, attended by Councillor Giuliano, Councillor Sharpe and 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

For the large part, State Planning objective seek to encourage urban consolidation in locations which take advantage of existing and community services. It is considered the proposal responds to Clause 15 (Built Environment and Heritage) and Clause 16 (Housing) as the subject site is located within close proximity of schools, local businesses and public transport. 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 density by providing a mix of dwelling sizes in various configurations which will cater for the increasingly diverse needs of future residents. The relevant State Planning Policy Framework clauses are considered to be met.

3.2 Local Planning Policy Framework

The proposal is for the construction of four dwellings within a General Residential Zone within Essendon. It is noted that Clause 21.01 (Municipal Profile) outlines that Moonee Valley projects a growth of 19,000 persons between 2013 and 2031. To cater for this population growth, infill development is required within the municipal suburbs as Moonee Valley provides limited greenfield land. It is considered that the location of the site, in close proximity to a metropolitan train station, near a Commercial 1 Zone providing a range of commercial premises within the Woodland Street commercial precinct and the location of facilities along Pascoe Vale Road indicates the subject site is in a key area for growth and development. Furthermore, Woodland Street and Pascoe Vale Road are identified as neighbourhood centres under Clause 21.07 of the Moonee Valley Planning Scheme, encouraging increased density within the area.

The proposal has the ability to comply with Clause 21.04 (Sustainable Environment) through the use of ecological sustainable design principals as highlighted within the submitted and advertised STEPS v5.0 report 2015-09-23 16:13:12 base ID 30853. As referenced within Section 2.4 of this report, Council's ESD Office has reviewed the STEPS report and it seems to be incorrect. An amended STEPS report will be required as per Condition 5) and the relevant notations will be required on any issued planning permit as per Condition 2n.

The proposal is considered to accord with the objectives of Clause 21.04-7 (Waste) as it relates to encouraging the use of recycling and achieving best practice in waste minimization.

The proposed development accords 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 proposal is considered to adequately respond to the relevant objectives and strategies of Clause 21.06 (Built Environment). A number of 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 Neighbourhood Character Precinct Profile Guidelines, are discussed in Section 3.3.

The proposal has the ability to comply with Clause 22.03 – Stormwater Management (Water Sensitive Urban Design) of the Moonee Valley Planning Scheme. The advertised STORM reports #272299, #272300, #272301, #272302 present trafficable areas to flush toilets which is not an appropriate design response. As a result, amended STORM reports are required as per Condition 4 on any issued Planning Permit. Furthermore, all relevant water treatment measure notations will be required by way of Condition 2m on any issued planning permit. Design treatment measures will be required as per Condition 6, 7 and 8 of any issued planning permit.

3.3 Neighbourhood Character Guidelines

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

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

'New developments will contribute to the character of this area with established gardens, simple design details and consistent siting to ensure they do not dominate the streetscape. Buildings will be articulated with recesses, porch areas, large windows and setbacks to complement the pattern of the traditional dwellings. The use of light finishes will maintain the existing palette of materials. Buildings will be located from the front property boundary at a distance similar to those on adjoining properties, while consistent side setbacks will provide space for landscaping and planting. Low or permeable front fences will allow views of the vegetation in gardens from the street.'

The proposal is considered to respond to the preferred character statement and the design guidelines of the precinct as follows:

Table 2

Siting and Building Envelope	The development proposes four dwellings in tandem across the length of the site and set on the north-eastern property boundary which adjoins the existing mechanics at No. 57 Amelia Avenue. Each dwelling has a primary private open space area in the form of a balcony or roof terrace. The built form is considered not dissimilar to the adjoining properties. The tandem arrangement of dwellings on the site is considered practical and makes use of the length of the site, including rear laneway access for car parking. The setback of the built form from the front property boundary is considered appropriate in this case given the interface of this dwelling with the commercial property immediately adjoining the site to the north-east known as No. 57 Amelia Avenue.

Built Form	The tandem arrangement of dwellings allows the appearance of one single dwelling from the streetscape to be maintained. The overall height of the development is a triple storey which is greater than the average height of Amelia Avenue, however is characteristic of the heights found within the surrounding context. It is noted that No.61 Amelia Avenue, No. 27 and No. 29 Alfred Road are some examples of double and triple storey forms within the immediate area supporting the application. The development appropriately provides a double storey form for Dwelling 4, being to the rear of the site to ensure built form massing is reduced to the rear of the site to ensure an appropriate response to the characteristics of the immediate built form to the north and east. Dwellings 2 and 3 present a roof top terrace above their double storey form. The terraces are not visible from Amelia Avenue due to the overall height of Dwelling 1 restricting visibility of these spaces. The terraces will be appropriately screened (Refer to Condition 2d) to the north, west and south to ensure overlooking is limited to adjoining properties and within the site itself. In a broader context, the question arises as to whether rooftop terraces fit within the character of the surrounding area. It is noted that the dwellings within the area tend to allow for a large recreational open space at ground level and it is considered that the rooftop terraces achieve the same result. Furthermore, it is noted that No. 27 Woodland Street, directly to the north of the subject site, presents an apartment style development with communal rooftop terraces. In addition, apartment style development along Pascoe Vale Road is dependent on terraces for open space areas. It can be argued that the style of open space for Dwellings 2 and 3 optimises opportunities for these residents and furthermore responds to an emerging character of the surrounding area.
Design Detail	The development provides an appropriate levels of articulation across the built form at key vantage points of the development such as the front elevation and at the rear yard-scapes of the two adjoining properties. It is noted that articulation is provided by way of varied materials and colours and recessed forms. Windows and overhanging elements across the development present to Amelia Avenue providing articulation to the double and triple storey form. The

	adjoining properties are large allowing the appearance of the built form to be less intrusive to sensitive spaces. The development presents flat roof forms for each dwelling which is characteristic of the surrounding area, particularly along Woodland Street and within the surrounding residential streets. The garage associated with Dwelling 1 presents to Amelia Avenue behind the front building line of its dwelling. As the double garage presents at ground level to the streetscape, it is considered its design should appropriately respond to its surrounding context and ensure it is not visually dominant. It is therefore considered that Condition 2e should be placed on any issued planning permit to include a greater level of articulation. Garaging associated with Dwellings 2, 3 and 4 is located to the rear of the site with rear laneway access and therefore is not visible within the streetscape.
Landscaping	The development allows for meaningful landscaping to be provided within the front and side setbacks of the site including the planting of a mature tree within the front setback of Dwelling 1. Furthermore, it is considered that landscaping has the potential to soften the appearance of the built form along the south-western pedestrian access interfacing with the immediate adjoining property known at No. 51 Amelia Avenue. Condition 19 will be placed on any issued planning permit to ensure a Landscape Plan is provided by a suitably qualified person or firm. No front fence is proposed as part of this development. The streetscape of Amelia Avenue presents some houses with front fences and some without. As there is no consistent approach to front fencing within Amelia Avenue, the proposal at No. 53-55 Amelia Avenue is considered acceptable to negate front fencing.

3.4 Compliance with Clause 52.06 (Car Parking)

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

Table 3

Unit	Required	Provides
4 (2 x 2 and 2 x 3 bedrooms)	6 spaces	6 spaces
Residential visitors	0 spaces	0 spaces
Total	6 spaces	6 spaces

Clause 52.06 of the Moonee Valley Planning Scheme specifies a car parking rate of one car space for each one or two bedroom dwelling and two car spaces for each three or more bedroom dwelling. The provision of six car spaces for the development has been provided. No visitor car parking is required for four dwellings on a lot under this clause.

The advertised plans fails to demonstrate adequate pedestrian visibility splays on either side of the Dwelling 1 driveway in accordance with Clause 52.06 of the Moonee Valley Planning Scheme. As such, Condition 2k will be placed on any issued planning permit.

3.5 Clause 55 – Two or more dwellings on a lot

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

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)	The development proposes four dwellings in tandem across the length of the site, each with a primary private open space area in the form of a balcony or roof terrace. The built form is set along the northern property boundary along the existing mechanics building identified at No. 57 Amelia Avenue. Dwelling 2 and 3 present a roof top terrace above their double storey form. The terraces will not be visible from Amelia Avenue due to the overall height of Dwelling 1 blocking visibility of these spaces. The terraces will be appropriately screened to the north, west and south to ensure overlooking is limited to adjoining properties and within the site as per Standard B22 and B23. The question arises as to whether rooftop terraces fit within the character of the surrounding area. It is noted that dwellings tend to allow for a large recreation open space at ground level, however is considered that the rooftop terraces achieve the same result, without being at Natural Ground Level. Furthermore, it is noted that No. 27 Woodland Street, directly to the north of the subject site presents an apartment style development with communal rooftop terrace. Furthermore, apartment style development along Pascoe Vale Road is dependent on terraces for the dwelling's open space areas. It can be argued that the style of open space for Dwelling 2 and 3 optimises opportunities for these residents and

	furthermore responds to an emerging character of the surrounding area. The tandem arrangement of dwellings on the site is considered practical and makes use of the length of the site, including rear laneway access for car parking. Furthermore allows the appearance of one single dwelling on the site to be maintained. The overall height of the development is a triple storey form when viewed from Amelia Avenue which is characteristic of the some properties within the surrounding context. It is noted that No. 61 Amelia Avenue, No. 27 and No. 29 Alfred Road are some examples of double and triple storey residential forms within the streetscape supporting the application. Furthermore it is noted that No. 57 Amelia Avenue, a commercial site appears within the streetscape as a double storey form. Also to note are the properties along the southern side of Woodland Street within the Commercial 1 Zone which present single, double and triple storey forms. The slope of the land results in a double storey form to the rear of the site which is considered responsive to the immediate context where double storey forms are present to the rear of sites. The development appropriately provides a single storey garages at the rear of the site and double storey form for Dwelling 4, to ensure openness is maintained within the rear yard-scapes of properties. Based on the analysis conducted, it is concluded that the proposed development appropriately responds to the immediate context and meets the objective of this clause to ensure the design respects the preferred neighbourhood character.
Clause 55.03-1 (Standard B6 – Street Setback)	The required setback of the development is 4.25 metres from the front property boundary as the average of the two adjoining property setbacks. The proposal provides a minimal setback of 2.51 metres via the cantilevered terrace at second floor level and encroaches the allowable setback by 1.74 metres. The property directly to the north-east of the subject site, known as No. 57 Amelia Avenue has a unique setback of 1.15 metres from the front property line which is uncharacteristic of the

	remainder the front setbacks which range between 4 and 8 metres. It is noted that the Ground Floor setback of Dwelling 1 is 3.56 metres from the front property boundary. On balance, it is considered that the articulation of floor levels associated with the frontage of Dwelling 1, coupled with the limited setback of No. 57 Amelia Avenue allows the non-compliance against this standard varied. It is submitted the proposed front setback is generally in keeping with the prevailing setback character within the streetscape and will respond appropriately to its immediate context. Furthermore, the setback is considered to be an appropriate transition between the commercial building to the north-east and the residential properties to the south-west. It is therefore concluded that the proposed front setback should be supported in this instance.
Clause 55.03-3 (Standard B8 – Site Coverage)	The proposed development includes 308.25 square metres in area covered by built form of the total 470 square metres of the subject site. This area equates to 65.6% of the total site area. The non-compliance against the standard requirement is considered reasonable due to the immediate site context being favourable to higher density development. It is noted that the commercial properties to the north of the site, including apartment style development which exhibit high site coverage. Examples include No. 7 to No. 33 Woodland Street. It is noted that the proposed site coverage is appropriately responsive to the character of the area, drawing on similar examples at No. 14, No. 27, No. 39, No. 41 and No. 40 Amelia Avenue and No. 27 Alfred Road. It is considered the site coverage is respectful of the surrounding area and neighbourhood character and in turn makes appropriate use of the site. It is therefore concluded that the proposed site coverage should be supported in this instance.
Clause 55.03-5 (Standard B10 – Energy Efficiency)	The subject site has a south-eastern orientation fronting Amelia Avenue. The existing site context includes a solid wall on the north-eastern boundary associated with the building of No. 57 Amelia Avenue. At No. 51 Amelia Avenue the

	building is set off the south-western boundary. Dwelling 1 will have limited solar access due to the site orientation and location of this dwelling as part of the proposal. Dwelling 1 at Ground Floor Level proposes a window along the south-western elevation to receive afternoon sun. The living and dining area at First Floor Level have limited opportunity for natural light. It is noted that balconies have a south-eastern orientation and therefore receive some natural light. It is considered that Condition 2c should be placed on any issued planning permit to require a skylight to the kitchen area associated with Dwelling 1 to improve the ability of solar access to this level of the dwelling. Dwellings 2 and 3 are located centrally on the site and make use of the daylight access as much as possible. It is noted that the ground floor Bedroom 2 associated with each dwelling provides limited solar access, which is accentuated by the built form associated with No. 57 Amelia Avenue. Additionally, it is therefore considered that Condition 2c should be placed on any issued planning permit to require skylights to these spaces and reduce the need for fossil fuels. Dwelling 4 presents to the northern portion of the site and make use of this orientation by ensuring all habitable room windows have a good orientation to receive adequate solar access and reduce the need for fossil fuels.
Clause 55.03-7 (Standard B12 – Safety)	The proposed four dwellings are arranged in tandem on the subject site. The entrance of Dwelling 1 presents strongly to Amelia Avenue for clear and safe pedestrian access to the site. Furthermore, the vehicle access to the site for this dwelling is via Amelia Avenue. The entrances of Dwellings 2, 3 and 4 are via a common pedestrian link from Amelia Avenue along the south-western boundary of the subject site. Furthermore, this pedestrian link is well lit with bollard lighting incorporated into the landscaping spaces. It is considered that the layout of the carport shared by Dwelling 2 and 3 is not safe or convenient for residents due to the shared garage door and as a result it is recommended that the carport be open to the laneway. As a result of such a change, the storage spaces associated

	with Dwellings 2 and 3 a required to be secure and lockable. It is considered that Condition 2h should be placed on any issued planning permit to ensure the safety for the storage and carport associated with Dwellings 2 and 3.
Clause 55.03-8 (Standard B13 – Landscaping)	A Landscape Plan has not been provided as part of this application to date and therefore Condition 19 will be placed on any issued planning permit stipulating that such a plan must be provided, which is prepared by a suitably qualified person or firm. It is considered that there is adequate area across the site, including the front setback and along the common pedestrian link to allow for planting to occur.
Clause 55.03-10 (Standard B15 – Parking Location)	The one car space associated with each of Dwellings 2 and 3 are both located within a shared double carport to the rear of the subject site. The carport is accessible to the rear laneway and proposes a roller door along the north-western orientation. It is considered that while the roller door provides a level of security for the car spaces from the rear laneway, it has the potential for ineffective access to the site at an operational level. It is therefore suggested that the roller door should be deleted as per Condition 2g and present open to the rear laneway for ease of access on and off the site. The habitable room windows at Ground Floor Level along the south-western elevation of the site abuts a common pedestrian link. As a shared accessway, these windows are required to be double glazed to reduce noise impacts for residents. This will be required as per Condition 2b on any issued planning permit.
Clause 55.04-1 (Standard B17 – Side and Rear Setbacks)	The triple storey form associated with Dwelling 1 and double storey form associated with Dwellings 2, 3 and 4 is considered to appropriately respond to the site constraints and immediate site context. A non-compliance is identified along the north-eastern elevation of the development as it presents to No. 57 Amelia Avenue. It is noted No. 57 Amelia Avenue, directly to the north-east of the subject site is a commercial building and premises with no residential amenity to consider and therefore the limited setback of the development on this elevation is considered acceptable. It is considered the side setback is respectful of

	the surrounding area and in turn makes appropriate use of the site. It is therefore concluded that the proposed setbacks should be supported in this instance.
Clause 55.04-2 (Standard B18 – Walls on Boundaries)	The built form proposed on the north-eastern property boundary is in excess of the maximum 3.6 metre height and average 3.2 metre height requirements of this standard. A non-compliance is identified along the north-eastern elevation of the development as it presents to No. 57 Amelia Avenue and will be minimally visibly as a result of the existing built form on the adjoining property. It is noted No. 57 Amelia Avenue, directly to the north-east of the subject site is a commercial building and premises with no residential amenity to consider and therefore the limited setback of the development on this elevation is considered acceptable. It is considered the overall boundary wall heights are respectful of the surrounding area. It is therefore concluded that the proposed setbacks should be supported in this instance.
Clause 55.04-6 (Standard B22 – Overlooking)	The development does not provide adequate screening mechanisms associated with the staircase windows of Dwellings 2 and 3, the south-western and north-eastern edges of the Terraces associated with Dwellings 2 and 3 and the south-western edge of the roof terrace associated with Dwelling 4. As a result, it is considered that Condition 2d should be placed on any issued planning permit to ensure views a limited from the development into adjoining residential property habitable room windows and secluded private open space areas.
Clause 55.04-7 (Standard B23 – Internal Views)	The development does not provide adequate screening mechanisms associated with the Kitchen windows associated with Dwellings 2 and 3, the north-eastern edges of the Terraces associated with Dwellings 2 and 3, the south-eastern edge of the roof terrace associated with Dwelling 3 and the north-western edge of the roof terrace associated with Dwelling 2. As a result, it is considered that Condition 2d should be placed on any issued planning permit to ensure views a limited between each dwelling of the proposed development.
Clause 55.04-8	The subject is opposite VicTrack land including the Craigieburn Line. It is noted that Strathmore

(Standard B24 – Noise Impacts)	Train Station is located approximately 100 metres north-east of the subject site. It is noted that while some trains will generally be travelling at low speeds when approaching and departing the local train station; other trains do not stop at Strathmore Station and therefore pass at high speeds. Furthermore, the noise levels produced by a train or associated infrastructure will be heard from the internal spaces of the proposed dwellings, particularly Dwelling 1 which faces the VicTrack land. As a result, it is considered Condition 2b should be placed on any issued planning permit to include double glazing to all windows of Dwelling 1. These conditions will ensure the internal spaces of the dwellings are protected from the external noise source.
Clause 55.05-5 (Standard B29 – Solar Access to Open Space)	The orientation of Dwelling 1 to Amelia Avenue has many benefits, however provided solar access to the primary recreational space is not one. It is noted that the terrace at First Floor Level, being the main private open space for the dwelling is south-east facing, will receive limited direct sunlight during the morning. It is considered that due to the orientation of the site, and style of dwelling being a townhouse apartment, the necessity for direct solar access is reduced for this dwelling therefore considered acceptable in this context.
Clause 55.05-6 (Standard B30 – Storage)	The storage associated with Dwellings 2 and 3 are identified as 6 cubic metre volumes, however their usable size is less than the requirement of this standard. Due to the style of dwelling being a townhouse with no lawn or need for major garden works, there does not seem the requirement for a large storage space for Dwellings 2 and 3. As a result, it is considered the size of the storage spaces within the carport are satisfactory in this instance. Dwelling 4 proposes a storage space identified as 6 cubic metres in volume, however its usable size is less than the requirement of this standard. Due to the opportunities of the site, it is considered that the dwelling should provide an appropriate sized storage space as per Condition 2j.
Clause 55.06-1 (Standard B31 – Design	The garage associated with Dwelling 1 presents with a double width within the streetscape. It is considered its design should appropriately

Detail)	respond to its surrounding context and ensure it is not visually dominant. It is therefore considered that Condition 2e should be placed on any issued planning permit to include a greater level of articulation.

3.6 Objections

Table 5

Issue	Officer Response
Overdevelopment	For the reasons articulated within this report, it is considered that the proposed four dwelling development is not an overdevelopment on the subject land.
Neighbourhood Character: • Triple storey form excessive; • Boundary to boundary development; • Single storey streetscape; • Single dwelling streetscape; • Pitched roof dwelling streetscape; • Generous open space properties; and • Garage dominance to the street.	As discussed within Section 3.3 and 3.5 of this report, against Neighbourhood Character – Garden Suburban 6 and Clause 55 of the Moonee Valley Planning Scheme, the proposed development is considered appropriate.
Site Layout and Building Massing: • Street setback; • Excessive overall height; and • Limited landscaping opportunities.	As discussed within Section 3.5 of this report, a variation to Standard B6 of the Moonee Valley Planning Scheme is considered appropriate due to the site context and site constraints. The overall height of the development meets the numerical requirements of Clause 55.03-2 (Building Height) of the Moonee Valley Planning Scheme. It is considered that the layout of the development allow for meaningful landscaping along the south-western and south-eastern boundaries. See Section 3.5 of this planning report for further discussion.
On-site Amenity Impacts: • Small rooms;	The development has been assessed against the standards and objectives of Clause 55.05 of the

• Small secluded private open space areas; • Daylight to habitable rooms; and • Poor internal amenity.	Moonee Valley Planning Scheme and deemed the development to appropriately respond to these requirements. See Section 3.5 of this planning report for further discussion.
Off-site Amenity Impacts: • Loss of natural light; • Overshadowing; • Overlooking; • Increased noise; • Loss of privacy; • Boundary walls; • Visual dominance; and • Impact on solar power.	The development has been assessed against the standards and objectives of Clause 55.04 of the Moonee Valley Planning Scheme and deemed the development to appropriately respond to these requirements. See Section 3.5 of this planning report for further discussion.
Car parking: • Street parking demand; • Rear laneway access narrow; • Safety concerns; and • No traffic report provided.	The development has been assessed against Clause 52.06 of the Moonee Valley Planning Scheme and deemed the development to appropriately respond to these requirements. Council's Traffic and Transportation Unit have reviewed the development and do not object to the proposal including car parking layout, crossover access to Amelia Avenue, laneway access, safety and visibility. See Section 3.4 of this planning report for further discussion. It is noted that no traffic report was required by Council in this instance as the parking requirements of Clause 52.06 of the Moonee Valley Planning Scheme are satisfied. It is noted that the development will not be eligible for parking permits within Amelia Avenue.
Safety • Debris from terraces in high winds; and • Pedestrian laneway access.	Any rubbish produced by the site is required to be disposed of accordingly. It is considered that the rooftop terraces are no more unsafe that balconies or porches which are evident with the immediate context. It is noted that such disputes are dealt with as a civil matter. All pedestrian access to the site is via Amelia Avenue and considered safe and appropriate in accordance with Clause 55.03-9 (Access) of the Moonee Valley Planning Scheme.
Roof terrace design	As discussed within Section 3.3 of this planning report, it is considered that rooftop terraces are appropriate for the site and enhance on-site amenity while responding to an emerging design

	style within the area.
Site contamination for motor mechanics	See Section 2.4 of this report for EPA evaluation of the site and appropriateness for multi-unit development.
Waste collections	The four dwellings proposed include a central bin enclosure point along the south-western boundary of the site with direct access from all dwellings and located towards the front of the site. It is considered the size and location of the bin enclosure will manage waste disposal from residence and allow for bins to be located along Amelia Avenue for weekly waste collection by Moonee Valley City Council.
Application inaccuracies	It is noted that the advertised plans and supporting documentations provide sufficient information for a decision to be made on the application.
Against the 2014 draft re-zoning of residential properties	The re-zoning of residential properties within Moonee Valley City Council, directed by the Minister for Planning resulted in No. 53-55 Amelia Avenue being rezoned from Residential 1 Zone to General Residential Zone. It is noted that Clause 32.08 of the Moonee Valley Planning Scheme does not provide a density control on the site and therefore an application for four dwellings can be lodged to Council and a determination can be made.
Social health and wellbeing Destroys community feel	There is no evidence to suggest that four new dwellings on the subject land will compromise the social or community aspects of the surrounding area.
Property protection during construction	This is not a planning consideration however is governed under the Building Regulations of Victoria.
Style of dwelling does not attract families	While the development proposes townhouse apartment style dwellings on the site, it is not considered these dwellings are inconsistent with the needs of housing within Essendon. It is considered that the proposal responds appropriately to Clause 21.01 and 21.05 by allowing diversity in housing styles within the area. It is noted that Essendon is a growing and diverse population requiring a range of housing types for a range of living needs. It is therefore concluded that the proposal will appropriately contribute to the needs to Essendon and its local

	context.
Removal of covenants from the land	While it is acknowledged that Council issued a refusal on 3 August 2011, local government is not the only avenue to remove a covenant from land. The owner of the land pursued and was successful in removing Covenant 1387167 and Covenant 1044418 from the land on 26 October 2012 through the Supreme Court of Victoria. As a separate governing body, Moonee Valley City Council cannot disclose any further information regarding the process or decision making process by the Supreme Court of Victoria.

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).

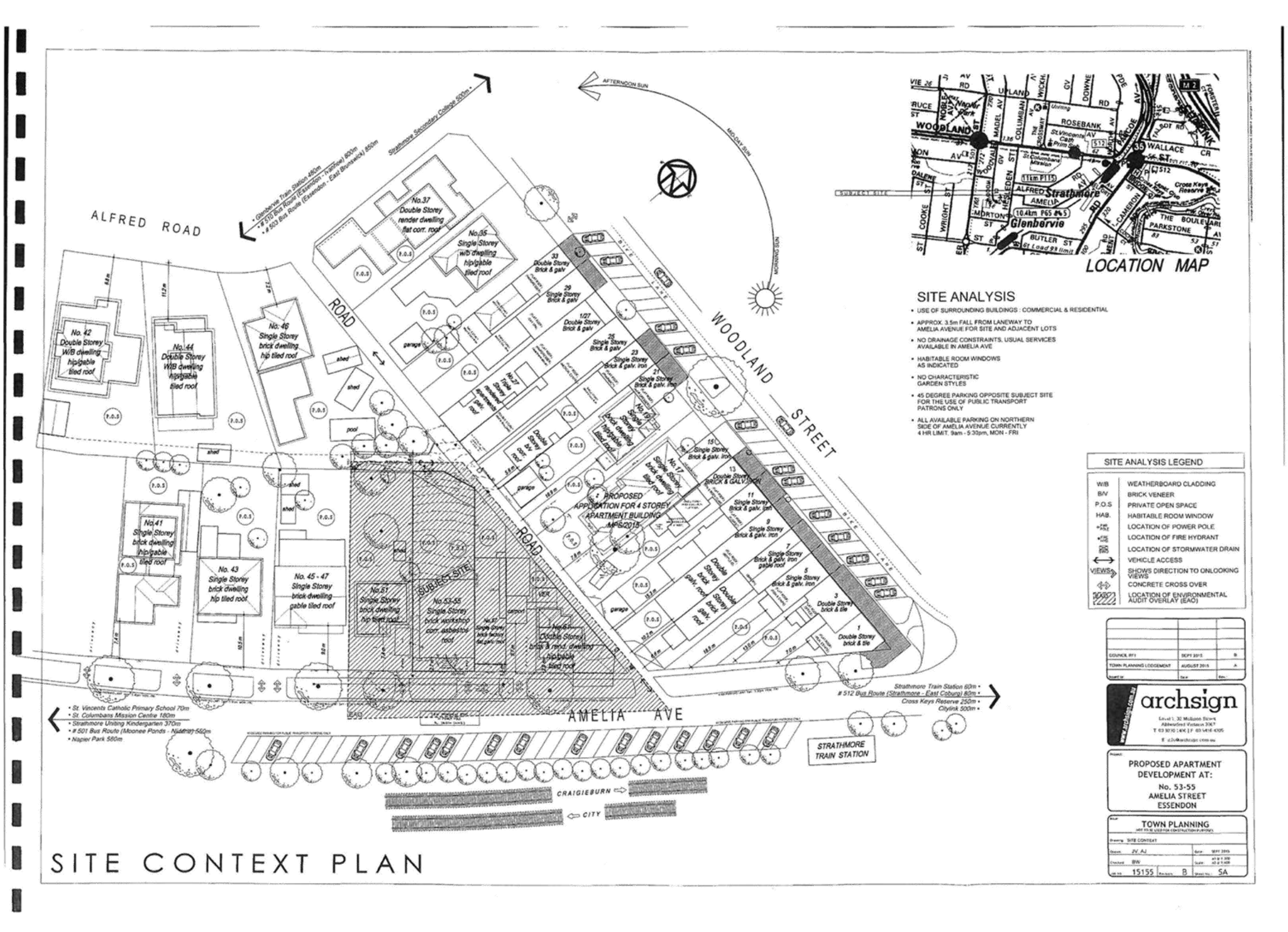
5. Conclusion

The applicable has been assessed against the relevant provisions of the State Planning Policy Framework, Local Planning Policy Framework, Zoning and Overlay controls, the relevant Particular and General Provisions, and the decision guidelines at Clause 65 of the Moonee Valley Planning Scheme. Additionally, consideration has been given to the requirements of Section 60(1B) of the Planning and Environment Act 1987 with respect to the number of objections received, and it is determined that the proposal would not have a significant social effect.

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: Advertised Plans
Appendix B: List of Objections and Support
Appendix C: Clause 55 Assessment



SITE CONTEXT PLAN

LOCATION MAP

SITE ANALYSIS

- USE OF SURROUNDING BUILDINGS : COMMERCIAL & RESIDENTIAL
- APPROX. 3.5m FALL FROM LANEWAY TO AMELIA AVENUE FOR SITE AND ADJACENT LOTS
- NO DRAINAGE CONSTRAINTS. USUAL SERVICES AVAILABLE IN AMELIA AVE
- HABITABLE ROOM WINDOWS AS INDICATED
- NO CHARACTERISTIC GARDEN STYLES
- 45 DEGREE PARKING OPPOSITE SUBJECT SITE FOR THE USE OF PUBLIC TRANSPORT PATRONS ONLY
- ALL AVAILABLE PARKING ON NORTHERN SIDE OF AMELIA AVENUE CURRENTLY 4 HR LIMIT. 9am - 5:30pm, MON - FRI

SITE ANALYSIS LEGEND

W/B	WEATHERBOARD CLADDING
B/V	BRICK VENEER
P.O.S	PRIVATE OPEN SPACE
HAB.	HABITABLE ROOM WINDOW
	LOCATION OF POWER POLE
	LOCATION OF FIRE HYDRANT
	LOCATION OF STORMWATER DRAIN
	VEHICLE ACCESS
VIEWS	SHOWS DIRECTION TO ONLOOKING VIEWS
	CONCRETE CROSS OVER
EAO	LOCATION OF ENVIRONMENTAL AUDIT OVERLAY (EAO)

COUNCIL RFI	SEPT 2015	B
TOWN PLANNING LODGEMENT	AUGUST 2015	A

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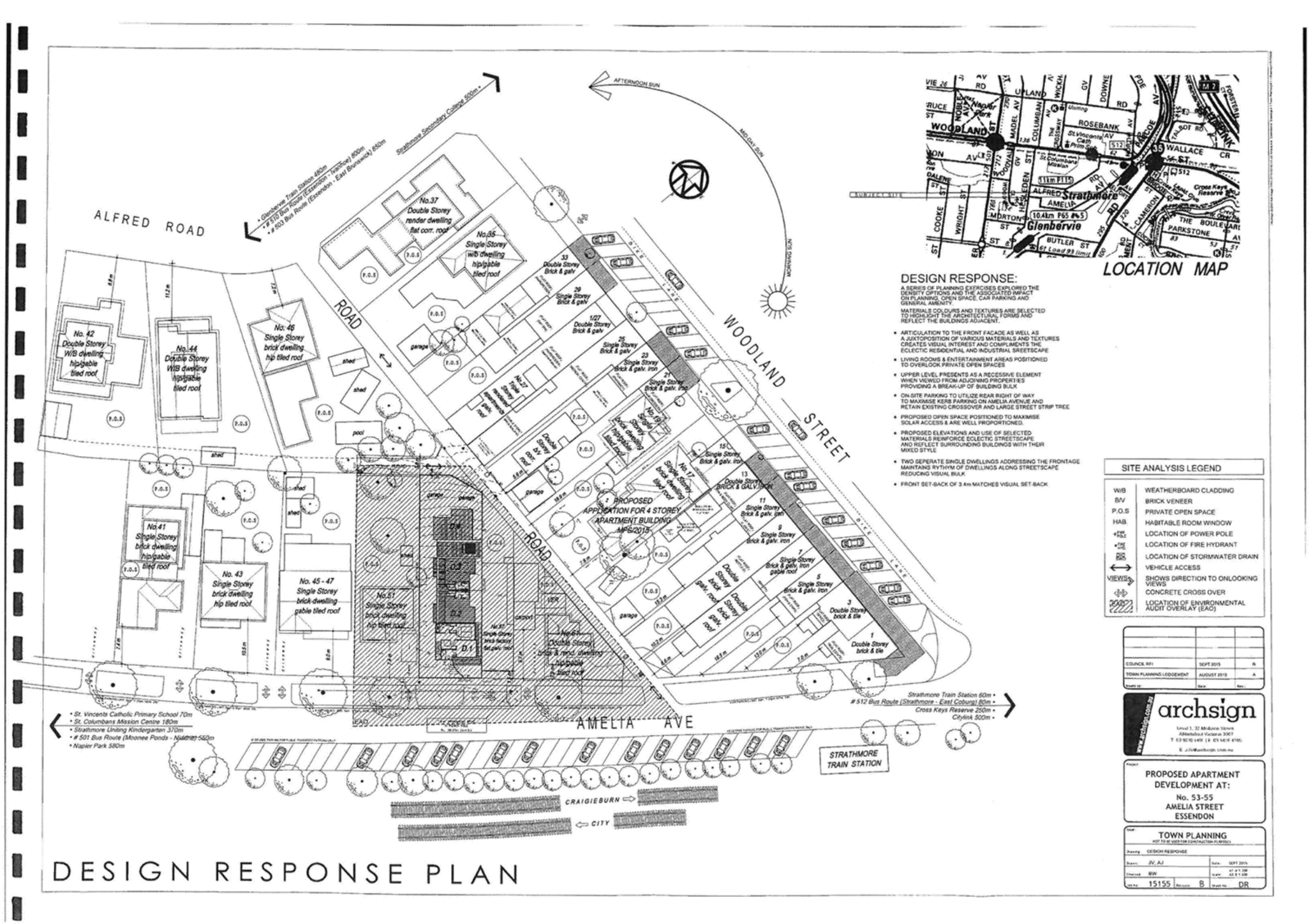
PROPOSED APARTMENT DEVELOPMENT AT:
No. 53-55
AMELIA STREET
ESSENDON

TOWN PLANNING

Drawing: SITE CONTEXT
Drawn: JV, AJ
Checked: BW
Job No. 15155 | Revision B | Sheet No.: SA



DESIGN RESPONSE PLAN

DESIGN RESPONSE:

A SERIES OF PLANNING EXERCISES EXPLORED THE DENSITY OPTIONS AND THE ASSOCIATED IMPACT ON PLANNING, OPEN SPACE, CAR PARKING AND GENERAL AMENITY

MATERIALS COLOURS AND TEXTURES ARE SELECTED TO HIGHLIGHT THE ARCHITECTURAL FORMS AND REFLECT THE BUILDINGS ADJACENT.

- ARTICULATION TO THE FRONT FACADE AS WELL AS A JUXTOPOSITION OF VARIOUS MATERIALS AND TEXTURES CREATES VISUAL INTEREST AND COMPLIMENTS THE ECLECTIC RESIDENTIAL AND INDUSTRIAL SREETSCAPE
- LIVING ROOMS & ENTERTAINMENT AREAS POSITIONED TO OVERLOOK PRIVATE OPEN SPACES
- UPPER LEVEL PRESENTS AS A RECESSIVE ELEMENT WHEN VIEWED FROM ADJOINING PROPERTIES PROVIDING A BREAK-UP OF BUILDING BULK
- ON-SITE PARKING TO UTILIZE REAR RIGHT OF WAY TO MAXIMISE KERB PARKING ON AMELIA AVENUE AND RETAIN EXISTING CROSSOVER AND LARGE STREET STRIP TREE
- PROPOSED OPEN SPACE POSITIONED TO MAXIMISE SOLAR ACCESS & ARE WELL PROPORTIONED.
- PROPOSED ELEVATIONS AND USE OF SELECTED MATERIALS REINFORCE ECLECTIC STREETSCAPE AND REFLECT SURROUNDING BUILDINGS WITH THEIR MIXED STYLE
- TWO SEPERATE SINGLE DWELLINGS ADDRESSING THE FRONTAGE MAINTAINS RYTHYM OF DWELLINGS ALONG STREETSCAPE REDUCING VISUAL BULK
- FRONT SET-BACK OF 3.4m MATCHES VISUAL SET-BACK

SITE ANALYSIS LEGEND

W/B	WEATHERBOARD CLADDING
B/V	BRICK VENEER
P.O.S	PRIVATE OPEN SPACE
HAB.	HABITABLE ROOM WINDOW
	LOCATION OF POWER POLE
	LOCATION OF FIRE HYDRANT
	LOCATION OF STORMWATER DRAIN
	VEHICLE ACCESS
VIEWS	SHOWS DIRECTION TO ONLOOKING VIEWS
	CONCRETE CROSS OVER
	LOCATION OF ENVIRONMENTAL AUDIT OVERLAY (EAO)

COUNCIL RFI	SEPT 2015	B
TOWN PLANNING LODGEMENT	AUGUST 2015	A

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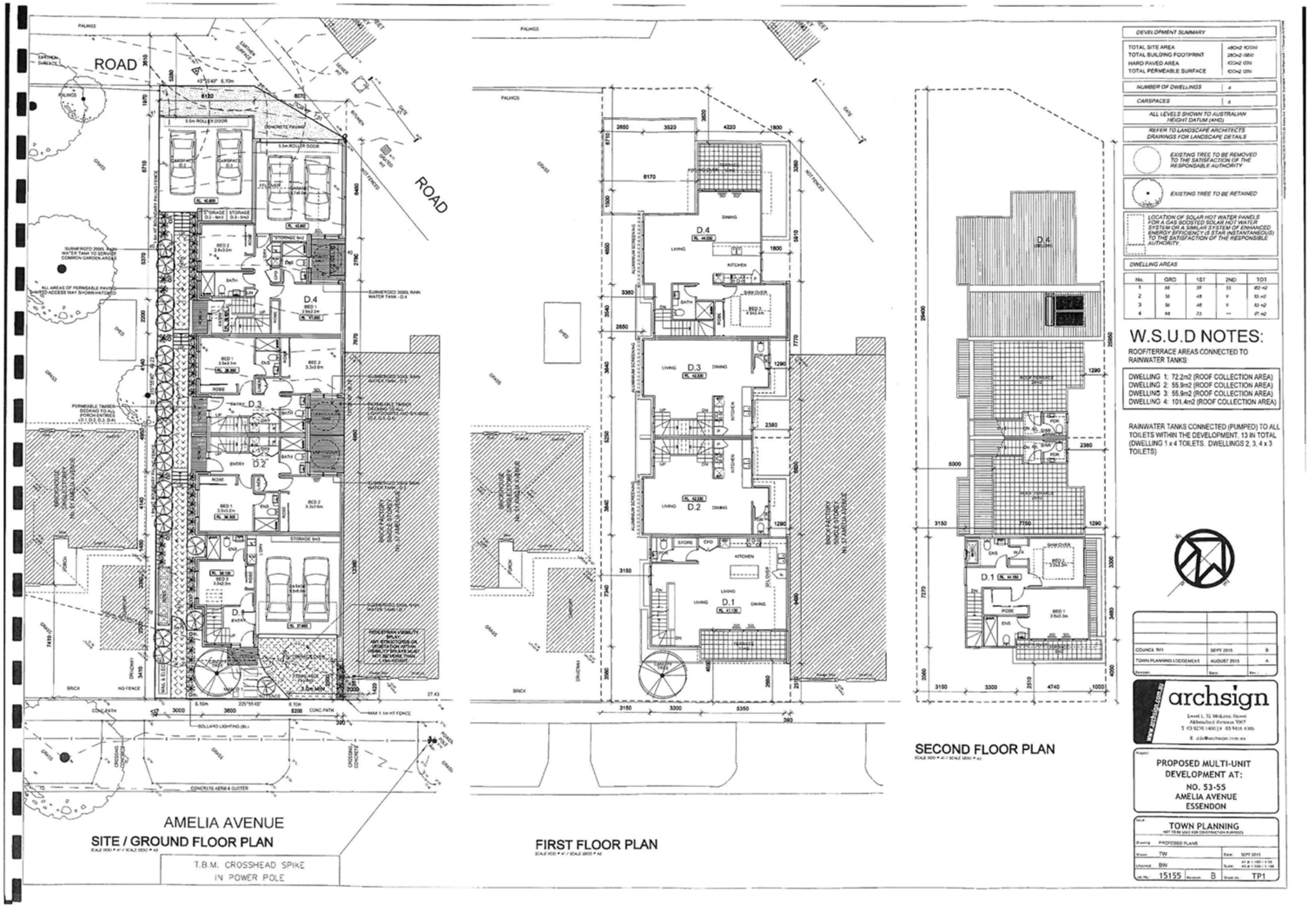
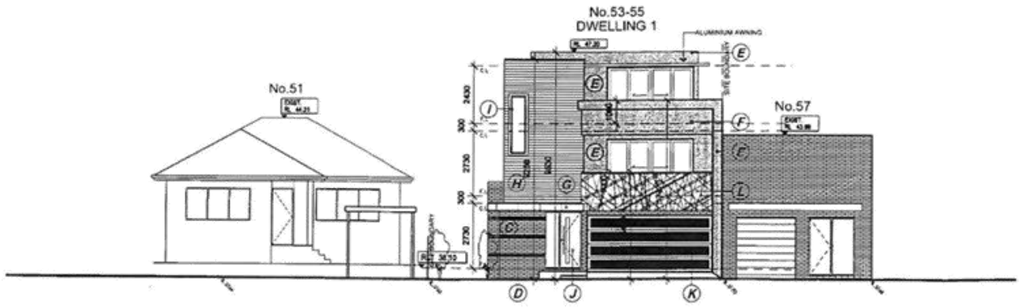
PROPOSED APARTMENT DEVELOPMENT AT:
No. 53-55
AMELIA STREET
ESSENDON

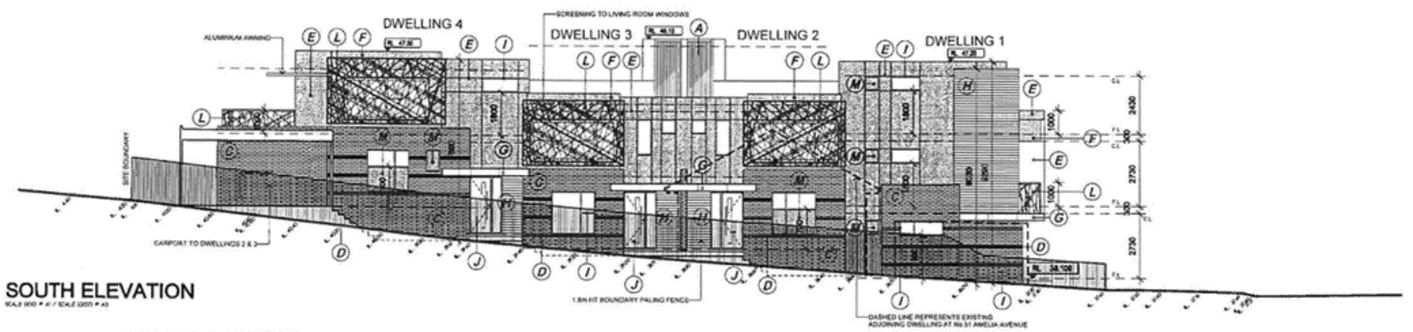
TOWN PLANNING
NOT TO BE USED FOR CONSTRUCTION PURPOSES

Drawing: DESIGN RESPONSE
Drawn: JV, AJ
Checked: BW
Date: SEPT 2015
Job No: 15155 | Revision: B | Sheet No: DR

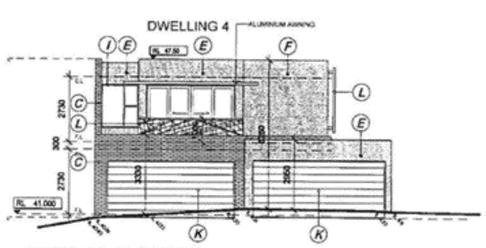

ROAD
ROAD
AMELIA AVENUE
SITE / GROUND FLOOR PLAN
T.B.M. CROSSHEAD SPIKE IN POWER POLE
FIRST FLOOR PLAN
SECOND FLOOR PLAN
DEVELOPMENT SUMMARY
TOTAL SITE AREA 480m2 (100%)
TOTAL BUILDING FOOTPRINT 280m2 (58%)
HARD PAVED AREA 100m2 (21%)
TOTAL PERMEABLE SURFACE 100m2 (21%)
NUMBER OF DWELLINGS 4
CARSPACES 6
ALL LEVELS SHOWN TO AUSTRALIAN HEIGHT DATUM (AHD)
REFER TO LANDSCAPE ARCHITECTS DRAWINGS FOR LANDSCAPE DETAILS
EXISTING TREE TO BE REMOVED TO THE SATISFACTION OF THE RESPONSIBLE AUTHORITY
EXISTING TREE TO BE RETAINED
LOCATION OF SOLAR HOT WATER PANELS FOR A GAS BOOSTED SOLAR HOT WATER SYSTEM OR A SIMILAR SYSTEM OF ENHANCED ENERGY EFFICIENCY (5 STAR INSTANTANEOUS) TO THE SATISFACTION OF THE RESPONSIBLE AUTHORITY.
DWELLING AREAS
No. GRD 1ST 2ND TOT
1 66 59 55 180 m2
2 56 48 9 113 m2
3 56 48 9 113 m2
4 98 73 — 171 m2
W.S.U.D NOTES:
ROOF/TERRACE AREAS CONNECTED TO RAINWATER TANKS:
DWELLING 1: 72.2m2 (ROOF COLLECTION AREA)
DWELLING 2: 55.9m2 (ROOF COLLECTION AREA)
DWELLING 3: 55.9m2 (ROOF COLLECTION AREA)
DWELLING 4: 101.4m2 (ROOF COLLECTION AREA)
RAINWATER TANKS CONNECTED (PUMPED) TO ALL TOILETS WITHIN THE DEVELOPMENT. 13 IN TOTAL (DWELLING 1 x 4 TOILETS. DWELLINGS 2, 3, 4 x 3 TOILETS)
COUNCIL RFI SEPT 2015 B
TOWN PLANNING LODGEMENT AUGUST 2015 A
archsign
PROPOSED MULTI-UNIT DEVELOPMENT AT:
NO. 53-55 AMELIA AVENUE ESSENDON
TOWN PLANNING
PROPOSED PLANS
TW
SEPT 2015
BW
15155
B
TP1



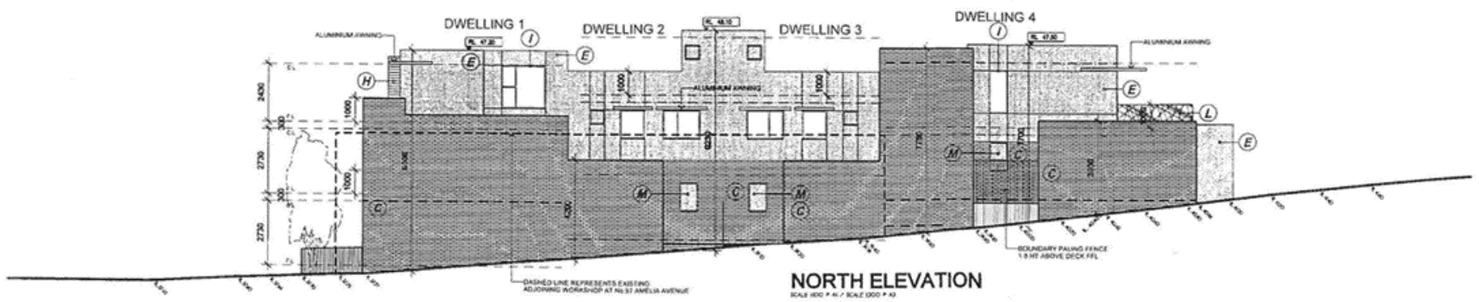
EAST ELEVATION [AMELIA AVENUE]



SOUTH ELEVATION



WEST ELEVATION



NORTH ELEVATION

EXTERIOR COLOUR & FINISHES SCHEDULE

Ref.	Item	Colour	Supplier
A	ROOF SHEETING	'NIGHT SKY'	COLORBOND
B	GUTTERS / FASCIA / DOWNPIPES	'NIGHT SKY'	COLORBOND
C	FACE BRICKWORK	'BLACKSTONE'	AUSTRAL
D	FEAT. BRICK BANDING	'CHILLING BLACK'	AUSTRAL
E	'EZY-CLAD' WALL SYSTEM APPLIED RENDER FINISH	'LEMON HALF'	DULUX, PN2.A1
F	'EZY-CLAD' WALL SYSTEM APPLIED RENDER FINISH. CLR. 2	'MUD PUDDLE'	DULUX, P12.D4
G	P/COAT FINISH TO ALUCOBOND CLADDING	'NIGHT SKY'	DULUX COLORMATCH
H	FEAT. TIMBER CLADDING	NATURAL TIMBER FINISH	--
I	POWDERCOAT FINISH TO ALUMINIUM WINDOW FRAMES	'NIGHT SKY'	DULUX COLORMATCH
J	ENTRY DOORS	NATURAL TIMBER FINISH	--
K	GARAGE DOORS	--	--
L	POWDERCOAT FINISH TO ALUMINIUM SCREENING	'MUD PUDDLE'	DULUX, P12.D4
M	OBSCURED GLAZING	FROSTED	--

COUNCIL RFI	SEPT 2015	B
TOWN PLANNING LODGEMENT	AUGUST 2015	A
Revision:	Date:	Rev.:

archsign
Level 1, 32 Mollison Street
Abbotsford Victoria 3067
T (03 9230 1400 | F (03 9416 4905
E john@archsign.com.au

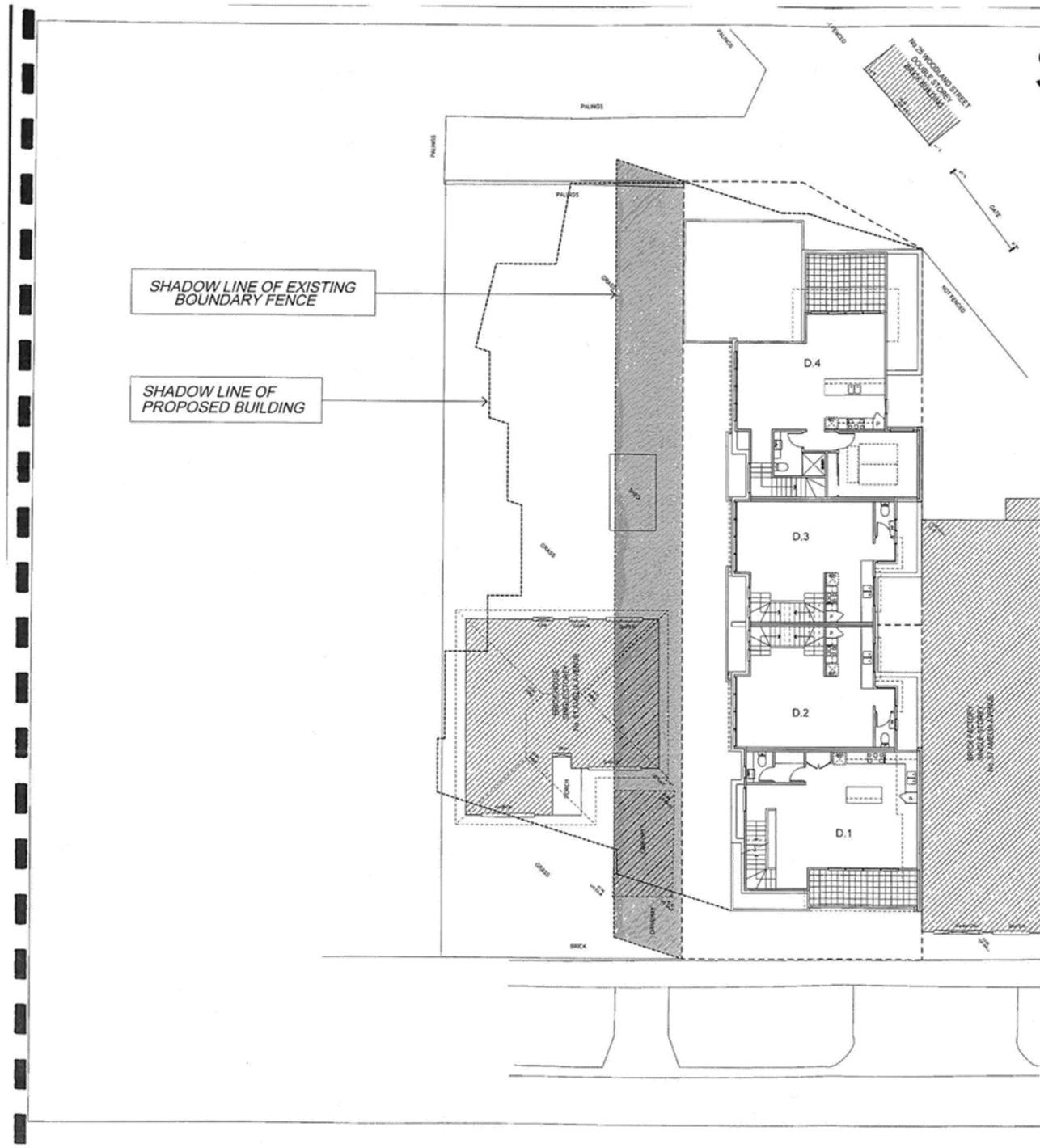
PROPOSED MULTI-UNIT DEVELOPMENT AT:
NO. 53-55
AMELIA AVENUE
ESSENDON

TOWN PLANNING
NOT TO BE USED FOR CONSTRUCTION PURPOSES

Drawing: PROPOSED ELEVATIONS

Drawn:	TW	Date:	SEPT 2015
Checked:	BW	Scale:	A1 @ 1:100 / 1:50 A3 @ 1:200 / 1:100
Job No.:	15155	Revision: B	Sheet No.: TP2

SHADOW DIAGRAM
22nd SEPTEMBER - 9am



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TOWN PLANNING LODGEMENT	AUGUST 2015	A
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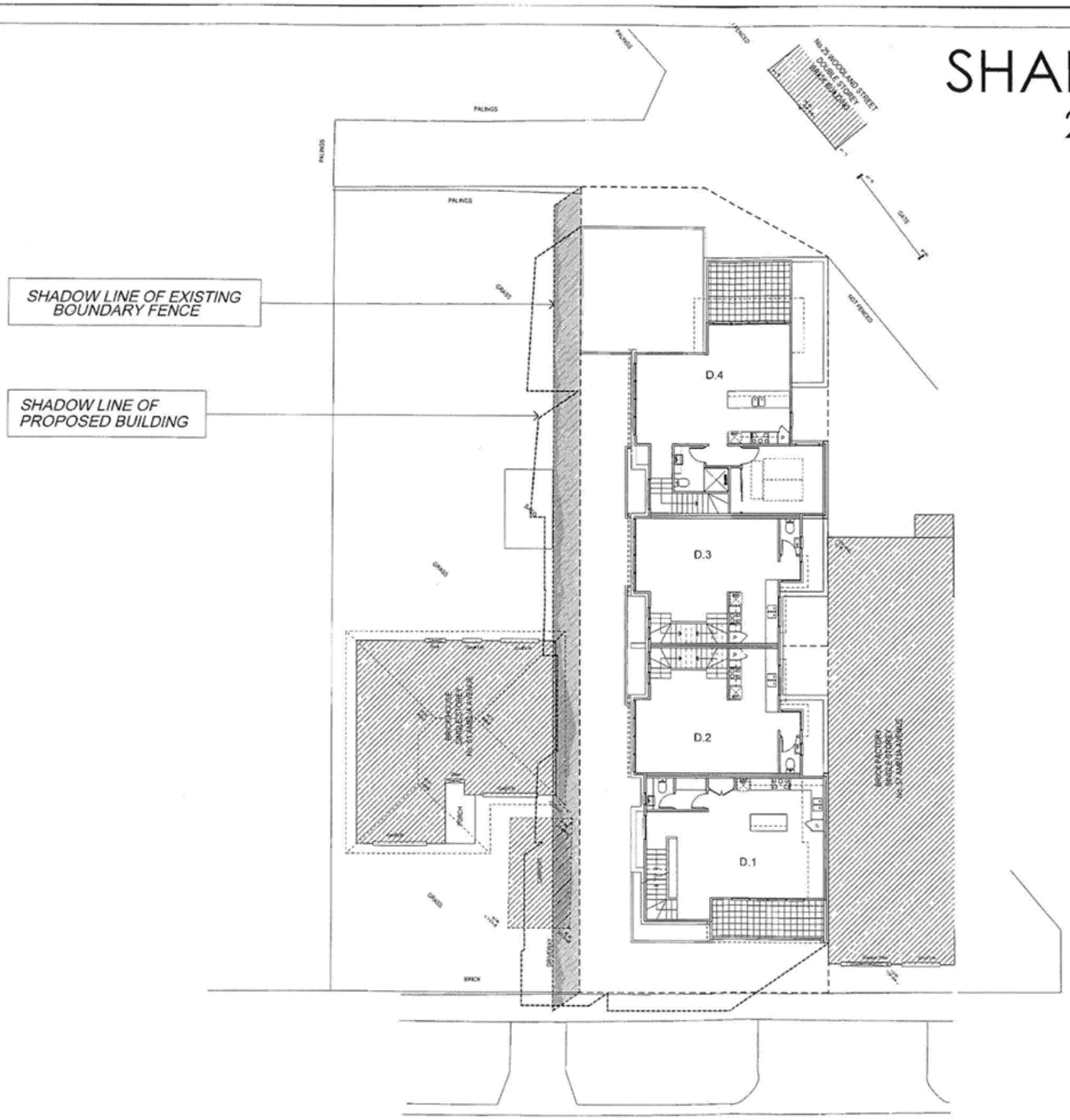
PROPOSED MULTI-UNIT DEVELOPMENT AT:
NO. 53-55
AMELIA AVENUE
ESSENDON

TOWN PLANNING
NOT TO BE USED FOR CONSTRUCTION PURPOSES

Drawing:	SHADOW DIAGRAM - 9am		
Drawn:	TW	Date:	SEPT 2015
Checked:	BW	Scale:	A1 @ 1:100 / 1:50 A3 @ 1:200 / 1:100
Job No.:	15155	Revision: B	Sheet No.: SH9

SHADOW DIAGRAM
22nd SEPTEMBER - 12pm



COUNCIL RFI	SEPT 2015	B
TOWN PLANNING LODGEMENT	AUGUST 2015	A
Revision:	Date:	Rev.:

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Level 1, 32 Mollison Street
Abbotsford Victoria 3067
T 03 9235 1400 | F 03 9416 4765
E vcb@archsign.com.au

Project:
PROPOSED MULTI-UNIT DEVELOPMENT AT:
NO. 53-55
AMELIA AVENUE
ESSENDON

Issue:
TOWN PLANNING
NOT TO BE USED FOR CONSTRUCTION PURPOSES

Drawing:	SHADOW DIAGRAM - 12pm	
Drawn:	TW	Date: SEPT 2015
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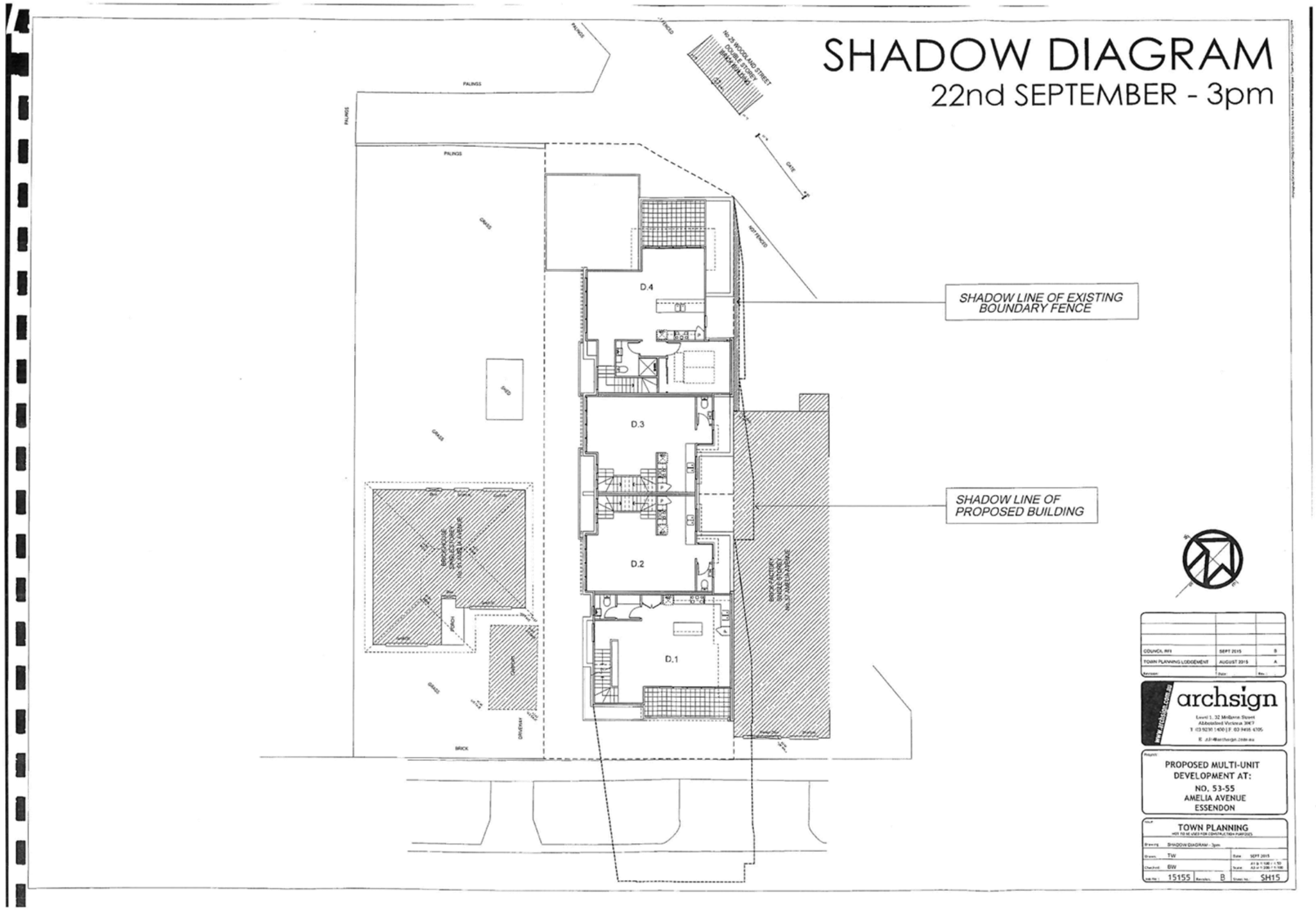
Job No: 15155	Revision: B	Sheet No: SH12


SHADOW DIAGRAM
22nd SEPTEMBER - 3pm
SHADOW LINE OF EXISTING BOUNDARY FENCE
SHADOW LINE OF PROPOSED BUILDING
D.4
D.3
D.2
D.1
PALINGS
GRASS
GATE
BRICK
DRIVEWAY
COUNCIL RFI
SEPT 2015
B
TOWN PLANNING LODGEMENT
AUGUST 2015
A
archsign
PROPOSED MULTI-UNIT DEVELOPMENT AT:
NO. 53-55
AMELIA AVENUE
ESSENDON
TOWN PLANNING
SHADOW DIAGRAM - 3pm
TW
BW
15155
B
SH15

Letters of Objectors:

1 Amelia Avenue, ESSENDON VIC 3040
2 Amelia Avenue, ESSENDON VIC 3040
2a Amelia Avenue, ESSENDON VIC 3040
23 Amelia Avenue, ESSENDON VIC 3040
29 Amelia Avenue, ESSENDON VIC 3040
37 Amelia Avenue, ESSENDON VIC 3040 (x2)
39 Amelia Avenue, ESSENDON VIC 3040
51 Amelia Avenue, ESSENDON VIC 3040
14 Alfred Road, ESSENDON VIC 3040
18 Alfred Road, ESSENDON VIC 3040
22 Alfred Road, ESSENDON VIC 3040
31 Alfred Road, ESSENDON VIC 3040
26a Hesleden Street, ESSENDON VIC 3040
3 Rosebank Avenue, STRATHMORE VIC 3041
8 Rosebank Avenue, STRATHMORE VIC 3041
13 Woodland Street, STRATHMORE VIC 3041
35 Woodland Street, ESSENDON VIC 3040 (x2)
41 Woodland Street, ESSENDON VIC 3040
PO Box 562, MOONEE PONDS VIC 3039
No Address Supplied VIC 3000 (x10)

Letters of Support:

61 Amelia Avenue, Essendon
409 Pascoe Vale Road, Essendon

Appendix C

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).

Title and Objective	**Complies with Standard**	**Complies with Objective**
B1 - Neighbourhood Character	✓ subject to condition	✓ subject to condition
B 2 - Residential Policy	✓	✓
B 3 - Dwelling Diversity	N/A	N/A
B 4 - Infrastructure Objectives	✓	✓
B 5- Integration with the Street Objective	✓	✓
B6 - Street Setback Objective	X	✓
B7 - Building Height Objective	✓	✓
B8- Site Coverage Objective.	X	✓
B9- Permeability Objectives	✓	✓
B10 - Energy Efficiency Objectives	✓ subject to condition	✓ subject to condition
B 11 - Open Space Objective	N/A	N/A
B 12- Safety Objective	✓ subject to condition	✓ subject to condition
B 13 - Landscaping Objectives	✓ subject to condition	✓ subject to condition
B 14 - Access Objectives	✓	✓
B 15 - Parking Location Objectives	✓ subject to condition	✓ subject to condition
B16 – Parking Provision	Deleted from Clause 55 on 5 June 2012 (VC90). Refer to Clause 52.06 for car parking requirements under Section 3.4	
B 17 - Side and Rear Setbacks Objective	x	✓

Title and Objective	**Complies with Standard**	**Complies with Objective**
B 18 - Walls on Boundaries Objective	x	✓
B 19 - Daylight to Existing Windows Objective.	N/A	N/A
B 20 - North-facing Windows Objective	✓	✓
B 21 - Overshadowing Open Space Objective	✓	✓
B 22 - Overlooking Objective	✓ subject to condition	✓ subject to condition
B 23 - Internal Views Objective	✓ subject to condition	✓ subject to condition
B 24 - Noise Impacts Objectives	✓ subject to condition	✓ subject to condition
B 25 - Accessibility Objective	✓	✓
B 26 - Dwelling Entry Objective	✓	✓
B 27 - Daylight to New Windows Objective	✓	✓
B 28 - Private Open Space Objective	✓	✓
B 29 - Solar Access to Open Space Objective	x	✓
B 30 - Storage Objective	x	✓
B 31 - Design detail objective	✓ subject to condition	✓ subject to condition
B 32 - Front Fences Objective	N/A	N/A
B 33 - Common Property Objectives	✓	✓
B 34 - Site Services Objectives	✓	✓

✓- complies
x – non-compliance
N/A- not applicable

9.2 4 Kernan Street, Strathmore (Lot 128 PS 007506) - Construction of four dwellings

File No: FOL/16/130
Author: Senior Statutory Planner
Directorate: Planning & Development
Ward: Buckley

Planning File No.	MV/21/2015
Proposal	Construction of four double storey dwellings
Applicant	MS Design Living Pty Ltd
Owner	Palta Holdings Pty Ltd
Planning Scheme Controls	General Residential Zone
Planning Permit Requirement	Clause 32.08-4 – Construction of two or more dwellings
Car Parking Requirements (Clause 52.06)	Required – 6 car spaces Proposed – 6 car spaces
Bicycle Requirements	N/A
Restrictive Covenants	None
Easements	None
Site Area	766 square metres
Number Of Objections	31
Consultation Meeting	2 March 2016

Executive Summary

- The application seeks planning approval for the construction of four double storey dwellings.
- The site has an area of approximately 766 square metres and is located on the northern side of Kernan Street, Strathmore. The subject site is located within an area characterised by residential and commercial built forms.
- The application was advertised and 31 objections were received. Concerns were raised relating to the overdevelopment (density and site coverage), neighbourhood character (visual bulk and scale, loss of garden areas, external materials, design details), site layout (front setback and building height), off-site amenity impacts (overlooking, overshadowing, daylight to existing windows, environmental impact and provision of services), car parking (number of car spaces, congestion, on-street parking, noise, increased congestion during construction, safety), devaluation of properties, provision of bins and setting of a precedent.
- A Consultation Meeting was held on 2 March 2016 and was attended by Councillor Giuliano and Councillor Chantry, objectors, the applicant and Council's Planning Officer. No resolution was reached.
- The application was internally referred to Council's Environmental Sustainable Development (ESD) Officer, Engineering Services Unit and Traffic and Transportation Unit. 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 subject site and surrounds

Recommendation

That Council issue a Notice of Decision to Grant a Permit in relation to Planning Permit Application No. MV/21/2015 for the construction of four dwellings at 4 Kernan Street, Strathmore (Lot 128 PS 007506), 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) A notation stating that all obscured windows are to be screened in accordance with Clause 55.04-6 (Overlooking) of the Moonee Valley Planning Scheme.

    b) The pedestrian door associated with the garage of Dwelling 1 to open outwards.

    c) A notation that the service pit within the crossover associated with Dwelling 1 to be modified in accordance with the Relevant Authority.

    d) The provision of external materials finishes and colours schedule (including use of colour swatches) in a format which can be endorsed.

    e) The length of all walls constructed along all boundaries annotated.

    f) The fencing along the eastern and western boundaries to be tapered down to 1.2 metres within the front setback of Dwelling 1

    g) All internal fences to have a minimum height of 1.8 metres.

    h) Any alterations and/or modifications required as a result of Condition 3.

    i) An annotation stating the correct roof catchment area collected to the rainwater tank associated with Dwelling 2, as detailed on the STORM report.

    j) Each raingarden to have the following information provided:

        i. Show graphically the size of the raingarden in square metres.

        ii. The size of the raingarden to correspond with the approved STORM report.

        iii. Provide a note equivalent to “The rainwater from the impervious paved area nominated to be collected & discharged into buffer/infiltration strip/pit or in-ground raingarden, to be fully lined with an impervious liner and have its overflow/aggie drain connected to the stormwater system”, in accordance with the approved STORM report.

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

2. Except with the prior written consent of the Responsible Authority, the layout of the land 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.

3. An amended STORM assessment report must be submitted simultaneously with the submission of amended plans. The STORM assessment must obtain a minimum of 100% to comply with Clause: 22.03-4 (Stormwater Management) of the Moonee Valley Planning Scheme and include the following:

   a) The driveway catchment areas and roof catchment areas to align with those shown on the floor plans.

4. A minimum 30 days prior to any building or works commencing, a Construction and Site Management Plan (CSMP) must be submitted to and be approved by the Responsible Authority detailing the construction activity proposed and the site and environmental management methods to be used. The plan must include, but is not limited to:

   a) Hours of construction;

   b) Parking and traffic movement of all workers' 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 prevention of contamination which must be in the form of a detailed statement or report which outlines all 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) Arrangements for chemical storage;

   l) Noise and vibration control;

   m) Risk assessment;

   n) Works timetable; and

   o) Number of workers expected to work on the site at any one time.

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

   The development must be carried out in accordance with the endorsed CSMP and the provisions, requirements and recommendations of the endorsed CSMP must be implemented and complied with to the satisfaction of the Responsible Authority.

5. A minimum 30 days prior to any building or works commencing, all WSUD Design Details (relating to the WSUD treatment measures nominated in the approved and complying STORM report), such as cross sections and/or specifications, to assess the technical effectiveness of the proposed stormwater treatment measures, must be submitted for approval by the Responsible Authority.

6. A maximum 30 days following completion of the building or works, 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 treatment measures written by the author of the WSUD Response and STORM or MUSIC model approved pursuant to this permit, or licensed installing/commissioning plumber, or similarly qualified person or company. This report must be to the satisfaction of the Responsible Authority and must confirm that all WSUD treatment measures 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' User's Guide or a Building Maintenance Guide.

7. Before the buildings approved by this permit are occupied, all retaining walls and boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.

8. Before the buildings approved by this permit are occupied, the privacy screens and other measures to prevent overlooking as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority.

   All privacy screens and other measures to prevent overlooking as shown on the endorsed plans must at all times be maintained to the satisfaction of the Responsible Authority.

9. Floor levels shown on the endorsed plan(s) must not be altered or modified without written consent of the Responsible Authority.

10. Prior to the issue of an Occupancy Permit, all new boundary fencing as shown on the endorsed plans must be erected. The cost of such fencing must be met by the owner and carried out to the satisfaction of the Responsible Authority.

11. Before the buildings approved by this permit are occupied, the areas set aside for the parking of vehicles, together with the associated driveways and access lanes as shown on the endorsed plans must be:

    a) Constructed;

    b) Available for use in accordance with the endorsed plans;

    c) Properly formed to such levels and drained so that they can be used in accordance with the endorsed plans; and

    d) Finished with a permanent trafficable surface (such as concrete, asphalt or paving),

in accordance with the endorsed plans to the satisfaction of the Responsible Authority.

The area set aside for the parking of vehicles, together with the associated driveways and access lanes as shown on the endorsed plans must:

a) Be maintained and made available for such use; and

b) Not be used for any other purpose

to the satisfaction of the Responsible Authority.

12. Before the buildings approved by this permit are occupied, concrete vehicular crossing(s) must be constructed to suit the proposed driveway(s) in accordance with the responsible authority's specification and any obsolete, disused or redundant vehicle crossing(s) must be removed and the area reinstated to footpath, nature strip and kerb and channel 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 prior 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 land to the satisfaction of the Responsible Authority.

    Before the development starts a Drainage Layout Plan, including computations and manufacturers specifications, to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The Drainage Layout Plan must be prepared by a Civil Engineer with suitable qualifications to the satisfaction of the Responsible Authority and must depict an on-site stormwater detention drainage system to be installed on the land.

    When approved, the Drainage Layout Plan will form part of this permit.

    The on-site stormwater detention drainage system must be installed and the provisions, recommendations and requirements of the endorsed Drainage Layout Plan must otherwise be implemented and complied with to the satisfaction of the Responsible Authority.

15. Prior to the commencement of development, an engineering design plans (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.

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.

16. 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.

17. Buildings or works must not be commenced (and trees or vegetation must not be removed) until a landscape plan prepared by a suitably qualified and experienced person or firm has been submitted to and approved by the Responsible Authority. The landscape plan(s) must be generally in accordance with the plans submitted for endorsement but modified to show:

    a) A landscape plan in accordance with Condition 1.

    b) Any landscaping within the visibility splays in accordance with Clause 52.06 of the Moonee Valley Planning Scheme to have a maximum height of 900mm.

    c) Buildings, outbuildings and trees in neighbouring allotments that would affect the landscape design.

    d) Planting on the land comprising trees and shrubs capable of:

        i. Providing a complete garden scheme.

        ii. Softening the building bulk.

        iii. Providing some canopy trees within the front setback of Dwelling 1. Selected canopy trees must be capable of reaching a mature minimum height of 4 metres.

        iv. Minimising the potential of any overlooking between habitable rooms of adjacent dwellings where applicable.

    e) The proposed design features such as paths, paving, lawn and mulch.

    f) 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.

    g) The use of indigenous species where appropriate.

    h) The use of drought tolerant species.

    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.

18. The garden areas shown on the endorsed plan and schedule must only be used as gardens and must be constructed, completed and maintained in a proper, tidy and healthy condition to the satisfaction of the responsible authority. Any

tree or shrub damaged, removed or destroyed must be replaced by a tree or shrub of similar size and variety to the satisfaction of the Responsible Authority.

19. 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 land.

20. The existing street tree along Kernan Street must not be removed or damaged as a result of the permitted development.

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.
- No on street parking permits will be provided to the occupiers of the subject site.
- A Council drain (minimum 300mm diameter RCP RRJ) or as specified by the Responsible Authority will need to be constructed to reach the approved point of discharge (approx. 70 metres).
- All works undertaken within any existing road reserves must accord with the requirements of the Moonee Valley City Council's Technical Services Department and to the satisfaction of the Responsible Authority.
- The required on-site detention system must 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, tc=5mins, 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.

1. Introduction

1.1 Subject Site and Surrounds

The subject site is located on the north side of Kernan Street, Niddrie. The site is rectangular in shape with a frontage of 15.24 metres to Kernan Street and a maximum boundary length of 50.29 metres, resulting in a total area of 766 square metres.

The land is relatively flat with no discernible slope.

There are no restrictive covenants or easements present on the subject site.

The site comprises of a single storey brick dwelling with a minimum front setback of approximately 8.4 metres.

Vehicle access to the site is obtained from an existing single-width crossover located to the south-east along Kernan Street. There is no significant landscaping or vegetation on the subject site, with some small to medium sized landscaping located within the front setback. There is no front fence to the existing dwelling, with a sign, pit and street tree within the nature strip.

Figure 2 Subject site - 4 Kernan Street, Strathmore

The land to the east, south and west is comprised of predominantly residential zoned land used and developed for residential purposes. The built form within the vicinity is predominantly single and double storey, with examples of multi-dwelling developments evident nearby. While the built form found within the immediate vicinity is very much eclectic, with no strong urban character, there is a slow emergence of new developments nearby. Examples of multi-unit developments are located at 2, 7, 10, 14, 17, 28 and 41 Kernan Street and to the rear at 7 and 9 Lloyd Street.

To the north and further east of the site is land located within a Commercial 1 Zone. These properties have frontages onto Lloyd Street and Napier Street and

form part of the Napier Street shopping precinct. The precinct is a local shopping strip and developed primarily for commercial purposes, with some residential components to the rear.

1.2 Proposal

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

Table 1

No of dwellings	Four double storey (2 x 3 bedrooms and 2 x 2 bedrooms)
No of car spaces	Six
Max Building Height	7.5 metres
Site Coverage	40%
Permeability	36%

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

2. Background

2.1 Relevant Planning History

There is no planning history which is relevant to the assessment of this application.

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 21.03 Vision

Clause 21.04 Sustainable Environment

Clause 21.05 Housing

Clause 21.06 Built Environment

Clause 22.03 Stormwater Management (WSUD)

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 standard drainage and engineering conditions.

- Traffic and Transportation Unit

  No objection subject to the following conditions in addition to the standard conditions:

  - The pedestrian door associated with the garage of Dwelling 1 to open outwards (Condition 1b).
  - A notation that the pit within the crossover associated with Dwelling 1 to be modified in accordance with the Relevant Authority (Condition 1c).

- Environmental Sustainable Development Officer

  No objection subject to 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 one notice erected on site for 14 days.

As a result, 31 objections were received from properties contained within **Appendix B** of this report.

2.5 Consultation Meeting

A Consultation Meeting was held on 2 March 2016 and was attended by Councillor Giuliano and Councillor Chantry, the applicant, objectors and Council's Planning Officer. No resolution was achieved at the meeting.

3. Discussion

3.1 State Planning Policy Framework

The relevant State Planning Policy Framework clauses are considered to be met. The policy framework objectives seek primarily to encourage the consolidation of urban allotments in locations which take advantage of existing commercial and community services and public transport. The framework also

seeks to ensure planning provides for housing diversity, the provision for supporting infrastructure as well as ensuring new housing has access to services.

The subject site is located relatively close to reserves, schools, arterial roads and public transport in the form of the 501 bus, approximately 250 metres to the south. The site location is therefore considered to meet the State Planning Policy Framework for more intense residential development.

3.2 Local Planning Policy Framework

Council's Municipal Strategic Statement was updated in March 2015, with one of the main changes being the incorporation of Clause 21.04-3 (Ecological 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 in this instance.

The proposal accords with 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 the Clause appear to overlap with those contained within neighbourhood character precinct profiles and ResCode and therefore the key concepts of Clause 21.06 are discussed below in Sections 3.3.

Subject to the submission of a new STORM report, it is considered that the proposal complies with Clause 22.03 Stormwater Management (WSUD) and can meet the required on site stormwater treatment as demonstrated by achieving 100%, or greater, using the STORM tool. A further condition will be included for all treatment measures and relevant annotations have been shown on the plans. This will be a condition of any permit issued (refer Condition 3).

The relevant design requirement conditions will therefore be placed on any approval issued in accordance with this policy.

3.3 Neighbourhood Character Guidelines

The subject land is identified as being within character area 'Garden Suburban 6'. The precincts preferred character statement states that:

> "New developments will contribute to the character of this area with established gardens, simple design and consistent siting to ensure they do not dominate the streetscape.
>
> Buildings will be articulated with recesses, porch areas, large windows and setbacks to complement the pattern of the traditional dwellings. The use of light finishes will maintain the existing palette of materials. Buildings will be

located from the front boundary at a distance similar to those on adjoining properties, while consistent side setbacks will provide space for landscaping and planting. Low or permeable front fences will allow views of the vegetation in gardens from the street."

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

Siting and Building Envelope	The proposal is setback 7.65 metres from Kernan Street. This is considered to be in keeping with the neighbourhood character and consistent with other setbacks in the immediate vicinity. A four metre side setback is provided along the eastern boundary as the development immediately presents to the street. This setback ensures no boundary to boundary development, which maintains the rhythm of spacing between dwellings and allows for landscaping along the side boundary. Although it is noted that four dwellings on a lot is not common to the area, the proposed building envelope of the development is similar to other medium density style developments within the area, which is experiencing an increase in this type of development. Examples of this emerging trend can be found at 7 and 9 Lloyd Street, which both have three dwellings on one lot, in the same tandem arrangement. Along Kernan Street there are a number of two dwellings on a lot in a tandem arrangement with examples at 2, 7, 10, 14, 17and 28 Kernan Street. It must also be noted that 2 Kernan Street has a similar building footprint to the proposed development.
Built Form	The proposed dwellings incorporate more traditional elements which is considered to compliment the surrounding area. The two storey built form is considered to be an appropriate design response, with the proposal incorporating four double storey dwellings. The dwellings are sufficiently setback from the surrounding secluded private open spaces, with limited off-site amenity impacts to adjacent properties. The proposed development incorporates spacing between the upper floors, reducing the overall built from as the development presents to adjoining properties and ensuring no continuous built form. This is particularly noticeable towards the rear, where the upper floors are setback between 3.8 to 5 metres towards the adjoining secluded private open space at 6 Kernan Street. It is noted that Dwelling 4 is to have a minimum rear setback of 1.8 metres

	to 1 Lloyd Street and 2.4 metre setback to 6 Kernan Street. These setback are considered acceptable taking into account the commercial interface of 1 Lloyd Street and screening provided to 6 Kernan Street by an existing canopy tree. The proposed development provides meaningful articulation and is responsive to the built form in the locality. Combined with the varied use of fenestration, colours and materials, it is considered that the built form is sufficiently recessed to an appropriate level. The garage associated with Dwelling 1 is setback behind the front façade, ensuring it is not a dominant feature to the street. Dwelling 1 also features a cantilevered upper floor above the dwelling's private open space, which is considered to provide sufficient articulation and some visual interest from the street. Further the 6.2 metres setback to the eastern boundary ensures sufficient separation to 2 Kernan Street.
Design Detail	A mix of brick, rendered and vertical board cladding finishes are proposed and considered to be characteristic of more recent infill developments in the area. Windows provided towards the street to ensure surveillance of the street is achieved. Roof forms are pitched with eaves presenting to the street for each dwelling.
Landscaping	The development is set off the eastern side boundary to the street and is provided with a landscaped front yard to assist in breaking up the built form. Additional landscaping is also provided along the accessway to soften the impact of the concrete driveway towards the street. A 0.9 metre high front fence is included to ensure views of the front garden are maintained given its height.

3.4 Compliance with Clause 52.06 (Car Parking)

Table 2

Unit	Requires	Provides
4 Dwellings (2 x 3 bedrooms and 2 x 2 bedrooms)	6	6
Residential Visitors	N/A	N/A
Total	6	6

As discussed under Section 2.3 of this report, Council's 'Traffic and Transportation Unit' have no objections to the proposed development, subject to the inclusion of conditions on any permit granted.

In addition, pursuant to Clause 52.06, pedestrian visibility splays have been provided and the appropriate number of car parking spaces are provided to service each dwelling.

3.5 Clause 55 Assessment

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

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

Table 3

ResCode Standard	Response
Clause 55.03-1 (Standard B6 – Street Setback)	Under the above standard a front setback of 7.65 metres is required. A setback of 7.65 metres is proposed, meeting the front setback requirements. A variation however is required with respect to the front porch associated with Dwelling 1. The porch has a design feature at a height of 3.9 metres. The feature is considered acceptable given the majority of the porch does not exceed 3.6 metres and provides some visual interest.
Clause 55.03-8 (Standard B13 – Landscaping)	No landscape plan has been submitted, however, the proposal exhibits adequate space for landscaping to occur. It is recommended that a condition on any permit issued requires a landscape plan be submitted by a suitably qualified person (refer Condition 17).
Clause 55.04-6 (Standard B22 – Overlooking)	All ground floor habitable room windows interface a 1.8 metre high boundary fence, ensuring no overlooking. With respect to the first floors, all habitable room windows within 9 metres of adjoining open spaces/habitable room windows have been screened to a high of 1.7 metres. A condition will be included however for a notation to be included on the plans stating that all obscured windows and screening devices to be in accordance with the above standard (Condition 1a).
Clause 55.05-4 (Standard B28 – Private Open Space)	Dwellings 1, 2 and 3 have been provided with the minimum private open space areas specified in the above standard. Dwelling 4 however has only been provided with 38 square metres of open space, requiring a variation of 2 square metres. A variation in the standard is considered acceptable in this instance given the relatively minor variation required and proximity to reserves to the west (Woodland Street Reserve and

	Alf Pearce Reserve) of the subject site.

3.6 Objections

Table 4

Issue	Officer Response
Neighbourhood character	Refer to Section 3.3 of report.
Site layout and building massing • The proposed front setback fails to respond to the prevailing setbacks within the street; • The proposal fails to provide meaningful landscaping opportunities; • The proposal is excessive in overall height.	Refer to Section 3.3 of report.
Overdevelopment	The subject site is located within a General Residential Zone (GRZ). The GRZ does not have a specific restriction on the number of dwellings permitted on site, however any proposal to demonstrate a high degree of compliance with the Moonee Valley Planning Scheme and in particular, Clause 55. A review of the Clause 55 has shown the proposed development does show a high degree of compliance with Clause 55. However as outlined above, it is considered that the proposal does not represent an overdevelopment of the site through the compliance with Council's Neighbourhood Character Guidelines as outlined in Section 3.3 of this report. Given the size of the site, its location in an urban environment and its proximity to public transport and local amenities, the level of development proposed is appropriate and consistent with State and Local Planning Policy Frameworks.
Off-site amenity impacts: • Overlooking/Loss of privacy;	The application has been assessed against the relevant overshadowing objectives/standards pursuant to Clause 55.04-5 (Overshadowing) of the Moonee Valley Planning Scheme. The assessment has shown

• Overshadowing; • Proposal not environmentally sustainable; • Daylight to adjoining windows reduced; • Lack of services to accommodate four dwellings.	that the proposal complies with the overshadowing standard. The application has been assessed against the relevant overlooking objectives/standards pursuant to Clause 55.04-6 (Overlooking) of the Moonee Valley Planning Scheme. The assessment has shown that the proposal, subject to condition as detailed above, complies with the overlooking standard. With respect to daylight to existing windows that proposal has been assessed against the requirements of Clause 55.04-3 (Daylight to Existing Windows) and is fully compliant. The application has been assessed against the relevant energy efficiency requirements of Clause 55 and a STORM assessment provided. Subject to the submission of an amended STORM report, the proposal exhibits a high level of compliance with the relevant decision guidelines. The proposal was referred to Council's Technical Services Department, with no objection with respect to infrastructure. The subject site is also located within an established residential area, where services are already provided and where increased densities are encouraged by State planning policy.
Car parking/traffic • The proposal does not provide sufficient on-site parking; • The proposal will lead to increased traffic/congestion within the area; • The proposal will place increased pressure on car parking availability within the street. Particularly in close proximity of the shopping strip along Napier Street; • Vehicle noise; • Traffic and parking during	The proposed development satisfies Clause 52.06 of the Moonee Valley Planning Scheme in respect to the provision of car parking. The development provides for appropriate on-site car parking relative to the number of bedrooms in the proposed dwellings. A review of the parking location, has identified that all garages and tandem car spaces meet the minimum dimensions specified in Clause 52.06. Council's Traffic and Transportation Unit have assessed the proposal and has raised no concerns regarding the impact of the proposal on the surrounding traffic network. The increased traffic movement associated with the additional dwellings on the site is considered acceptable and can be readily accommodated in the surrounding street network. Existing traffic and parking problems in the area cannot be addressed through the current application, nor should the burden of relieving these existing problems be imposed on the developer of the subject land. With respect to on-street car parking, the proposal ensures that one on-street car space is retained between the crossovers. Further should a permit be approved, residents will not be eligible for parking

construction; • Deterioration of Kernan Street as a result of increased number of vehicles; • Kernan Street too narrow; • Tandem car space abutting the footpath; • Pedestrian safety; • Council not enforcing parking restrictions along Kernan Street and surrounds	permits. In relation to vehicle noise, it is not anticipated that the increase of three dwellings on the subject site will not result in an unreasonable increased in vehicle noise given the residential nature of the proposal. Concerns have been also raised in relation to traffic problems as a result of construction. To ease traffic during construction a condition will be included for a Construction and Site Management Plan (CSMP) to be submitted. The CSMP will review the parking and traffic movements of all workers vehicles and construction vehicles and the location areas for loading and unloading (refer Condition 4). Finally with respect to pedestrian safety, all vehicles using the common accessway can exit the site in a forwards direction and pedestrian visibility splays in accordance with Clause 52.06 have been provided to both accessways. This ensures sufficient sight distance for drivers and pedestrian alike. The enforcement of parking restrictions along Kernan Street is not a planning matter and cannot be addressed as part of this application.
Property devaluation	The potential devaluation of properties is not a decision guideline which is contained within the Planning Scheme or Planning and Environment Act 1987. Furthermore there is no evidence to suggest the proposal will result in property devaluation. Council can therefore not consider the potential devaluation of properties in this application.
Precedent	When assessing a planning application, Council does not use the precedent of other developments that may have been previously approved. Council will take into account the existing character and preferred future character of that area, but will use the relevant decision guidelines and assess each application on a case by case basis in making a decision.
Inaccuracies in the written submission	The application has been independently reviewed by Council Officers under the relevant decision guidelines of the Moonee Valley Planning Scheme. Any inaccuracies would have been identified and the relevant guideline/standard assessed in accordance with the planning scheme.

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).

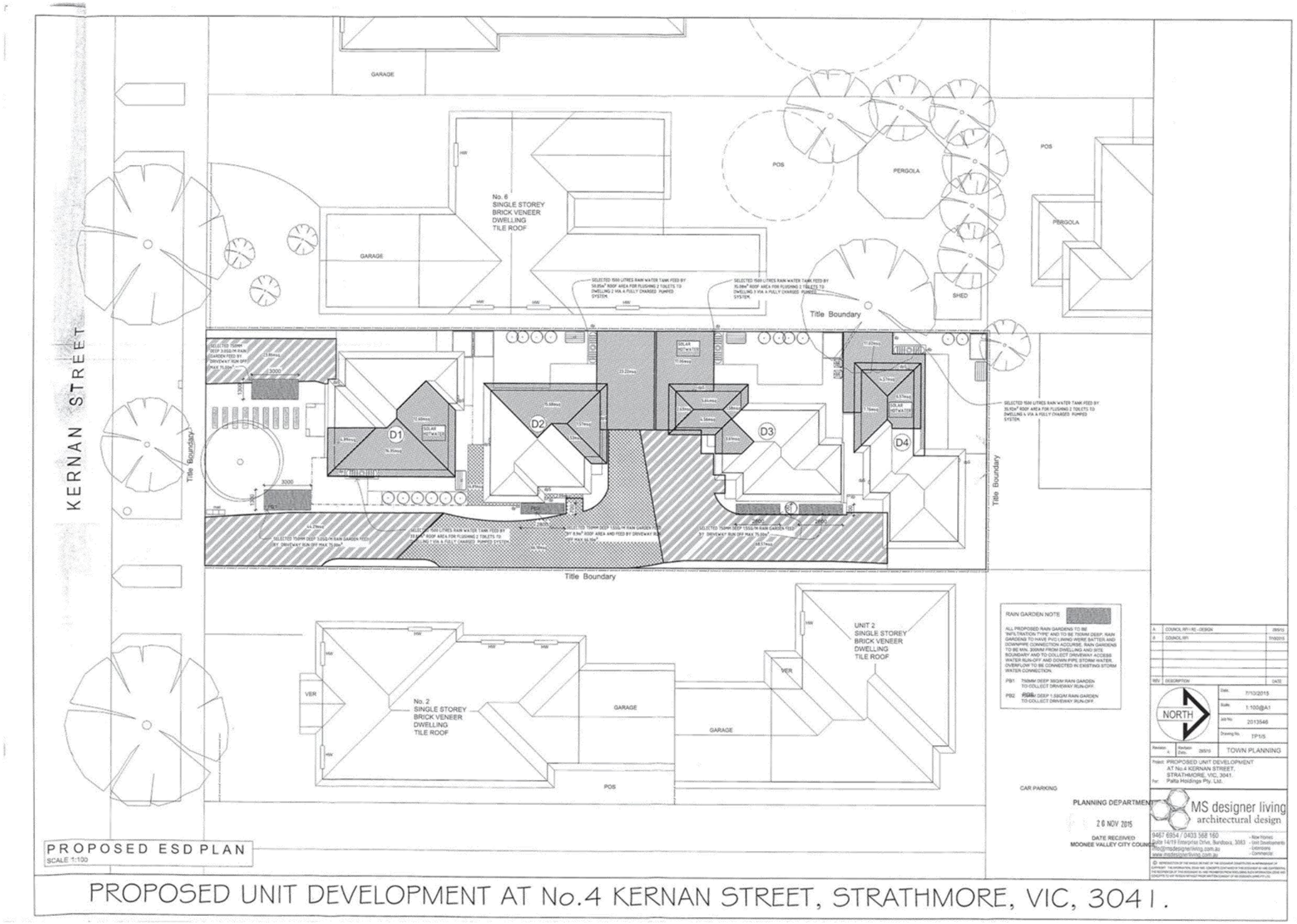
5. Conclusion

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 design guidelines at Clause 65 of the Moonee Valley Planning Scheme. Additionally, consideration has been given to the requirements of Section 60(1B) of the Planning and Environment Act 1987 with respect to the number of objections received, and it is determined that the proposal would not have a significant social affect.

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

Appendices

Appendix A: Plans - 4 Kernan Street Strathmore (MV/21/2015)
Appendix B: List of Objectors Properties
Appendix C: Clause 55 Assessment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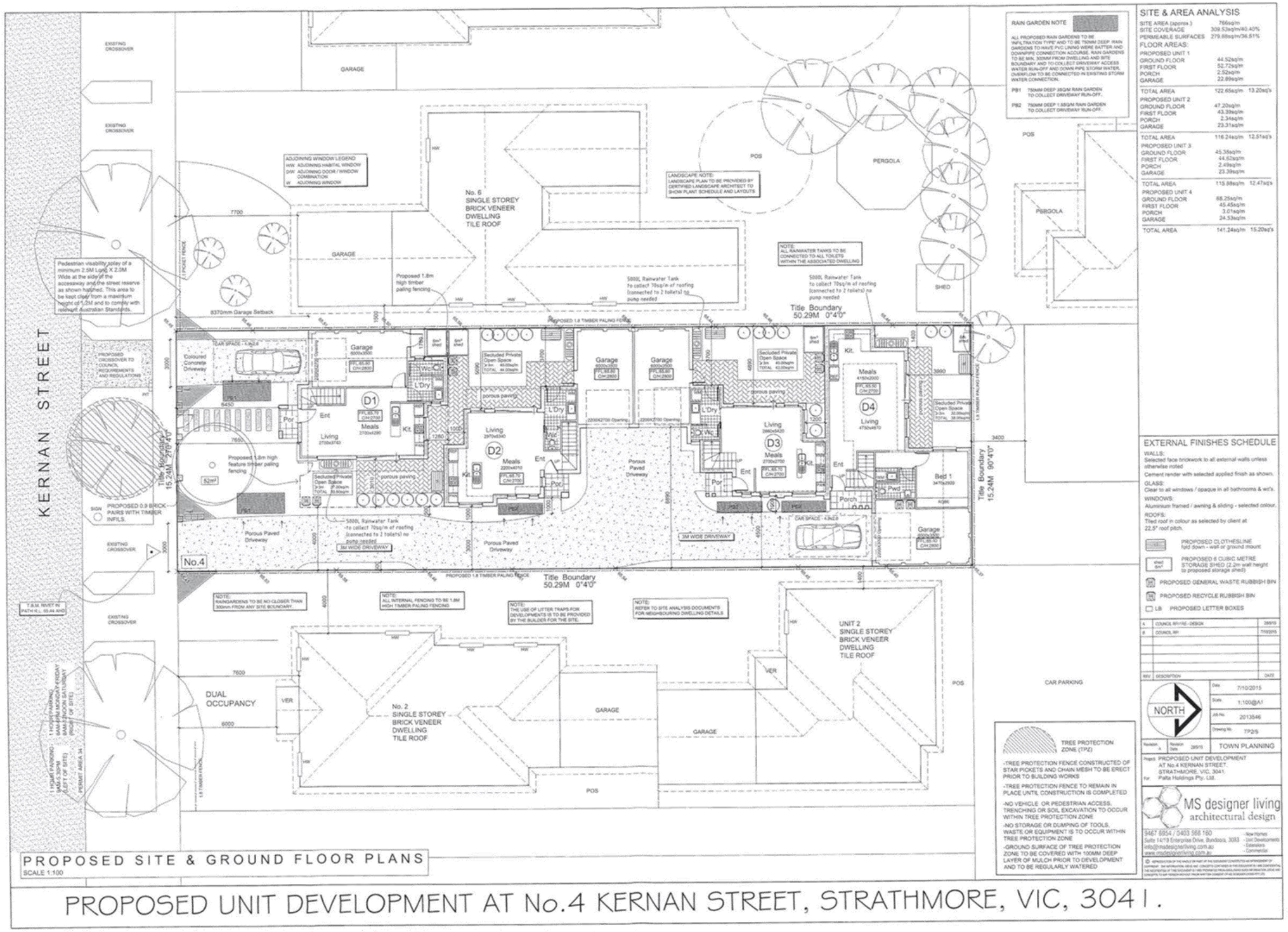
GARAGE
No. 6
SINGLE STOREY
BRICK VENEER
DWELLING
TILE ROOF
GARAGE
POS
PERGOLA
POS
PERGOLA
SHED
Title Boundary
D1
D2
D3
D4
Title Boundary
Title Boundary
Title Boundary
No. 2
SINGLE STOREY
BRICK VENEER
DWELLING
TILE ROOF
GARAGE
GARAGE
POS
UNIT 2
SINGLE STOREY
BRICK VENEER
DWELLING
TILE ROOF
RAIN GARDEN NOTE
ALL PROPOSED RAIN GARDENS TO BE 'INFILTRATION TYPE' AND TO BE 750MM DEEP. RAIN GARDENS TO HAVE PVC LINING WERE BATTER AND DOWNPIPE CONNECTION OCCURSE. RAIN GARDENS TO BE MIN. 300MM FROM DWELLING AND SITE BOUNDARY AND TO COLLECT DRIVEWAY ACCESS WATER RUN-OFF AND DOWN PIPE STORM WATER OVERFLOW TO BE CONNECTED IN EXISTING STORM WATER CONNECTION.
PB1 750MM DEEP 3SQM RAIN GARDEN TO COLLECT DRIVEWAY RUN-OFF.
PB2 750MM DEEP 1.5SQM RAIN GARDEN TO COLLECT DRIVEWAY RUN-OFF.
CAR PARKING
PLANNING DEPARTMENT
26 NOV 2015
DATE RECEIVED
MOONEE VALLEY CITY COUNCIL
A COUNCIL RFI - RE - DESIGN 28/9/15
B COUNCIL RFI 7/10/2015
REV DESCRIPTION DATE
NORTH
Date: 7/10/2015
Scale: 1:100@A1
Job No: 2013546
Drawing No: TP1/5
Revision: A Revision Date: 28/9/15
TOWN PLANNING
Project: PROPOSED UNIT DEVELOPMENT
AT No.4 KERNAN STREET,
STRATHMORE, VIC, 3041.
For: Palta Holdings Pty. Ltd.
MS designer living
architectural design
9467 6954 / 0403 568 160
Suite 14/19 Enterprise Drive, Bundoora, 3083
info@msdesignerliving.com.au
www.msdesignerliving.com.au
- New Homes
- Unit Developments
- Extensions
- Commercial
PROPOSED ESD PLAN
SCALE 1:100
PROPOSED UNIT DEVELOPMENT AT No.4 KERNAN STREET, STRATHMORE, VIC, 3041.



RAIN GARDEN NOTE

ALL PROPOSED RAIN GARDENS TO BE 'INFILTRATION TYPE' AND TO BE 750MM DEEP. RAIN GARDENS TO HAVE PVC LINING WERE BATTER AND DOWNPIPE CONNECTION ACCURSE. RAIN GARDENS TO BE MIN. 300MM FROM DWELLING AND SITE BOUNDARY AND TO COLLECT DRIVEWAY ACCESS WATER RUN-OFF AND DOWN PIPE STORM WATER. OVERFLOW TO BE CONNECTED IN EXISTING STORM WATER CONNECTION.

PB1 750MM DEEP 3SQM RAIN GARDEN TO COLLECT DRIVEWAY RUN-OFF.

PB2 750MM DEEP 1.5SQM RAIN GARDEN TO COLLECT DRIVEWAY RUN-OFF.

SITE & AREA ANALYSIS

SITE AREA (approx.)	766sq/m	
SITE COVERAGE	309.53sq/m	40.40%
PERMEABLE SURFACES	279.68sq/m	36.51%
FLOOR AREAS:		
PROPOSED UNIT 1		
GROUND FLOOR	44.52sq/m	
FIRST FLOOR	52.72sq/m	
PORCH	2.52sq/m	
GARAGE	22.89sq/m	
TOTAL AREA	122.65sq/m	13.20sq/s
PROPOSED UNIT 2		
GROUND FLOOR	47.20sq/m	
FIRST FLOOR	43.39sq/m	
PORCH	2.34sq/m	
GARAGE	23.31sq/m	
TOTAL AREA	116.24sq/m	12.51sq/s
PROPOSED UNIT 3		
GROUND FLOOR	45.38sq/m	
FIRST FLOOR	44.62sq/m	
PORCH	2.49sq/m	
GARAGE	23.39sq/m	
TOTAL AREA	115.88sq/m	12.47sq/s
PROPOSED UNIT 4		
GROUND FLOOR	68.25sq/m	
FIRST FLOOR	45.45sq/m	
PORCH	3.01sq/m	
GARAGE	24.53sq/m	
TOTAL AREA	141.24sq/m	15.20sq/s

EXTERNAL FINISHES SCHEDULE

WALLS:
Selected face brickwork to all external walls unless otherwise noted
Cement render with selected applied finish as shown.

GLASS:
Clear to all windows / opaque in all bathrooms & wc's.

WINDOWS:
Aluminium framed / awning & sliding - selected colour.

ROOFS:
Tiled roof in colour as selected by client at 22.5° roof pitch.

PROPOSED CLOTHESLINE fold down - wall or ground mount

PROPOSED 6 CUBIC METRE STORAGE SHED (2.2m wall height to proposed storage shed)

PROPOSED GENERAL WASTE RUBBISH BIN

PROPOSED RECYCLE RUBBISH BIN

LB PROPOSED LETTER BOXES

REV	DESCRIPTION	DATE
A	COUNCIL RFI/RE-DESIGN	28/9/15
B	COUNCIL RFI	7/10/2015

NORTH

Date: 7/10/2015
Scale: 1:100@A1
Job No.: 2013546
Drawing No.: TP2/5

Revision: A Revision Date: 28/9/15 TOWN PLANNING

Project: PROPOSED UNIT DEVELOPMENT AT No.4 KERNAN STREET, STRATHMORE, VIC, 3041.
For: Palta Holdings Pty. Ltd.

MS designer living architectural design
3467 6954 / 0403 568 160
Suite 14/19 Enterprise Drive, Bundoora, 3083
info@msdesignerliving.com.au
www.msdesignerliving.com.au
- New Homes - Unit Developments - Extensions - Commercial

TREE PROTECTION ZONE (TPZ)

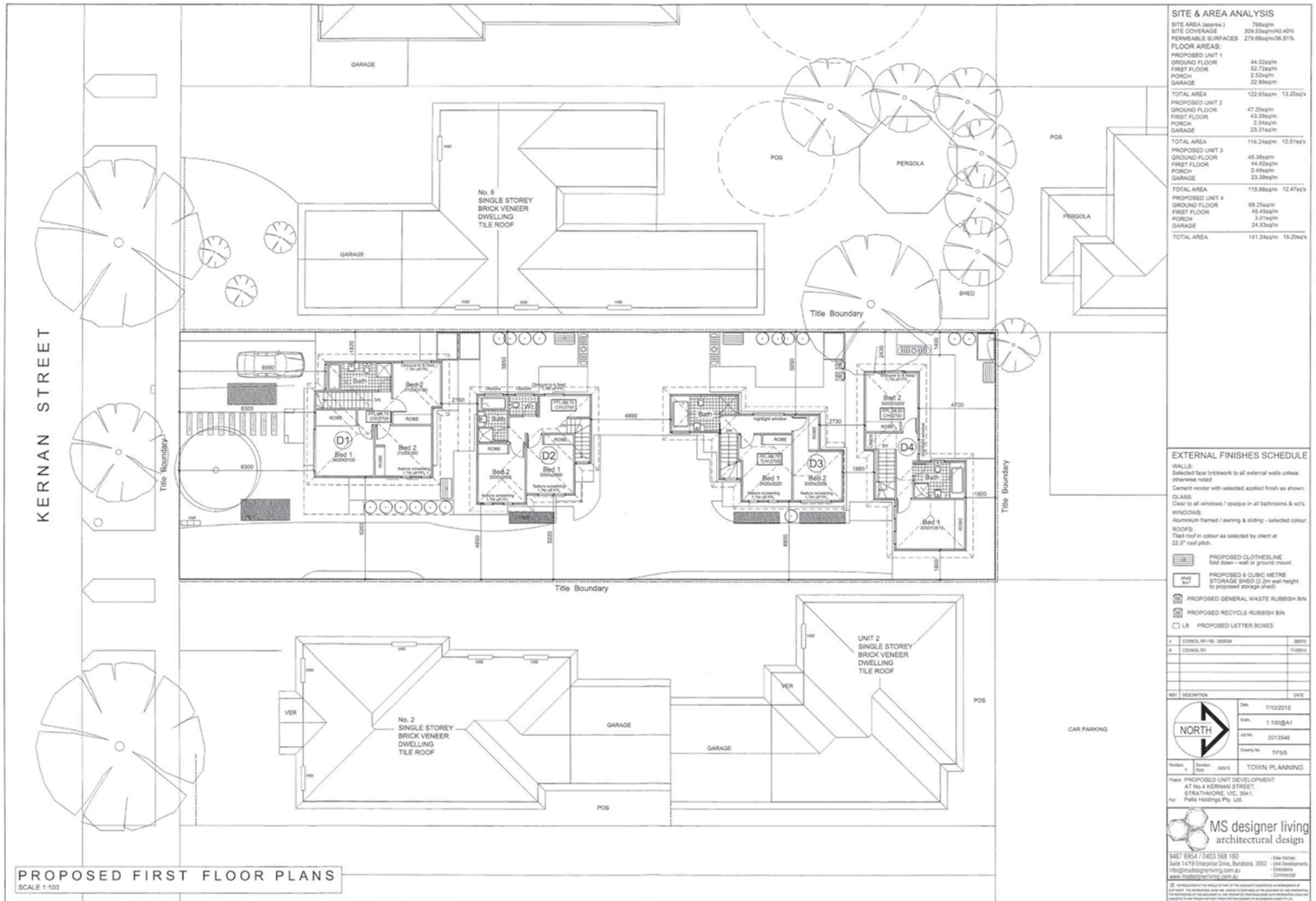
-TREE PROTECTION FENCE CONSTRUCTED OF STAR PICKETS AND CHAIN MESH TO BE ERECT PRIOR TO BUILDING WORKS

-TREE PROTECTION FENCE TO REMAIN IN PLACE UNTIL CONSTRUCTION IS COMPLETED

-NO VEHICLE OR PEDESTRIAN ACCESS, TRENCHING OR SOIL EXCAVATION TO OCCUR WITHIN TREE PROTECTION ZONE

-NO STORAGE OR DUMPING OF TOOLS, WASTE OR EQUIPMENT IS TO OCCUR WITHIN TREE PROTECTION ZONE

-GROUND SURFACE OF TREE PROTECTION ZONE TO BE COVERED WITH 100MM DEEP LAYER OF MULCH PRIOR TO DEVELOPMENT AND TO BE REGULARLY WATERED



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PROPOSED UNIT 4		
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PORCH	3.01sq/m	
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TOTAL AREA	141.24sq/m	15.20sq's

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REV	DESCRIPTION	DATE
A	COUNCIL RFI / RE - DESIGN	28/9/15
B	COUNCIL RFI	7/10/2015

NORTH

Date: 7/10/2015
Scale: 1:100@A1
Job No.: 2013546
Drawing No.: TP3/5
Revision: A
Revision Date: 28/9/15

TOWN PLANNING

Project: PROPOSED UNIT DEVELOPMENT
AT No.4 KERNAN STREET,
STRATHMORE, VIC., 3041.
For: Palta Holdings Pty. Ltd.

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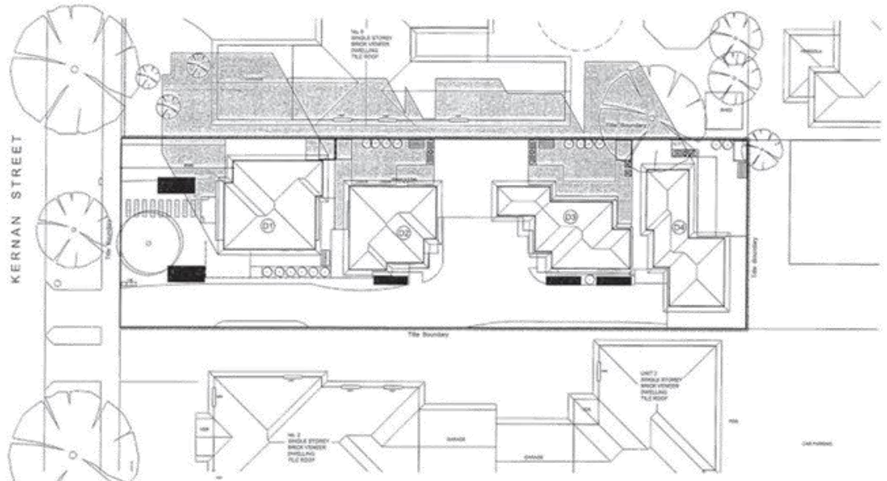
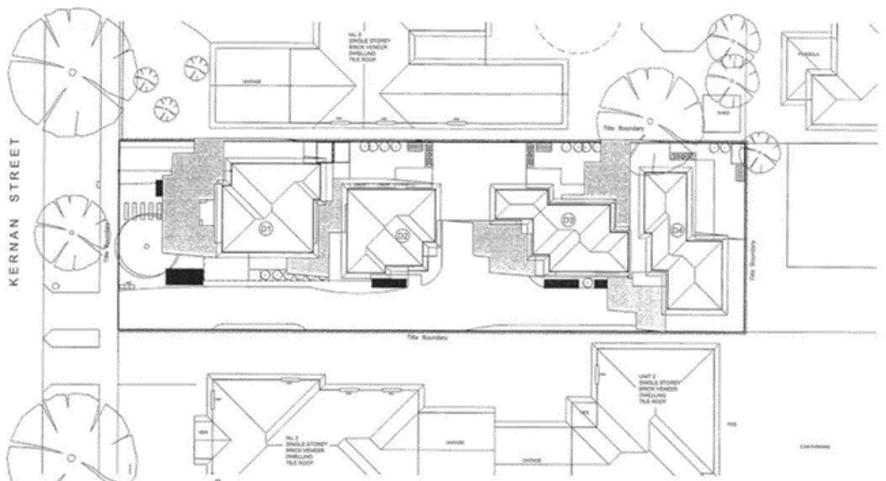
PROPOSED UNIT DEVELOPMENT AT No.4 KERNAN STREET, STRATHMORE, VIC, 3041.

South Elevation
(View from Kernan Street)
North Elevation
South Elevation
Screen Detail
SCALE: 1:20
East Elevation
(View from Proposed Driveway)
South Elevation
West Elevation
South Elevation
North Elevation
North Elevation
Front Fence Elevation
North Elevation
PROPOSED ELEVATIONS
SCALE 1:100
SITE & AREA ANALYSIS
EXTERNAL COLOUR AND MATERIAL SCHEDULE
EXTERNAL FINISHES SCHEDULE
NORTH
TOWN PLANNING
MS designer living
architectural design
PROPOSED UNIT DEVELOPMENT AT No.4 KERNAN STREET, STRATHMORE, VIC, 3041.



SHADOW DIAGRAM 9:00 AM
MARCH 21 – SEPTEMBER 23 (EQUINOX)
Melbourne Standard Time (Latitude 38.0° South)



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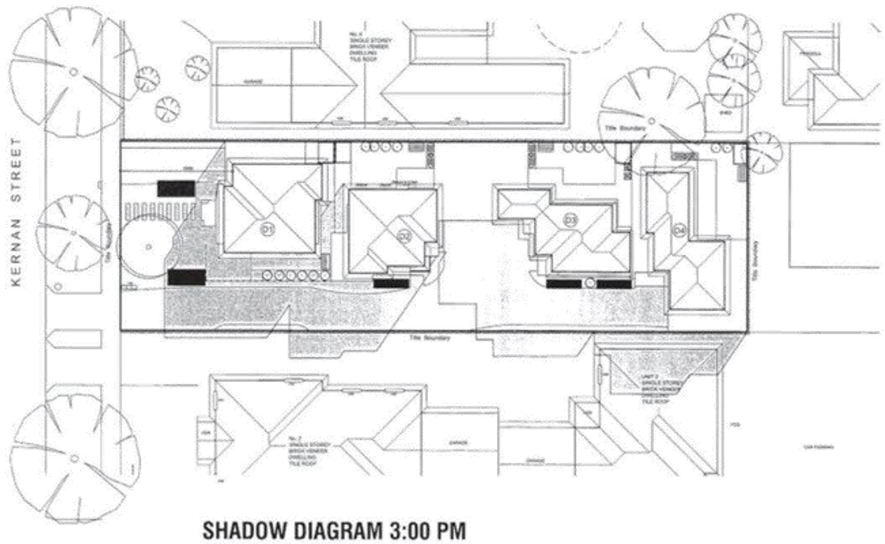

SHADOW DIAGRAM 3:00 PM
MARCH 21 – SEPTEMBER 23 (EQUINOX)
Melbourne Standard Time (Latitude 38.0° South)

PROPOSED SHADOWS
SCALE 1:200

PROPOSED SHADOWS

NORTH

Date	7/10/2015
Scale	1:200@A1
Job No.	2013546
Drawing No.	TP5/5
Revision x	Revision Date 28/9/15

TOWN PLANNING

Project: PROPOSED UNIT DEVELOPMENT AT No.4 KERNAN STREET, STRATHMORE, VIC, 3041.
For: Patta Holdings Pty. Ltd.

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architectural design

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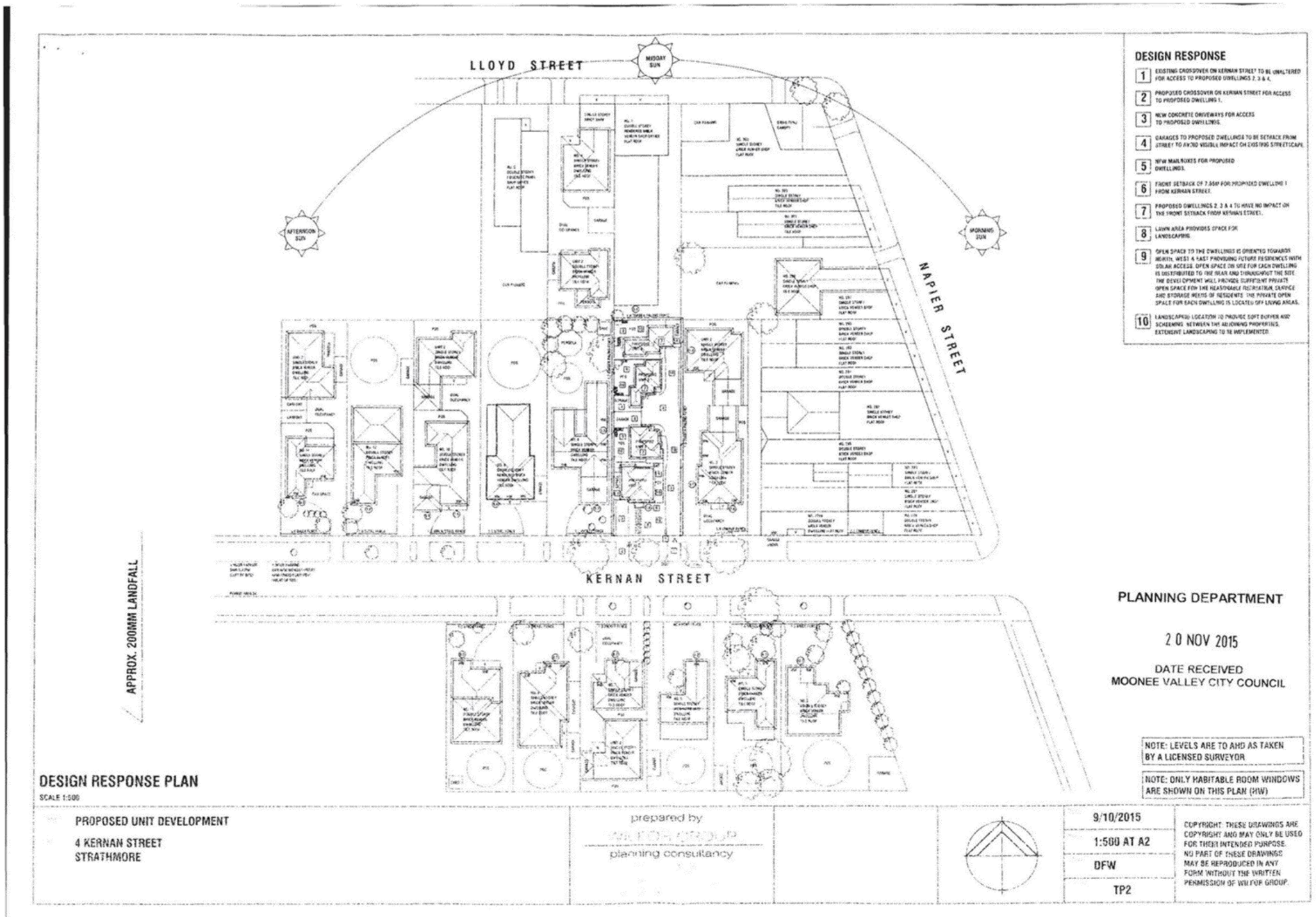
PROPOSED UNIT DEVELOPMENT AT No.4 KERNAN STREET, STRATHMORE, VIC, 3041.


LLOYD STREET
MIDDAY SUN
AFTERNOON SUN
MORNING SUN
NAPIER STREET
KERNAN STREET
APPROX. 200MM LANDFALL
DESIGN RESPONSE
1 EXISTING CROSSOVER ON KERNAN STREET TO BE UNALTERED FOR ACCESS TO PROPOSED DWELLINGS 2, 3 & 4.
2 PROPOSED CROSSOVER ON KERNAN STREET FOR ACCESS TO PROPOSED DWELLING 1.
3 NEW CONCRETE DRIVEWAYS FOR ACCESS TO PROPOSED DWELLINGS.
4 GARAGES TO PROPOSED DWELLINGS TO BE SETBACK FROM STREET TO AVOID VISUAL IMPACT ON EXISTING STREETSCAPE.
5 NEW MAILBOXES FOR PROPOSED DWELLINGS.
6 FRONT SETBACK OF 7.56M FOR PROPOSED DWELLING 1 FROM KERNAN STREET.
7 PROPOSED DWELLINGS 2, 3 & 4 TO HAVE NO IMPACT ON THE FRONT SETBACK FROM KERNAN STREET.
8 LAWN AREA PROVIDES SPACE FOR LANDSCAPING.
9 OPEN SPACE TO THE DWELLINGS IS ORIENTED TOWARDS NORTH, WEST & EAST PROVIDING FUTURE RESIDENCES WITH SOLAR ACCESS. OPEN SPACE ON SITE FOR EACH DWELLING IS DISTRIBUTED TO THE REAR AND THROUGHOUT THE SITE. THE DEVELOPMENT WILL PROVIDE SUFFICIENT PRIVATE OPEN SPACE FOR THE REASONABLE RECREATION, SERVICE AND STORAGE NEEDS OF RESIDENTS. THE PRIVATE OPEN SPACE FOR EACH DWELLING IS LOCATED OFF LIVING AREAS.
10 LANDSCAPED LOCATION TO PROVIDE SOFT BUFFER AND SCREENING BETWEEN THE ADJOINING PROPERTIES. EXTENSIVE LANDSCAPING TO BE IMPLEMENTED.
PLANNING DEPARTMENT
2 0 NOV 2015
DATE RECEIVED
MOONEE VALLEY CITY COUNCIL
NOTE: LEVELS ARE TO AHD AS TAKEN BY A LICENSED SURVEYOR
NOTE: ONLY HABITABLE ROOM WINDOWS ARE SHOWN ON THIS PLAN (HW)
DESIGN RESPONSE PLAN
SCALE 1:500
PROPOSED UNIT DEVELOPMENT
4 KERNAN STREET
STRATHMORE
prepared by
planning consultancy
9/10/2015
1:500 AT A2
DFW
TP2
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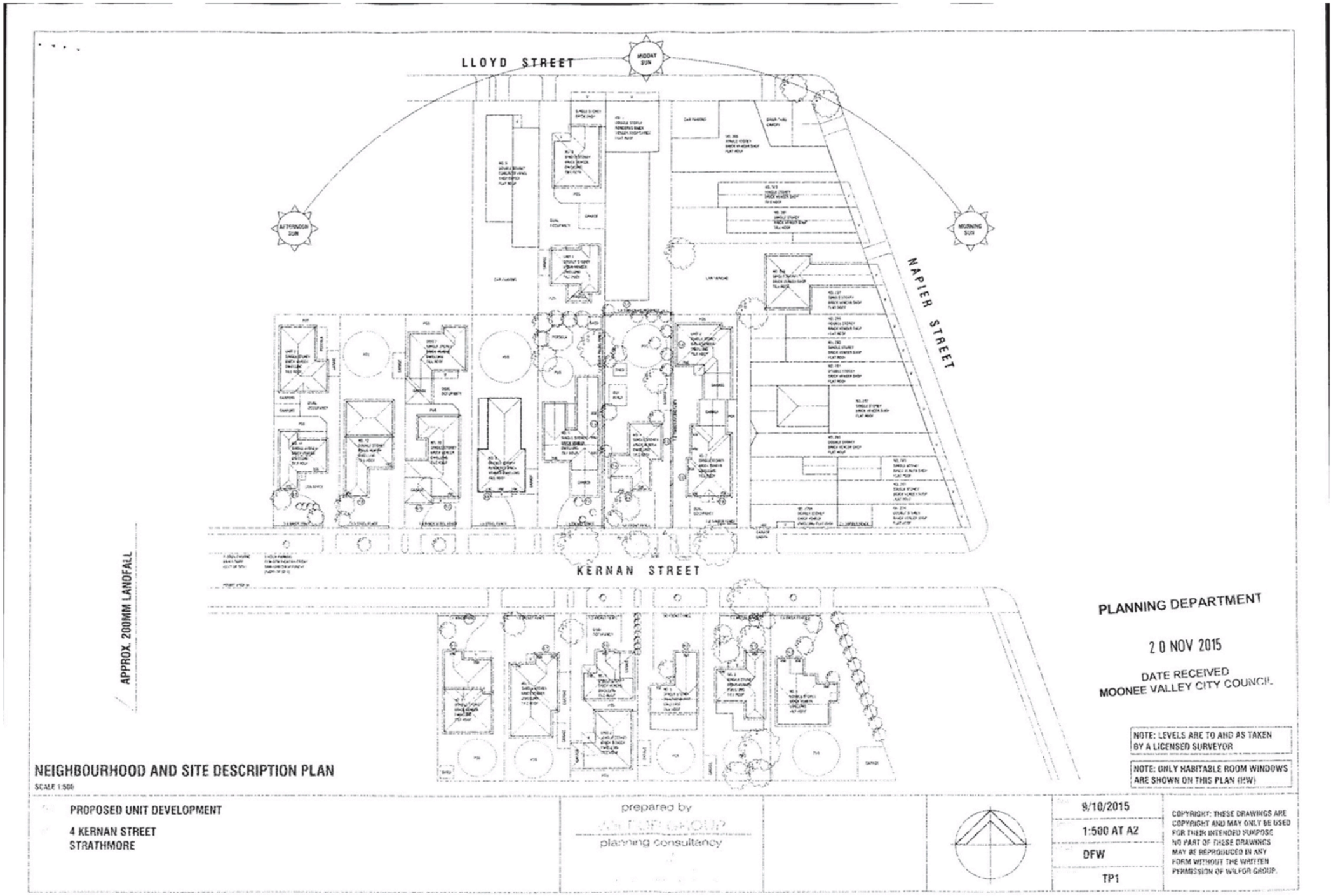
LLOYD STREET
MIDDAY SUN
AFTERNOON SUN
MORNING SUN
NAPIER STREET
KERNAN STREET
APPROX. 200MM LANDFALL
PLANNING DEPARTMENT
2 0 NOV 2015
DATE RECEIVED
MOONEE VALLEY CITY COUNCIL
NOTE: LEVELS ARE TO AHD AS TAKEN BY A LICENSED SURVEYOR
NOTE: ONLY HABITABLE ROOM WINDOWS ARE SHOWN ON THIS PLAN (HW)
NEIGHBOURHOOD AND SITE DESCRIPTION PLAN
SCALE 1:500
PROPOSED UNIT DEVELOPMENT
4 KERNAN STREET
STRATHMORE
prepared by
planning consultancy
9/10/2015
1:500 AT A2
DFW
TP1
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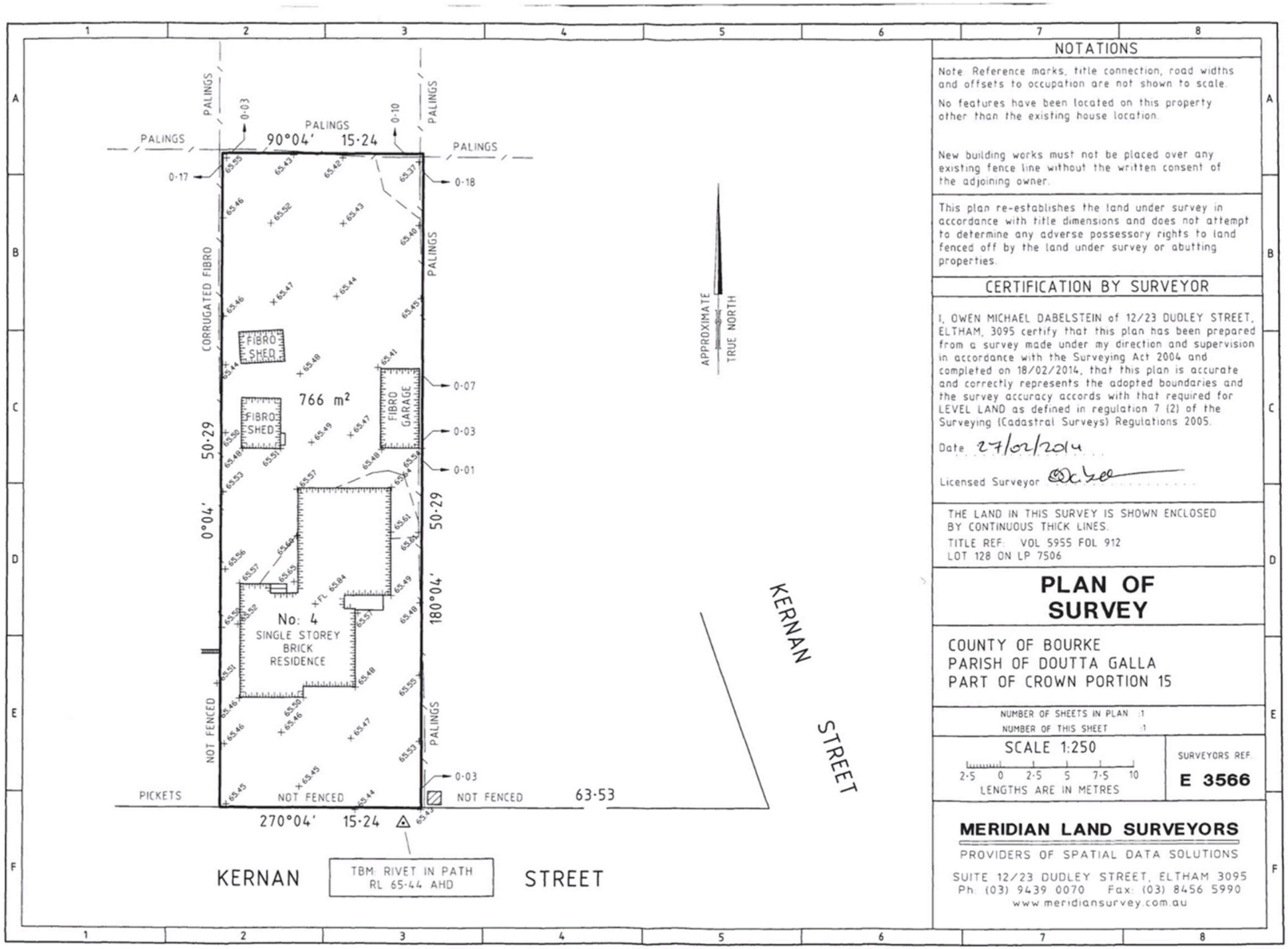


NOTATIONS

Note Reference marks, title connection, road widths and offsets to occupation are not shown to scale.

No features have been located on this property other than the existing house location.

New building works must not be placed over any existing fence line without the written consent of the adjoining owner.

This plan re-establishes the land under survey in accordance with title dimensions and does not attempt to determine any adverse possessory rights to land fenced off by the land under survey or abutting properties.

CERTIFICATION BY SURVEYOR

I, OWEN MICHAEL DABELSTEIN of 12/23 DUDLEY STREET, ELTHAM, 3095 certify that this plan has been prepared from a survey made under my direction and supervision in accordance with the Surveying Act 2004 and completed on 18/02/2014, that this plan is accurate and correctly represents the adopted boundaries and the survey accuracy accords with that required for LEVEL LAND as defined in regulation 7 (2) of the Surveying (Cadastral Surveys) Regulations 2005.

Date 27/02/2014

Licensed Surveyor

THE LAND IN THIS SURVEY IS SHOWN ENCLOSED BY CONTINUOUS THICK LINES.

TITLE REF: VOL 5955 FOL 912
LOT 128 ON LP 7506

PLAN OF SURVEY

COUNTY OF BOURKE
PARISH OF DOUTTA GALLA
PART OF CROWN PORTION 15

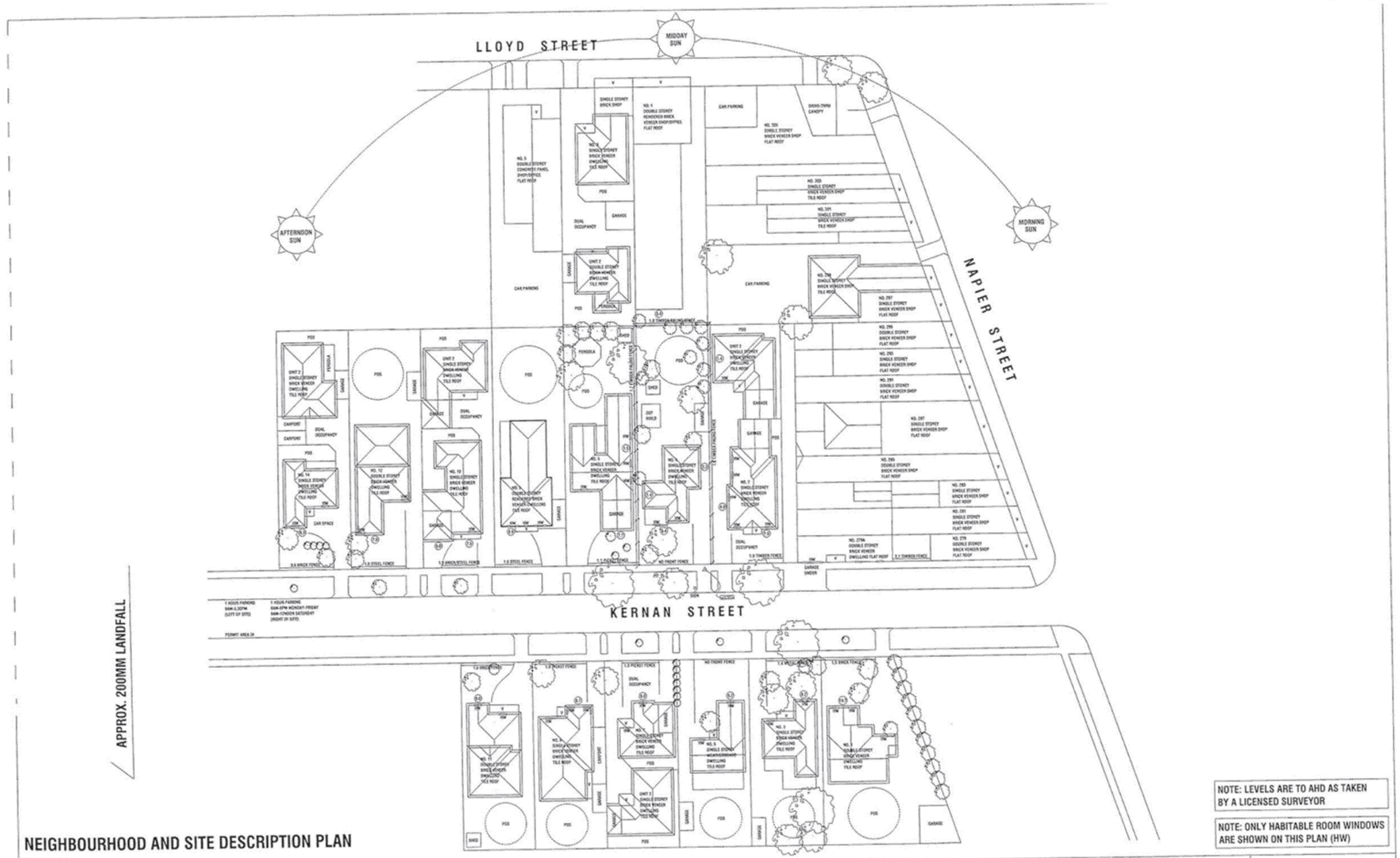
NUMBER OF SHEETS IN PLAN :1
NUMBER OF THIS SHEET :1

SCALE 1:250

2·5 0 2·5 5 7·5 10
LENGTHS ARE IN METRES

SURVEYORS REF.
E 3566

MERIDIAN LAND SURVEYORS
PROVIDERS OF SPATIAL DATA SOLUTIONS
SUITE 12/23 DUDLEY STREET, ELTHAM 3095
Ph: (03) 9439 0070 Fax: (03) 8456 5990
www.meridiansurvey.com.au



NEIGHBOURHOOD AND SITE DESCRIPTION PLAN

SCALE 1:500

NOTE: LEVELS ARE TO AHD AS TAKEN BY A LICENSED SURVEYOR

NOTE: ONLY HABITABLE ROOM WINDOWS ARE SHOWN ON THIS PLAN (HW)

Project: PROPOSED UNIT DEVELOPMENT

At: 4 KERNAN STREET
STRATHMORE

prepared by
WILFOR GROUP
planning consultancy
PO BOX 4117
KNOX CITY CENTRE, VIC 3152
MOBILE: 0409 562 463
email: wilforgroup@live.com.au

Date: 7/2/2014
Scale: 1:500 AT A2
Drawn: DFW
Sheet No.: TP1

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List of Objectors Properties

2/2 Kernan Street, STRATHMORE VIC 3041
70 Kernan Street, STRATHMORE VIC 3041
63 Kernan Street, STRATHMORE VIC 3041
59 Kernan Street, STRATHMORE VIC 3041
71a Kernan Street, STRATHMORE VIC 3041
71 Kernan Street, STRATHMORE VIC 3041
6 Kernan Street, STRATHMORE VIC 3041
2/14 Kernan Street, STRATHMORE VIC 3041
1 Kernan Street, STRATHMORE VIC 3041 (x2)
1/2 Kernan Street, STRATHMORE VIC 3041
61 Kernan Street, STRATHMORE VIC 3041
35 Kernan Street, STRATHMORE VIC 3041 (x2)
50 Kernan Street, STRATHMORE VIC 3041
8 Kernan Street, STRATHMORE VIC 3041
PO Box 3037, STRATHMORE VIC 3041 (x2)
29 Kernan Street, STRATHMORE VIC 3041
17a Kernan Street, STRATHMORE VIC 3041
22 Kernan Street, STRATHMORE VIC 3041
Rear 279 Napier Street, STRATHMORE VIC 3041
5 Kernan Street, STRATHMORE VIC 3041
12 Kernan Street, STRATHMORE VIC 3041
23 Kernan Street, STRATHMORE VIC 3041
31 Kernan Street, STRATHMORE VIC 3041 (x3)
26 Kernan Street, STRATHMORE VIC 3041
3 Kernan Street, STRATHMORE VIC 3041
11 Kernan 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 of this report.

Title and Objective	**Complies with Standard**	**Complies with Objective**
B1 - Neighbourhood Character	✓	✓
B 2 - Residential Policy	✓	✓
B 3 - Dwelling Diversity	N/A	N/A
B 4 - Infrastructure Objectives	✓	✓
B 5- Integration with the Street Objective	✓	✓
B6 - Street Setback Objective	x	✓
B7 - Building Height Objective	✓	✓
B8 - Site Coverage Objective.	✓	✓
B9 - Permeability Objectives	✓	✓
B10 - Energy Efficiency Objectives	✓	✓
B 11 - Open Space Objective	N/A	N/A
B 12 - Safety Objective	✓	✓
B 13 - Landscaping Objectives	✓ subject to condition	✓
B 14 - Access Objectives	✓	✓
B 15 - Parking Location Objectives	✓	✓
B16 – Parking Provision	Deleted from Clause 55 on 5 June 2012 (VC90). Refer to Clause 52.06 for car parking requirements under Section 3.3 of the report.	
B 17 - Side and Rear Setbacks Objective	✓	✓
B 18 - Walls on Boundaries Objective	✓	✓
B 19 - Daylight to Existing Windows Objective.	✓	✓

B 20 - North-facing Windows Objective	✓	✓
B 21 - Overshadowing Open Space Objective	✓	✓
B 22 - Overlooking Objective	✓ subject to condition	✓
B 23 - Internal Views Objective	✓	✓
B 24 - Noise Impacts Objectives	✓	✓
B 25 - Accessibility Objective	✓	✓
B 26 - Dwelling Entry Objective	✓	✓
B 27 - Daylight to New Windows Objective	✓	✓
B 28 - Private Open Space Objective	x	✓
B 29 - Solar Access to Open Space Objective	✓	✓
B 30 - Storage Objective	✓	✓
B 31 - Design detail objective	✓	✓
B 32 - Front Fences Objective	✓	✓
B 33 - Common Property Objectives	✓	✓
B 34 - Site Services Objectives	✓	✓

✓- complies

x – non-compliance

N/A- Not Applicable

9.3 147-149 The Parade, Ascot Vale (Lot 1 TP 685469H) - Construction of nine dwellings

File No: FOL/16/130
Author: Principal Planner/Appeals Advocate
Directorate: Planning & Development
Ward: Myrnong

Planning File No.	MV/471/2015
Proposal	Construction of nine double storey dwellings
Applicant	Michael Rigoni C/- Hollerick Town Planning P/L
Owner	Ausfinex Pty Ltd
Planning Scheme Controls	General Residential Zone
Planning Permit Requirement	Clause 32.08-4 – Construction of two or more dwellings
Car Parking Requirements (Clause 52.06)	Required – 11 car spaces Proposed – 12 car spaces
Bicycle Requirements	N/A
Restrictive Covenants	Yes 149751, relating to the use of the land for the purpose of a public house, distillery or for the manufacture of liquor
Easements	None
Site Area	1,620 square metres
Number Of Objections	23
Consultation Meeting	17 February 2016

Executive Summary

- The application seeks planning approval for the construction of nine double storey dwellings.
- The site has an area of approximately 1,620 square metres and is located on the south side of The Parade, Ascot Vale. The subject site is located within an area characterised by residential built form.
- The application was advertised and 23 objections were received. Concerns were raised relating to the overdevelopment of the site, neighbourhood character, site layout, off-site amenity impacts (overlooking, overshadowing, fencing and noise), provision of bins, safety, traffic/car parking, damage to adjoining properties during construction, soil contamination, legal point of discharge, the devaluation of properties, use of materials and integration with the street.
- A Consultation Meeting was held on 17 February 2016 and was attended by Councillors Cusack and Marshall, objectors, the applicant and Council's Planning Officer. No resolution was reached.
- The application was internally referred to Council's Environmental Sustainable Development (ESD) Officer, Engineering Services Unit and Traffic and Transportation Unit. 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.

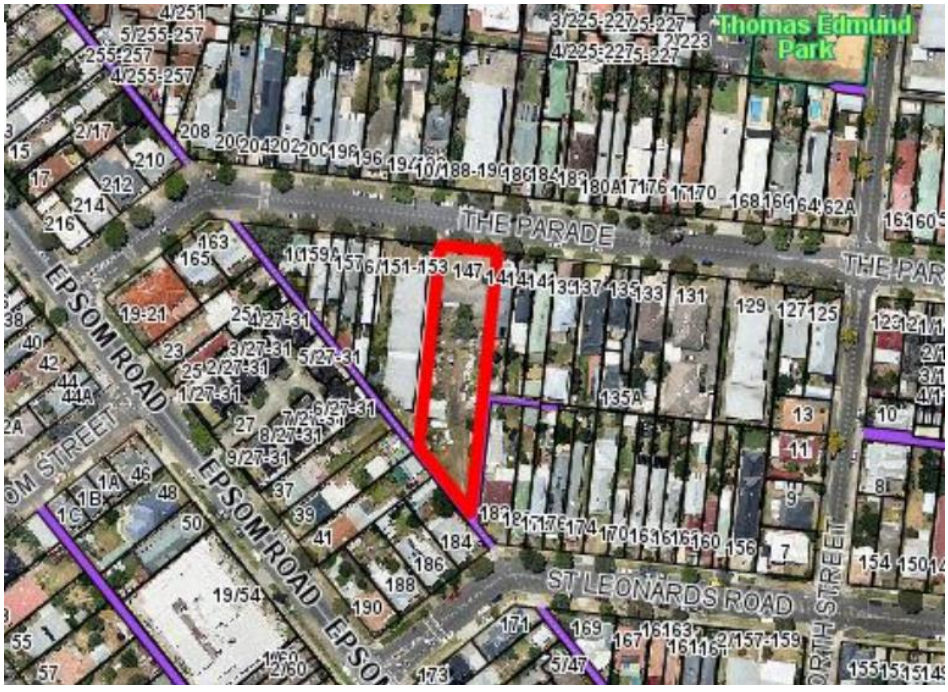


Figure 1 Aerial photo of subject site and surrounds

Recommendation

That Council issue a Notice of Decision to Grant a Permit in relation to Planning Permit Application No. MV/471/2015 for the construction of nine dwellings at 147-149 The Parade, Ascot Vale (Lot 1 TP 685469H), 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 provision of a passing bay along the common driveway in accordance with Clause 52.06-8 (Car Parking) of the Moonee Valley Planning Scheme.

    b) The removal of any landscaping as a result of Condition 1a).

    c) The provision for only one visitor car space.

    d) The section of eastern boundary fencing adjacent to the visitor car space to have a maximum height of 1.2 metres.

    e) The provision of visibility splays along both sides of the visitor car space.

    f) The provision of fencing along the eastern and western boundaries in accordance with Clause 55.04-6 (Overlooking) of the Moonee Valley Planning Scheme.

    g) The provision of decorative features to the gable roofs of Dwellings 1, 2 and 3.

    h) The installation of double glazed windows to the ground floor kitchen window associated with Dwelling 8.

    i) The west facing, first floor lounge room window associated with Dwelling 1, to have a minimum sill height of 1.7 metres.

    j) The southern portion of the balcony associated with Dwelling 9 to be screened in accordance with Clause 55.04-6 (Overlooking) of the Moonee Valley Planning Scheme.

    k) The south-west facing, first floor dining room window associated with Dwelling 9 to be screened in accordance with Clause 55.04-6 (Overlooking) of the Moonee Valley Planning Scheme.

    l) All dwellings to have a minimum 6 cubic metres of external storage space in accordance with Clause 55-05-6 (Storage) of the Moonee Valley Planning Scheme.

    m) The location of the bin storage areas to each dwelling to be provided in accordance with Clause 55-06-4 (Site Services) of the Moonee Valley Planning Scheme.

    n) The provision of screening measures to be provided in between the first floor balconies associated with Dwellings 1, 2 and 3. All screening to be in accordance with Clause 55.04-7 (Internal Views) of the Moonee Valley Planning Scheme.

o) The provision of light bollards along both the pedestrian and vehicle accessway.

p) Any alterations and/or modifications required as a result of Condition 3.

q) All STEPS treatment measures and associated notation to be shown on the relevant plans in accordance with the endorsed STEPS v5.0 report.

r) Each rainwater tank to be noted to state, on all the ground floor plan:

i. Locate correctly sized rainwater tanks.

ii. Show graphically all treated (catchment) and untreated roof area/s and note in square metres.

iii. The rainwater from all dwellings roof areas nominated is to be collected and discharged via a mechanically pumped OR fully charged OR gravity fed system (select system) into the selected rainwater tank which is to be connected to toilets for toilet flushing, in accordance with the approved STORM report.

s) Each raingarden to have the following information provided:

i. Show graphically and note the size of the raingarden in square metres.

ii. If the raingarden is located on a boundary against an adjacent neighbouring building dimension the raingarden with a minimum 300mm setback from the building.

iii. Show graphically the extent, size and grading of the impervious catchment area draining to WSUD treatment measure, demonstrate how the rainwater is collected from this area and discharged into the buffer/infiltration strip/pit or in-ground raingarden (i.e. is it gravity fed or does it require a pump system).

iv. Provide a note equivalent to “The rainwater from the impervious paved area nominated to be collected and discharged into buffer/infiltration strip/pit or in-ground raingarden, to be fully lined with an impervious liner and have its overflow/aggie drain connected to the stormwater system”, in accordance with the approved STORM report.

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

2. Except with the prior written consent of the Responsible Authority, the layout of the land 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.

3. An amended STORM assessment report must be submitted simultaneously with the submission of amended plans. The STORM assessment must obtain a minimum of 100% to comply with Clause: 22.03-4 (Stormwater Management) of the Moonee Valley Planning Scheme and include the following:

a) All roofs to be identified individually, with separate roof catchment areas to their respective WSUD treatment measures.

b) The total number of bedrooms to each dwelling correctly identified.

4. A minimum 30 days prior to any building or works commencing, a Construction and Site Management Plan (CSMP) must be submitted to and be approved by the Responsible Authority detailing the construction activity proposed and the site and environmental management methods to be used. The plan must include, but is not limited to:

   a) Hours of construction;

   b) Parking and traffic movement of all workers' 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) Chemical storage;

   l) Noise and vibration control;

   m) Works timetable; and

   n) Number of workers expected to work on the site at any one time.

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

   The development must be carried out in accordance with the endorsed CSMP and the provisions, requirements and recommendations of the endorsed CSMP must be implemented and complied with to the satisfaction of the Responsible Authority.

5. A minimum 30 days prior to any building or works commencing, all WSUD Design Details (relating to the WSUD treatment measures nominated in the approved and complying STORM report), such as cross sections and/or specifications, to assess the technical effectiveness of the proposed stormwater treatment measures, must be submitted for approval by the Responsible Authority.

6. A maximum 30 days following completion of the building or works, 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 treatment measures written by the author of the WSUD Response and STORM or MUSIC model approved pursuant to this permit, or licensed installing/commissioning plumber, or similarly qualified person or company. This report must be to the satisfaction of the Responsible Authority and must confirm that all WSUD treatment measures 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' User's Guide or a Building Maintenance Guide.

The development must incorporate the sustainable design initiatives outlined in the endorsed Sustainable Design Assessment (SDA) to the satisfaction of the Responsible Authority.

7. Before the buildings approved by this permit are occupied, all retaining walls and boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.

8. Before the buildings approved by this permit are occupied, the privacy screens and other measures to prevent overlooking as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority.

   All privacy screens and other measures to prevent overlooking as shown on the endorsed plans must at all times be maintained to the satisfaction of the Responsible Authority.

9. Floor levels shown on the endorsed plan(s) must not be altered or modified without written consent of the Responsible Authority.

10. Prior to the issue of an Occupancy Permit, all new boundary fencing as shown on the endorsed plans must be erected. The cost of such fencing must be met by the owner and carried out to the satisfaction of the Responsible Authority.

11. Before the buildings approved by this permit are occupied, the areas set aside for the parking of vehicles, together with the associated driveways and access lanes as shown on the endorsed plans must be:

    a) constructed;

    b) available for use in accordance with the endorsed plans;

    c) properly formed to such levels and drained so that they can be used in accordance with the endorsed plans; and

    d) finished with a permanent trafficable surface (such as concrete, asphalt or paving)

    in accordance with the endorsed plans to the satisfaction of the Responsible Authority.

    The area set aside for the parking of vehicles, together with the associated driveways and access lanes as shown on the endorsed plans must:

    a) be maintained and made available for such use; and

b) not be used for any other purpose

to the satisfaction of the Responsible Authority.

12. Before the buildings approved by this permit are occupied, concrete vehicular crossing(s) must be constructed to suit the proposed driveway(s) in accordance with the responsible authority's specification and any obsolete, disused or redundant vehicle crossing(s) must be removed and the area reinstated to footpath, nature strip and kerb and channel 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 prior 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 land to the satisfaction of the Responsible Authority.

    Before the development starts a Drainage Layout Plan, including computations and manufacturers specifications, to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The Drainage Layout Plan must be prepared by a Civil Engineer with suitable qualifications to the satisfaction of the Responsible Authority and must depict an on-site stormwater detention drainage system to be installed on the land.

    When approved, the Drainage Layout Plan will form part of this permit.

    The on-site stormwater detention drainage system must be installed and the provisions, recommendations and requirements of the endorsed Drainage Layout Plan must otherwise be implemented and complied with to the satisfaction of the Responsible Authority.

15. Buildings or works must not be commenced (and trees or vegetation must not be removed) until a landscape plan prepared by a suitably qualified and experienced person or firm has been submitted to and approved by the Responsible Authority. The landscape plan(s) must be generally in accordance with the plans submitted for endorsement but modified to show:

    a) Any alterations as a result of Condition 1.

    b) Buildings, outbuildings and trees in neighbouring allotments that would affect the landscape design.

    c) Planting on the land comprising trees and shrubs capable of:

        i. Providing a complete garden scheme.

ii. Softening the building bulk.

iii. Providing some canopy trees within the front setback of Dwellings 1, 2 and 3. Selected canopy trees must be capable of reaching a mature minimum height of 4 metres.

iv. Minimising the potential of any overlooking between habitable rooms of adjacent dwellings where applicable.

d) The proposed design features such as paths, paving, lawn and mulch.

e) 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.

f) The use of indigenous species where appropriate.

g) The use of drought tolerant species.

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.

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. 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 land.

18. Before the development starts, a Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The Waste Management Plan must be in accordance with the City of Moonee Valley's 'Waste Management Plans – Guidelines for Applicants' and must:

a) Demonstrate that bin storage areas are sufficient to cater for the amount of waste that will be produced;

b) Specify the type of bins to be used;

c) Show where bins will be stored;

d) Provide details of screening and ventilation of bin storage areas;

e) Identify responsibility for taking bins in and out for collection and returning them to the bin storage area;

f) Identify collection points;

g) Specify how recycling materials will be managed and collected;

h) Specify bin collection times;

i) If private waste collection is utilised, show access routes for private waste collection vehicles that do not rely on reversing movements.

When approved the Waste Management Plan will be endorsed and will form part of this permit.

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

19. This permit will expire if:

    a) the development does not start within two (2) years of the date of issue of this permit, or

    b) the development is not completed within four (4) years of the date of issue of this permit.

    Before the permit expires or within six (6) months afterwards the owner or occupier of the land may in writing request the Responsible Authority to extend the expiry date.

    Once the development has commenced the owner or occupier of the land may in writing request the Responsible Authority to extend the expiry date within twelve (12) months of the lapse date.

Permit Notes

- This is not a building permit under the Building Act. A separate building permit is required to be obtained for any demolition or building works.
- Before commencement of the development occurs, the applicant should contact the Moonee Valley City Council's Technical Services Department regarding legal point of discharge, new crossings, building over easements etc.
- No on street parking permits will be provided to the occupiers of the subject site.
- All works undertaken within any existing road reserves must accord with the requirements of the Moonee Valley City Council's Technical Services Department and to the satisfaction of the Responsible Authority.
- The required on-site detention system must 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, tc=5mins, 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.
- Council will not accept any modifications to existing levels within the road reserve or to any R.O.W. Any change in levels to match existing surface levels along property boundary line must be made within the property boundary.

1. Introduction

1.1 Subject Site and Surrounds

The subject site is located on the south side of The Parade, Ascot Vale. The site is irregular in shape with a frontage of 20.12 metres to The Parade and a maximum boundary length of 90.52 metres, resulting in a total area of 1,620 square metres.

The land is relatively flat with no discernible slope.

There are no easements present on the subject site. There is however a restrictive covenant present on the Certificate of Title relating to the use of the land for the purpose of a public house, distillery or for the manufacture of liquor. The proposed development will not contravene the restrictive covenant.

The site comprises of a single storey brick dwelling with a minimum front setback of approximately 8.5 metres.

Vehicle access to the site is obtained from Crockford Lane to the rear of the subject site. There is no significant landscaping or vegetation on the subject site. There is a 1.3 metres high timber front fence. In addition there are two street trees within the nature strip and a speed hump directly at the front of the subject site.

Figure 2 - Subject site - 147-149 The Parade, Ascot Vale

The surrounding land is within a General Residential Zone. Residential developments in proximity of the subject site is varied, with a mixture of single dwellings within a fine grain subdivision pattern and multi-unit/three storey apartment blocks. Examples of the apartment type developments are located at 129, 153 and 188 The Parade.

The character of the area can be described as transitional, featuring older housing stock within a fine grain subdivision pattern, three storey apartment blocks to more recent infill developments. External materials are a mixture of brick and weatherboard in differing colours. Building frontages vary from single to double frontages. Roof forms in the area are predominantly hipped and gabled-ended, with some examples of flat roofs associated with the three storey apartment blocks.

1.2 Proposal

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

Table 1

No of dwellings	Nine (1 x 3 bedroom and 8 x 2 bedrooms)
No of car spaces	12
Max Building Height	7.1 metres
Site Coverage	43%
Permeability	25%

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

2. Background

2.1 Relevant Planning History

There is no planning history which is relevant to the assessment of this application.

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 21.03 Vision

Clause 21.04 Sustainable Environment

Clause 21.05 Housing

Clause 21.06 Built Environment

Clause 22.03 Stormwater Management (WSUD)

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 standard drainage and engineering conditions.

- Traffic and Transportation Unit

  No objection subject to standard conditions and the following further conditions:

  - The provision of a 5 metre wide by 7 metre long passing bay along the entrance to the accessway to the rear (Condition 1a).
  - The removal of one visitor car space (Condition 1c) and provision of visibility splays along both sides of the visitor car space (Condition 1e).

- Environmental Sustainable Development Officer

  No objection subject to 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 one notice erected on site for 14 days.

As a result, 23 objections were received from properties contained within **Appendix B** of this report

2.5 Consultation Meeting

A Consultation Meeting was held on 17 February 2016 and was attended by Councillors Cusack and Marshall, the applicant, objectors and Council's Planning Officer. No resolution was achieved at the meeting.

The applicant did agree however that should Council issue a permit, a waste management plan (Condition 18), a construction management plan (Condition 4) and landscape plan (Condition 15) will be submitted. In addition the applicant also agreed to reconsider the choice of materials to the proposed development. Council is however satisfied with the overall choice of materials and finishes, with the only exception being the gable roof finish to Dwellings 1 to 3 (Condition 1g).

3. Discussion

3.1 State Planning Policy Framework

The relevant State Planning Policy Framework clauses are considered to be met. The policy framework objectives seek primarily to encourage the consolidation of urban allotments in locations which take advantage of existing commercial and community services and public transport. The framework also seeks to ensure planning provides for housing diversity, the provision for supporting infrastructure as well as ensuring new housing has access to services. This includes walkability to Activity Centers, public transport, schools and open spaces.

The subject site is located relatively close to reserves, schools, arterial roads and public transport in the form of the 57 and 82 Tram line along Maribyrnong Road, approximately 300 metres to the north-west. The site location coupled with its size is therefore considered to meet the State Planning Policy Framework for more intense residential development.

3.2 Local Planning Policy Framework

The proposal complies with Clause 21.04 (Sustainable Environment) through the use of ecological sustainable design principals as highlighted within the submitted STEPS assessment.

Any relevant design measures will therefore be placed on any approval issued.

The proposal accords with objectives of Clause 21.04-7 (Waste) as it relates to encouraging the use of recycling and achieving best practice in waste minimisation. A waste management plan will be required as a condition of approval (Condition 18).

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 the Clause appear to overlap with those contained within neighbourhood character precinct profiles and ResCode and therefore the key concepts of Clause 21.06 are discussed below in Sections 3.3.

Subject to the submission of an amended STORM report, the proposal complies with Clause 22.03 Stormwater Management (WSUD) and can meet the required on site stormwater treatment using the STORM tool. However, not all water treatment measures and relevant annotations have been shown on the plans. This will be a condition of any permit issued.

The relevant design requirement conditions will therefore be placed on any approval issued in accordance with this policy.

3.3 Neighbourhood Character Guidelines

The subject land is identified as being within character area ‘Garden Suburban 1’. The precincts preferred character statement states that:

> “New developments will contribute to the predominant siting and finishes of existing buildings, with well-maintained gardens.
>
> Front facade articulated will be achieved through the use of recesses to complement the pattern of veranda and porch areas of the traditional dwellings. The use of light finishes will contribute to the traditional palette of materials. Consistent front and side setbacks will ensure space for landscaping, while low or permeable front fences will retain the openness of the street.”

It is considered that the development provides a suitable response to the preferred character statement of the Garden Suburban 1 within the Neighbourhood Precinct Profiles 2012 as follows:

Siting and Building Envelope	The proposal features a street setback which is considered to be sympathetic in the wide context of The Parade. The setbacks achieves a suitable transition to the adjacent properties, from 9 metres to 2.9 metres, with the prevailing setback at approximately 2.9 metres. A minimum 2 metre side setback is provided along the eastern boundary, maintaining spacing between dwellings along the Parade. Spacing is further increased along the eastern boundary to 6.9 metres, due to the presence of open spaces for Dwellings 4 to 8, a 5 metre setback is provided along the majority of the western boundary due to the presence of the driveway. This spacing is considered to provide sufficient separation for the majority of the side boundaries to adequately reduce the off-site amenity impacts to the adjoining open spaces. The provision of landscaping along the common pedestrian and vehicle accessway further softens the built form to the street/laneway. The built form is considered to be well sited and takes into consideration the sensitive interfaces, particularly to the east, south and west. The presence of laneways to the east and south further increases the separation distance to adjoining properties. The side and rear setback requirements of clause 55 are met, with an articulated front façade breaking up the built from and providing visual interest.
Built Form	The proposed development incorporates a more traditional design response which is considered to compliment the surrounding area. The fine grain subdivision pattern is maintained along The Parade (Dwelling 1 to 3), with the remaining dwellings located to the rear. The two storey built form is responsive to heights found within the immediate area, with the proposal incorporating nine double storey dwellings, sufficiently setback from the surrounding secluded private open spaces, as discussed above. The proposed development incorporates spacing along the upper floors, reducing the overall built from. A 6.5 metre wide separation is incorporated along the ground floor between the dwellings fronting The Parade and Dwelling 4. This separation ensures no continuous built form along the length of the subject

	site. There are some sheer walls proposed along the eastern and western elevations. In the context of the street, sheer walls are considered acceptable with examples present along The Parade. Further the sheer walls are considered to be sufficiently setback, with a minimum 5 metres setback towards the western boundary and 6.9 metres towards the eastern boundary. The provision of fenestration along both elevations and the use of light weight cladding further reduces the built form presenting to adjoining properties. With respect to Dwelling 9, it is noted that a reduced side and rear setback is proposed, in terms of Clause 55. Given the laneway interface, limited off-site amenity impacts and use of materials (cladding and timber balcony screening), it is considered that the reduced setbacks are acceptable in this instance.
Design Detail	The proposed development incorporates a mix of face brickwork, lightweight cladding and timber screening along both the ground and upper floors which are considered to be characteristic of more recent infill developments in the area. The proposed development also proposes windows and balconies along the street frontage to ensure surveillance to the street is achieved. The proposed development incorporates gabled ended roof forms to Dwellings 1 to 3, fronting The Parade. This is considered to be an acceptable design response, with gable end roofs present within the streetscape. The remaining dwellings incorporate more of a skillion roof form, which does assist in reducing the overall building scale, while avoiding a flat roof form. A review of the gable end roofs to The Parade has identified timber board directive finishes incorporated into the roof (examples 139, 163 The Parade). A condition will be included for a decorative feature to be incorporated into the gable end roofs of Dwellings 1 to 3 (refer Condition 1g).
Landscaping	The development is set off both side boundaries within the centre of the site and is provided with a landscaped front yard and side setbacks. The provision of landscaping is considered to assist in reducing the overall built form and provides some relief to the adjoining properties. The proposal incorporates a 1.2 metre high palisade

	fence. This is considered acceptable within the street.

3.4 Compliance with Clause 52.06 (Car Parking)

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

Table 2

Dwellings	Requires	Provides
9 Dwellings (1x3 bedroom and 8x2 bedroom)	10	10
Residential Visitors	1	2
Total	11	12

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

The proposal provides the required number of car parking spaces as outlined within Clause 52.06, including two visitor spaces.

A variation is sought in relation to the pedestrian visibility splays for the common accessway and the garage associated with Dwelling 9.

To provide a splay for the visitor spaces, a condition will be included for only one visitor space to be provided (Condition (c) and for the eastern boundary fence to be reduced in height of a maximum of 1.2 metres (Condition 1d). The reduction of one space will provide sufficient sight distances while not creating a permit trigger for a reduction in car parking.

With respect to the garage associated with Dwelling 9, a variation is considered acceptable in this instance given the width of the garage door, the provision of windows along the eastern and western walls and relatively low traffic volumes anticipated.

With respect to the common accessway, it is confirmed that the 5 metre width provided is appropriate to provide sufficient sight visibility.

As discussed above, Council's Traffic and Transportation Unit have requested to provision of a passing bay at the entry of the common accessway off Crockford Lane. To meet this requirements a condition will be included to delete landscaping along the eastern and western boundaries of the accessway, for a length of 7 metres from the southern boundary (refer Condition 1a).

3.5 Clause 55 Assessment

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

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

Table 3

Res Code Standard	Response
Clause 55.03-1 (Standard B6 – Street Setback)	Under the above standard a front setback of 5.95 metres is required. A minimum setback of 4.162 metres is proposed, requiring a variation of 1.788 metres. A review of front setbacks within the immediate area show variations of between 2.8 to 9 metres, with the majority of dwellings setback approximately 2.9 metres. It must be noted that the adjoining property at 151 The Parade is only one of two properties within the neighbourhood and site description that are setback 9 metres. Given the variation of setbacks along The Parade, it is considered that the proposed front setback is in keeping with the prevailing setbacks of the street. It must also be noted that the front setback is sufficiently landscaped to assist in softening the overall built form.
Clause 55.03-8 (Standard B13 – Landscaping)	No landscape plan has been submitted, however, the proposal exhibits adequate space for landscaping to occur. It is recommended that a condition on any permit issued requires a landscape plan be submitted by a suitably qualified person (refer Condition 15).
Clause 55.03-10 (Standard B15 – Parking Location)	There is one habitable room window associated with Dwelling 8 adjacent to the common accessway which does not comply with the above standard in relation to its setback from the common accessway. Given the condition for a passing area, the window will be directly opposite the accessway. To protect residents from vehicular noise, a condition will be included for the provision of a double glazed window (Condition 1h). It is considered that the double glazing of this window, along with the low scale of the development and associated traffic volumes within the subject site is acceptable in this instance.
Clause 55.04-1 (Standard B17 – Side and Rear Setbacks)	Two variations are required to this standard for Dwellings 1 and 9. With respect to Dwelling 1, a variation is required along the western boundary for the first floor lounge and dining area. Under the above standard these rooms should have a setback of 1.6 metres. A setback of 1 metre is proposed, requiring a variation of 0.6 metres. A variation is considered acceptable as this wall does

	not have a sensitive interface with the wall directly interfacing the common driveway associated with 151 The Parade. In addition the upper floor is provided with lightweight cladding, which is considered to reduce the overall built form when viewed from the street and adjacent property. An additional variation is required along the eastern and western boundaries for the first floor living/dining area and balcony associated with Dwelling 9. Under the above standard these rooms should have a setback of between 1.55 to 1.8 metres. A setback of between 0.96 metres to 1.096 metres is proposed, requiring a variation of between 0.5 metres to 0.7 metres. A variation is considered acceptable in this instance given the dwelling's interface with two laneways to the east and south-west. It is considered that the spacing provided as a result of the laneways is acceptable and provides and acceptable separation to adjoining secluded private open spaces. In addition the upper floors are also to be finished in a lightweight cladded material, reducing the overall prominence built form to the adjoining properties. Further the balcony is to be constructed in a timber palisade finish, a soft material also considered to reduce the overall built form.
Clause 55.04-2 (Standard B18 – Wall on boundaries)	A variation to this standard is required for the first floor balcony associated with Dwelling 9, along the eastern boundary. This balcony has a zero setback to the eastern boundary, with an overall height of 5.4 metres in lieu of the permitted 3.2 metres. A variation in the standard is considered acceptable again given the presence of the laneway and the use of timber finishes. The combined separation distance and use of materials is considered acceptable and not an uncommon feature within the municipality. In addition a review of the off-site amenity impacts (i.e. overshadowing) has identified no non-compliances.
Clause 55.04-6 (Standard B22 – Overlooking)	A two metre high palisade fence is proposed along the eastern and western boundaries. To ensure no overlooking into adjoining properties from the ground floor habitable room windows, a condition will be included for the provision of timber paling fence at this height (Condition 1f). A review of the upper floor levels has identified overlooking from Dwellings 1 and 9. To ensure no overlooking from Dwelling 1, a

	condition will be included for the provision of a 1.7 metre high lounge room window to the first floor lounge room (Condition 1i). With respect to Dwelling 9, potential overlooking has been identified along the southern portion of the first floor balcony and south-west facing dining room window. To ensure no overlooking into adjoining secluded private open spaces, conditions will be included both areas to be screened in accordance with the above standard (Condition 1i and Condition 1j). A review of the kitchen room windows associated with Dwelling 9 has identified that these windows will not overlook any secluded private open space, but a car space associated with 41 Epson Road. In addition, a review of the west facing first floor habitable room windows associated with dwellings 4 to 7 has identified that they are more than 9 metres from adjoining habitable room windows. As such they do not require screening.
Clause 55.04-7 (Standard B23 – Internal Views)	A variation in this standard is required for the balconies associated with Dwellings 1-3 fronting The Parade. No screening has been provided between the balconies, with the above standard requiring some screening. A variation is not considered acceptable and a condition will be included (Condition 1n) for screening to be provided between the balconies in accordance with the above standard.
Clause 55.05-4 (Standard B28 – Private Open Space)	Dwellings 1, 2, 3 and 9 have all been provided with balconies, meeting the minimum requirements of the above standard. A variation in required for the open spaces associated with Dwellings 4 to 8. Under the above standard a minimum area of 40 square metres is required. The above dwellings are provided with areas of between 38 to 39 square metres, requiring a variation of between 2 to 1 square metres. A variation in the above standard is considered acceptable in this instance given the relatively minor variation sought, the proximity of the subject site to public open spaces (Maribyrnong park, Fairbairn Park and Walter Street Reserve) and also seeing as all of the affected dwellings are only two bedrooms. Further to the above it is noted that the open spaces associated with Dwellings 4 to 8 are provided with a 1.2 metre high fence to the common pedestrian

	accessway along the eastern boundary. Given the communal nature of the proposed development and relatively low pedestrian volumes, the provision of a 1.7 metre high fence is not considered appropriate in this context. The low front fences also allow for the dwellings to be clearly identified and creates a safer (active) footpath.
Clause 55.05-6 (Standard B30 – Storage)	A review of the proposed development has identified that a number of dwellings are not provided with a minimum storage area of 6 cubic metres. To ensure compliance with the above standard, a condition will be included for storage areas with a minimum area of 6 cubic metres to be provided (Condition 1l).
Clause 55.06-4 (Standard B34 – Site Services)	A condition will be included for the bin storage areas to each dwelling to be provided in accordance with the relevant standard. In addition a further condition will be included for a Waste Management Plan (WMP) to be submitted to Council. This will address the provision of bins to each dwelling and identify where the bin collection points and frequency of pick up are managed (refer Condition 18).

3.6 Objections

Table 4

Issue	Officer Response
Overdevelopment	The subject site is located within a General Residential Zone (GRZ). The GRZ does not have a specific restriction on the number of dwellings permitted on site, however any proposal is to demonstrate a high degree of compliance with the Moonee Valley Planning Scheme and in particular, Clause 55. A review of the Clause 55 has shown the proposed development does show an acceptable degree of compliance with Clause 55. As such it is considered that the proposal does not represent an overdevelopment of the site. Given the size of the site, its location in an urban environment and its proximity to public transport the level of development proposed is appropriate and consistent with State and Local Planning Policy Frameworks.
Neighbourhood character	Refer to Section 3.3 of report.
Site layout and	Refer to Section 3.3 of report.

building massing	
On-site amenity impacts	Specific concern have been raised in relation to the provision of bins. As discussed above a condition will be included for a Waste Management Plan to be submitted.
Location of balconies	Concerns have been raised in relation to the provision of balconies along The Parade. It is considered that the provision of balconies to the street is an acceptable design response which activates the street and provides for passive surveillance of the street.
Off-site amenity impacts • Overshadowing; • Fencing details not provided; • Overlooking; • Increased noise.	The application has been assessed against the relevant overshadowing objectives/standards pursuant to Clause 55.04-5 (Overshadowing) of the Moonee Valley Planning Scheme. The assessment has shown that the proposal complies with the above standard. The application has been assessed against the relevant overlooking objectives/standards pursuant to Clause 55.04-6 (Overlooking) of the Moonee Valley Planning Scheme. The assessment has shown that the proposal, subject to conditions as detailed in Section 3.5, complies with the above standard. Both internal and boundary fencing details have been provided on the ground floor plans. It is not anticipated that the proposed development will result in any levels of noise above what can be reasonably expected from a residential development. Specific concerns have also been raised in relation to noise generated from vehicles using the cobblestone laneway. As will be discussed below it is not considered the increased traffic volumes along the laneway will be unreasonable.
Car parking/traffic	The proposed development satisfies Clause 52.06 of the Moonee Valley Planning Scheme in respect to the provision of car parking. The development provides for appropriate on-site car parking relative to the number of bedrooms in the proposed dwellings. Specific concerns have been raised in relation to the use of the rumpus rooms as bedrooms. It is considered that given their open nature and location adjacent to stairs, it is unlikely that they are to be used as bedrooms. Further if they are to be used as bedrooms, Council's Planning Enforcement Unit can enforce their use as a rumpus room. The use of Crockford Lane is considered an acceptable design response and ensures no loss of

	on-street car parking as a result of creating access along The Parade. It must also be noted that a VCAT decision applies for land at 39-41 Mirams Road, Ascot Vale (Roocero Pty Ltd v Moonee Valley City Council, VCAT 3516 2010), for the construction of 31 dwellings. In the Tribunal decision, with respect to the use of Crockford Lane, the Member Stated: "I do not consider the amount of traffic expected to be generated by the proposal is beyond the capacity of the Lane or that it will create safety issues that go beyond the usual need for care and courtesy to be displayed by all motorists and pedestrians". Further if the use of Crockford Lane is considered as an access lane, as defined under Clause 56.06 (Access and Mobility Management) of the Moonee Valley Planning Scheme, it is not considered that an increase of eight dwellings along the laneway, would exceed a traffic volume of 300 vehicles per day. This is the traffic volume anticipated in accessway laneways. Council's Traffic and Transportation Unit have assessed the proposal and has raised no concerns regarding the impact of the proposal on the surrounding traffic network and in particular Crockford Lane. The increased traffic movement associated with the additional dwellings on the site is considered acceptable and can be readily accommodated in the surrounding street network and along Crockford Lane. Existing traffic and parking problems in the area cannot be addressed through the current application, nor should the burden of relieving these existing problems be imposed on the developer of the subject land. All turning areas have been independently reviewed by Council's Traffic and Transportation Unit, with no objection received. With respect to any safety concerns, this is addressed in Section 3.4 of this report. In addition all fences and car spaces are located within the boundaries of the subject site. As discussed above in Section 3.4, a requirement for a passing bay will be included as a condition of the permit.
Property damage during construction	Any potential property damage caused during the construction phase of the development is a civil matter between the owners of the relevant sites.

Soil contamination	The subject site is not located with an Environmental Significant Overlay nor have there been any previous uses which would indicate potential soil contamination. As such there is not a requirement to provide an environmental assessment.
Emergency service access	The subject site can be accessed directly via The Parade and is approximately 15 metres from the intersection of St Leonards Road and Crockford Lane. The laneway also provides access to the rear. Given the proximity of the site to both roads and Crockford Lane, it is considered that there is sufficient emergency vehicle access.
Legal point of discharge not identified	A legal point of discharge is not required to be identified at this point and will be determined by Council's Technical Services Unit at a later stage of construction.
Devaluation of properties	The potential devaluation of properties is not a decision guideline which is contained within the Planning Scheme or Planning and Environment Act 1987. Furthermore there is no evidence to suggest the proposal will result in property devaluation. Council can therefore not consider the potential devaluation of properties in this application.
Waste collection	Refer to Section 3.5 of report (Site Services).
Colours and materials not clearly identified	The colours and materials are clearly identified on the elevation plans.

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 design guidelines at Clause 65 of the Moonee Valley Planning Scheme. Additionally, consideration has been given to the requirements of Section 60(1B) of the Planning and Environment Act 1987 with respect to the number of objections received, and it is determined that the proposal would not have a significant social affect.

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

Appendices

Appendix A: Plans - 147-149 The Parade Ascot Vale (MV/471/2015) (separately circulated)
Appendix B: List of Objectors Properties - 147-149 The Parade, Ascot Vale
Appendix C: Clause 55 Assessment - 147-149 The Parade, Ascot Vale (MV/471/2015)

List of Objectors Properties

157 The Parade, ASCOT VALE VIC 3032
212 The Parade, ASCOT VALE VIC 3032
210 The Parade, ASCOT VALE VIC 3032
184 St Leonards Road, ASCOT VALE VIC 3032
156 St Leonards Road, ASCOT VALE VIC 3032
159 The Parade, ASCOT VALE VIC 3032
159a The Parade, ASCOT VALE VIC 3032
155 The Parade, ASCOT VALE VIC 3032
200 The Parade, ASCOT VALE VIC 3032
192 The Parade, ASCOT VALE VIC 3032 (x2)
168 St Leonards Road, ASCOT VALE VIC 3032
PO Box 679, MOONEE PONDS VIC 3039
139 The Parade, ASCOT VALE VIC 3032
182 St Leonards Road, ASCOT VALE VIC 3032
PO Box 264, MAFFRA VIC 3860
196 The Parade, ASCOT VALE VIC 3032
180 St Leonards Road, ASCOT VALE VIC 3032
61 Ludstone Street, HAMPTON VIC 3188
163 The Parade, ASCOT VALE VIC 3032
165 St Leonards Road, ASCOT VALE VIC 3032
202 The Parade, ASCOT VALE VIC 3032
PO Box 641, MOONEE PONDS VIC 3039

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 of this report.

Title and Objective	**Complies with Standard**	**Complies with Objective**
B1 - Neighbourhood Character	✓	✓
B 2 - Residential Policy	✓	✓
B 3 - Dwelling Diversity	N/A	N/A
B 4 - Infrastructure Objectives	✓	✓
B 5- Integration with the Street Objective	✓	✓
B6 - Street Setback Objective	x	✓
B7 - Building Height Objective	✓	✓
B8 - Site Coverage Objective.	✓	✓
B9 - Permeability Objectives	✓	✓
B10 - Energy Efficiency Objectives	✓	✓
B 11 - Open Space Objective	N/A	N/A
B 12 - Safety Objective	✓	✓
B 13 - Landscaping Objectives	✓ subject to condition	✓
B 14 - Access Objectives	✓	✓
B 15 - Parking Location Objectives	x	✓
B16 – Parking Provision	Deleted from Clause 55 on 5 June 2012 (VC90). Refer to Clause 52.06 for car parking requirements under Section 3.3 of the report.	
B 17 - Side and Rear Setbacks Objective	x	✓
B 18 - Walls on Boundaries Objective	x	✓

Title and Objective	**Complies with Standard**	**Complies with Objective**
B 19 - Daylight to Existing Windows Objective.	✓	✓
B 20 - North-facing Windows Objective	✓	✓
B 21 - Overshadowing Open Space Objective	✓	✓
B 22 - Overlooking Objective	✓ subject to condition	✓
B 23 - Internal Views Objective	x	✓
B 24 - Noise Impacts Objectives	✓	✓
B 25 - Accessibility Objective	✓	✓
B 26 - Dwelling Entry Objective	✓	✓
B 27 - Daylight to New Windows Objective	✓	✓
B 28 - Private Open Space Objective	x	✓
B 29 - Solar Access to Open Space Objective	✓	✓
B 30 - Storage Objective	x	✓
B 31 - Design detail objective	✓	✓
B 32 - Front Fences Objective	✓	✓
B 33 - Common Property Objectives	N/A	N/A
B 34 - Site Services Objectives	✓ subject to condition	✓

✓- complies

x – non-compliance

N/A- Not Applicable

9.4 39 Pearl Street, Niddrie (Lot 1 on LP 040028) - Construction of two dwellings

File No: FOL/16/130
Author: Statutory Planner
Directorate: Planning & Development
Ward: Buckley

Planning File No.	MV/818/2015
Proposal	• Two attached four-bedroom dwellings • Double storey in height
Applicant	The Planning Permit Professionals P/L
Owner	Alistair Wright & David Wright & Associates
Planning Scheme Controls	General Residential Zone
Planning Permit Requirement	Clause 32.08-4 Construct two or more dwellings on a lot
Car Parking Requirements (Clause 52.06)	Required – 4 car spaces Proposed – 4 car spaces
Restrictive Covenants	No. 1017344 relating to the excavation of land for mining and related purposes – does not affect the proposal
Easements	1.83 metre wide drainage and sewerage easement along the entire rear (west) boundary
Site Area	663.2m^2
Number Of Objections	15
Consultation Meeting	3 February 2016

Executive Summary

- The application seeks planning approval for the construction of two double storey dwellings.
- The site is regular in shape with a frontage of 15.81 metres, a maximum depth of 42.06 metres and an area of 663.2m^2. The site is occupied by a single storey brick dwelling which has vehicle access to Pearl Street.
- The application was advertised and 15 objections were received. The concerns raised related to neighbourhood character, car parking and traffic, devaluation of existing dwellings, amenity impacts (privacy, overshadowing, visual bulk, solar access), location of services in the nature strip, removal of vegetation and potential damage to vegetation at adjoining properties.
- A Consultation Meeting was held on 3 February 2016, attended by Councillors Chantry and 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 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.

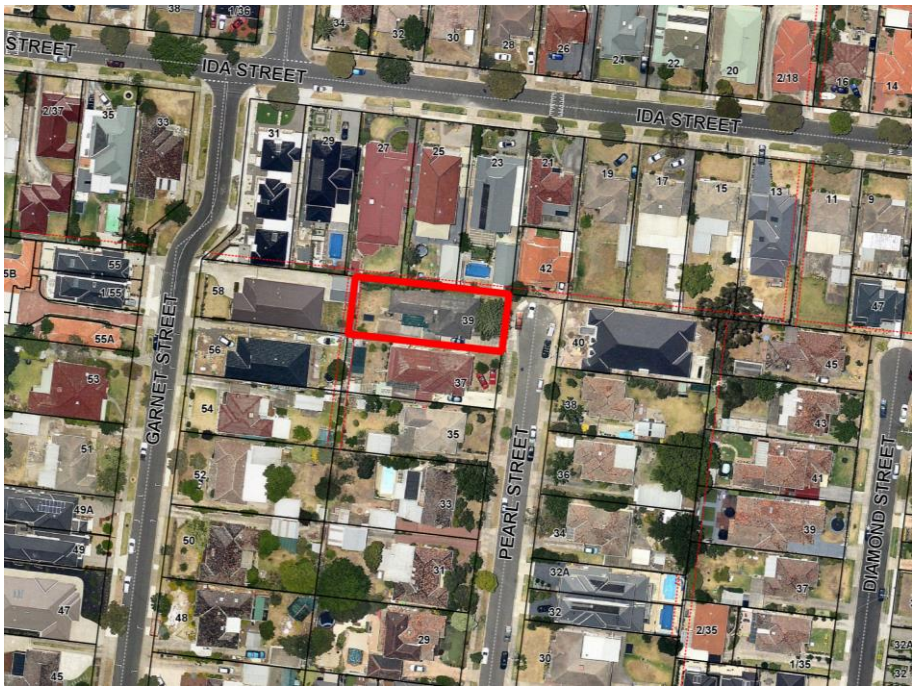


Figure 1: Aerial photo of the subject site and surrounds

Recommendation

That Council issue a Notice of Decision to Grant a Permit in relation to Planning Permit Application No. MV/818/2015 for the construction of two dwellings at 39 Pearl Street, Niddrie (Lot 1 on LP 040028), subject to the following conditions:

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The amended plans must be drawn to scale with dimensions and three copies must be provided. The amended plans must be generally in accordance with the plans submitted and assessed with the application but modified to show:

   a) The submission of a separate colour and materials schedule, with any painted render to be light in appearance in accordance with the preferred character statement for the Garden Suburban 6 precinct.

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

2. Except with the prior written consent of the Responsible Authority, the layout of the land 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.

3. Before the buildings approved by this permit are occupied, all boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.

4. 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.

5. A minimum 30 days prior to any building or works commencing, all WSUD Details (relating to the WSUD treatment measures nominated in the approved and complying STORM report), such as cross sections and/or specifications, to assess the technical effectiveness of the proposed stormwater treatment measures, must be submitted for approval by the Responsible Authority.

6. A minimum 30 days prior to any building or works commencing, a Site Management Plan must be submitted to and approved by the Responsible Authority detailing the site and environmental management methods to be used. The plan must include, but is not limited to:

   a) A statement or report outlining all construction measures to be taken to prevent litter, sediments and pollution from entering the stormwater systems.

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

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

7. A minimum 30 days prior to any building or works being completed, a WSUD Maintenance Program must be submitted to and approved by the Responsible Authority which sets out future operational and maintenance arrangements for

all WSUD measures. The program must include, but is not limited to:

a) Inspection frequency.

b) Cleanout procedures.

c) As installed design details/diagrams including a sketch of how the system operates.

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

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

8. Floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.

9. Before the buildings approved by this permit are occupied, the privacy screens and other measures to prevent overlooking as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority.

   All privacy screens and other measures to prevent overlooking as shown on the endorsed plans must at all times be maintained to the satisfaction of the Responsible Authority.

10. Before the buildings approved by this permit are occupied, concrete vehicular crossing(s) must be constructed to suit the proposed driveway(s) in accordance with the responsible authority's specification and any obsolete, disused or redundant vehicle crossing(s) must be removed and the area reinstated to footpath, nature strip and kerb and channel 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 prior 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. Prior to the issue of an Occupancy Permit, all new boundary fencing as shown on the endorsed plans must be erected. The cost of such fencing must be met by the owner and carried out to the satisfaction of the Responsible Authority.

13. 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 land.

14. Before the development starts, and before any trees or vegetation are removed, a landscape plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The landscape plan must be prepared by a person or firm with suitable qualifications to the satisfaction of the Responsible Authority, drawn to scale with dimensions and three copies must be provided. The landscape plan must be generally in accordance with plans submitted with the application and must 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 one (1) canopy tree 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 accessways.

    f) The use of non-invasive plant species within any easements which will ensure that existing infrastructure assets are not damaged by root systems.

    g) All planting abutting the accessway(s) and land frontage to have a maximum mature height of no more than 900mm in accordance with Clause 52.06-8 (Design Standards for car parking) of the Moonee Valley Planning Scheme.

    h) An appropriate automated irrigation system.

    When approved, the landscape plan will be endorsed and will form part of this permit.

    Landscaping in accordance with the endorsed landscaping plan and schedule must be completed before the building is occupied.

15. 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.

16. The 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 make a written request to the responsible authority to extend the expiry date.

If the development commences before the permit expires, within twelve (12) months after the permit expires, the owner or occupier of the land may make a written request to the Responsible Authority to extend the expiry date.

Permit Notes

- This is not a building permit under the Building Act. A separate building permit is required to be obtained for any demolition or building works.
- Before the development starts, the permit holder must contact the Moonee Valley City Council's Engineering Services Unit regarding legal point of discharge, vehicular crossings, building over easements, asset protection, road consent/occupancy etc.
- No on street parking permits will be provided to the occupiers of the land.
- 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 Engineering Services Department and be to the satisfaction of the Responsible Authority.
- Existing levels along the property line and easements must be maintained. All proposed levels must match to existing surface levels along the property boundary and or easement. Council will not accept any modifications to existing levels within any road reserve or easement.

1. Introduction

1.1 Subject Site and Surrounds

The subject site is located on the western side of Pearl Street, at the end of the cul de sac. The site is regular in shape with a frontage of 15.81 metres, a maximum depth of 42.06 metres and a total area of 663.2 square metres. The land has an approximate fall of 2.5 metres from the north-west of the site to the south-east and is occupied by a single storey brick dwelling with a minimum front setback of 8.9 metres.

It appears that a 1.83 metre wide drainage and sewerage easement exists to the rear of the site along the western (rear) property boundary. The site is encumbered by Covenant No. 1017344. The covenant restricts the excavation of any earth, clay, stone, sand or gravel from the site except for the purposes of excavating for the foundation of any building to be erected. The covenant also prohibits the land from being used for the manufacture or winning of bricks, tiles or pottery. It is therefore considered that the proposal does not contravene Covenant No. 1017344.

Vehicle access to the site is obtained from an existing crossover located to the south-east along Pearl Street. There is a large sized tree within the front setback of the existing dwelling, however this tree is not protected by any

planning controls. There are no street trees adjacent to the site.

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, inter-war and post-war style dwellings with Victorian, Edwardian and contemporary style infill.

Figure 2 – 39 Pearl Street, Niddrie

1.2 Proposal

It is proposed to construct two attached double storey dwellings on the land, each with four bedrooms.

Table 1

No of dwellings	2
No of car spaces	4
Max Building Height	8.29 metres
Site Coverage	53.74%
Permeability	27.74%

Refer **Appendix B** 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 21.03 Vision

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 standard conditions.

- Traffic and Transportation Unit

  No objection subject to a standard condition.

- Environmentally Sustainable Design (ESD) Officer

  No objection subject to standard conditions and the following non-standard condition:

  - Rear stairs must be permeable if not included in the STORM reports (refer to Section 3.2 of this report).
  - Note: has been complied with (refer Section 3.2).

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, fifteen (15) objections were received from the properties contained within **Appendix A** of this report.

2.5 Consultation Meeting

A Consultation Meeting was held on 3 February 2016, attended by Councillors Chantry and Giuliano, objectors, the applicant and Council's Planning Officer. No resolution was achieved.

3. Discussion

3.1 State Planning Policy Framework

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 relatively close to public reserves, schools and arterial roads. This context is considered to lend support for a more intensive form of residential development. In addition, 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

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

The proposal complies with Clause 22.03 Stormwater Management (WSUD) and meets the required on site stormwater treatment as demonstrated by achieving 100%. It is noted that the non-standard condition requested by Council's ESD Adviser has been rectified by the applicant and therefore will not be included on any permit issued. Standard WSUD conditions will apply.

3.3 Neighbourhood Character Guidelines

The subject land is identified as being with character area 'Garden Suburban 6', which sets out the following preferred character statement:

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

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

It is considered that the development provides a suitable response to the preferred character statement and design guidelines of the Garden Suburban 6 precinct as follows:

Table 2

Siting and Building Envelope	The site layout, whilst technically non-compliant with Standard B6 (Street Setback) is considered to successfully maintain the prevailing streetscape rhythm along Pearl Street. The upper floor level is also adequately recessed from both the front ground floor building line and sensitive interfaces to the northern, western and southern boundary so as to minimise the visual and amenity impacts of the proposal. Dwelling 2 is off set from the southern title boundary by 1 metre which ensures that the character of spacing between buildings is not disrupted. It is considered that the building envelope is similar to other medium density style developments within the immediate area.
Built Form	A mix of traditional and modern elements complementing the mix within the streetscape. Well-articulated on each elevation. Two storey height responsive to the predominant heights within the street. Pitched roof form responds to the prevailing built form of the area.
Design Detail	Selected façade materials consist of a mix of brick, render and timber panelling which are considered to be characteristic of more contemporary infill developments in the area. Although indicative materials are shown on the elevation drawings, a condition of any permit issued will require the submission of a separate colour and materials schedule, with any painted render to be light in appearance in accordance with the preferred character statement for this precinct (refer to Condition 1a). Large windows and balconies are provided along the street front to ensure passive surveillance to the street is achieved.
Landscaping	The development is set off one side boundary and can be provided with a landscaped front yard and side setbacks. This will form a requirement of any permit issued. A low-scale and transparent front fence is included to ensure views of the front garden are maintained.

3.4 Compliance with Clause 52.06 (Car Parking)

Table 3

Unit	Requires	Provides
2 Dwellings (2 X 4 bedrooms)	4	4
Residential Visitors	0	0
Total	4	4

As referenced under Section 2.3 of this report, Council's 'Traffic and Transportation Unit' have no objections to the proposed development, subject to the inclusion of conditions on any permit granted.

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

Table 4

Res Code Standard	Response
Clause 55.02-1 (Standard B1 – Neighbourhood Character)	As discussed above in Section 3.3 of this report, a condition of any permit issued will require the submission of a separate colour and materials schedule, with any painted render to be light in appearance in accordance with the preferred character statement for this precinct (refer to Condition 1a).
Clause 55.03-1 (Standard B6 – Street Setback)	A setback of 8.83 metres is required under the standard. A minimum setback of 7.95 metres is provided. It is considered that the proposed setback does not significantly deviate from the predominate street setback pattern found in the area, as a number of examples of dwellings with similar or further reduced setbacks can be found in the immediate vicinity (most notably at Nos. 31, 34, 36 & 38 Pearl Street). It is also considered that the main building line of the development is consistent with the typical setback pattern found in

	Pearl Street. Additionally, the proposed setback will still enable the development to be provided with ample front and side landscaping. It is therefore considered that the proposed street setback is respectful of the existing neighbourhood character, makes efficient use of the site, and subsequently complies with the objective. A variation to the standard is acceptable in this instance.
Clause 55.03-8 (Standard B13 – Landscaping)	A landscape plan has not been provided as part of this application therefore should a permit be issued, a condition should be placed on the permit stipulating that such a plan must be provided, which is prepared by a suitably qualified person (refer to Condition 14). It is considered that there a sufficient areas for planting to occur on the subject site.

3.6 Objections

Table 5

Issue	Officer Response
Neighbourhood character, visual bulk and scale	As discussed above in Sections 3.3 and 3.5 of this report, the proposal is considered to be acceptable from a neighbourhood character perspective, subject to a condition (refer to Condition 1a).
Car parking and traffic concerns	The proposed development provides the required on-site parking requirements for residents pursuant to Clause 52.06 (Car Parking) of the Moonee Valley Planning Scheme as discussed in Section 3.4 of this report. In addition, Council's Traffic and Transportation Unit had no objection to the proposal.
Devaluation of properties within the area	This is not a valid planning consideration.
Privacy/overlooking	The proposed development meets the requirements of Clause 55.04-6 (Overlooking) of the Moonee Valley Planning Scheme.
Overshadowing	The proposed development meets the requirements of Clause 55.04-5 (Overshadowing Open Space) of

	the Moonee Valley Planning Scheme.
Solar access to adjoining windows compromised	The proposed development meets the requirements of Clause 55.04-3 (Daylight to Existing Windows) and Clause 55.04-4 (North-facing Windows) of the Moonee Valley Planning Scheme.
Location of existing fire hydrant within nature strip where a crossover is proposed	This fire hydrant is located over 1 metre away from the proposed crossover as demonstrated on the Ground Floor Plan. Further, as discussed above and throughout this report, Council's Traffic and Transportation Unit have viewed the proposal and have raised no objections subject to standard conditions.
Removal of a large tree within the front setback of the dwelling	The tree in question is not protected by any planning controls and as such there is no requirement to retain it in this instance. A condition of any permit issued will require the preparation and submission of a landscape plan prepared by a suitably qualified professional, including the provision for a canopy tree capable of reaching a mature height of at least 4 metres within the front setback of each dwelling (refer to Condition 14).
Potential damage to root system of adjoining screening trees	It is not considered that the construction of the dwellings will damage the adjoining hedge trees as Dwelling 1 will be setback by a minimum of 1.16 metres from the western title boundary at the area where the trees are located.

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. Additionally, consideration has been given to the requirements of Section 60(1B) of the Planning and Environment Act 1987 with respect to the number of objections received, and it is determined that the proposal would not have a significant social effect.

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.

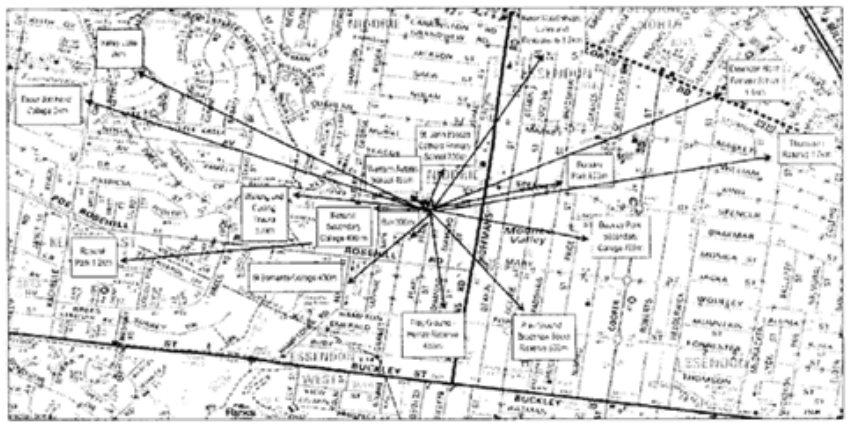
Appendices

Appendix A: 39 Pearl Street, Niddrie - Location of objectors properties
Appendix B: 39 Pearl Street, Niddrie - Advertised Plans
Appendix C: 39 Pearl Street, Niddrie - ResCode assessment table

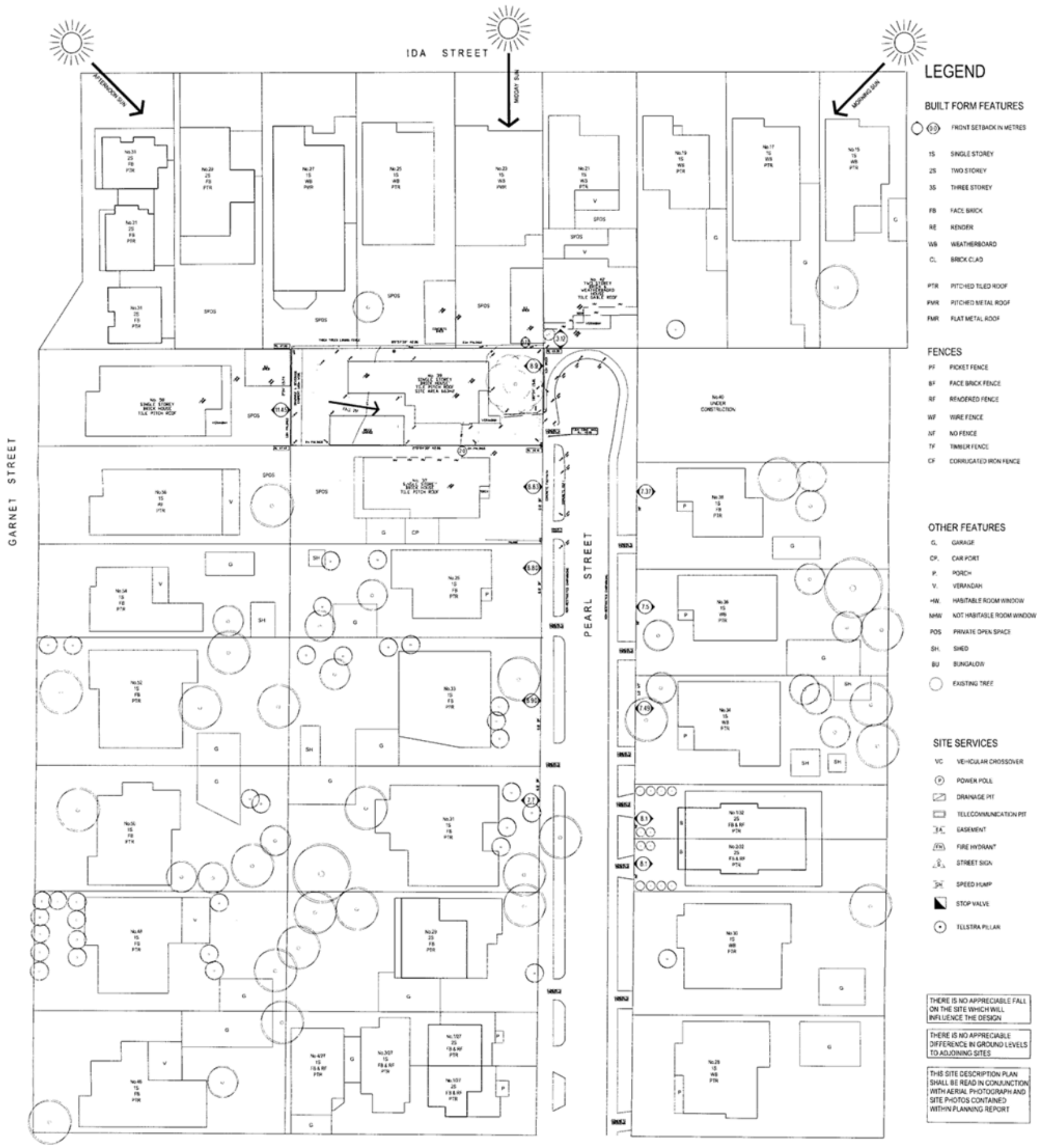
Location of Objector's Properties

19A Pearl Street, Niddrie
21 Pearl Street, Niddrie
23 Pearl Street, Niddrie
26 Pearl Street, Niddrie
28 Pearl Street, Niddrie
31 Pearl Street, Niddrie
34 Pearl Street, Niddrie
35 Pearl Street, Niddrie
36 Pearl Street, Niddrie
37 Pearl Street, Niddrie
38 Pearl Street, Niddrie
40 Pearl Street, Niddrie
42 Pearl Street, Niddrie
25 Ida Street, Niddrie
52 Garnet Street, Niddrie

AERIAL PHOTO NTS



MELWAY NTS



Rev	Date	Description
A	04.11.15	Amendments as per Council RFI

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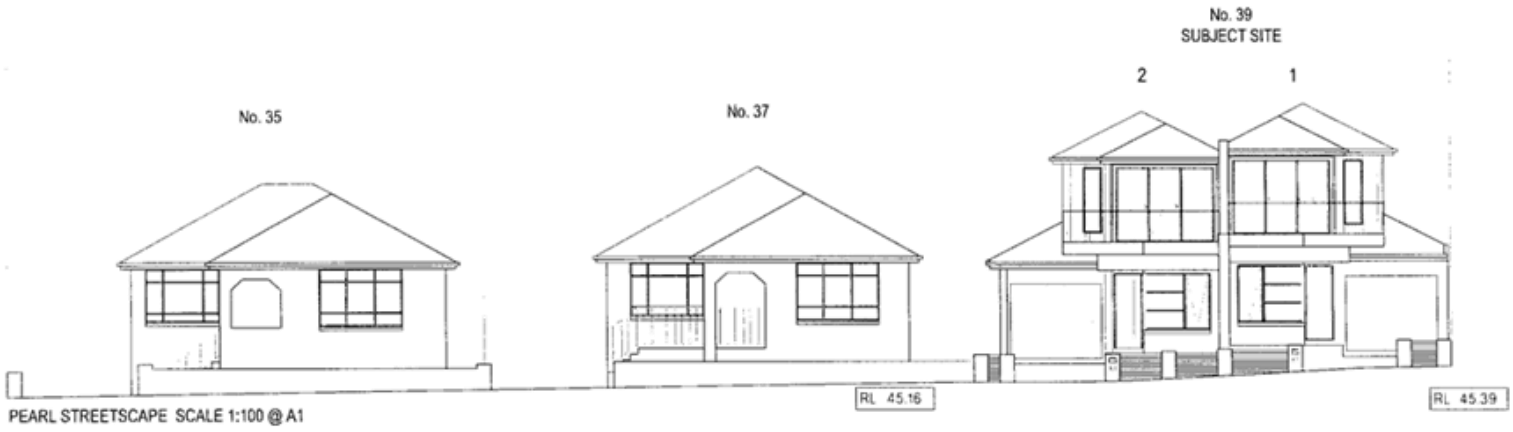
NEIGHBOURHOOD & SITE DESCRIPTION PLAN

No of Sheets	Drawn	Approx Scale	Date Plotted
6	DSP	1:300 at A1 1:600 at A3	04.11.15

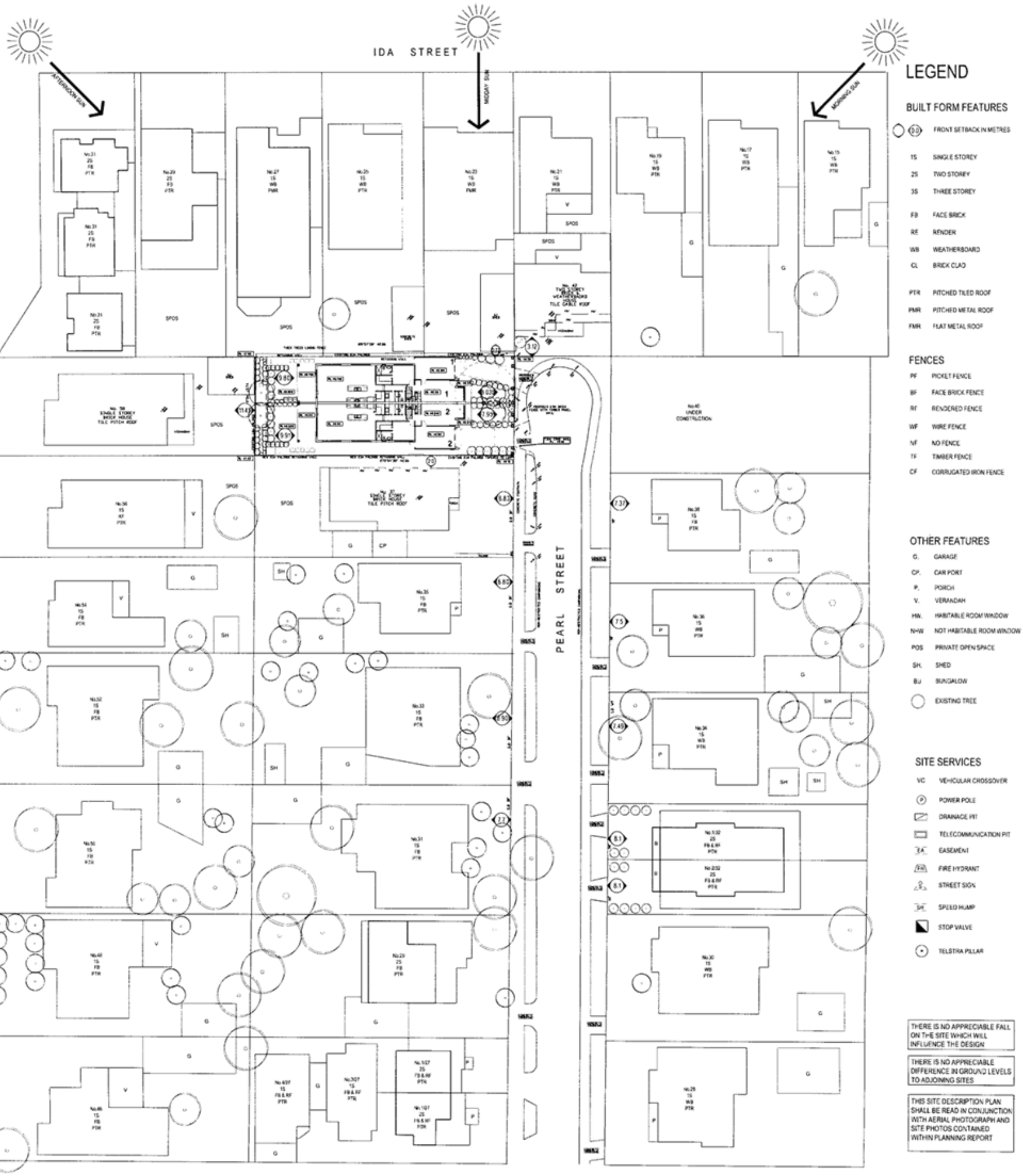
11/40 Mt Alexander Rd, Essendon 3040
p 03 9379 0650
f 03 9011 6145
e info@dspartchitects.com.au
w www.dspartchitects.com.au
ABN 13 284 780 934 adv 06284
The Planning Permit Professionals Pty Ltd

Project: PROPOSED 2 DWELLINGS AT NO 39 PEARL STREET NIDDRIE VIC 3042

Job No	Dwg No
1184	NSDA



PEARL STREETSCAPE SCALE 1:100 @ A1



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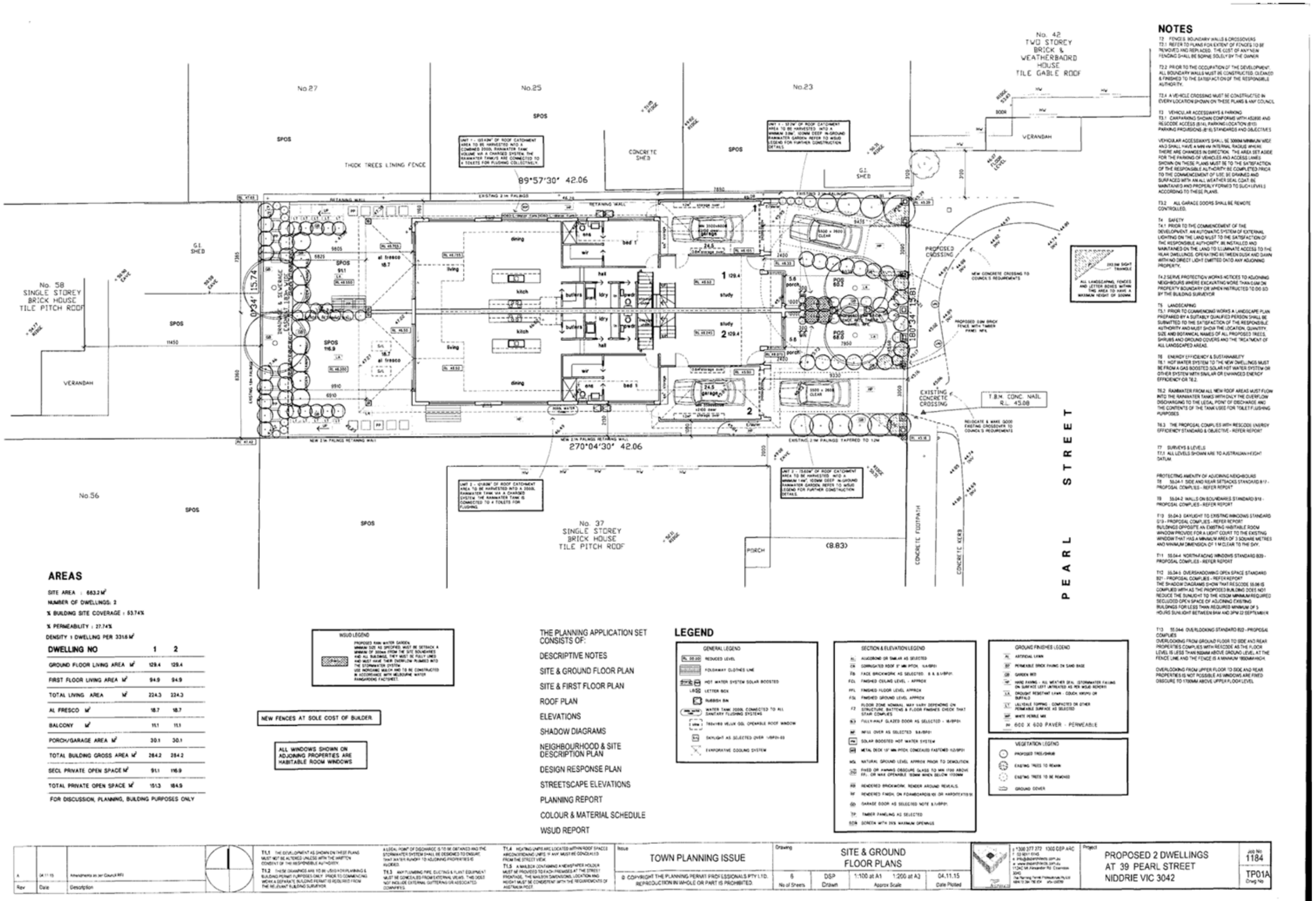
DESIGN RESPONSE PLAN

No of Sheets	Drawn	Approx Scale	Date Plotted
6	DSP	1:300 at A1 1:600 at A3	04.11.15

DSP Architects
713AC 9th Alexandra Rd, Essendon 3040
p 03 9379 3050
f 03 9011 6145
e info@dsparchitects.com.au
w www.dsparchitects.com.au
ABN 12 094 780 824 ACN 094
The Planning Permit Professionals Pty Ltd

Project: PROPOSED 2 DWELLINGS AT NO 39 PEARL STREET NIDDRIE VIC 3042

Job No: 1184
Drwg No: DRPA



NOTES

T2 FENCES, BOUNDARY WALLS & CROSSOVERS
T2.1 REFER TO PLANS FOR EXTENT OF FENCES TO BE REMOVED AND REPLACED. THE COST OF ANY NEW FENCING SHALL BE BORNE SOLELY BY THE OWNER

T2.2 PRIOR TO THE OCCUPATION OF THE DEVELOPMENT, ALL BOUNDARY WALLS MUST BE CONSTRUCTED, CLEANED & FINISHED TO THE SATISFACTION OF THE RESPONSIBLE AUTHORITY.

T2.4 A VEHICLE CROSSING MUST BE CONSTRUCTED IN EVERY LOCATION SHOWN ON THESE PLANS & ANY COUNCIL

T3 VEHICULAR ACCESSWAYS & PARKING
T3.1 CARPARKING SHOWN CONFORMS WITH AS2890 AND RESCODE ACCESS (B14), PARKING LOCATION (B15), PARKING PROVISIONS (B16) STANDARDS AND OBJECTIVES

VEHICULAR ACCESSWAYS SHALL: BE 3200MM MINIMUM WIDE AND SHALL HAVE A MIN 4M INTERNAL RADIUS WHERE THERE ARE CHANGES IN DIRECTION. THE AREA SET ASIDE FOR THE PARKING OF VEHICLES AND ACCESS LANES SHOWN ON THESE PLANS MUST BE TO THE SATISFACTION OF THE RESPONSIBLE AUTHORITY, BE COMPLETED PRIOR TO THE COMMENCEMENT OF USE, BE DRAINED AND SURFACED WITH AN ALL WEATHER SEAL COAT, BE MAINTAINED AND PROPERLY FORMED TO SUCH LEVELS ACCORDING TO THESE PLANS.

T3.2 ALL GARAGE DOORS SHALL BE REMOTE CONTROLLED.

T4 SAFETY
T4.1 PRIOR TO THE COMMENCEMENT OF THE DEVELOPMENT, AN AUTOMATIC SYSTEM OF EXTERNAL LIGHTING ON THE LAND MUST TO THE SATISFACTION OF THE RESPONSIBLE AUTHORITY, BE INSTALLED AND MAINTAINED ON THE LAND TO ILLUMINATE ACCESS TO THE REAR DWELLINGS, OPERATING BETWEEN DUSK AND DAWN WITH NO DIRECT LIGHT EMITTED ONTO ANY ADJOINING PROPERTY.

T4.2 SERVE PROTECTION WORKS NOTICES TO ADJOINING NEIGHBOURS WHERE EXCAVATING MORE THAN 0.5M ON PROPERTY BOUNDARY OR WHEN INSTRUCTED TO DO SO BY THE BUILDING SURVEYOR

T5 LANDSCAPING
T5.1 PRIOR TO COMMENCING WORKS A LANDSCAPE PLAN PREPARED BY A SUITABLY QUALIFIED PERSON SHALL BE SUBMITTED TO THE SATISFACTION OF THE RESPONSIBLE AUTHORITY AND MUST SHOW THE LOCATION, QUANTITY, SIZE AND BOTANICAL NAMES OF ALL PROPOSED TREES, SHRUBS AND GROUND COVERS AND THE TREATMENT OF ALL LANDSCAPED AREAS.

T6 ENERGY EFFICIENCY & SUSTAINABILITY
T6.1 HOT WATER SYSTEM TO THE NEW DWELLINGS MUST BE FROM A GAS BOOSTED SOLAR HOT WATER SYSTEM OR OTHER SYSTEM WITH SIMILAR OR ENHANCED ENERGY EFFICIENCY OR T6.2.

T6.2 RAINWATER FROM ALL NEW ROOF AREAS MUST FLOW INTO THE RAINWATER TANKS WITH ONLY THE OVERFLOW DISCHARGING TO THE LEGAL POINT OF DISCHARGE AND THE CONTENTS OF THE TANK USED FOR TOILET FLUSHING PURPOSES.

T6.3 THE PROPOSAL COMPLIES WITH RESCODE ENERGY EFFICIENCY STANDARD & OBJECTIVE - REFER REPORT

T7 SURVEYS & LEVELS
T7.1 ALL LEVELS SHOWN ARE TO AUSTRALIAN HEIGHT DATUM

PROTECTING AMENITY OF ADJOINING NEIGHBOURS
T8 55.04-1 SIDE AND REAR SETBACKS STANDARD B17 - PROPOSAL COMPLIES - REFER REPORT

T9 55.04-2 WALLS ON BOUNDARIES STANDARD B18 - PROPOSAL COMPLIES - REFER REPORT

T10 55.04-3 DAYLIGHT TO EXISTING WINDOWS STANDARD B19 - PROPOSAL COMPLIES - REFER REPORT
BUILDINGS OPPOSITE AN EXISTING HABITABLE ROOM WINDOW PROVIDE FOR A LIGHT COURT TO THE EXISTING WINDOW THAT HAS A MINIMUM AREA OF 3 SQUARE METRES AND MINIMUM DIMENSION OF 1 M CLEAR TO THE SKY.

T11 55.04-4 NORTH-FACING WINDOWS STANDARD B20 - PROPOSAL COMPLIES - REFER REPORT

T12 55.04-5 OVERSHADOWING OPEN SPACE STANDARD B21 - PROPOSAL COMPLIES - REFER REPORT
THE SHADOW DIAGRAMS SHOW THAT RESCODE 55.06 IS COMPLIED WITH AS THE PROPOSED BUILDING DOES NOT REDUCE THE SUNLIGHT TO THE 40SQM MINIMUM REQUIRED SECLUDED OPEN SPACE OF ADJOINING EXISTING BUILDINGS FOR LESS THAN REQUIRED MINIMUM OF 5 HOURS SUNLIGHT BETWEEN 9AM AND 3PM 22 SEPTEMBER

T13 55.04-6 OVERLOOKING STANDARD B22 - PROPOSAL COMPLIES
OVERLOOKING FROM GROUND FLOOR TO SIDE AND REAR PROPERTIES COMPLIES WITH RESCODE AS THE FLOOR LEVEL IS LESS THAN 800MM ABOVE GROUND LEVEL, AT THE FENCE LINE AND THE FENCE IS A MINIMUM 1800MM HIGH.

OVERLOOKING FROM UPPER FLOOR TO SIDE AND REAR PROPERTIES IS NOT POSSIBLE AS WINDOWS ARE FIXED OBSCURE TO 1700MM ABOVE UPPER FLOOR LEVEL

AREAS

SITE AREA : 663.2 M²
NUMBER OF DWELLINGS: 2
% BUILDING SITE COVERAGE : 53.74%
% PERMEABILITY : 27.74%
DENSITY 1 DWELLING PER 331.6 M²

DWELLING NO	1	2
GROUND FLOOR LIVING AREA M²	129.4	129.4
FIRST FLOOR LIVING AREA M²	94.9	94.9
TOTAL LIVING AREA M²	224.3	224.3
AL FRESCO M²	18.7	18.7
BALCONY M²	11.1	11.1
PORCH/GARAGE AREA M²	30.1	30.1
TOTAL BUILDING GROSS AREA M²	284.2	284.2
SECL PRIVATE OPEN SPACE M²	91.1	116.9
TOTAL PRIVATE OPEN SPACE M²	151.3	184.9

FOR DISCUSSION, PLANNING, BUILDING PURPOSES ONLY

WSUD LEGEND
PROPOSED RAIN WATER GARDEN
MINIMUM SIZE AS SPECIFIED, MUST BE SETBACK A MINIMUM OF 300mm FROM THE SITE BOUNDARIES AND ALL BUILDINGS, THEY MUST BE FULLY LINED AND MUST HAVE THEIR OVERFLOW PLUMBED INTO THE STORMWATER SYSTEM.
USE HORTICHIC MULCH AND TO BE CONSTRUCTED IN ACCORDANCE WITH MELBOURNE WATER RAINGARDENS FACTSHEET.

NEW FENCES AT SOLE COST OF BUILDER.

ALL WINDOWS SHOWN ON ADJOINING PROPERTIES ARE HABITABLE ROOM WINDOWS

THE PLANNING APPLICATION SET CONSISTS OF:

- DESCRIPTIVE NOTES
- SITE & GROUND FLOOR PLAN
- SITE & FIRST FLOOR PLAN
- ROOF PLAN
- ELEVATIONS
- SHADOW DIAGRAMS
- NEIGHBOURHOOD & SITE DESCRIPTION PLAN
- DESIGN RESPONSE PLAN
- STREETSCAPE ELEVATIONS
- PLANNING REPORT
- COLOUR & MATERIAL SCHEDULE
- WSUD REPORT

LEGEND

GENERAL LEGEND
RL 00.00 REDUCED LEVEL
FOLDAWAY CLOTHES LINE
HWS HOT WATER SYSTEM SOLAR BOOSTED
LB LETTER BOX
RB RUBBISH BIN
WATER TANK 200L CONNECTED TO ALL SANITARY FLUSHING SYSTEMS
1 000L 2 TROVIBO VELUX GGL OPERABLE ROOF WINDOW
SKYLIGHT AS SELECTED OVER 1/SP01-03
EVAPORATIVE COOLING SYSTEM

SECTION & ELEVATION LEGEND
AL ALUCOBOND OR SIMILAR AS SELECTED
CB CORRUGATED ROOF 5° MIN PITCH, 0.4/SP01
FB FACE BRICKWORK AS SELECTED 8 & 9/SP01
FCL FINISHED CEILING LEVEL - APPROX
FFL FINISHED FLOOR LEVEL APPROX
FGL FINISHED GROUND LEVEL APPROX
FZ FLOOR ZONE NOMINAL MAY VARY DEPENDING ON STRUCTURE, BATTENS & FLOOR FINISHES CHECK THAT STAIR COMPLIES
GD FULLY-HALF GLAZED DOOR AS SELECTED - 16/SP01
MF NFGL OVER AS SELECTED 8.6/SP01
PA SOLAR BOOSTED HOT WATER SYSTEM
MR METAL DECK 10° MIN PITCH, CONCEALED FASTENED 10/SP01
NGL NATURAL GROUND LEVEL APPROX PRIOR TO DEMOLITION
OG FIXED OR AWNING OBSCURE GLASS TO MIN 1700 ABOVE FF., OR MAX OPENABLE 100MM WHEN BELOW 1700MM
RB RENDERED BRICKWORK, RENDER AROUND REVEALS.
RF RENDERED FINISH, ON FOAMBOARD/8/ OR HARDIFLEX/10/
SD GARAGE DOOR AS SELECTED NOTE 3.1/SP01
TP TIMBER PANELING AS SELECTED
SCR SCREEN WITH 25% MAXIMUM OPENINGS

GROUND FINISHES LEGEND
AL ARTIFICIAL LAWN
BP PERMEABLE BRICK PAVING ON SAND BASE
GB GARDEN BED
HP HARD PAVING - ALL WEATHER SEAL (STORMWATER FALLING ON SURFACE LEFT UNTREATED AS PER WSUD REQUIRED)
LA DROUGHT RESISTANT LAWN - COUCH MYUKI OR BUFFALO
LT LILLYDALE TOPPING - COMPACTED OR OTHER PERMEABLE SURFACE AS SELECTED
MP WHITE PEBBLE MIX
PP 600 X 600 PAVER - PERMEABLE

VEGETATION LEGEND
PROPOSED TREE/SHRUB
EXISTING TREES TO REMAIN
EXISTING TREES TO BE REMOVED
GROUND COVER

Rev	Date	Description
A	04.11.15	Amendments as per Council RFI

T1.1 THE DEVELOPMENT AS SHOWN ON THESE PLANS MUST NOT BE ALTERED UNLESS WITH THE WRITTEN CONSENT OF THE RESPONSIBLE AUTHORITY.
T1.2 THESE DRAWINGS ARE TO BE USED FOR PLANNING & BUILDING PERMIT PURPOSES ONLY. PRIOR TO COMMENCING WORK A SEPARATE BUILDING PERMIT IS REQUIRED FROM THE RELEVANT BUILDING SURVEYOR.
A LEGAL POINT OF DISCHARGE IS TO BE OBTAINED AND THE STORMWATER SYSTEM SHALL BE DESIGNED TO ENSURE THAT WATER RUNOFF TO ADJOINING PROPERTIES IS NOT INCREASED.
T1.3 ANY PLUMBING PIPE, DUCTING & FLUNT EQUIPMENT MUST BE CONCEALED FROM EXTERNAL VIEWS. THIS DOES NOT INCLUDE EXTERNAL GUTTERING OR ASSOCIATED DOWNPIPES.
T1.4 HEATING UNITS ARE LOCATED WITHIN ROOF SPACES ABOVE KITCHENS UNITS 'F' AND MUST BE CONCEALED FROM THE STREET VIEW.
T1.5 A MAILBOX CONTAINING A NEWSPAPER HOLDER MUST BE PROVIDED TO EACH PREMISES AT THE STREET FRONTAGE, THE MAILBOX DIMENSIONS, LOCATION AND HEIGHT MUST BE CONSISTENT WITH THE REQUIREMENTS OF AUSTRALIA POST.

Issue: TOWN PLANNING ISSUE

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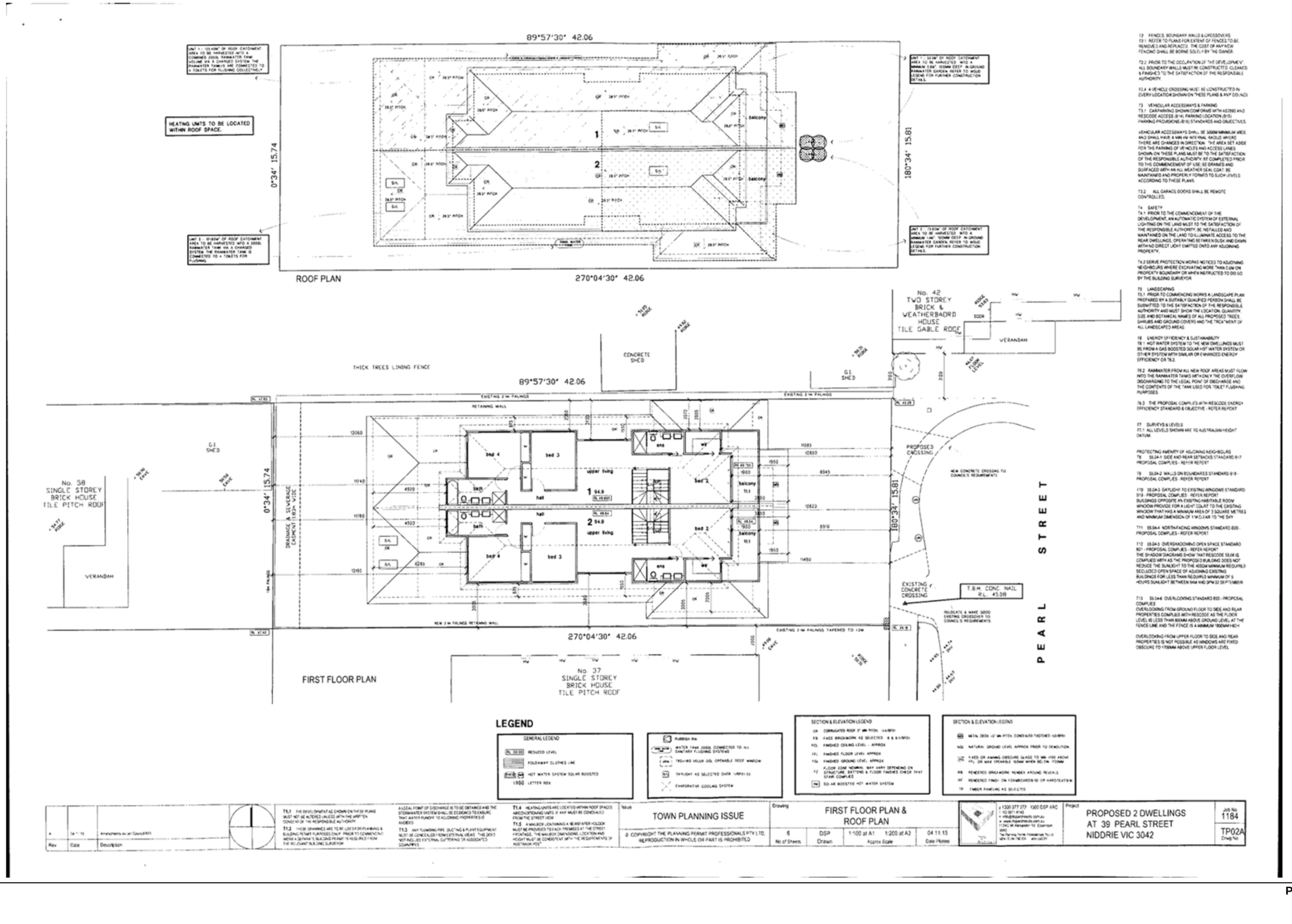
Drawing: SITE & GROUND FLOOR PLANS

6	DSP	1:100 at A1 1:200 at A3	04.11.15
No of Sheets	Drawn	Approx Scale	Date Plotted

t 1300 377 372 1300 DEP ARC
f 03 9017 6145
e info@planningpermits.com.au
w www.planningpermits.com.au
112/242 St Georges Rd, Thornbury 3071

Project: PROPOSED 2 DWELLINGS AT 39 PEARL STREET NIDDRIE VIC 3042

Job No. 1184
Drwg No. TP01A


89°57'30" 42.06
0°34' 15.74
180°34' 15.81
270°04'30" 42.06
HEATING UNITS TO BE LOCATED WITHIN ROOF SPACE.
ROOF PLAN
No. 42
TWO STOREY BRICK & WEATHERBOARD HOUSE TILE GABLE ROOF
VERANDAH
CONCRETE SHED
G.I. SHED
THICK TREES LINING FENCE
EXISTING 2 m PALINGS
RETAINING WALL
No. 38
SINGLE STOREY BRICK HOUSE TILE PITCH ROOF
DRAINAGE & SEWERAGE EASEMENT (1.83m WIDE)
bed 4
bed 3
bed 2
bath
hall
ens
upper living
balcony
PROPOSED CROSSING
NEW CONCRETE CROSSING TO COUNCIL'S REQUIREMENTS
EXISTING CONCRETE CROSSING
T.B.M. CONC. NAIL R.L. 45.08
RELOCATE & MAKE GOOD EXISTING CROSSOVER TO COUNCIL'S REQUIREMENTS
PEARL STREET
NEW 2 m PALINGS RETAINING WALL
EXISTING 2 m PALINGS TAPERED TO 1.2m
FIRST FLOOR PLAN
No. 37
SINGLE STOREY BRICK HOUSE TILE PITCH ROOF
LEGEND
GENERAL LEGEND
REDUCED LEVEL
FOLDAWAY CLOTHES LINE
HOT WATER SYSTEM SOLAR BOOSTED
LETTER BOX
Rubbish Bin
WATER TANK 2000L CONNECTED TO ALL SANITARY FLUSHING SYSTEMS
TREVIRA VELUX GGL OPENABLE ROOF WINDOW
SKYLIGHT AS SELECTED OVER
EVAPORATIVE COOLING SYSTEM
SECTION & ELEVATION LEGEND
CORRUGATED ROOF 5° MIN PITCH
FACE BRICKWORK AS SELECTED
FINISHED CEILING LEVEL - APPROX
FINISHED FLOOR LEVEL APPROX
FINISHED GROUND LEVEL APPROX
FLOOR ZONE NOMINAL MAY VARY DEPENDING ON STRUCTURE, BATTENS & FLOOR FINISHES CHECK THAT STAIR COMPLIES
SOLAR BOOSTED HOT WATER SYSTEM
SECTION & ELEVATION LEGEND
METAL DECK
NATURAL GROUND LEVEL APPROX PRIOR TO DEMOLITION
FIXED OR AWNING OBSCURE GLASS TO MIN
RENDERED BRICKWORK RENDER AROUND REVEALS
RENDERED FINISH ON FC
TIMBER PANELING AS SELECTED
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T1.5 A MAILBOX LOCATION(S) & NEWSPAPER HOLDER MUST BE PROVIDED TO EACH PREMISES AT THE STREET FRONTAGE. THE MAILBOX DIMENSIONS, LOCATION AND HEIGHT MUST BE CONSISTENT WITH THE REQUIREMENTS OF AUSTRALIA POST
A Amendments as per Council RFI 04.11.15
Rev Date Description
Issue TOWN PLANNING ISSUE
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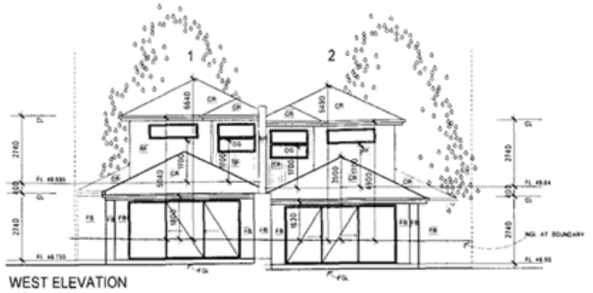
Drawing FIRST FLOOR PLAN & ROOF PLAN
6 No. of Sheets
DSP Drawn
1:100 at A1 1:200 at A3 Approx Scale
04.11.15 Date Plotted
Project PROPOSED 2 DWELLINGS AT 39 PEARL STREET NIDDRIE VIC 3042
Job No 1184
TP02A Drwg No

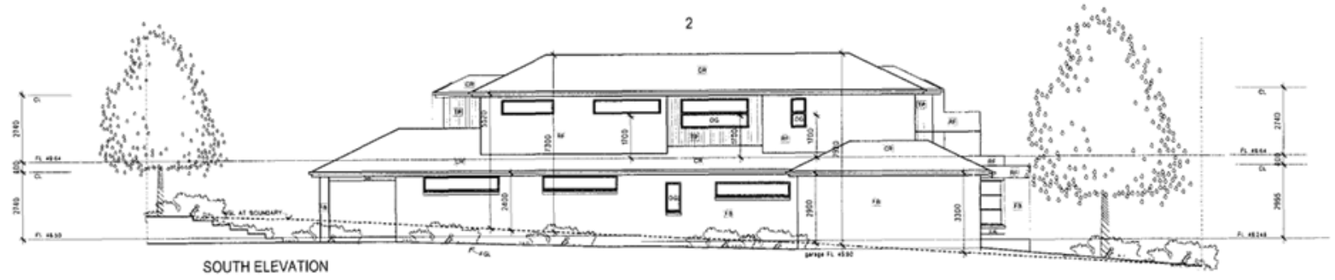
FRONT/EAST ELEVATION

PORCHES ARE LESS THAN 3.6M HIGH, IN ACCORDANCE WITH STANDARD B6 (STREET SETBACK) OF RESCODE.

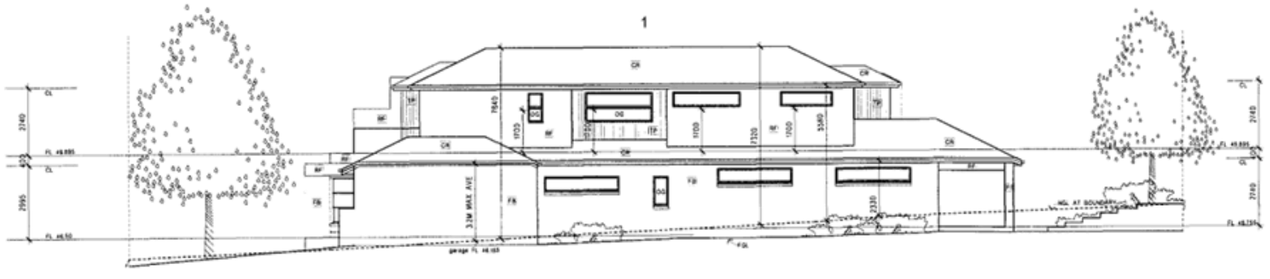


WEST ELEVATION

FRONT FENCE ELEVATION



SOUTH ELEVATION



NORTH ELEVATION

LEGEND

GENERAL LEGEND

- RL 50.00 REDUCED LEVEL
- FOLDAWAY CLOTHES LINE
- HOT WATER SYSTEM SOLAR BOOSTED
- LB00 LETTER BOX
- RAINWATER TANK POSSIBLE CONNECTED TO ALL SANITARY FLUSHING SYSTEMS
- TRADITIONAL VELUX SOLAR OPERABLE ROOF WINDOW
- SKYLIGHT AS SELECTED OVER 1/SP01-03
- EVAPORATIVE COOLING SYSTEM

SECTION & ELEVATION LEGEND

- AL ALUCOBOND OR SIMILAR AS SELECTED
- CR CORRUGATED ROOF 5° MIN PITCH, N.A.W.SP01
- FB FACE BRICKWORK AS SELECTED - B. & B.W.SP01
- FGL FINISHED CEILING LEVEL - APPROX
- FFL FINISHED FLOOR LEVEL APPROX
- FGL FINISHED GROUND LEVEL APPROX
- F2 FLOOR ZONE NOMINAL, MAY VARY DEPENDING ON STRUCTURE, BATTENS & FLOOR FINISHES CHECK THAT STAIR COMPLIES
- GD FULLY-HALF GLAZED DOOR AS SELECTED - W.SP01
- HF INFILL OVER AS SELECTED W.SP01
- HW SOLAR BOOSTED HOT WATER SYSTEM
- M1 METAL DECK 10° MIN PITCH CONCEALED FASTENED 1G2.SP01
- NGL NATURAL GROUND LEVEL APPROX PRIOR TO DEMOLITION
- OG FIXED OR AWNING OBSCURE GLASS TO MIN 1700 ABOVE FFL OR MAX OPERABLE 150MM WHEN BELOW 1700MM
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- RF RENDERED FINISH, ON FOAMBOARD/EIS OR HARDIETEX/EQUIV.
- SD GARAGE DOOR AS SELECTED NOTE B.T.SP01
- TF TIMBER PANELING AS SELECTED
- SCR SCREEN WITH 25% MAXIMUM OPENINGS

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T4.2 SERVE PROTECTION WORKS NOTICES TO ADJOINING NEIGHBOURS WHERE EXCAVATING MORE THAN 0.9M ON PROPERTY BOUNDARY OR WHEN INSTRUCTED TO DO SO BY THE BUILDING SURVEYOR.

T5 LANDSCAPING
T5.1 PRIOR TO COMMENCING WORKS A LANDSCAPE PLAN PREPARED BY A SUITABLY QUALIFIED PERSON SHALL BE SUBMITTED TO THE SATISFACTION OF THE RESPONSIBLE AUTHORITY AND MUST SHOW THE LOCATION, QUANTITY, SIZE AND BOTANICAL NAMES OF ALL PROPOSED TREES, SHRUBS AND GROUND COVERS AND THE TREATMENT OF ALL LANDSCAPED AREAS.

T6 ENERGY EFFICIENCY & SUSTAINABILITY
T6.1 HOT WATER SYSTEM TO THE NEW DWELLINGS MUST BE FROM A GAS BOOSTED SOLAR HOT WATER SYSTEM OR OTHER SYSTEM WITH SIMILAR OR ENHANCED ENERGY EFFICIENCY OR T6.2.

T6.2 RAINWATER FROM ALL NEW ROOF AREAS MUST FLOW INTO THE RAINWATER TANKS WITH ONLY THE OVERFLOW DISCHARGING TO THE LEGAL POINT OF DISCHARGE AND THE CONTENTS OF THE TANK USED FOR TOILET FLUSHING PURPOSES.

T6.3 THE PROPOSAL COMPLIES WITH RESCODE ENERGY EFFICIENCY STANDARD & OBJECTIVE - REFER REPORT

T7 SURVEYS & LEVELS
T7.1 ALL LEVELS SHOWN ARE TO AUSTRALIAN HEIGHT DATUM.

PROTECTING AMENITY OF ADJOINING NEIGHBOURS
T8 55.04-1 SIDE AND REAR SETBACKS STANDARD B17 - PROPOSAL COMPLIES - REFER REPORT

T9 55.04-2 WALLS ON BOUNDARIES STANDARD B18 - PROPOSAL COMPLIES - REFER REPORT

T10 55.04-3 DAYLIGHT TO EXISTING WINDOWS STANDARD B19 - PROPOSAL COMPLIES - REFER REPORT
BUILDINGS OPPOSITE AN EXISTING HABITABLE ROOM WINDOW PROVIDE FOR A LIGHT COURT TO THE EXISTING WINDOW THAT HAS A MINIMUM AREA OF 3 SQUARE METRES AND MINIMUM DIMENSION OF 1 M CLEAR TO THE SKY.

T11 55.04-4 NORTH FACING WINDOWS STANDARD B20 - PROPOSAL COMPLIES - REFER REPORT

T12 55.04-5 OVERSHADOWING OPEN SPACE STANDARD B21 - PROPOSAL COMPLIES - REFER REPORT
THE SHADOW DIAGRAMS SHOW THAT RESCODE 55.04 IS COMPLIED WITH AS THE PROPOSED BUILDING DOES NOT REDUCE THE SUNLIGHT TO THE 40SQM MINIMUM REQUIRED SECLUDED OPEN SPACE OF ADJOINING EXISTING BUILDINGS FOR LESS THAN REQUIRED MINIMUM OF 5 HOURS SUNLIGHT BETWEEN 9AM AND 3PM 22 SEPTEMBER.

T13 55.04-6 OVERLOOKING STANDARD B22 - PROPOSAL COMPLIES
OVERLOOKING FROM GROUND FLOOR TO SIDE AND REAR PROPERTIES COMPLIES WITH RESCODE AS THE F.LOOR LEVEL IS LESS THAN 800MM ABOVE GROUND LEVEL AT THE FENCE LINE AND THE FENCE IS A MINIMUM 1800MM HIGH.

OVERLOOKING FROM UPPER FLOOR TO SIDE AND REAR PROPERTIES IS NOT POSSIBLE AS WINDOWS ARE FIXED OBSCURE TO 1700MM ABOVE UPPER FLOOR LEVEL.

OVERLOOKING FROM GROUND FLOOR TO SIDE AND REAR PROPERTIES COMPLIES WITH RESCODE AS THE FLOOR LEVEL IS LESS THAN 800MM ABOVE GROUND LEVEL AT THE FENCE LINE AND THE FENCE IS A MINIMUM 1800MM HIGH

OVERLOOKING FROM UPPER FLOOR TO SIDE AND REAR PROPERTIES IS NOT POSSIBLE AS WINDOWS:

HAVE SILLS ABOVE 1700MM ABOVE FLOOR LEVEL OR

HAVE FIXED OBSCURE GLASS UP TO 1700MM ABOVE FLOOR LEVEL

Rev	Date	Description
A	04.11.15	Amendments as per Council RFI

T1.1 THE DEVELOPMENT AS SHOWN ON THESE PLANS MUST NOT BE ALTERED UNLESS WITH THE WRITTEN CONSENT OF THE RESPONSIBLE AUTHORITY.
T1.2 THESE DRAWINGS ARE TO BE USED FOR PLANNING & BUILDING PERMIT PURPOSES ONLY. PRIOR TO COMMENCING WORK A SEPARATE BUILDING PERMIT IS REQUIRED FROM THE RELEVANT BUILDING SURVEYOR.
A LEGAL POINT OF DISCHARGE IS TO BE OBTAINED AND THE STORMWATER SYSTEM SHALL BE DESIGNED TO ENSURE THAT WATER RUNOFF TO ADJOINING PROPERTIES IS AVOIDED.
T1.3 ANY PLUMBING PIPE DUCTING & PLANT EQUIPMENT MUST BE CONCEALED FROM EXTERNAL VIEWS. THIS DOES NOT INCLUDE EXTERNAL GUTTERING OR ASSOCIATED DOWNPIPES.
T1.4 HEATING UNITS ARE LOCATED WITHIN ROOF SPACES AIRCONDITIONING UNITS IF ANY MUST BE CONCEALED FROM THE STREET VIEW
T1.5 A MAILBOX CONTAINING A NEWSPAPER HOLDER MUST BE PROVIDED TO EACH PREMISES AT THE STREET FRONTAGE. THE MAILBOX DIMENSIONS, LOCATION AND HEIGHT MUST BE CONSISTENT WITH THE REQUIREMENTS OF AUSTRALIA POST.

Issue: TOWN PLANNING ISSUE

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Drawing: ELEVATIONS

6	DSP	1:100 at A1 1:200 at A3	04.11.15
No of Sheets	Drawn	Approx Scale	Date Plotted

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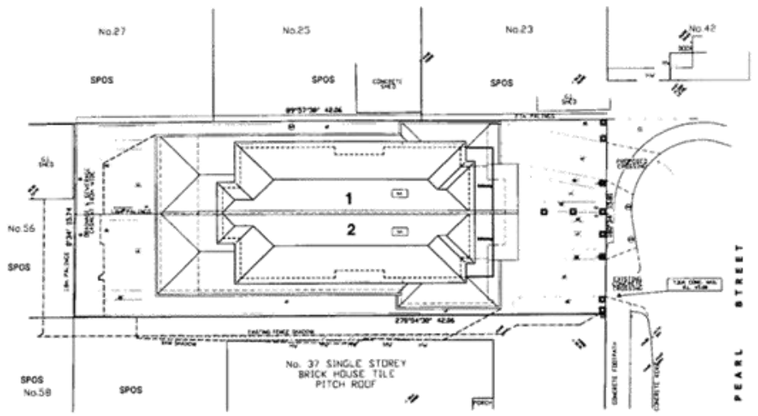
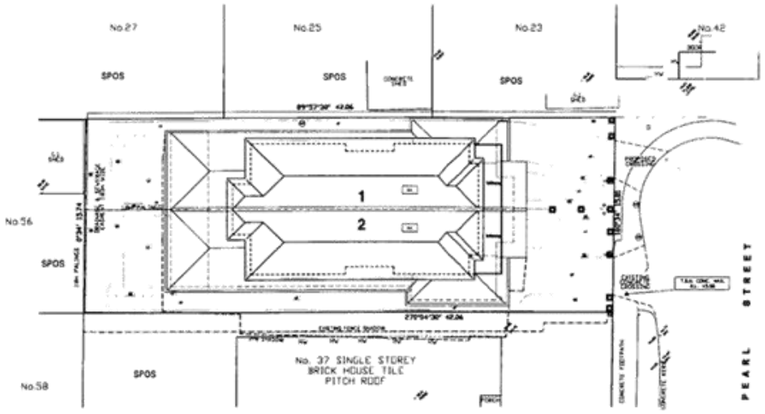
The Planning Permit Professionals Pty Ltd ABN 70 094 786 854 VBA 035789

Project: PROPOSED 2 DWELLINGS AT 39 PEARL STREET NIDDRIE VIC 3042

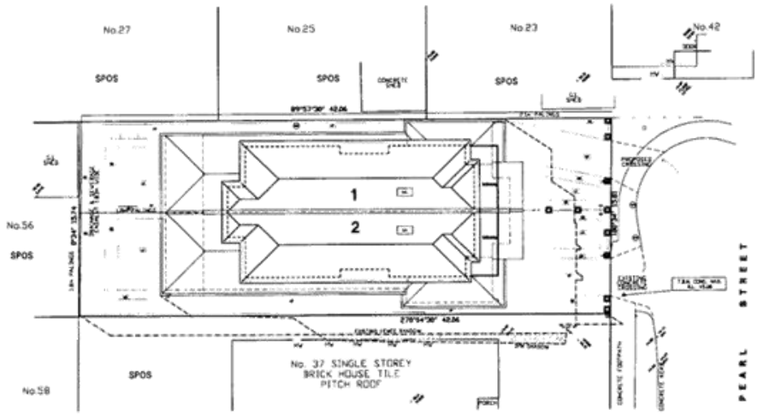
Job No 1184
Drwg No TP03A



SHADOW DIAGRAM - 9AM SEPTEMBER 22



SHADOW DIAGRAM - 12PM SEPTEMBER 22

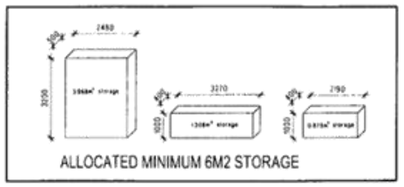


SHADOW DIAGRAM - 3PM SEPTEMBER 22

SHADOWS

THE SHADOW DIAGRAMS SHOW THAT RESCODE 55.05 IS COMPLIED WITH AS THE PROPOSED BUILDING DOES NOT REDUCE THE SUNLIGHT TO THE 40SQM MINIMUM REQUIRED SECLUDED OPEN SPACE OF ADJOINING EXISTING BUILDINGS FOR LESS THAN REQUIRED MINIMUM OF 5 HOURS SUNLIGHT BETWEEN 9AM AND 3PM 22 SEPTEMBER

SHADOWS LEGEND
- SEPT 22 SHADOW PROPOSED DWELLING
- SEPT 22 SHADOW EXISTING FENCE
- SURPLUS SHADOWS ON ADJOINING PROPERTIES



ALLOCATED MINIMUM 6M2 STORAGE

Rev	Date	Description
A	04.11.15	Amendments as per Council RFI

T1.1 THIS DEVELOPMENT AS SHOWN ON THESE PLANS MUST NOT BE ALTERED UNLESS WITH THE WRITTEN CONSENT OF THE RESPONSIBLE AUTHORITY

T1.2 THESE DRAWINGS ARE TO BE USED FOR PLANNING & BUILDING PERMIT PURPOSES ONLY. PRIOR TO COMMENCING WORK A SEPARATE BUILDING PERMIT IS REQUIRED FROM THE RELEVANT BUILDING SURVEYOR

A LEGAL POINT OF DISCHARGE IS TO BE OBTAINED AND THE STORMWATER SYSTEM SHALL BE DESIGNED TO ENSURE THAT WATER RUNOFF TO ADJOINING PROPERTIES IS NIL(0)

T1.3 ANY PLUMBING PIPE DUCTING & PLANT EQUIPMENT MUST BE CONCEALED FROM EXTERNAL VIEWS. THIS DOES NOT INCLUDE EXTERNAL GUTTERING OR ASSOCIATED DOWNPIPES.

T1.4 HEATING UNITS ARE LOCATED WITHIN ROOF SPACES AIRCONDITIONING UNITS IF ANY MUST BE CONCEALED FROM THE STREET VIEW

T1.5 A MAILBOX CONTAINING A NEVERSPEAK HOLDER MUST BE PROVIDED TO EACH PREMISES AT THE STREET FRONTAGE. THE MAILBOX DIMENSIONS, LOCATION AND HEIGHT MUST BE CONSISTENT WITH THE REQUIREMENTS OF AUSTRALIA POST

Issue: TOWN PLANNING ISSUE

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Drawing: SHADOW DIAGRAMS - SEPTEMBER 22

No of Sheets	Drawn	Approx Scale	Date Plotted
6	DSP	1:100 at A1 1:200 at A3	04.11.15

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Project: PROPOSED 2 DWELLINGS AT 39 PEARL STREET NIDDRIE VIC 3042

Job No 1184

Dwg No TP04A

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 a non-compliance, see Section 3.5 of the assessment report.

Title and Objective	**Complies with Standard**	**Complies with Objective**
B1 - Neighbourhood Character	✓ (condition)	✓
B 2 - Residential Policy	✓	✓
B 3 - Dwelling Diversity	N/A	N/A
B 4 - Infrastructure Objectives	✓	✓
B 5- Integration with the Street Objective	✓	✓
B6 - Street Setback Objective	X	✓
B7 - Building Height Objective	✓	✓
B8- Site Coverage Objective.	✓	✓
B9- Permeability Objectives	✓	✓
B10 - Energy Efficiency Objectives	✓	✓
B 11 - Open Space Objective	N/A	N/A
B 12- Safety Objective	✓	✓
B 13 - Landscaping Objectives	✓ (condition)	✓
B 14 - Access Objectives	✓	✓
B 15 - Parking Location Objectives	✓	✓
B16 – Parking Provision	Deleted from Clause 55 on 5 June 2012 (VC90). Refer to Clause 52.06 for car parking requirements under Section 3.4.	
B 17 - Side and Rear Setbacks Objective	✓	✓
B 18 - Walls on Boundaries Objective	✓	✓
B 19 - Daylight to Existing Windows Objective.	N/A	N/A
B 20 - North-facing Windows Objective	✓	✓
B 21 - Overshadowing Open Space Objective	✓	✓
B 22 - Overlooking Objective	✓	✓
B 23 - Internal Views Objective	✓	✓
B 24 - Noise Impacts Objectives	✓	✓

B 25 - Accessibility Objective	✓	✓
B 26 - Dwelling Entry Objective	✓	✓
B 27 - Daylight to New Windows Objective	✓	✓
B 28 - Private Open Space Objective	✓	✓
B 29 - Solar Access to Open Space Objective	✓	✓
B 30 - Storage Objective	✓	✓
B 31 - Design detail objective	✓	✓
B 32 - Front Fences Objective	✓	✓
B 33 - Common Property Objectives	N/A	N/A
B 34 - Site Services Objectives	✓	✓

✓- Complies / X – non-compliance / N/A- not applicable

9.5 19 - 21 Illawarra Road, Flemington (Lots 14 & 15 on LP 003456) - Construction of two dwellings to the side of the existing dwelling

File No: FOL/16/130
Author: Statutory Planner
Directorate: Planning & Development
Ward: Myrnong

Planning File No.	MV/552/2015
Proposal	• 3 dwellings (2 proposed double storey and 1 existing)
Applicant	John Douglas Group P/L
Owner	Francesco & Pina Liparota
Planning Scheme Controls	General Residential Zone
Planning Permit Requirement	Clause 32.08-4 Construct two or more dwellings on a lot
Car Parking Requirements (Clause 52.06)	Required – 4 car spaces Proposed – 4 car spaces
Restrictive Covenants	None
Easements	None
Site Area	585.4m^2
Number Of Objections	11
Consultation Meeting	3 February 2016

Executive Summary

- The application seeks planning approval for the construction of two dwellings to the side of the existing dwelling.
- The site is regular in shape with a frontage width of 21.34 metres, a depth of 27.43 metres and a total area of 585.4m^2. The site comprises of two lots (Nos. 19 and 21 Illawarra Road). The property at No. 21 Illawarra Road is occupied by a single storey brick dwelling and has vehicle access to Illawarra Road via a crossover, as well as access to a rear laneway.
- The application was advertised and 11 objections were received. The concerns raised related to neighbourhood character, overdevelopment, car parking and traffic, devaluation of properties in the area, amenity impacts (privacy, overshadowing, visual bulk, solar access) and site coverage.
- A Consultation Meeting was held on 3 February 2016, attended by Councillor Marshall, objectors and Council's Planning Officer. No resolution was achieved at this meeting.
- The application was internally referred to Council's Engineering Services Unit, Traffic and Transportation Unit, Heritage Adviser 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/552/2015 for the construction of two dwellings alongside an existing dwelling at 19 - 21 Illawarra Road, Flemington (Lots 14 & 15 on LP 003456) in accordance with the following:

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The amended plans must be drawn to scale with dimensions and three copies must be provided. The amended plans must be generally in accordance with the plans submitted and assessed with the application but modified to show:

    a) A pitched roof to the first floor level of both Dwellings 1 and 2 with an overall height not exceeding 7 metres.

    b) The use of a lighter colour finish to the rendered brick dividing blade wall at the dwelling facades.

    c) An amended colour and materials schedule in accordance with Condition 1b.

    d) All habitable room windows with overlooking or internal overlooking potential to be treated to comply with either Clause 55.04-6 (Overlooking) or Clause 55.04-7 (Internal Views) of the Moonee Valley Planning Scheme.

    e) A separately drawn front fence elevation, to a scale of 1:100 or 1:200.

    f) The south elevation drawing of the proposed dwellings to be in accordance with the drawing submitted to Council on 19 February 2016.

    g) Bin locations to the proposed dwellings to be relocated to a more accessible area within the front setbacks.

    h) The provision of bin enclosures in accordance with Condition 1g.

    i) The storage sheds to be drawn to scale and to include all dimensions, ensuring a minimum capacity of $6m^3$ is achievable in accordance with Clause 55.05-6 (Storage) of the Moonee Valley Planning Scheme.

    j) Any stormwater treatment measures and notations as a result of Conditions 3 and 6.

    k) All STEPS/BESS treatment measures and associated notations shown on the relevant plans as a result of Condition 4 in accordance with Clause 21.04 of the Moonee Valley Planning Scheme. This must be consistent with the information provided in the correct STEPS/BESS report.

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

2. Except with the prior written consent of the Responsible Authority, the layout of the land 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.

3. A revised STORM assessment report must be submitted simultaneously with the submission of amended plans in accordance with Condition 1. The STORM assessment must obtain a minimum of 100% to comply with Clause: 22.03-4 (Stormwater Management) of the Moonee Valley Planning Scheme, and must account for all external impervious surfaces and all roofed areas.

4. A STEPS or BESS assessment report must be submitted simultaneously with the submission of amended plans in accordance with Condition 1. The STEPS or BESS Assessment must comply with Clause 21.04 (Sustainable Environment) of the Moonee Valley Planning Scheme.

5. Before the buildings approved by this permit are occupied, all boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.

6. A minimum 30 days prior to any building or works commencing, all WSUD Details (relating to the WSUD treatment measures nominated in the approved and complying STORM report), such as cross sections and/or specifications, to assess the technical effectiveness of the proposed stormwater treatment measures, must be submitted for approval by the Responsible Authority.

   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 that particular roof catchment area is connected to).

   b) RAINWATER TANKS: Show the size and location of any rainwater tank on the plans and elevations. Provide a note outlining the roof catchment area being collected by each rainwater tank and note connection to the number of toilets, as per the STORM or MUSIC report, or area of garden it is distributing to.

   c) RAINGARDENS: Show the size and location of any raingarden on the site and landscape plans. Raingardens must be setback a minimum of 300mm from a site boundary and a minimum of 300mm from a building. Raingardens must be lined and have their overflow plumbed into the stormwater system.

   d) BUFFER STRIPS: Show the size and location of any buffer strips and the extent, size and grading of the pervious surface/s draining to it.

   e) PERVIOUS & IMPERVIOUS PAVING: provide details of the location and type of all paved and sealed areas (ie. denoting if porous or not).

   f) Integration of other WSUD features such as swales, ponds, etc.

   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.

7. 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 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 prevention of contamination which must be in the form of a detailed statement or report which outlines all 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) Arrangements for chemical storage;

   l) Noise and vibration control;

   m) Risk assessment;

   n) Works timetable; and

   o) Number of workers expected to work on the site at any one time.

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

   The development must be carried out in accordance with the endorsed CSMP and the provisions, requirements and recommendations of the endorsed CSMP must be implemented and complied with to the satisfaction of the Responsible Authority.

8. 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' User's Guide or a Building Maintenance Guide.

9. All obsolete, disused or redundant vehicle crossings must be removed and the area reinstated to footpath, nature strip and kerb and channel 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 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.

11. An on-site stormwater detention drainage system must be installed on the land to the satisfaction of the Responsible Authority.

    Before the development starts a Drainage Layout Plan, including computations and manufacturers specifications, to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The Drainage Layout Plan must be prepared by a Civil Engineer with suitable qualifications to the satisfaction of the Responsible Authority and must depict an on-site stormwater detention drainage system to be installed on the land.

    When approved, the Drainage Layout Plan will form part of this permit.

    The on-site stormwater detention drainage system must be installed and the provisions, recommendations and requirements of the endorsed Drainage Layout Plan must otherwise be implemented and complied with to the satisfaction of the Responsible Authority.

12. Prior to the issue of an Occupancy Permit, all new boundary fencing as shown on the endorsed plans must be erected. The cost of such fencing must be met by the owner and carried out to the satisfaction of the Responsible Authority.

13. 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 land.

14. Before the development starts, and before any trees or vegetation are removed, a landscape plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The landscape plan must be prepared by a person or firm with suitable qualifications to the satisfaction of the Responsible Authority, drawn to scale with dimensions and three copies must be provided. The landscape plan must be generally in accordance with plans submitted with the application and must show:

    a) Plans to accord with Condition 1 of this permit.

b) A planting schedule of all proposed vegetation (trees, shrubs and ground covers) which includes, botanical names, common names, pot size, mature size and total quantities of each plant.

c) The use of drought tolerant species.

d) The provision of two (2) canopy trees within the front setback of the proposed dwelling which are able to achieve a minimum mature height of 4 metres.

e) Features such as paths, paving and accessways.

f) An appropriate automated irrigation system.

When approved, the landscape plan will be endorsed and will form part of this permit.

Landscaping in accordance with the endorsed landscaping plan and schedule must be completed before the building is occupied.

15. 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.

16. 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 make a written request to the responsible authority to extend the expiry date.

If the permit expires, or within six (6) months afterwards, the owner or occupier of the land may make a written request to the responsible authority to extend the expiry date.

Permit Notes

- This is not a building permit under the Building Act. A separate building permit is required to be obtained for any demolition or building works.
- Before the development starts, the permit holder must contact the Moonee Valley City Council's Engineering Services Unit regarding legal point of discharge, vehicular crossings, building over easements, asset protection, road consent/occupancy etc.
- No on street parking permits will be provided to the occupiers of the land.
- 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 Engineering Services Unit and be to the satisfaction of the Responsible Authority.

- Existing levels along the property line and easements must be maintained. All proposed levels must match to existing surface levels along the property boundary and or easement. Council will not accept any modifications to existing levels within any road reserve or easement.
- The required on-site detention system must be designed to limit the rate of stormwater discharge from the land to pre-development levels in accordance with the following calculation; C=0.4, tc=5mins, 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.

1. Introduction

1.1 Subject Site and Surrounds

The subject site is located on the southern side of Illawarra Road, approximately 40 metres west of Kiama Road, Flemington. The site is regular in shape with a frontage width of 21.34 metres, a depth of 27.34 metres and a total area of 585.4m^2. The land is relatively flat and is occupied by a single storey brick dwelling with a minimum front setback of 2.5 metres.

Vehicle access to the site is currently obtained from the laneway to the rear and from an existing crossover located to the north-east along Illawarra Road. There is no significant landscaping or vegetation at the subject site, nor any street trees adjacent to the site.

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, Victorian, Edwardian or inter-war period style dwellings with contemporary infill. It is noted that the subject site (and other properties on Illawarra Road) is included in Council's Heritage Gap study as 'medium priority'.

Figure 2 – 21 Illawarra Road, Flemington

1.2 Proposal

It is proposed to construct two attached double storey dwellings to the side of the existing dwelling. The new dwellings are proposed with two bedrooms.

Table 1

No of dwellings	3 (2 proposed and 1 existing)
No of car spaces	4
Max Building Height	7.5 metres
Site Coverage	55%
Permeability	32%

Refer **Appendix B** plans (separately circulated).

It is noted that an updated colour and materials schedule and south elevation drawing were received by Council on 19 February 2016. The plans were provided to clarify inconsistencies noted in the advertised plans (refer to **Appendix D** plans – separately circulated).

The applicant has also provided a sectional overshadowing diagram to depict the impact that shadowing generated by the proposal will have on the adjoining east-facing habitable room windows (refer to **Appendix E** 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 21.03 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 standard conditions.

- Traffic and Transportation Unit

  No objection subject to a standard conditions and notes.

- Environmentally Sustainable Design (ESD) Officer

  No objection subject to standard conditions and the following non-standard condition:

  - STORM reports are incorrect and incomplete (refer to Conditions 1j and 3).

- Heritage Adviser

  No objection subject to the following recommendation:

  - Reverse the proposed roofing – flat form to rear and hipped form to front (refer to Condition 1a).

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, 11 objections were received from the properties contained within **Appendix A** of this report.

2.5 Consultation Meeting

A Consultation Meeting was held on 3 February 2016, attended by Councillor Marshall, objectors and Council's Planning Officer. No resolution was achieved.

3. Discussion

3.1 State Planning Policy Framework

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 relatively close to public reserves, schools and arterial roads. This context is considered to lend support for a more intensive form of residential development. In addition, 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

The proposal does not comply with Clause 21.04 (Sustainable Environment) as appropriate ecological sustainable design (ESD) principals have not been applied through the submission of a STEPS/SDS/BESS report. As such, the submission of an appropriate ESD assessment will be required as a condition of any permit issued (refer to Condition 4).

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

It is noted that the proposal does not comply with Clause 22.03 (Stormwater Management – WSUD) in its current form as the submitted STORM assessment is incorrect and must be revised. This will be addressed by way of conditions on any permit issued, in accordance with the comments from Council's ESD Officer (refer to Conditions 1j and 3).

3.3 Neighbourhood Character Guidelines

The subject land is identified as being with character area 'Inner Urban 1', which sets out the following preferred character statement:

'New developments will contribute to the consistent building definition by complementing the siting and appearance of period dwellings in low garden settings.

The use of lighter finishes will contribute to the traditional palette of materials. Consistent front and side setbacks will respect the existing siting patterns along the streets, while low or permeable front fences will retain views to dwellings and front gardens. Garages and carports will be non-existent to retain the continuous, uninterrupted footpaths and solid building edge to the streets'.

It is considered that the development provides a suitable response to the preferred character statement and design guidelines of the Inner Urban 1 precinct as follows:

Table 2

Siting and Building Envelope	The development is appropriately sited as it maintains the established setback pattern (which is generally between 2.5 and 3.5 metres) along the southern side of Illawarra Road. In this way, the proposal conforms with the preferred character statement as it contributes to the consistent building definition in the street. Further, the upper floor levels to both dwellings are setback behind

	the ground floor building line so as to reduce visual bulk from this interface. The development is built to the eastern title boundary, with Dwellings 1 and 2 being attached and a 1 metre setback provided between Dwelling 2 and the existing dwelling. It is considered that the building envelope of the proposal is similar to other medium density style developments within the immediate area.
Built Form	The built form of the development somewhat responds to the existing and preferred character of the area. Each elevation is considered to be generally well-articulated. A mix of materials, recesses (including to the upper floor levels), large windows and entry canopies are used successfully to articulate the streetscape facades of each of the proposed dwellings. The two storey height is responsive to the predominant heights within the street. Whilst the dwellings diverge from the adjoining properties stylistically, in terms of bulk and massing they do not overwhelm the streetscape. It is considered however that the absence of an angular roof form is inconsistent with the prevailing character of Illawarra Road, where most dwellings have hipped or gabled rooves. A condition of any permit issued will therefore require that the façade of Dwellings 1 and 2 are provided with a pitched roof form which will enable the proposal to better respect the prevailing character of the area (refer to Condition 1a).
Design Detail	It is considered that overall this proposal represents a high quality design response which successfully addresses the constraints of the site whilst respecting the existing and preferred character of the area, subject to conditions. The proposed palette of colours and materials (consisting of brick, rendered brick and timber cladding) represents a successful balance between traditional and modern materials which further assist in the articulation of the dwelling facades. It is considered however that the incorporation of a lighter colour/tone is required to the rendered brick blade wall at the dwelling facades (refer to Condition 1b). Large windows are provided along the street frontage to ensure that passive surveillance to the

	street is achieved.
Landscaping and front fencing	The development is set off one side boundary and is provided with a landscaped front yard and side setbacks, and a partially transparent front fence is included to ensure views of the front garden are maintained.

3.4 Compliance with Clause 52.06 (Car Parking)

Table 3

Unit	Requires	Provides
3 Dwellings (1 x 3 bedrooms & 2 x 2 bedrooms)	4	4 (stacker arrangement to existing dwelling)
Residential Visitors	0	0
Total	4	4

As referenced under Section 2.3 of this report, Council's 'Traffic and Transportation Unit' have no objections to the proposed development, subject to the inclusion of a standard conditions and notes on any permit granted.

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

Table 4

Res Code Standard	Response
Clause 55.02-1 (Standard B1 – Neighbourhood Character)	The proposal is considered to be an acceptable response to the character of the area, subject to the modifications discussed at Section 3.3 of this report.
Clause 55.03-8 (Standard B13 – Landscaping)	A landscape plan has not been provided as part of this application therefore a condition will be placed on the issued permit stipulating that such a plan must be provided (refer to Condition 14), which is prepared by a suitably qualified person. It is considered that there are sufficient areas for planting to occur on the subject site.
Clause 55.04-1 (Standard B17 – Side and Rear Setbacks)	The proposed dwellings are non-compliant with the setback requirements of this standard at the following locations:

<table>
<tr>
<td></td>
<td>
<u>Dwelling 1</u>
<table>
<tr><th></th><th>Wall height</th><th>Setback</th><th>Requirement</th></tr>
<tr><td>East elevation – staircase (first floor)</td><td>5.8 metres</td><td>1 metre</td><td>1.66 metres</td></tr>
<tr><td>East elevation – front bedroom (first floor)</td><td>7 metres</td><td>1.43 metres</td><td>2.09 metres</td></tr>
<tr><td>East elevation – rear bedroom and bathroom (first floor)</td><td>5.8 metres</td><td>1.43 metres</td><td>1.66 metres</td></tr>
</table>
It is considered that reduced side setbacks (and built form on boundaries) are characteristic of this particular area due to the small lot sizes. The typology of this particular area of Flemington can be described as an inner-urban setting where dwellings and other buildings can be reasonably expected to be located within close proximity to one another, and it is therefore determined that the reduced setbacks are not unreasonable in terms of visual bulk.

The impact of these reduced setbacks on solar access to habitable room windows at the adjoining property to the east (No. 11 Illawarra Road) are considered to be acceptable, as discussed below (Standard B19). Furthermore, as demonstrated on the provided shadow diagrams, the proposed addition does not unreasonably overshadow the adjoining properties and therefore the proposed setbacks do not result in excessive material detriment. A variation to the standard in this instance is therefore considered appropriate as the proposal responds to the objective of the clause.
</td>
</tr>
<tr>
<td>Clause 55.04-2 (Standard B18 – Walls on Boundary)</td>
<td>
The proposed eastern dining room boundary wall to Dwelling 1 has an average height of 3.75 metres above ground level, which exceeds the standard requirement of 3.2 metres. This wall is situated opposite the neighbouring wall at No. 11 Illawarra Road for its entire length. The adjoining wall has no windows opposite the proposed boundary wall and it is therefore not considered to be a sensitive interface. In this way, the proposal is consistent with the objective of this clause as it limits the impact on the amenity of the existing adjoining dwelling.

It is noted that the other section of proposed boundary wall, the Dwelling 1 living room and kitchen (also on the east elevation) complies with the average and maximum height
</td>
</tr>
</table>

<table>
<tr><td></td><td>requirement of the standard.</td></tr>
<tr><td>Clause 55.04-3
(Standard B19 – Daylight to Existing Windows)</td><td>The development proposes built form opposite to habitable room windows at both the ground and upper floor levels of the adjoining dwelling to the east (No. 11 Illawarra Road). The proposal is non-compliant with this standard with respect to the adjoining ground floor habitable window, whilst the setbacks provided to the adjoining upper floor habitable room windows are compliant. The areas of non-compliance are as follows:
<u>Dwelling 1</u>
<table>
<tr><td></td><td>Wall height</td><td>Setback</td><td>Requirement</td></tr>
<tr><td>East elevation – staircase/laundry (ground floor)</td><td>3.3 metres</td><td>1.5 metres</td><td>1.65 metres</td></tr>
<tr><td>East elevation – staircase (first floor)</td><td>5.8 metres</td><td>1.43 metres</td><td>2.9 metres</td></tr>
<tr><td>East elevation – front bedroom (first floor)</td><td>7.2 metres</td><td>2.8 metres</td><td>3.6 metres</td></tr>
</table>
It should be noted in this instance that the adjoining window in question is located very close to the boundary with a setback of 400mm. As such, any proposal within proximity to the eastern boundary is likely to be non-compliant with this requirement.
In an area with larger lot sizes and greater separation between buildings it would be reasonable to expect that development complies with this standard by providing the required setbacks, and also that habitable windows at adjoining properties would be no closer to boundaries than 1 metre. However, as previously discussed, reduced setbacks are considered to be a common characteristic in an inner urban area such as Flemington and it is not considered to be feasible to require compliant setbacks in this instance. As such, the proposed variation is acceptable.</td></tr>
<tr><td>Clause 55.04-6
(Standard B22 – Overlooking)</td><td>The proposal does not comply with this standard at the following locations:
• Dwelling 1, first floor, bedroom (south facing)
• Dwelling 2, first floor, rumpus window, (south facing)
A condition of any permit issued will require that all habitable room windows are screened in accordance with this standard (refer to Condition 1d).</td></tr>
<tr><td>Clause 55.04-7</td><td>As above, the proposal does not comply with the standard</td></tr>
</table>

(Standard B23 – Internal Views)	at the nominated locations and will be conditioned to comply accordingly (refer to Condition 1d).
Clause 55.05-4 (Standard B28 – Private Open Space)	Both of the proposed dwellings fall short of the requirement to provide 25m^2 of secluded private open space (SPOS) that has a minimum dimension of 3 metres. Dwelling 1 is provided with 23.7m^2 of compliant SPOS, and Dwelling 2 is provided with 24.3m^2. These non-compliances are very minor and it is considered that the objective of the clause is met in this instance as the provided SPOS is adequate for the recreation and service needs of future residents, particularly considering the relatively modest size of the two bedroom dwellings.
Clause 55.05-6 (Standard B30 – Storage)	Dimensions for the proposed storage sheds are required to ensure that the volume requirement of this standard can be met in the designated locations (refer to Condition 1i).
Clause 55.06-1 (Standard B31 – Design Detail)	Conditional changes are required to the roof forms of the dwellings and selected colour finishes as discussed above in Section 3.3 of this report.
Clause 55.06-2 (Standard B32 – Front Fences)	Although the selected front fence height and design is considered to be acceptable, a separate elevation drawing (to a scale of 1:100) is required to be submitted for the purposes of endorsement, and this will be required as a condition of any permit issued (refer to Condition 1e).
Clause 55.06-4 (Standard B34 – Site Services)	The selected location for the storage rubbish bins (within the SPOS areas of each of the proposed dwellings) is not appropriate. This is because the bins would need to be taken through the inside of the dwellings to be placed on the street for garbage collection. The bins must therefore be re-located to within the front setback of each dwelling and this will be required as a condition of any permit issued (refer to Condition 1(g)). A further condition will require that bin enclosures are provided in order to screen the bins from the street (refer to Condition 1h).

3.6 Objections

Table 5

Issue	Officer Response
Neighbourhood character (roof form, façade design, front fence design, visual bulk, articulation and	As discussed within Sections 3.2, 3.3 and 3.5 of this report, the design of the proposed dwellings is considered to have an adequate level of compliance with the preferred neighbourhood character, subject to conditions.

material selection)	
Overdevelopment	This is considered acceptable as discussed within Sections 3.2, 3.3 and 3.5 of this report.
Carparking	The proposed development provides the required on-site parking requirements for residents pursuant to Clause 52.06 (Car Parking) of the Moonee Valley Planning Scheme as discussed in Section 3.4 of this report. In addition, Council's Traffic and Transportation Unit had no objection to the proposal.
Proposed access via laneway to rear not feasible	As discussed, the proposal was formally referred to Council's Traffic and Transportation Unit who raised no issues with the application. The proposed vehicle spaces are set in from the laneway to allow for space for vehicles to turn into and out of the carports. It is further noted that this laneway is trafficable and is utilised by other residents along Illawarra Road and Edinburgh Street.
The use of car stackers is inappropriate and will create unreasonable noise	The proposals seeks to use a 2 car capacity stacker to meet the onsite car parking requirement of Clause 52.06 (Car Parking) of the Moonee Valley Planning Scheme to the existing three bedroom dwelling. The stacker will be located to the rear of the dwelling utilising access to the laneway and will have a maximum height of 3.6 metres above natural ground level. In this way it is considered that the stacker will not be unreasonably bulky when viewed from the adjoining properties. In terms of noise, 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.
Devaluation of properties in the area	This is not a valid planning consideration.
Privacy/overlooking	The proposed development meets the requirements of Clause 55.04-6 (Overlooking) of the Moonee Valley Planning Scheme, subject to a condition (refer to Condition 1d).
Overshadowing	The proposed development meets the requirements of Clause 55.04-5 (Overshadowing Open Space) of the Moonee Valley Planning Scheme.
Solar access	It is considered that the proposal is acceptable in terms of daylight access to adjoining existing windows and that it meets the objective of Clause

	55.04-3 (Daylight to Existing Windows) of the Moonee Valley Planning Scheme as discussed above in Section 3.5 of this report. Further, the applicant has submitted sectional shadow diagrams demonstrating that the adjoining east-facing window will be unshadowed by the development until 3pm on the 22 September equinox (refer to **Appendix E**).
Site coverage	The proposed development meets the requirement of Clause 55.03-3 (Site Coverage) of the Moonee Valley Planning Scheme.

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. Additionally, consideration has been given to the requirements of Section 60(1B) of the Planning and Environment Act 1987 with respect to the number of objections received, and it is determined that the proposal would not have a significant social effect.

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 properties
Appendix B: Advertised Plans - 21 Illawarra Road Flemington (MV/552/2015) (separately circulated)
Appendix C: ResCode assessment table
Appendix D: Additional Plans - Elevation and Materials schedule
Appendix E: Sectional shadow diagram

Location of Objector's Properties

11 Illawarra Road, Flemington
14 Illawarra Road, Flemington
18 Illawarra Road, Flemington
25 Illawarra Road, Flemington (X 2)
30 Illawarra Road, Flemington
34 Illawarra Road, Flemington
39 Illawarra Road, Flemington
60 Illawarra Road, Flemington
40 Edinburgh Street, Flemington
44 Edinburgh Street, Flemington

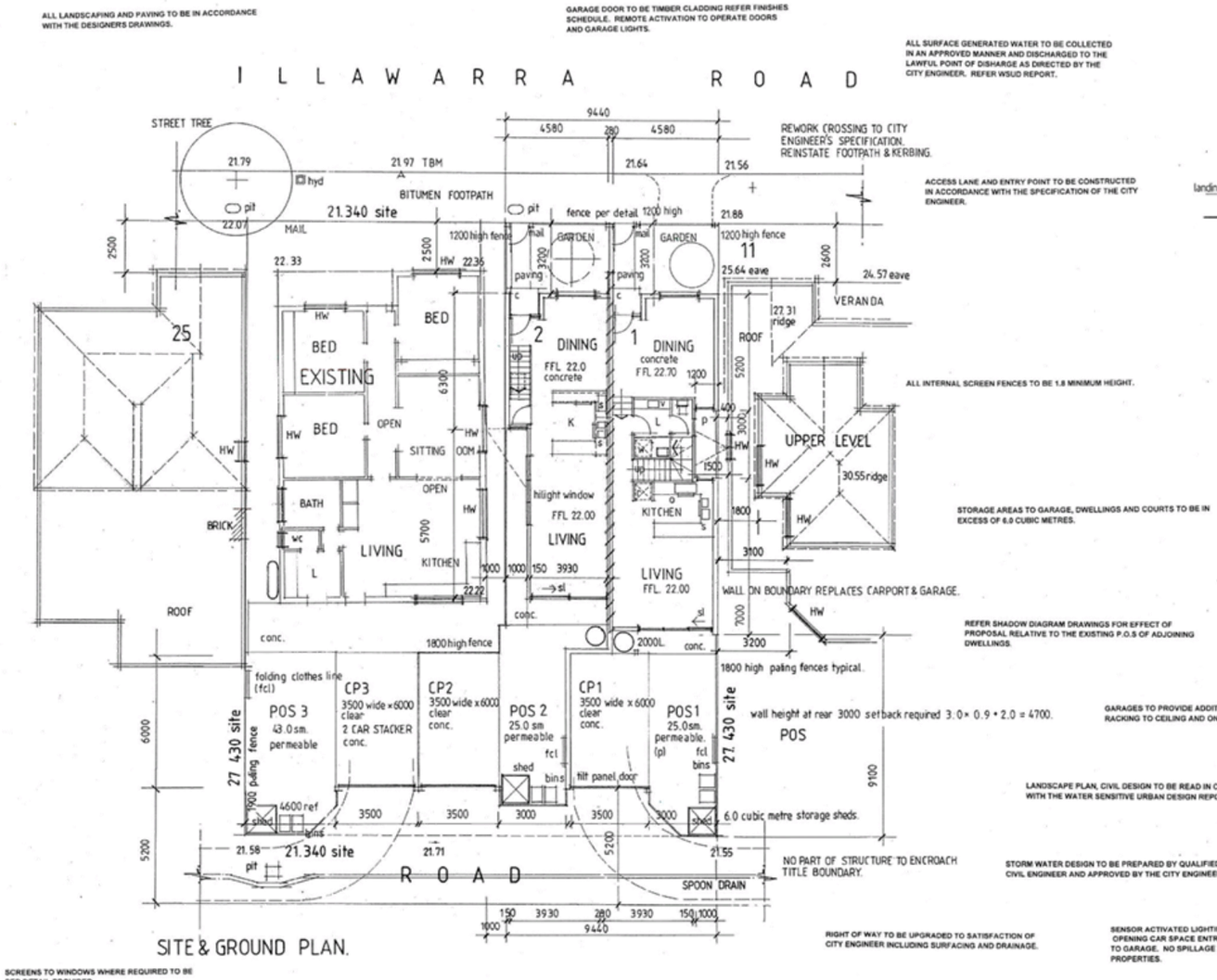
Clause 55 of the Moonee Valley Planning Scheme

Two or more dwellings on a lot and residential buildings (Clause 55 and Schedule to the General Residential Zone). Where there is a non-compliance, see Section 3.5 of the assessment report.

Title and Objective	**Complies with Standard**	**Complies with Objective**
B1 - Neighbourhood Character	✓ (condition)	✓
B 2 - Residential Policy	✓	✓
B 3 - Dwelling Diversity	N/A	N/A
B 4 - Infrastructure Objectives	✓	✓
B 5- Integration with the Street Objective	✓	✓
B6 - Street Setback Objective	✓	✓
B7 - Building Height Objective	✓	✓
B8- Site Coverage Objective.	✓	✓
B9- Permeability Objectives	✓	✓
B10 - Energy Efficiency Objectives	✓	✓
B 11 - Open Space Objective	N/A	N/A
B 12- Safety Objective	✓	✓
B 13 - Landscaping Objectives	✓ (condition)	✓
B 14 - Access Objectives	✓	✓
B 15 - Parking Location Objectives	✓	✓
B16 – Parking Provision	Deleted from Clause 55 on 5 June 2012 (VC90). Refer to Clause 52.06 for car parking requirements under Section 3.4.	
B 17 - Side and Rear Setbacks Objective	X	✓
B 18 - Walls on Boundaries Objective	X	✓
B 19 - Daylight to Existing Windows Objective.	X	✓
B 20 - North-facing Windows Objective	N/A	N/A
B 21 - Overshadowing Open Space Objective	✓	✓
B 22 - Overlooking Objective	✓ (condition)	✓
B 23 - Internal Views Objective	✓ (condition)	✓
B 24 - Noise Impacts Objectives	✓	✓

B 25 - Accessibility Objective	✓	✓
B 26 - Dwelling Entry Objective	✓	✓
B 27 - Daylight to New Windows Objective	✓	✓
B 28 - Private Open Space Objective	X	✓
B 29 - Solar Access to Open Space Objective	✓	✓
B 30 - Storage Objective	✓ (condition)	✓
B 31 - Design detail objective	✓ (condition)	✓
B 32 - Front Fences Objective	✓ (condition)	✓
B 33 - Common Property Objectives	N/A	N/A
B 34 - Site Services Objectives	✓ (condition)	✓

✓- Complies / X – non-compliance / N/A- not applicable



ALL LANDSCAPING AND PAVING TO BE IN ACCORDANCE WITH THE DESIGNERS DRAWINGS.

GARAGE DOOR TO BE TIMBER CLADDING REFER FINISHES SCHEDULE. REMOTE ACTIVATION TO OPERATE DOORS AND GARAGE LIGHTS.

ALL SURFACE GENERATED WATER TO BE COLLECTED IN AN APPROVED MANNER AND DISCHARGED TO THE LAWFUL POINT OF DISHARGE AS DIRECTED BY THE CITY ENGINEER. REFER WSUD REPORT.

ACCESS LANE AND ENTRY POINT TO BE CONSTRUCTED IN ACCORDANCE WITH THE SPECIFICATION OF THE CITY ENGINEER.

ALL INTERNAL SCREEN FENCES TO BE 1.8 MINIMUM HEIGHT.

STORAGE AREAS TO GARAGE, DWELLINGS AND COURTS TO BE IN EXCESS OF 6.0 CUBIC METRES.

REFER SHADOW DIAGRAM DRAWINGS FOR EFFECT OF PROPOSAL RELATIVE TO THE EXISTING P.O.S OF ADJOINING DWELLINGS.

GARAGES TO PROVIDE ADDITIONAL STORAGE AREAS ON RACKING TO CEILING AND ON WALLS.

LANDSCAPE PLAN, CIVIL DESIGN TO BE READ IN CONJUNCTION WITH THE WATER SENSITIVE URBAN DESIGN REPORT.

STORM WATER DESIGN TO BE PREPARED BY QUALIFIED CIVIL ENGINEER AND APPROVED BY THE CITY ENGINEER.

RIGHT OF WAY TO BE UPGRADED TO SATISFACTION OF CITY ENGINEER INCLUDING SURFACING AND DRAINAGE.

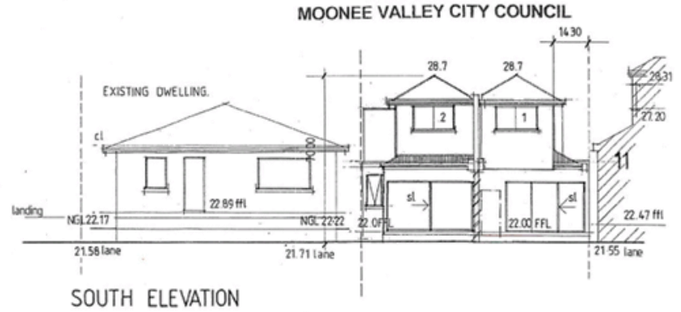
SENSOR ACTIVATED LIGHTING TO THE ENTRY OF DWELLINGS. OPENING CAR SPACE ENTRY DOOR TO ACTIVATE LIGHTING TO GARAGE. NO SPILLAGE ALLOWED FROM SITE TO NEIGHBOURING PROPERTIES.

SCREENS TO WINDOWS WHERE REQUIRED TO BE PER DETAIL PROVIDED.

PLANNING DEPARTMENT

19 FEB 2016

DATE RECEIVED
MOONEE VALLEY CITY COUNCIL



SOUTH ELEVATION

AREA SCHEDULE

TOTAL SITE AREA	585.4 M 2
% SITE COVER GROUND	55 %
No. OF DWELLINGS	3
BUILT UP AREA	321 M 2
PAVED AREA	76 M 2
PREMEABLE AREA	188 M 2
% PERMEABLE	32 %
CARS REQUIRED	4
CARS PROVIDED	4
VISITORS CARS REQUIRED	0
ADDITIONAL ON STREET AVAILABLE	2
EXISTING DWELLING	
GROUND FLOOR	129 M 2
FRONT VERANDA	8 M 2
REAR VERANDA	23 M 2
OPEN SPACE FRONT	21 M 2
OPEN SPACE REAR	48 M 2
GARAGE	24 M 2
DWELLING FLOOR AREA	137 M 2
BUILT UP AREA	153 M 2
DWELLING 1	
GROUND FLOOR	68 M 2
FIRST FLOOR PLAN	49 M 2
GARAGE	24 M 2
OPEN SPACE FRONT	14 M 2
OPEN SPACE REAR	26 M 2
TOTAL FLOOR AREA	117 M 2
BUILT UP AREA	112 M 2
DWELLING 2	
GROUND FLOOR	57 M 2
FIRST FLOOR PLAN	45 M 2
GARAGE	24 M 2
OPEN SPACE FRONT	14 M 2
OPEN SPACE REAR	26 M 2
TOTAL FLOOR AREA	104 M 2
BUILT UP AREA	65 M 2

LEVELS AND SITE FEATURES: REFER SURVEY DRAWINGS PETER RICHARDS DRAWING NUMBER 12371. THIS DOCUMENT DETAILS THE EXISTING CONDITIONS OF THE SITE AND SURROUNDS.

Date	Issue	Amendment
21/5/15	A	AMENDED TO ADDRESS ISSUES RAISED IN COUNCIL LETTER DATED 18.05.2015.
8.7.15	B	AMENDED PER COUNCIL E-MAIL DATED 18/6/2015

Town Planning No.
Building Permit No.
General Notes
Do not scale drawing. Contractors to verify all dimensions, conditions and levels on site and report any discrepancies to building designer. All workmanship to comply with relevant standards, regulations and by laws. Drawing to be read in conjunction with building specification and engineer's design.
Design members to be relevant Australian Standard or design code. This plan is prepared for the purpose of supporting a planning or building permit application and should not be used for any other purposes. The dimensions & schemes are shown for indicative purposes only.
Copyright The drawing remains the property of John Douglas it cannot be reproduced in any form without written consent.

N

Project: RESIDENTIAL DEVELOPMENT
21 ILLAWARRA ROAD FLEMINGTON. 3031.
Client: QUAY DEVELOPMENTS

Designed: JLD
Drawn: ST
Checked:
Scale: 1:100
Date: 5 JUNE 2015

JOHN DOUGLAS GROUP PTY LTD
ACN 010 840 403
DEVELOPMENT CONSULTANTS
P.O. Box 283
Carlton South
0412 388 029
johndouglas@optusnet.com.au

Job No. JDG 829 TP
Dwg No. S3 OF 5
Issue A B

FINISHES SAMPLE

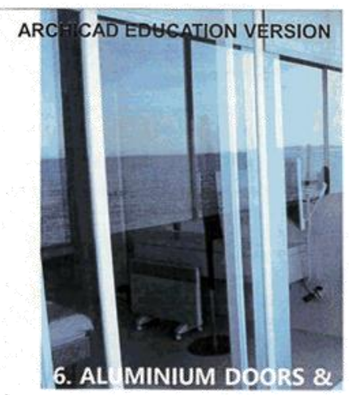
1. TIMBER

2. BRICKS

3. RENDER

4. RENDER

5. RENDER



6. ALUMINIUM DOORS & WINDOWS

ARCHICAD EDUCATION VERSION

EXTERIOR FINISHES SCHEDULE

1. SELFLOK ECOGROOVE 150 TIMBER BOARDS SMOOTH OR SIMPLAR AS PER MANUFACTURERS SPECIFICATION. 150MM SMOOTH BOARDS SURFACE FINISH IN WHITE

2. BORAL BRICKS - TAN COLOR OR SIMILAR AS PER MANUFACTURERS SPECIFICATION

3. RENDERED FINISHES AS PER MANUFACTURERS SPECIFICATION - COLORBOND WATTYL CREAMY NATURAL OR SIMILAR

4. RENDERED FINISHES AS PER MANUFACTURERS SPECIFICATION - COLORBOND COTTAGE GREEN OR SIMILAR

5. RENDERED FINISHES AS PER MANUFACTURERS SPECIFICATION - COLORBOND STRAUSS WHITE OR SIMILAR

6. ALUMINUM DOORS & WINDOWS, NATURAL POWDER COATED MONUMENT BLACK

PLANNING DEPARTMENT

19 FEB 2016

DATE RECEIVED
MOONEE VALLEY CITY COUNCIL

Date | Issue | Amendment

Date | Issue | Amendment

Title | Municipality
Vol | Folio

Town Planning No.

Building Permit No.

General Notes

Do not scale drawing.
Contractors to verify all dimensions, conditions and levels on site and report any discrepancies to building designer.
All workmanship to comply with relevant standards, regulations and by laws.
Drawing to be read in conjunction with building specification and engineer's design.

Design members to be relevant Australian Standard or design code.
This plan is prepared for the purpose of supporting a planning or building permit application and should not be used for any other purpose. The dimensions & schemes are shown for indicative purposes only.

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N

Project
FINISHES SCHEDULE
19-21 ILLAWARRA ROAD, FLEMINGTON

Client
JOHN DOUGLAS GROUP

Designed JLD
Drawn ST
Checked
Scale 1:100 @ A3
Date 2016.02.19

JOHN DOUGLAS GROUP PTY LTD
ACN 017 840 403

Job No. JDG 829
Dwg No. FINISHES
Issue

DEVELOPMENT CONSULTANTS

P.O. Box 283
Carlton South
0412 388 029
johndouglas@optusnet.com.au

JOHN DOUGLAS GROUP PTY LTD
PROPERTY AND DEVELOPMENT CONSULTANTS
ACN 074 840 403

Our ref. JD829s13.

8 March 2016

RECEIVED
10 MAR 2016
MOONEE VALLEY CITY COUNCIL

The Town Planner
CITY OF MOONEE VALLEY
9 Kellaway Avenue.
MOONEE PONDS. 3039.

Attention. Mr. J. Scriha.

Dear Justin.

RE: PLANNING PERMIT APPLICATION: 19-21 ILLAWARRA ROAD, FLEMINGTON. MV/552/2015.

Thanks for your recent email requesting sectional shadow diagrams. I have added them to the roof plan and attach a copy for your file.

I have annotated these windows as HW 1 and HW 2. I have shown a section AA opposite the habitable room window of the dwelling to the east (HW 1). I have included a rear sectional elevation to show the shadow cast relevant to HW 2.

- HW 1 is currently facing a 1800mm high dividing fence; 450mm away from it. The proposal provides a light court on its own property opposite HW 1 in accordance with Clause 55. The shadows do not enter this site until 12.30pm or HW 1 until 1.00pm.
- The shadows cast by the existing structures has been annotated.
- The shadows cast on HW 2 by the proposal are indicated on the drawings. The rear of the site has a shadow cast by its own building.
- The shadows cast on the private open space of the adjoining property to the east are dominated by its own building. The existing structures shadow cast is indicated. The proposal adds a minimal shadow cast to the POS of this site.

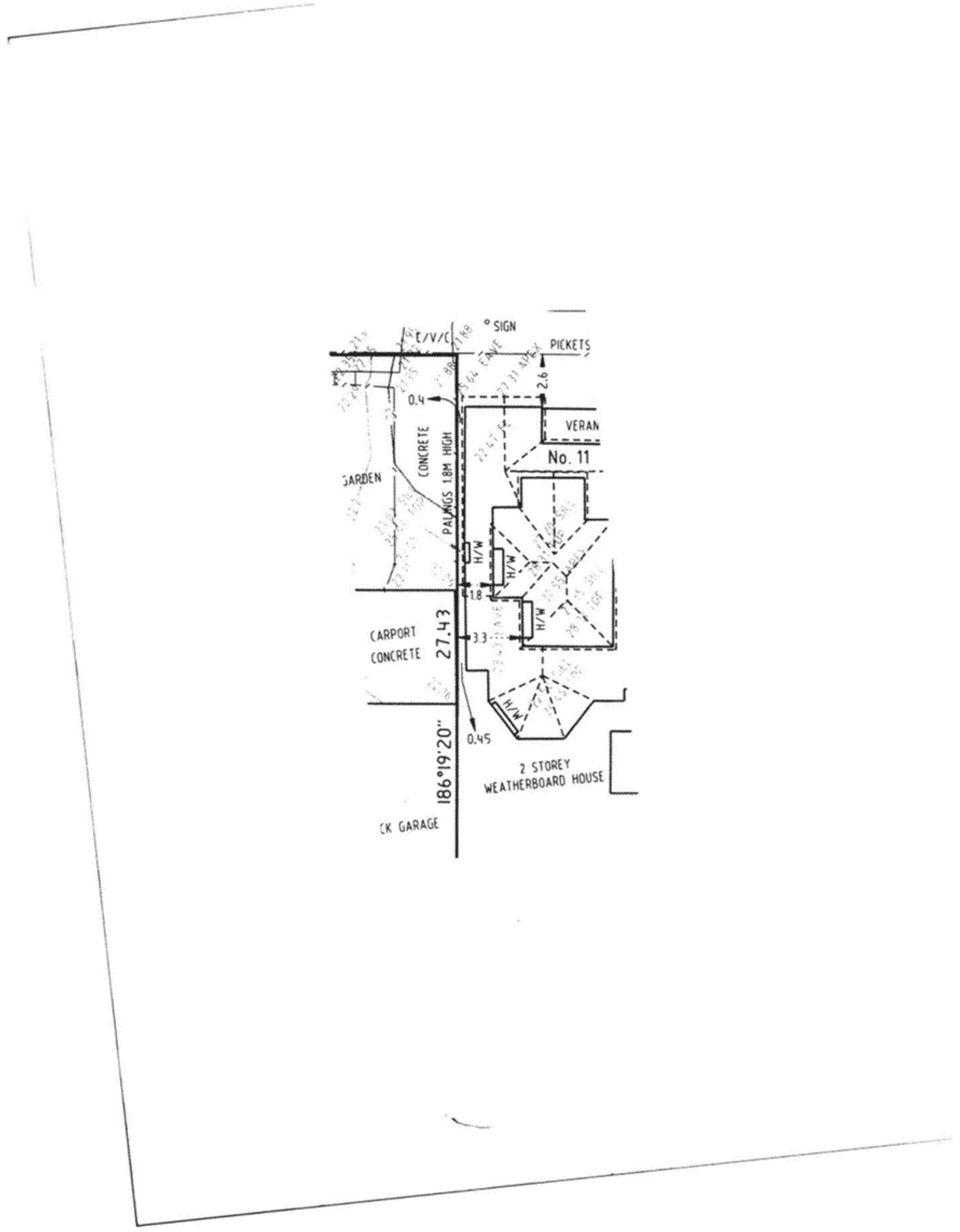
I make myself available to discuss any matters at your convenience.

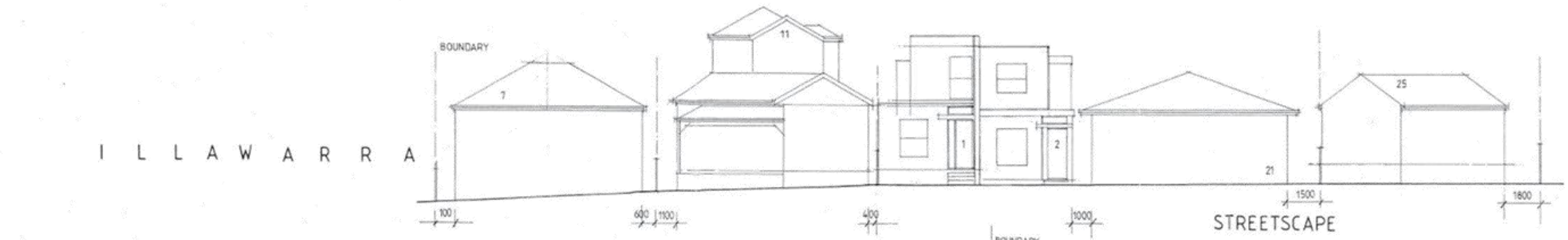
Yours faithfully

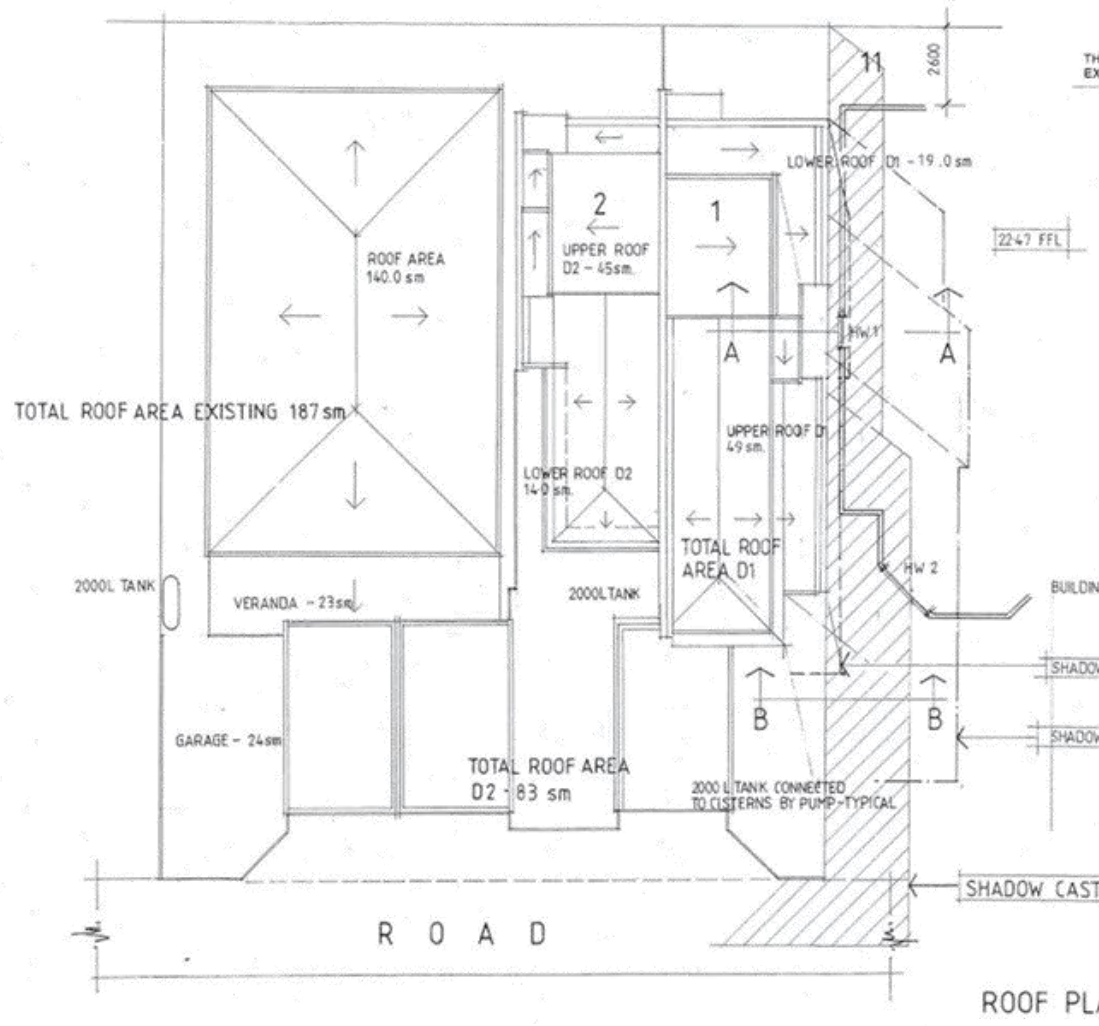
JOHN D. DOUGLAS.

PO Box 283
Carlton South 3053
TEL: (03) 9381 4744

MOBILE: 0412 388 029
EMAIL: johndouglas@optusnet.com.au

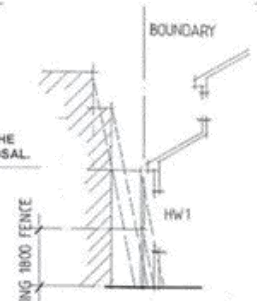

SIGN
E/V/C
PICKETS
EAVE
APEX
2.6
0.4
VERAN
No. 11
CONCRETE
PALINGS 1.8M HIGH
GARDEN
H/W
H/W
H/W
H/W
1.8
3.3
CARPORT
CONCRETE
27.43
186°19'20"
0.45
2 STOREY
WEATHERBOARD HOUSE
CK GARAGE





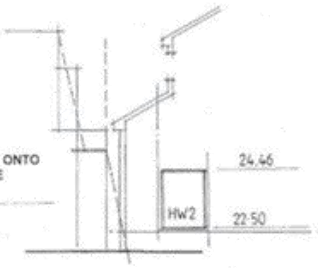
ROOF PLAN.

THE SHADOW CAST IS INDICATED FOR THE EXISTING STRUCTURES AND THE PROPOSAL.

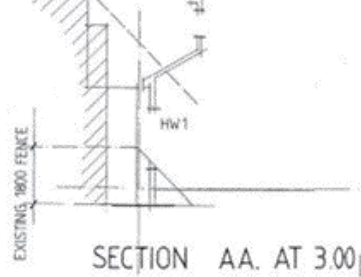


SECTION AA AT 1.00pm

THE PROPOSED SHADOW DOES NOT COME ONTO THE SITE UNTIL AT LEAST 12.30pm AND THE SHADOW INDICATED IS AT 1.00PM.

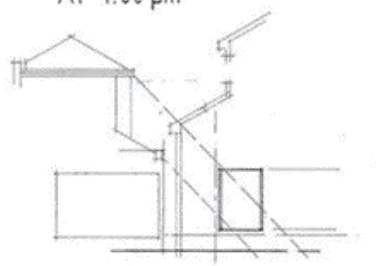


REAR SECTIONAL VIEW BB
AT 1.00 pm



SECTION AA. AT 3.00pm.

THE EXISTING HABITABLE ROOM WINDOW CURRENTLY IS LOCATED 0.45 FROM THE 1.8m DIVIDING FENCE. THE SHADOWS CAST ARE INDICATED. THE PROPOSAL PROVIDES A LIGHT COURT PER CLAUSE 55 AT THIS POINT.



REAR SECTIONAL VIEW BB
AT 3.00pm.

THE SHADOW CAST TO THE ADJOINING DWELLING BY THE EXISTING STRUCTURES AND THE PROPOSAL. THE EXISTING STRUCTURE IS CASTING ITS OWN SHADOW ON THIS AREA.

Dr.	Issue	Amendment	Date	Issue	Amendment
7.11.15	A	AMENDED TO ADDRESS ISSUES RAISED IN COUNCIL LETTER DATED 15.09.15			
	B	SHADOW DIAGRAMS ADDED			

Title: Vol: Folio: Municipality:

Town Planning No.: Building Permit No.:

General Notes

Do not scale drawing.
Contractors to verify all dimensions, conditions and levels on site and report any discrepancies to building designer.
All workmanship to comply with relevant standards, regulations and by laws.
Drawing to be read in conjunction with building specification and engineer's design.

Design members to be relevant Australian Standard or design code.
This plan is prepared for the purpose of supporting a planning or building permit application and should not be used for any other purpose. The dimensions & schemes are shown for indicative purposes only.

Copyright: This drawing remains the property of John Douglas & cannot be reproduced in any form without written consent.

Project: RESIDENTIAL DEVELOPMENT
21 ILLAWARRA ROAD, FLEMINGTON 3031

Client: QUAY DEVELOPMENTS.

Designed	JLD
Drawn	ST
Checked	
Scale	1:100
Date	12 JULY 2015

JOHN DOUGLAS GROUP PTY LTD
ACN 017 640 403

DEVELOPMENT CONSULTANTS

P.O. Box 283
Carlton South
0412 386 029
johndouglas@optusnet.com.au

Job No. JDG 829 TP
Dwg No. S5 OF 5
Issue A

9.6 33 Marshall Street, Flemington (Lot 34 on Plan of Subdivision 005088) - Construction of an extension, alterations and additions to a dwelling on a lot less than 300 square metres

File No: FOL/16/130
Author: Statutory Planner
Directorate: Planning & Development
Ward: Myrnong

Planning File No.	MV/674/2015
Proposal	Construction of an extension, alterations and additions to a dwelling on a lot less than 300 square metres
Applicant	Stuart John King
Owner	Stuart John King and Deborah Elizabeth King
Planning Scheme Controls	General Residential Zone
Planning Permit Requirement	Clause 32.08-3 – Construction and extension of one dwelling on a lot less than 300 square metres
Car Parking Requirements (Clause 52.06)	None
Bicycle Requirements	None
Restrictive Covenants	None
Easements	None
Site Area	297.6 square metres
Number Of Objections	10
Letters of Support	3
Consultation Meeting	3 February 2016

Executive Summary

- The application seeks to gain planning approval for the construction of an extension, alterations and additions to a dwelling on a lot less than 300 square metres.
- The site has an area of 297.6 square metres and is located on the southern side of Marshall Street, on the corner of Marshall Street and Clarence Street.
- The existing site conditions present a single storey Edwardian weatherboard building with a setback exclusive of the existing front porch of 3.46 metres from the front property boundary. The site is serviced by two vehicular crossovers located near the north-eastern corner and the south-western corner of the subject site.
- The application was advertised and as a result 10 objections were received. The concerns raised relate to neighbourhood character, site layout and building massing, off-site amenity impacts, adverse amenity impacts pertaining to the day to day use of the site as a dwelling, as well as impacts as a result of the construction phase of the proposal.
- It is noted that there was three letters of support for the application received.
- A consultation meeting was held on 3 February 2016, attended by Councillor Marshall, objectors, supporters of the proposal and Council Planning Officers. No resolution was achieved at this meeting.
- The application was internally referred to Council's Engineering Services Unit, Traffic and Transportation Unit, Environmental Sustainable Development (ESD) Officer and Council's Heritage Advisor. Conditional support for the application was provided.
- The assessment report finds 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 subject site and surrounds

Recommendation

That Council Issue a Notice of Decision to Grant a Permit in relation to Planning Permit Application No. MV/674/2015 for the construction of an extension, alterations and additions to a dwelling on a lot less than 300 square metres at 33 Marshall Street, Flemington, (Lot 34 on Plan of Subdivision 005088) subject to the following conditions:

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The amended plans must be drawn to scale with dimensions and three copies must be provided. The amended plans must be generally in accordance with the plans submitted and assessed with the application but modified to show:

   a) The southern and western boundary walls to not exceed a maximum height of 3.6 metres.

   b) Any stormwater measures and notations as a consequence of Condition 3.

   c) A notation on the plans as to whether the rainwater tanks are to be mechanically or gravity fed.

   When approved, these plans will be endorsed and will form part of this permit.

2. Except with the prior written consent of the Responsible Authority, the layout of the land 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.

3. An amended STORM assessment report must be submitted simultaneously with the submissions of amended plans in accordance with Condition 1. The STORM Assessment must obtain a minimum 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 Design Details (relating to the WSUD treatment measures nominated in the approved and complying STORM report), such as cross sections and/or specifications, to assess the technical effectiveness of the proposed stormwater treatment measures, must be submitted for approval by the Responsible Authority.

5. A minimum 30 days prior to any building or works commencing, a WSUD 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 pollutions from entering the stormwater systems.

   The WSUD Site Management Plan may form part of a broader Site Management Plan that covers other project components, ie. 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 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/diagrams including a sketch of how the system operates

   d) a report confirming completion and commissioning of all WSUD Response treatment measures by the author of the WSUD Response and STORM or MUSIC model approved pursuant to this permit, or licensed installing/commissioning plumber, 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 Builder' User's Guide or a Building Maintenance Guide.

7. Floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.

8. Before the building approved by this permit is occupied, concrete vehicular crossing(s) must be constructed to suit the proposed driveway(s) in accordance with the responsible authority's specification and any obsolete, disused or redundant vehicle crossing(s) must be removed and the area reinstated to footpath, nature strip and kerb and channel 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 prior written consent of the responsible authority and the relevant servicing authority/agency. Subsequent works and costs in associated 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.

9. 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.

10. Before the building approved by this permit is occupied, a fence of a minimum 1.8 metres in height must be erected along the eastern and southern boundary to the satisfaction of the Responsible Authority.

11. Before the development starts, and before any trees or vegetation are removed, an amended landscape plan to the satisfaction of the Responsible Authority

must be submitted to and approved by the Responsible Authority. The amended landscape plan must be prepared by a person or firm with suitable qualification to the satisfaction of the Responsible Authority, drawn to scale with dimensions and three copies must be provided. The amended landscape plans must be generally in accordance with the landscape plan 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 trees which are able to achieve a minimum mature height of 3 metres along the western title boundary;

e) The use of non-invasive plant species within the western title boundary and proposed building envelope.

f) All planting abutting the accessway and land frontage to have a maximum mature height of no more than 900mm in accordance with Clause 52.06-8 (Design Standards for car parking) of the Moonee Valley Planning Scheme; and

g) An appropriate irrigation system.

When approved, the amended landscape plan and schedule will be endorsed and will form part of this permit.

Landscaping in accordance with the endorsed landscape plan and schedule must be completed before the building is occupied.

12. 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 replayed by a tree or shrub of similar size and varied to the satisfaction of the Responsible Authority.

13. 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 make a written request to the responsible authority to extend the expiry date.

If the development commences before the permit expires, within twelve (12) months after the permit expires, the owner or occupier of the land may make a written request to the Responsible Authority to extend the expiry date.

Permit Notes

- This is not a building permit under Building Act. A separate building permit is

required to be obtained for any demolition or building works.

- Before the development starts, the permit holder must contact the Moonee Valley City Council's Technical Services Department regarding legal point of discharged, vehicular crossings, building over easements, asset protection, road consent/occupancy etc.

1. Introduction

1.1 Subject Site and Surrounds

The subject site is located at 33 Marshall Street, Flemington. The site is located on the southern side of Marshall Street, on the corner of Clarence and Marshall Street. The site is generally rectangular in shape with a maximum width of 10.49 metres, a maximum depth of 28.37 with a total area of 297.6 square metres. There are no easements or restrictions identified on the Certificate of Title associated with the lot.

The existing site conditions present a single storey Edwardian weatherboard building with a setback exclusive of the existing front porch of 3.460 metres from the front property boundary. The site is serviced by two vehicular crossovers located near the north-eastern corner and the south-western corner of subject site.

Figure 2: View of the subject site from the Marshall Street frontage

The properties along Marshall Street and Clarence Street are zoned residential and are predominantly single storey with eclectic architectural styles including, but not limited to, Early Victorian, Mid Victorian, Late Victorian, Edwardian and Post-war. However, within Marshall Street and Clarence Street there is strong evidence of a changing built form due to extensions at the rear of lots as seen at 15, 22, 25, 30, 37 Marshall Street, Flemington.

1.2 Proposal

The proposal is for the construction of an extension, alterations and additions to a dwelling on a lot less than 300 square metres and can be summarised as follows:

Table 1

No of car spaces	2
Max Building Height	5.34 metres (existing dwelling) and 3.667 metres (proposed extension)
Site Coverage	63.72 %
Permeability	30 %
Construction Materials	Constructed and finished with used clinker bricks, timber and mono-chrome style paint

Refer **Appendix A** plans (separately circulated).

2. Background

2.1 Relevant Planning History

MV/186/2014 – Construction of alterations and a double storey addition on a lot less than 300sqm.

- Application was refused by Council on 27 November 2014 and by VCAT on 8 July 2015. Further discussion and a comparison on both development applications can be found at Table 3.

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 21.03 Vision
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

Overlays

N/A

Particular and General Provisions

Clause 54 One Dwelling on a Lot
Clause 65 Decision Guidelines

2.3 Referrals

External

N/A

Internal

Heritage Advisor

- No objection.

Engineering Services Unit

- No objection subject to standard drainage conditions.

Traffic and Transport Unit

- No objection subject to conditions.

Environmental Sustainable Development (ESD) Officer

- No objection subject to standard conditions.

2.4 Public Notification of the Application

Pursuant to Section 52 of the Planning and Environment Act 1987 it was considered that material detriment would result in the issuing of this permit therefore public notification was required. This was undertaken by way of notice to adjoining properties by mail, as well as one sign erected for 14 days located at the front of the subject site.

Consequently the application has received 10 objections from the properties contained within **Appendix B** of this report.

A response to the objections is provided within Section 3.7 of this report.

It is noted that the application has also received three letters of support for the application.

2.5 Consultation Meeting

A Consultation Meeting was held on 3 February 2016, attended by Councillor Marshall, objectors, supporters of the proposal and Council Planning Officers.

No resolution was achieved at this meeting.

3. Discussion

3.1 State Planning Policy Framework

The relevant State Planning Policy Framework clauses are considered to be met. State Planning Policy objectives seek to promote increases in housing provision particularly in areas where there is good access to public transport and local amenities. As the proposal seeks to increase

size of the existing dwelling this accords with State Planning Policy through housing diversity and overall housing provision.

Furthermore, the design characteristics of the proposed extension makes use of a style which is not a mock historical style resulting in a design response which complements the existing neighbourhood character. As such the proposal will contribute to the continued emphasis of the existing built form found immediately around the subject site.

3.2 Local Planning Policy Framework

The proposal demonstrates a high level of compliance with the objective and strategies of Clause 21.05 through the proposal increasing housing provision, in order to meet the demands of a growing population. Moreover, the proposal also facilitates a diversity of housing choice in a well-established area with good access to community services and public transport, namely stop 28 on Tram Route 57 and the Newmarket train station.

The proposal is within an area which contains a diverse range of architectural styles including but not limited to Early Victorian, Mid Victorian, late Victorian, Edwardian and Post-war single dwellings as well as a Post War three storey apartment backing on to Marshall Street. Furthermore, there are some examples of lean-to style single storey extensions, double storey extensions within the immediate area. Clause 21.06-1 (Neighbourhood Character) seeks to ensure that any development maintains and enhances residential streetscape quality and character. The proposal achieves this through unobtrusive single storey contemporary built form which complements the existing built form found on and around the subject site.

The proposal, as it stands does not comply with Clause 22.03 Stormwater Management, as it cannot achieve the 100% or greater required using the STORM tool. However, the proposal has the potential to comply with the requirements of this clause and as such a new STORM report will be required as a condition on any permit issued (Condition 3) and suitably notate drawing showing required WSUD measure information.

The relevant design requirement conditions will therefore be placed on any approval issued in accordance with this policy.

3.3 Neighbourhood Character Guidelines

The subject site is identified as being within character area ‘Inner Urban 1’. It is considered that the development provides a suitable response to the preferred character statement of ‘Inner Urban 1’ within the Neighbourhood Precinct Profiles 2012, which states the following:

> ‘New development will contribute to the consistent building definition by complementing the siting and appearance of period dwellings in low garden setting’.

The use of lighter finishes will contribute to the traditional palette of materials. Consistent front and side setbacks will respect the existing siting patterns along the street, while low or permeable front fences will

retain views to dwellings and front gardens. Garages and carports will be non-existent to retain the continuous, uninterrupted footpaths and solid building edge to the street'.

Table 2

Siting and Building Envelope	The siting of the proposed extension is not dissimilar to other corner blocks whereby the building (mainly garages) are sited along the rear of the lot, facing the secondary street frontage. There is an example of this found at 35 Marshall Street with the minor exception that the building envelope located at the rear title boundary is not connected to the dwelling. Moreover, 15 Marshall Street presents an examples of the "front" and "rear" elements being tied together with a ribbon of built form and secluded private open space located within the title boundaries. Therefore it is considered that the proposed addition will sit comfortably within its context.
Built Form	The proposed extension is single storey and is in keeping with the primarily single and double storey typology found in the surrounding area. The location and height of the proposed extension is well within range of heights found in the immediate area. The proposed single storey extension integrates well with the neighbouring properties and the immediate context. The proposed single storey extension and use of lightweight contemporary materials allows the proposed extension to have meaningful articulation and is responsive to the built form in the locality particularly at street level. Furthermore, taking into account the flat roof allows the proposed extension to sit comfortably at street level. Whilst the proposed flat roof form does not strictly accord with the neighbourhood character guideline, there is evidence of flat lean-to style extensions in the area which positions this as an appropriate design response. Moreover, the proposed extension involves the retention of the existing gable roof found on the existing dwelling, so the presentation to Marshall Street remains.
Design Detail	A mixture of brick and lightweight materials is considered to be characteristic of contemporary style extensions. This is considered appropriate as this will allow the established built form found on the subject site and its surrounds to remain prominent. Moreover, the Neighbourhood Character Precinct Profiles (Inner Urban 1) states that mock historical style housing is not supported.

Landscaping	A landscape plan has not been submitted. However, the proposal demonstrates the capacity to provide satisfactory landscaping, including the planting of substantial landscaping along the Clarence Street frontage to further soften the built form to this secondary streetscape.

3.4 Heritage Gap Study

The subject site has been identified within a precinct in the Heritage Gap Study. As the proposal is not affected by the Heritage Overlay controls this cannot be considered in this application. However, it is noted that the proposal notwithstanding the absence of Heritage Overlay controls potential would have a high level of compliance if this was considered as a component of this application. Council's Heritage Advisor has also reviewed the proposal and has no objections.

3.5 Previously VCAT Decision (P2412/2014)

As discussed in Section 2.1, Planning Permit MV/186/2014 sought the construction of a double storey addition on a lot less than 300sqm was previously lodged with Council. The application was refused by Council and subsequently upheld by VCAT. The below table details the Tribunal's main grounds of refusal and how the current proposal responds to these grounds:

Table 3

Refusal grounds	Officer's Response / Current Proposal
Neighbourhood character	The Tribunal Member stated that the previous proposal failed to suitably address issues of neighbourhood character, as the proposed extension appeared to be "visually bulky", use inappropriate materials and colours and use a not complementary roof form. In response the applicant has reduced the size of the extension to single storey, reduce the amount of glass and made use of a flat roof forms for the proposed extension.
Roof form	The Member raised concerns in paragraph 20 of the Order that "the curved roof extension does not complement the almost exclusively pitched rooves of the existing dwellings". In response the new application makes use of a flat roof to the single storey addition. The existing pitched roof to the remainder of the dwelling is to be retained.
Colours and Materials	The Member raised concerns that "the use of dark colours and double storey glazed wall and materials does not complement the predominant palette of

	materials and colours". This issue has been addressed in part through: • the new application proposing a lower-profile achieved through a single storey built form; • more appropriate colour palette; and • the reduction in any glazed elements being obscured by the proposed side fence. The site is also able to achieve the further softening of the built form through the addition of planting along the secondary street frontage.
Visual bulk and height	In paragraph 20 section i) and ii) of the Order the Member found that despite the use of contemporary design details the extension would appear as a visually bulky addition resulting in a built form does not complement the predominant single storey Edwardian/Victorian built form found in the immediate area. The proposal is now single storey in scale.
Walls on boundary	Previously the proposal did not comply with the standards for walls on boundary and side and rear setbacks. The removal of the first floor addition removes an assessment against the standard of Clause 54 relating to side and rear setbacks. The only relevant consideration is the standard relating to walls on boundary and any part of the proposal which does not meet these requirements can be easily addressed through conditions on any planning permit issued (Condition 1a).

3.6 Clause 54 (ResCode) Assessment

The proposal is considered to generally comply with the provisions of Clause 54 as set out in the assessment table (**Appendix C**) of this report.

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

Table 4

ResCode Standard	Response
Clause 54.03-3 (Standard A5) Site Coverage	The proposal exceeds the required 60% as it is proposed to be 63.72%. This is considered an acceptable variation given within the immediate context of the subject site there are examples of buildings which appear to exceed 60%, of which 22 Marshall Street is a prime example. This is considered an acceptable variation.

Clause 54.04-2 (Standard A11) Walls on boundaries	Presently the southern boundary wall exceeds the maximum 3.6 metres height required for walls on boundary as it is listed as has a maximum height of 3.667 metres. However, this non-compliance can be easily addressed as part of conditions on any planning permit issued (Condition 1a).

3.7 Objections

Table 5

Issue	Officer Response
Neighbourhood Character specifically roof forms, side and rear setback and loss of backyard buffer.	The proposed extension presents a unique design response to Neighbourhood Character. However, despite this, the proposal, subject to conditions complies and accords with the requirements Clause 54 and the Neighbourhood Character Precinct Profiles. The key reasons which underpin this is position are as follows: • The flat roof form will ensure that the development has an unobtrusive low profile which allow for the existing dwelling and its surrounds to be celebrated and retain visual primacy. • Side setbacks are in line with requirements of ResCode and are in keeping with the Neighbourhood Character Precinct Profiles. See Section 3.3 for further explanation • Rear boundary wall has potential to comply with ResCode as it only exceeds the maximum allowable height by 60mm. Compliance with this standard can be easily achieved via conditions on any permit issued. See Section 3.6. • The non-traditional (front yard-dwelling-private secluded open space) proposed is in keeping with the context of the immediate area as the subject site and 37 Marshall Street already presents with building form at the rear of their respective title boundaries. Moreover, No. 15 Marshall Street is an example of the front and rear elements being tied together with a “ribbon” of built form and Private Secluded Open Space located within. • The proposal would comply with Heritage Overlay controls if they were applied. See Section 3.4.
Overshadowing and daylight to	See Section 3.6**.**

existing windows	
Site Coverage	See Section 3.6.
Inclusion of Boundary wall and boundary wall height	See Section 3.3 and 3.6.
Location of site services	Not a consideration for this application as the issue will be addressed during the building permit phase of the application.
Overdevelopment	The proposal exceeds the required 60% as set out by ResCode. However, site coverage which exceeds 60 % is typical of the immediate area. Moreover, the proposal is low-profile flat-roofed single storey design will be largely obscured by the proposed side fence and potential maturity of proposed landscaping thus mitigating any concerns of overdevelopment.
Inaccuracies with submitted plans	It is considered that Council has sufficient information in which to make a determination on the application. Furthermore, a site inspection was undertaken to assess the accuracy of the submitted plans. It is considered that the plans are satisfactory.
Sound from proposed habitable and non-habitable rooms	Not a valid planning consideration for this application as the issue will be addressed during the building permit phase of the application.
Building near gas pipes	Not a consideration for this application as the issue will be addressed during the building permit phase of the application.
Underpinning of proposed extension	Not a consideration for this application as the issue will be addressed during the building permit phase of the application.
Lack of dimensions for internal rooms	The proposal drawings contain all the required dimensions. Moreover, the plans are drawn to scale which allows for accurate room dimensions to be easily uncovered. Furthermore, internal room dimensions are not a mandatory requirement for this type application.
Potential for further development on the site	Council can only consider the application that has been currently submitted to Council. If any future new application/s or amendment/s are requested for the subject site this will be assessed in accordance with due process.

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 zoning controls and the relevant Particular and General Provisions of the Moonee Valley Planning Scheme.

Additionally, consideration has been given to the requirements of Section 60(1B) of the Planning and Environment Act 1987 with respect to the number of objections received, and it is determined that the proposal would not have a significant social effect.

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: Plans - 33 Marshall Street Flemington (MV/674/2015) (separately circulated)
Appendix B: Objector List - 33 Marshall Street, Flemington (MV/674/2015)
Appendix C: Clause 54 Assessment Checklist - 33 Marshall Street Flemington (MV/674/2015)

MV/674/2015 – 33 Marshall Street, Flemington

Objector List
1 Clarence Street, Flemington
8 Clarence Street, Flemington
13 Clarence Street, Flemington (x 2)
20 Clarence Street, Flemington (x 2)
29 Marshall Street, Flemington
38 Marshall Street, Flemington (x 2)
41 Marshall Street, Flemington

Clause 54 of the Moonee Valley Planning Scheme
One Dwelling on a lot less than 300 square metres and residential buildings (Clause 54 and Schedule to the General Residential Zone).

Where there is a non-compliance, see Section 3.5 of the report.

Title and Objective	**Complies with Standard**	**Complies with Objective**
A1 - Neighbourhood Character	✓	✓
A2 – Integration with the street	✓	✓
A3 – Street Setback	✓	✓
A4 – Building Height	✓	✓
A5- Site Coverage	X	✓
A6 – Permeability	✓	✓
A7 - Energy Efficiency	✓	✓
A8- Significant Trees	N/A	N/A
A9-Car Parking	Deleted from Clause 54 on 5 June 2012 (VC90). Refer to Clause 52.06 for car parking requirements.	
A10- Side and Rear Setbacks	✓	✓
A11 - Walls on Boundaries Objective	X	✓ - subject to condition
A12 - Daylight to Existing Windows Objective.	✓	✓
A13 - North-facing Windows Objective	✓	✓
A14 - Overshadowing Open Space Objective	✓	✓
A15 - Overlooking Objective	✓	✓
A16 - Daylight to New Windows Objective	✓	✓
A17 - Private Open Space Objective	✓	✓
A18 - Solar Access to Open Space Objective	✓	✓
A19 – Design Detail	✓	✓

Title and Objective	**Complies with Standard**	**Complies with Objective**
A20 – Front Fences	N/A	N/A

✓- complies

x – non-compliance

N/A- not applicable

9.7 8-14 Shuter Street, Moonee Ponds (Lots 1 and 2 on LP 39229, Lot 1 on TP 754793Q and Lot 1 on TP 385218H) - Construction of a multi-storey building, use of the land for offices and a reduction to the car parking requirement

File No: FOL/16/130
Author: Senior Statutory Planner
Directorate: Planning & Development
Ward: Myrnong

Planning File No.	MV/302/2015
Proposal	• Seven storey building with a maximum height of 22.39 metres • 177 square metres of ground floor level office space • 43 dwellings (21 x 2 bedroom, 22 x 1 bedroom) provided from first to fifth floor levels • Centralised communal roof terrace at sixth floor level • 37 car spaces
Applicant	MOS Architects
Owners	Seyda Izzy Group P/L Shuter Developments P/L Yilmaz and Ebru Ercan
Planning Scheme Controls	Activity Centre Zone – Schedule 1 (Moonee Ponds Activity Centre, Precinct 6)
Planning Permit Requirement	Clause 37.08-3 (Use of land as office) Clause 37.08-5 (Buildings and works) Clause 52.06-3 (Reduction in car parking)
Car Parking Requirements (Clause 52.06)	Requires – 56 spaces Provides – 37 spaces
Bicycle Facilities Requirements	Requires – 13 spaces

(Clause 52.34)	Provides – 23 spaces
Restrictive Covenants	None
Easements	Party wall easements along the shared boundary of 8 and 10 Shuter Street
Site Area	985 square metres
Number Of Objections	5
Consultation Meeting	N/A

Executive Summary

- The application seeks planning approval for the construction of a seven storey mixed use building containing offices at ground floor level and dwellings on the levels above. Permission is also sought for a reduction to the car parking requirement.
- The site has an area of 985 square metres and is located on the eastern side of Shuter Street, Moonee Ponds. The land is located within sub-precinct 6 (Shuter) as identified within the Activity Centre Zone – Schedule 1 (Moonee Ponds Activity Centre). The development site comprises of four separate allotments, each containing a single storey building which is either vacant or used for health services.
- The application was advertised and five objections were received. The concerns raised related to the height of the development, traffic congestion, overshadowing, loss of views, construction noise and management and loss of sunlight.
- A Consultation Meeting was not held as less than 10 objections were received.
- The application was internally referred to Council's Engineering Services Unit, Traffic and Transportation Unit, Environmentally Sustainable Development (ESD) Officer and Urban Design Officer. No objections were received.
- This assessment report finds that the proposal demonstrates a high 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.

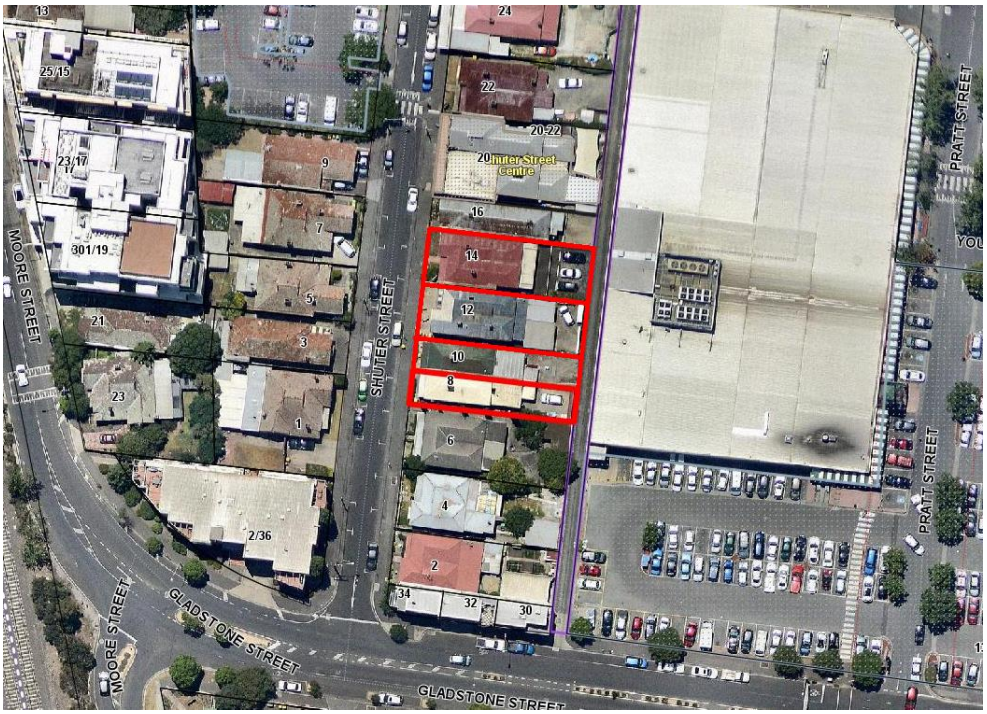


Figure 1 – Aerial view of the subject site and surrounds

Recommendation

That Council issue a Notice of Decision to Grant a Permit in relation to Planning Permit Application No. MV/302/2015 for the construction of a multi-storey building, use of the land for offices and a reduction to the car parking requirement at 8-14 Shuter Street, Moonee Ponds (Lots 1 and 2 on LP 39229, Lot 1 on TP 754793Q and Lot 1 on TP 385218H), subject to the following conditions:

1. Before the use and 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 provision of toilet facilities to the communal roof deck.

   b) The provision of pedestrian visibility splays in accordance with Clause 52.06-8 (Design Standards for Car Parking) of the Moonee Valley Planning Scheme.

   c) The ground floor plan amended to show the dimensions and allocation of each storage area.

   d) The ground floor plan amended to show the allocation of each parking space.

   e) The provision of a 300mm trench grate at the bottom of the ramp to the car parking area.

   f) Deletion of the notation referring to a previous Waste Management Plan on the ground floor plan.

   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 relating to the WSUD treatment measures nominated in the approved STORM assessment (such as cross sections and/or specifications, to assess the technical effectiveness of the proposed stormwater treatment measures) must be submitted to and be approved by the Responsible Authority.

4. 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 prevention of contamination which must be in the form of a detailed statement or report which outlines all 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) Arrangements for chemical storage;

   l) Noise and vibration control;

   m) Risk assessment;

   n) Works timetable; and

   o) Number of workers expected to work on the site at any one time.

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

   The development must be carried out in accordance with the endorsed CSMP and the provisions, requirements and recommendations of the endorsed CSMP must be implemented and complied with to the satisfaction of the Responsible Authority.

5. A maximum 30 days following completion of the building or works, 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' User's 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. Floor levels shown on the endorsed plan(s) must not be altered or modified without written consent 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. Before the building approved by this permit is occupied, the privacy screens and other measures to prevent overlooking as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority.

   All privacy screens and other measures to prevent overlooking as shown on the endorsed plans must at all times be maintained to the satisfaction of the Responsible Authority.

10. All pipes, fixtures, fittings, ducts and vents servicing any building on the land, other than storm water down pipes and gutters above the ground floor storey of the building, must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.

11. Before the building approved by this permit is occupied, the areas set aside for the parking of vehicles, together with the associated driveways and access lanes as shown on the endorsed plans must be:

    a) Constructed;

    b) Available for use in accordance with the endorsed plans;

    c) Properly formed to such levels and drained so that they can be used in accordance with the endorsed plans; and

    d) Finished with a permanent trafficable surface (such as concrete, asphalt or paving),

e) line-marked or provided with another adequate means of ensuring that the boundaries of all vehicle spaces are clearly indicated on the ground;

in accordance with the endorsed plans to the satisfaction of the Responsible Authority.

The area set aside for the parking of vehicles, together with the associated driveways and access lanes as shown on the endorsed plans must:

f) Be maintained and made available for such use; and

g) Not be used for any other purpose;

to the satisfaction of the Responsible Authority.

12. Before the building approved by this permit is occupied, directional signage not exceeding 0.3m^2 in area must be provided within the car park directing drivers to the area(s) set aside for visitor car parking and must be located and maintained to the satisfaction of the Responsible Authority.

13. Before the building approved by this permit is occupied, concrete vehicular crossing(s) must be constructed to suit the proposed driveway(s) in accordance with the responsible authority's specification and any obsolete, disused or redundant vehicle crossing(s) must be removed and the area reinstated to footpath, nature strip and kerb and channel 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 prior written consent of the responsible authority and the relevant servicing authority/agency. Subsequent works and costs in association with relocation and/or amendment must be incurred at the owner's cost, to the satisfaction of the relevant servicing authority/agency and the Responsible Authority.

14. Before the development starts, a Car Parking Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The Car Parking Management Plan must be prepared by an traffic consultant with suitable qualifications to the satisfaction of the Responsible Authority and must include:

    a) details as to how the car stackers are to be regularly maintained and serviced;

    b) details of time frames and measures to be undertaken, to reinstate the car stackers back to working order, if the car stackers becoming non-operational;

    c) details of measures to be undertaken if the car stackers are not operational, so not to provide any additional on-street parking demand.

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

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

15. Bicycle parking spaces, access, lockers and compounds must be provided, maintained and kept available for these purposes at all times to the satisfaction of the Responsible Authority.
16. All structures within the pedestrian visibility splays at each vehicle access point must be at least 50% visually permeable pursuant to Clause 52.06-8 (Design Standards for car parking) of the Moonee Valley Planning Scheme.
17. 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.
18. 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.
19. All stormwater runoff from the development is to drain via an underground system and discharge to the kerb and channel in front of the property. A drainage layout plan prepared by a Civil Engineer together with computations is to be provided to this department for approval.
20. The plant and equipment on the roof of the building must be screened in a manner to complement the appearance of the building and be to the satisfaction of the Responsible Authority.
21. The development must be provided with external lighting capable of illuminating access to the basement entrance, each car parking space and pedestrian walkways. All car parking facilities are to be well lit in accordance with AS1680.2.1:2008. Lighting must be located, directed and shielded and of limited intensity so that no nuisance or loss of amenity is caused to any person within or beyond the land.
22. All security alarms or similar devices installed on the land must not emit any noise which is audible beyond the boundary of the land and must be designed in accordance with the relevant Australian Standard and must be connected to a security monitoring service.
23. The amenity of the area must not be detrimentally affected by the use of land, through:
    a) Transportation of materials, goods or commodities to or from the land;
    b) Appearance of any building, works or materials;
    c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot ash, dust, waste water, waste products, grit or oil;
    d) Presence of vermin;
    e) Or in any other way;

to the satisfaction of the Responsible Authority.

24. Prior to the commencement of buildings and works, the Sustainability Management Plan (SMP) prepared by Sustainable Development Consultants dated 23 November 2015 is to be submitted to the Responsible Authority for approval. Once approved, the SMP is to be implemented and appropriately managed during construction of the proposed buildings.

25. Prior to the occupation of any buildings and works approved under this permit, a report from the author of the SMP approved pursuant to this permit, or similarly qualified person or company, must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm that all measures specified in the SMP have been implemented in accordance with the approved documentation.

26. Before the development starts, a Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The Waste Management Plan must be generally in accordance with the plan prepared by Leigh Design, dated 23 November 2015.

    When approved, the Waste Management Plan will be endorsed and will form part of this permit. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

27. 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 plan must be drawn to scale, with dimensions, and be generally in accordance with the plans submitted with the application. When approved, the amended landscape plan will be endorsed and will form part of this permit. Landscaping in accordance with the endorsed landscaping plan and schedule must be completed before the building is occupied.

28. 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.

29. 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 and the use is not commenced 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 the development starts, the permit holder must contact the Moonee Valley City Council's Technical Services Department regarding legal point of discharge, vehicular crossings, building over easements, asset protection, road consent/occupancy etc.
- This permit does not authorise any advertising signs except those which are exempted by the Moonee Valley Planning Scheme.
- 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.
- The required on-site detention system must be designed to limit the rate of stormwater discharge from the land to pre-development levels in accordance with the following calculation; C=0.4, tc=5mins, 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 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 and easements must be maintained. All proposed levels must match to existing surface levels along the property boundary and or easement. Council will not accept any modifications to existing levels within any road reserve or easement.
- Owners of properties may be asked to pay an inspection fee and provide a bond to ensure that Council assets in the vicinity of their works are not damaged during construction.
- No on street parking permits will be provided to the occupiers of the land.

1. Introduction

1.1 Subject Site and Surrounds

The subject site is located on the eastern side of Shuter Street, Moonee Ponds. The development site consists of four lots with a street frontage to Shuter Street of 32.31 metres and a depth of 30.48 metres. The site has an area of approximately 985 square metres. The site is affected by party wall easements which apply to the dividing walls between the existing buildings occupying 8 and 10 Shuter Street. No covenants or other restrictions appear on the title documents which would preclude the development as proposed.

Figure 2 – Subject Site (8-14 Shuter Street, Moonee Ponds)

The site and surrounding area is located within the Activity Centre Zone due to its location within the Moonee Ponds Activity Centre. Shuter Street is comprised primarily of single storey buildings used for community, commercial and residential purposes. A Council owned car park is located on the opposite side of Shuter Street to the north-west. The built form within the vicinity is predominantly single storey, with examples of multi-dwelling and multi-storey developments evident at the northern and southern ends of the street. Due to the location of the land in an activity centre, built form and architectural styles vary significantly. The site is well serviced by public transport, with the Moonee Ponds railway station located a short walk to the north-west as well as tram and bus routes within the Moonee Ponds Junction further east.

1.2 Proposal

The proposal is for a seven storey mixed use development comprising offices and dwellings. Permission is also sought for a reduction to the car parking requirement. The proposal can be summarised as follows:

Table 1

Offices (ground floor)	177 square metres
Dwellings (first to fifth floor)	43 dwellings comprising: • 21 x 2 bedroom • 22 x 1 bedroom
Roof terrace (sixth floor)	148 square metres of communal open space
No of car spaces	37 spaces comprising: • 33 resident spaces • 4 office spaces

Building height	22.39 metre maximum height, measured to top of roof terrace 19.83 metre height measured to top of sixth floor level wall

Refer **Appendix B** Plans (separately circulated).

2. Background

2.1 Relevant Planning History

There are a number of historical planning applications relating to the ongoing commercial use of the land, dated from 1971 to 2000.

None have any bearing on the current application.

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

Clause 18 Transport

Clause 19 Infrastructure

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 21.07 Activity Centres

Clause 21.08 Economic Development

Clause 22.03 Stormwater Management (Water Sensitive Urban Design)

Zoning

Clause 37.08 Activity Centre Zone – Schedule 1 (Moonee Ponds Activity Centre)

Particular and General Provisions

Clause 52.06 Car Parking

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

N/A

Internal

- Urban Design Officer

  No objection, subject to a recommendation to include a toilet to the communal roof terrace.

- Environmental Sustainable Design Officer (ESD)

  No objection subject to standard conditions.

  Planner's comments

  Conditions requiring notations on the plans have not been included.

  Adequate notations are already provided on the ground floor plan under the heading 'Stormwater Notes', and also on the roof plan in relation to the roof catchment areas.

- Traffic and Transportation Unit

  No objection subject to a further condition requiring the provision of pedestrian visibility splays in accordance with Clause 52.06-8 (refer to Condition 1a).

- Engineering Services Unit

  No objection subject to standard drainage conditions.

  No objection to the Waste Management Plan subject to the following considerations:

  - Separation of commercial and residential bin stores.
  - Residential collection to occur onsite.
  - Commercial collection to occur on a side street with a dedicated loading bay.
  - Use of the chute system for recycling and waste.
  - Twice weekly collection required for residential and commercial premises due to density of development.

  Planner's comments

  The above considerations have generally been addressed by the current Waste Management Plan.

  The recommendation for a waste chute system is discussed further in Section 3.2 of this report.

2.4 Public Notification of the Application

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

Five objections were received from the properties listed within **Appendix A** of this report. These are discussed under Section 3.6 of this report.

2.5 Consultation Meeting

Pursuant to the Statutory Planning Protocols 2011, a Consultation meeting was not required as less than 10 objections were received as a result of the notification process.

As the proposal is categorised as a major project under Section 5.3.2 of the Protocols, the application must be determined by Council at an Ordinary Council Meeting.

3. Discussion

3.1 State Planning Policy Framework

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 location of the subject site is considered to lend support for a more intensive form of residential and commercial development.

Clause 15.01-2 of the State Planning Policy Framework (Urban Design Principles) provides the main assessment tool for residential development of five or more storeys in height. It is considered that the proposal complies with the objectives and strategies as contained within the design principles of Clause 15.01-2. The majority of these design principles are further expanded under the design elements contained within Clause 21.06-4 (Urban Design) under Section 3.2 of this report.

Elements that are not specifically covered within Clause 21.06-4 are discussed as follows:

Landmarks, Views and Vistas

There are no significant monuments, landmarks or vistas in the vicinity of the site that have been identified within the Moonee Valley Planning Scheme as requiring specific protection. The proposed building would not significantly obscure or impact on views along Shuter Street or within the Activity Centre, and would sit comfortably in the context of built form nearby. It is considered that the proposed building would enhance views and vistas along the street.

Heritage

The site is not subject to a Heritage Overlay and does not have any direct interface to properties within a Heritage Overlay. The nearest properties within a Heritage Overlay are located approximately 75 metres to the south-east along Gladstone Street and approximately 90 metres to the north along Puckle Street.

The proposed development does not mimic any existing heritage characteristics found within the wider area, which is in accordance with the provisions of the Burra Charter 1999.

As set out under Clause 16.01-3 (Strategic Redevelopment Sites), the subject site is considered to be a 'strategic redevelopment site' as it is located within an Activity Centre, in close proximity to train, tram and bus routes that form part of the Principal Public Transport Network and is able to provide more than 10 dwellings.

The proposal contributes to the objective of Clause 16.01-4 (Housing Diversity) by providing a mix of dwelling sizes in various configurations, which will cater for the increasingly diverse needs of future residents.

Overall it is submitted that the proposal remains consistent with and is supported by relevant State Planning Policies.

3.2 Local Planning Policy Framework

The proposal complies with the objectives and strategies of Clause 21.04 (Sustainable Environment) through the use of ecologically sustainable design principles as described within the submitted Sustainability Management Plan. Council's ESD Officer has no objection to the proposed development, subject to the inclusion of conditions on any permit granted.

The proposed development is considered to accord with the objectives of Clause 21.04-7 (Waste) as it integrates waste management and recycling facilities in order to achieve best practice in waste minimisation and recycling. The submitted waste management plan will be endorsed through conditions on any permit granted accordingly, as referenced in Section 2.3 of this report. However, the provision of a waste chute system is not considered to be necessary in this instance given the size and scale of the proposal. It is also noted that the bin storage area is located opposite the lift and stairwell, which will enable the convenient transfer of waste.

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. Clause 21.05 also sets out policy guidelines for three identified categories of housing growth, being 'High to Substantial', 'Moderate to High' and 'Slight to Moderate' intensification. Given its location within an activity centre, the land falls under the category of high to substantial housing intensification

Clause 21.06-4 (Urban Design) sets out the urban design and built form objectives and policies for residential development of five or more storeys. To assist with the assessment are the 'Guidelines for Higher Density Residential Development' (Department of Sustainability and Environment 2004) and the 'City of Moonee Valley Design Guidelines for Multistorey Residential Buildings' (2003). A number of the policies and guidelines appear to overlap and therefore the key concepts of the documents have been grouped together to provide a more consolidated assessment against the key criteria identified across all documents. The following discussion is provided:

Context and Building Design / Urban Context

An analysis of the proposal has been provided throughout this report along with the accompanying plans and documentation, which accurately details the context of the site. The design response is considered to be appropriate given the size and location of the site within the activity centre, with good access to a range of services including public transport, schools and numerous amenities.

The proposed design is contemporary and would comfortably sit in this context through a site responsive design. An appropriate degree of visual interest and design articulation has been provided. The proposed building has suitably acknowledged its immediate interfaces, providing adequate setbacks to the north and south to respect the existing and potential development of neighbouring properties. The development takes into account the existing context and strategic directive for this location, and will not unreasonably impact upon the general amenity of adjoining properties.

Streetscape and Urban Design / Street Pattern and Street-Edge Quality

The design of the building within the façade and side elevations is considered to represent a positive introduction to Shuter Street and would contribute to the quality of urban design within the centre as a whole.

The ground floor layout appropriately integrates the development with the street and enhances the pedestrian experience. The proposed office space and central residential lobby area, with a well-designed awning above the footpath, provides for an active frontage at the street level which is consistent with the design objectives of the policy. This in turn increases the level of passive surveillance and public safety, which contributes to the strengthening of pedestrian links within the precinct. Planter boxes have been incorporated along the street edge in front of the office tenancies, which provides a softer and more attractive setting to the street without unreasonably compromising façade activation. The incorporation of balconies at the upper floor levels provides appropriate articulation of the façade and enhances opportunities for visibility and passive surveillance. The ground floor layout provides for vehicle and pedestrian entries that are well defined and clearly identifiable from the public realm.

Car parking for the development is proposed to be contained at ground floor level behind the offices and residential entry point, with a single access point from Shuter Street. It is considered that the provision of a single vehicle accessway can be comfortably absorbed along this streetscape, particularly given the subject land comprises four separate allotments. The width of the vehicle accessway is appropriate and the recession of the garage door ensures it is concealed the street, enabling a more active frontage and pedestrian friendly street-edge.

Setbacks and Site Coverage / Building Envelope

The proposed site coverage and setbacks are considered to be acceptable to the context of the site, as well as the requirements of Schedule 1 to the Activity Centre Zone (ACZ1).

While the building does not strictly adhere to the preferred setbacks set out under the ACZ1, it is considered to provide an acceptable response to the

opportunities and constraints of the site. In particular, a 16.82 metre high street wall is proposed, exceeding the 11 metres preferred under the ACZ1. While the proposed development exceeds the street wall height, the overall massing of the proposal has been carefully considered to ensure the building does not present as a dominant form.

The balconies of the west facing dwellings add depth to the façade and are enclosed by ornate perforated metal balustrading, creating an attractive and vibrant interface to the street. The palette and application of materials on each elevation seen from the street effectively achieves a contrast between levels and further increases visual interest to the building.

The design imperatives of internal amenity and the neighbouring interfaces to each side have culminated in deep side setbacks in the core of the building, providing a good level of solar access and circulation to the building while respecting the neighbouring properties to the north and south. At first to fifth floor level, setbacks of at least 2.4 metres are provided to the northern boundary and between 2.4 to 7.1 metres from the southern boundary. The communal roof terrace is set back 6.8 metres from the street, and between 8.2 to 11.6 metres to side boundaries. The central voids along the northern and southern alignments provide a significant break in built form. The positive design response in these areas is considered to lend further support for the higher street wall.

The development involves built form to the rear (eastern) boundary at all levels except for the roof terrace. It is noted that the ACZ1 does not provide for side or rear setback requirements, thereby allowing development to be built up to these property boundaries. The interface to this boundary is a Right of Way with the rear of Woolworths supermarket on the other side. Given this less sensitive interface and the provision of balconies and windows with outlook over the Right of Way, the massing of the building to the eastern boundary is considered to be appropriate.

The proposed development has a site coverage of 100%, which is considered acceptable to a site within an Activity Centre Zone. This is also considered acceptable given the extent of properties with a similar level of site coverage within the Moonee Ponds Activity Centre.

Building Height and Silhouette

The ‘Guidelines for Higher Density Residential Development’ note that appropriate building height is derived from the local context, street conditions and character objectives for an area. As highlighted earlier, the subject site is located within an Activity Centre area on the Principal Public Transport Network and is considered to be a ‘strategic redevelopment site’ under Clause 16.01-3 (Strategic Redevelopment Sites). Such locations encourage more intensive forms of development to take advantage of existing infrastructure and services.

The schedule to the Activity Centre Zone provides guidance on heights for the subject site, with a preferred building height of 20 metres for sub-precinct 6 (Shuter). The maximum height proposed development exceeds this by approximately 2.39 metres.

It is considered that the consolidated nature of the site and its location within the activity centre lends itself to a higher level of development. The siting and massing of building has been carefully resolved to ensure that it does not detract from the streetscape due to its height, nor does it unreasonably impact on its immediate abuttals.

The section of the building which exceeds the preferred height is limited to the covered area of the communal roof terrace, which is centralised within the building footprint and would have limited visibility from the street and surrounding vantage points. The proposed roof terrace represents a positive addition to the development that provides a functional and active utilisation of roof space for occupants, and a modest and positive contribution to the skyline. The section of the building which would have a greater exposure to the street is the fifth floor which has a height of 19.74 metres, within the preferred height for the precinct.

Overall the proposal achieves an urban design benefit through a considered and responsive design and an attractive, legible architectural theme. This accords with the decision guidelines of the Activity Centre Zone. It is noted that Council's Urban Designer was supportive of the proposed development, as referenced within Section 2.3 of this report.

Internal Circulation, Space and Building Adaptability / Circulation and Services

The development achieves an acceptable degree of internal amenity and provides for comfortable living environments with adequate internal living spaces to meet the needs of future occupants. Importantly, the building provides large central voids along the northern and southern alignments. These voids have depths of up to 4.5 metres from the northern boundary, and 11.13 metres from the southern boundary. In doing so, the building achieves a high level of ventilation and circulation.

The pedestrian access point is located in a central and visually emphasised location within the building facade, in the form of a ground floor lobby area accessed directly from Shuter Street. The internal entry point to the residential component is easily identifiable from within the basement car parking levels, with a centrally located lift and stairwell providing access to the upper levels. The provision of lift and stair access in conjunction with a lobby/foyer area at the front entrance will allow for ease of movement, including the movement of furniture, emergency access and escape.

The development generally provides an adequate and efficiently designed parking layout that will ensure safe vehicle movements. As discussed within Section 2.3 of this report, Council's Traffic and Transportation Unit has no objection to the proposal subject to the provision of pedestrian visibility splays (refer to Condition 1b). This is considered acceptable.

In terms of storage space, several storage areas with a capacity of 4 cubic metres have been provided alongside the ground floor level parking area. This proposed storage arrangement is considered adequate to cater for the storage needs of dwellings within a residential building that do not rely on private garden areas for open space. A condition of permit will require that the allocation and dimension of storage facilities are noted on the plans (refer to Condition 1c).

Provision for waste storage is included within the ground floor level and is considered appropriate as discussed above against Clause 21.04-7.

On-Site Amenity and Liveability / Building Layout and Design

The layout and design of the proposed development is considered to provide an exceptional level of internal amenity to the residential component.

The proposal has been designed to accommodate a variety of dwelling sizes and types, including different layouts and orientations. This will cater to the needs and preferences of a range of different people. The layout of each dwelling provides an appropriate level of amenity for future occupants. Residents will be afforded with generous sized open plan living opportunities with good dimensions and access to daylight, enhanced by the generous light voids mentioned above. All habitable rooms have good direct access to daylight which is a desirable outcome within an activity centre location.

Each dwelling is provided with a balcony area ranging from 8 to 25 square metres, in addition to the roof terrace which provides 148 square metres of communal open space for residents. A small gym area is provided for residents at first floor level. The balconies to each dwelling are provided with adequate internal dimensions and integrate fully with their respective living areas. Balconies on the southern side of the building have been minimised, with the majority having an open outlook along the north, east or west side of the building. Each balcony has been designed to ensure a suitable level of solar access, with adequate setbacks from neighbouring properties ensuring there would be no reliance on a borrowed outlook. This arrangement is considered capable of meeting the potential recreational and service needs of future occupants, and will contribute to a high level of internal amenity.

The proposed development has been designed to limit internal overlooking with internal balcony screening provided along the eastern and western elevations as necessary. While there is some very minor internal overlooking potential to the fourth floor balconies from the fifth floor, this would not significantly or detrimentally impact on the amenity of any future occupants. The centralised communal roof terrace would not have views into any private balcony area.

Off-Site Amenity

There would not be any overlooking potential to existing dwellings from the proposed development. While ResCode is not applicable in this instance, it is noted that the requirements of Clause 55.04-6 (Overlooking) of the Moonee Valley Planning Scheme have been met, with increased sill heights and balcony screening provided where necessary.

The development would result in overshadowing of the neighbouring property to the south, which is already somewhat compromised by existing built form. The shadow analysis submitted is considered an acceptable outcome having regard to the activity centre context of both properties. The visual impact of the development would be largely concealed by the walls of the existing dwelling and garage.

It is noted that a planning permit was approved for the property to the south for the construction of a multi storey building. The approved layout has been considered in the siting and layout of the proposal to ensure that the amenity of

the neighbouring development would not be unreasonably compromised, when built.

Given the location of the site and nature of surrounding development, it is not considered that there would be any unreasonable noise impacts caused by the proposed development.

Parking, Traffic and Access

This is discussed in greater detail in the assessment against Clause 52.06 under Section 3.4 of this report.

Landscaping and Fencing / Open Space and Landscape Design

The proposed development involves full site coverage, which is considered acceptable to a site within an Activity Centre area. However, the development makes provision for some landscaping at the ground floor street edge through planter boxes integrated within the office facades. Planter boxes are also provided within the communal roof terrace.

Environmental Sustainability

The development of a multi-level development offers a number of environmentally sustainable outcomes. These include the sharing of floors, walls and ceilings, which assist in the prevention of excessive heat gain and loss. This sharing of floors, walls and ceilings also makes efficient use of resources and building materials.

The submitted Sustainability Management Plan (SMP) outlines various sustainable design initiatives, with their effectiveness demonstrated through successful GreenStar and Sustainable Design Scorecard assessments. Conditions of permit will ensure that the SMP is incorporated and implemented.

Service Infrastructure

The proposed infill development would utilise existing infrastructure and services available on site and within the surrounding area. This is considered to be an efficient and appropriate use of available resources. Furthermore, Council's Engineering Services Unit has no objection to the proposal subject to the inclusion of conditions on any permit granted.

Clause 21.07 (Activity Centres) is applicable in this instance and builds on the objectives and strategies of the State Planning Policies, in particular Clause 11 (Settlement). The subject site is located within the Moonee Ponds Activity Centre (MPAC) as identified in *Plan Melbourne*. The proposed mixed-use development continues to promote commercial and residential growth within this area. The MPAC Structure Plan and Activity Centre Zone Schedule 1 have been considered in the design and assessment of the proposed development, to which there is a high degree of compliance. While the proposal exceeds the preferred building height of Precinct 6 (Shuter), this is considered acceptable as discussed earlier.

With regard to Clause 21.08 (Economic Development), it is considered that the proposed development would contribute to and enhance Shuter Street in terms of employment and business by providing a more functional and attractive commercial space. The proposed office is an appropriate use within this

precinct as set out within the Activity Centre Zone, as discussed within Section 3.3 of this report.

The proposal complies with Clause 22.03 Stormwater Management (Water Sensitive Urban Design) and meets the required on-site stormwater treatment as demonstrated by achieving at least 100% on the STORM Rating Report. The relevant WSUD requirements, including stormwater treatment measures and relevant annotations, are to be included as conditions on any permit granted in accordance with this policy (refer to Conditions 3, 4 and 5).

3.3 Clause 37.08 (Activity Centre Zone)

The subject site is located within sub-precinct 6 (Shuter) as identified within the Activity Centre Zone – Schedule 1 (Moonee Ponds Activity Centre). As the proposed office frontage exceeds 2 metres at the street frontage, a permit is triggered under the Activity Centre Zone. A permit is also triggered for buildings and works.

It is considered that the use of the land for an office meets the decision guidelines of the Activity Centre Zone. The office interface is compatible with neighbouring uses to the north and south of the site and will provide an appropriate level of activation to the streetscape. The proposed offices are considered in line with the objective for this sub-precinct, and will enhance the pedestrian linkage through Shuter Street through a suitable increase in activity.

The proposed building is considered to be a good design outcome for the site and surrounding area, despite areas of non-compliance with the preferred height and setback requirements of the zone. This is discussed in detail throughout Section 3.2 of this report.

3.4 Clause 52.06 (Car Parking)

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

Table 2

	Requires	**Provides**
43 Dwellings (21 x 2 bedrooms and 22 x 1 bedroom)	43	33
Office (177 square metres)	6	4
Residential visitors	8	0
Total	57	33

As discussed under Section 2.3 of this report, Council's Traffic and Transportation Unit have no objection to the proposed development, subject to the provision of pedestrian visibility splays.

The reduction to the car parking requirement is considered acceptable given the strategic location of the development within Moonee Ponds Activity Centre. Due to its location, the site is provided with excellent access to a range of public transport options by train, tram and bus. Provision of on-street car parking in the

immediate area is considered capable of accommodating the shortfall associated with the proposed development.

This was evidenced by a traffic impact assessment, including survey data, provided by Traffix Group. Based on car ownership rates within the 2011 Census for the Moonee Ponds area the Car Parking Demand Assessment estimates that the proposed development will generate a peak residential car parking demand of 36 spaces, based on ABS data which calculates the likelihood of a one or two bedroom apartment having ownership of a vehicle. Ten of the one-bedroom dwellings are not provided with a car space, and a full reduction of the required eight visitor parking spaces is sought. All two-bedroom dwellings are provided with the required one car space each. Given the strategic location of the site, this is considered an acceptable outcome. The high level of public transport access lends support to the supply of dwellings with no car spaces in this location. The visitor parking shortfall is similarly considered appropriate in this location, and there are ample public car parking areas within walking distance of the site if visitors arrive by car.

The design of the one proposed vehicle crossing maintains a suitable level of on-street parking in front of the site. As discussed below, the proposed development provides 23 bicycle spaces in excess of the 13 required which can be utilised by residents and visitors to the building.

It is not considered that the supply of on-street car parking would be unreasonably affected, and that the residential and office car spaces could be accommodated. Further 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 52.34 (Bicycle Facilities)

The proposal includes bicycle spaces, as set out in the table below:

Table 3

	Requires	Provides
43 Dwellings	13	23
Office (177 square metres)	0	0
Total	13	23

The proposal provides in excess of the required amount of bicycle facilities. The bike storage area is accessible and functional, and will easily accommodate the needs of residents and residential visitors.

3.6 Objections

Table 4

Issue	Officer Response
Character, bulk and scale	This is considered acceptable as discussed within Section 3.2 of this report.
Heritage impacts	This is considered acceptable as discussed within

Issue	Officer Response
	Section 3.2 of this report.
Overdevelopment	This is considered acceptable as discussed within Sections 3.1 and 3.2 of this report.
Car parking, traffic impacts	The proposal is not considered to pose any unreasonable impact on the supply of car parking and the flow of traffic in the immediate area, as discussed within Sections 2.3 and 3.4 of this report.
Off-site amenity impacts	Amenity impacts such as overshadowing, overlooking and noise are considered acceptable as discussed within Section 3.2 of this report.
Loss of views	As discussed with Section 3.1 and 3.2 of this report the development is not considered to pose any unreasonable impact on view lines, particularly within the Activity Centre context of the site.

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. Additionally, consideration has been given to the requirements of Section 60(1B) of the Planning and Environment Act 1987 with respect to the number of objections received, and it is determined that the proposal would not have a significant social effect.

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: Objectors List - 8-14 Shuter Street, Moonee Ponds (MV/302/2015)
Appendix B: Plans - 8-14 Shuter Street, Moonee Ponds (MV/302/2015) (separately circulated)

Location of Objectors

105/26 Shuter Street, MOONEE PONDS VIC 3039
306/26 Shuter Street, MOONEE PONDS VIC 3039
201/19 Moore Street, MOONEE PONDS VIC 3039
603/26 Shuter Street, MOONEE PONDS VIC 3039
12 Shuter Street, MOONEE PONDS VIC 3039

9.8 Community Financial Support Framework

File No: FOL/16/130
Author: Project Officer
Directorate: Planning & Development
Ward: Municipal

Purpose

To present the findings of the Community Financial Support Framework project and seek endorsement of the project recommendations.

Executive Summary

- Local government provides a function in the consideration and provision of direct financial support to local communities.
- In considering requests for support, it must be strategic in its decision making to ensure optimum use of resources to achieve maximum community benefit and deliver high quality outcomes.
- It is recognised that allocation of council resources must be delivered in a fair, transparent and equitable manner that provides community confidence in council decision making.
- Currently Moonee Valley City Council distributes direct financial support to community through multiple arrangements and funding mechanisms.
- Good practice deems that financial support should be provided through well-defined funding programs that are clear in their goals with well-designed and managed governance systems.
- It has been identified that there are some areas of inconsistency in Council's current provision, management and documentation of financial support provided to community groups and organisations.
- Council approved the instigation of a strategic review project, which would deliver a Council adopted consistent, accountable, and accessible framework, managed and delivered in an organisational inclusive approach to financial support provided to community groups and organisations.
- The project recommends the formalisation of well-defined and accessible programs to govern the provision of funding support, through four support categories and accompanying eligibility and assessment guidelines.
- The approval and implementation of a Community Financial Support Framework will provide a decision making model, through an established policy and guidelines that clearly outline the scope and process for the provision of financial support.

- Operationalisation of the Community Financial Support Framework will see the introduction of a consistent and effective centralised management approach to the administration, marketing, acquittal and community support and engagement process.
- Changes to the process of provision of financial support will be communicated to staff and community through a clear communications plan with consistent messaging.

Recommendation

That Council:

1. Adopt the Community Financial Support Policy as presented at **Appendix A**;
2. Implement three new dedicated program streams being Local Community Service Support, Sponsorship and Donation Program, as detailed in the draft Community Financial Support Guidelines, as presented at **Appendix B**;
3. Implement a communications plan to support community awareness, understanding and improved access in seeking financial support from Council; and
4. Report annually to Council, detailing support provided within the Financial Support Program and document these commitments via the Annual Report.

Background

Traditionally local government has been seen as a primary source of funding support for the provision of the local community services, programs and initiatives.

Good practice determines that financial support should be responsive to an evidence base of community need, which enables the efficient use of resources, resulting in sustainable community outcomes.

At Council's Ordinary Meeting of 27 October 2015, Notice of Motion 2015/22 was passed to develop a model for future decision making for the provision of financial resources, supported by standardised eligibility and assessment criteria and agreements.

The Notice of Motion identified that the framework will cover resource allocation through the Sponsorship and Donation, Operational Partnership funding as well as the provision of fee waivers for the utilisation of community facilities.

Following a Workshop with Council on 2 February 2016 it was determined that the provision of fee waivers will be considered under a concurrent Community Facility Management project.

The development and implementation of a governing policy position defines Council's role and responsibility in providing financial support and provides principles for ensuring accountability in providing a consistent, transparent and equitable decision making approach to community support.

Discussion

1. Necessity for change

Council has historically provided significant annual financial support to community through multiple arrangements and funding mechanisms. These arrangements are currently not governed by any overarching policy position or consistent guidelines and processes. This approach exposes Council to potential ineffective and inefficient practice, inconsistent decision making and potential risk to Councils reputation.

Council recognises the important contribution that community organisations, groups and local businesses make to the social, cultural, economic and environmental wellbeing of our local community. Council appreciates that at times these bodies seek partnership and or financial support from Council to enable a better response to local needs.

When considering partnership, Council must determine its role to achieve the strongest possible outcome for the community. This role may be as a funding body, providing financial and non-financial resources to external bodies; but it may be more appropriate as;

- an advocate, raising issues and concerns on behalf of the Moonee Valley community independently and through peak bodies,
- a planner, identifying need for services and programs and the methodology to deliver outcomes,
- a provider, delivering direct services, including programs and activities, for community, and or
- a leader, coordinating and facilitating responses to community need.

Council is committed to the development and management of an accessible framework to support consistent decision-making when considering if and what role and or responsibility it provides in considering community needs and or subsequent requests for financial support to community agencies, groups and individuals. A well-defined, fair and transparent decision making framework will support the sustainable utilisation of Council resources and improved community outcomes.

Council is well placed to develop a framework building on its existing processes to govern the provision of financial resources. All activities of Council, including those supported by Council must demonstrate alignment to the Organisation's long term goal and strategic direction as identified in Council endorsed plans, policies and strategies.

2. Best Practice

Good governance is about the best possible process for making and implementing decisions. It is important as it instils confidence in Council and increases the trust of local community in the decisions of Council and its officers. Decision making process must be seen as fair if public confidence is to be maintained. Good decision making is underpinned by ensuring the interests of all relevant parties are considered in a balanced manner; that decisions are made within the scope of Councils powers; and that fairness is maintained by avoiding arbitrary exercise of power[1].

[1] Municipal Association of Victoria, Victorian Local Governance Association, Local Government Victoria and Local Government Professionals (2015), 'Good Governance Guide', Victoria

Good grant making is supported by a well-designed program that is underpinned by strong governance and structure. Clear understanding and articulation of the goals of the grant program, as well as the policies and processes is vital. A strong and well thought through governance system and structure will assist the successful development and implementation of all elements of a financial support program[2].

It is vital that funding is not seen to be allocated through arbitrary processes or available outside of an established program. Following a state wide review of Councillor Discretionary Funds (CDF), Moonee Valley City Council ceased its CDF program and streamlined all funding into a consolidated grants program. Councillors are no longer exposed to unnecessary risks such as a risk to their reputation due to public perceptions of unfair and non-transparent processes and decision making[3].

Officers have undertaken a benchmarking process against 20 councils to compare practices of providing financial support. Of the 11 Victorian councils and nine interstate councils examined, it was identified that none of the councils provided exactly the same scope of financial support as Moonee Valley City Council. Only five of the selected councils provided donations, whereas 15 provided varying definitions of sponsorship programs.

3. Current Situation

Currently Council provides support to community organisations and groups through various arrangements. These arrangements vary in value and include the provision of both direct and in-kind funding. There is currently no policy position governing the provision of resources that could result in inconsistent decision making and be perceived to be ad hoc in approach.

There is no central repository for information on the various agreements, reducing broad organisational awareness of individual support arrangements and exposing risk of duplication and or inefficient use of resources. These arrangements are documented to varying levels of detail on different agreement templates. Some arrangements are long standing with no historical documentation available to understand the purpose and scope of the original arrangement.

The absence of a clear position of Council via an adopted policy, no guidelines in supporting some decision making processes, and a decentralised approach in data and information management may be reducing customer support outcomes. In addition, reporting of funded outcome data is not shared across the organisation, which could provide valuable information about current community issues and inform improved Council responses via its core service delivery base.

Contributing to the lack of consistency in the provision of resources, there is no common understanding across Council about what constitutes a donation, sponsorship, or subsidy. A Mapping Database of existing financial support

[2] Australian Institute of Grants Management (2011) Grant Making Toolkit: The Smart Way to Build, Review or Refresh your Grants Program

[3] Local Governance Investigations and Compliance Inspectorate (2013) Review of Councillor Discretionary Funds

arrangements, which informed this project, identified various formalised and unstructured programs in operation, summarised in the following nine unique structures, systems or programs:

- Partnership Arrangement
- Social Sponsorship
- Operational Funding Agreement
- Establishment Funding
- Venue Fee Waiver
- Performance Agreement
- Venue Fee Payment
- Subsidy
- Donation
- Program Discount / Fund Raising Vouchers

4. Proposed Changes

Financial support program

Following a review of the existing funding arrangements, a streamlined Financial Support Program is recommended to govern the provision of financial support to community organisations and groups. The below three programs will operate in unison with the Moonee Valley Grant Program, and they will replace the current nine structures, systems or programs:

New Program	Summary
Local Community Service Subsidy Program	A subsidy program responding to local and emerging needs that will promote wellbeing through the provision of accessible and socially inclusive services that are aligned to Council's strategic priorities. Requests will be assessed annually as part of the annual budget process, for a defined allocation of funding provided on a sliding scale over a nominated period of time. Applicants will be required to demonstrate how the funding request will lead to the organisation, its operations, services or activities becoming self-sustaining. Only not for profit community organisations located within or providing the required service within the municipality will be eligible for funding.
Sponsorship Program	A mutually beneficial funding program that will provide council with a valuable opportunity to support community to respond to local and emerging needs that align with Council's strategic direction. In return, Council can promote its services to the community and increase brand awareness. Requests for sponsorship will be assessed annually as part of the budget process, for a defined allocation of annual funding. Only not for profit community organisations located within or providing the

New Program	Summary
	required service within the municipality will be eligible for funding.
Donation Program	Funding provided to not for profit community organisations or groups to support fund raising activities or contribute towards local action in response to a public cause. These requests for support contribute towards a locally driven response that strengthen community involvement and participation through socially inclusive projects. Requests for donations will be assessed monthly for a defined one-off allocation.

It is acknowledged that Council also provides community facility fee waivers and or reduced rates to support community access to local community assets. These are accommodated within Council's annual Fees and Charge Schedule as adopted in its annual budget. A strategic review of these rates has commenced as an output of a current Community Facility Management review project.

An existing standard funding agreement is currently being reviewed which will apply to all new financial allocations approved from the Financial Support Program. These will maintain individual project schedules stipulating, where appropriate, including but not limited to, conditions of funding, reporting and acquittal requirements and acknowledgement processes of Council's partnership.

The Framework

The Community Financial Support Framework includes the development of a decision making model, adoption of a governing policy and program guidelines with supporting tools.

a) Decision making model

Following presentation to Councillor Workshop on 2 February 2016, a decision making model was supported to guide how officers and Council will assess and direct support to community organisations and groups. This model sees relevant Council departments involved in the assessment of requests utilising standardised criteria and assessment tools.

b) Policy

To ensure consistency with decision making across the organisation, the Community Financial Support Policy has been developed to provide a clear Council approach to the consideration and provision of financial resources. This will assist an improved awareness and understanding in staff management and community access.

The policy, as presented at **Appendix A**, provides a clear understanding of the role and responsibility of local government in considering financial support to community groups and organisations. It reinforces equity and accessibility as the core function for decision making and defines the funding streams available for the provision of support.

c) Guidelines

It is necessary to develop an accessible guideline to support awareness of options and process for each financial support program. Find attached at **Appendix B**, draft Community Financial Support Guidelines.

The guidelines provide a clear description of the types of support available and who can apply for support. The guidelines clearly outline the application process and assessment criteria for each funding stream.

The Guidelines are modelled off the successful implementation of the 2015/16 Moonee Valley Grant Guidelines. At the conclusion of the 2015/16 Moonee Valley Grant Program, it is anticipated that the two Guidelines will be integrated in supporting improved community awareness, and access to potential Council partnership.

5. Program Timing

In advancing, it is recommended that the Community Financial Support Policy will managed through a centralised function within Council, which will be aligned to the functions of the existing Grant Program.

Under this model, the following timelines will be used:

Stream	Timing	Dates
Grants Program: - Biannual Category	Biannual	Round 1: July Round 2: February
- Responsive Category	Monthly	Close first of the month
Community Service Subsidy Program	Annual – budget alignment	Close - 30 September
Sponsorship	Annual – budget alignment	Close - 30 September
Donation	Monthly	Close first of the month

Given the alignment of the Community Service Subsidy Program and Sponsorship Program to Council's annual budget development, it is vital that applications under these two programs are provided to Council by the end of September in order to be considered in the annual budget process. This does not preclude community groups and organisations providing submissions to Council over the 12 month period.

With the prevision of this framework, support will be provided to the community to understand and appreciate timelines, and emphasises the necessity for Council to consider financial requests in alignment with the annual budget process and review of its strategic resource plan. This will include continued provision of training and advice to community on the need to apply strategic planning practices to support improved project management and proactive planned responses as opposed to opportunistic or shorter term planned response. This is vital, especially in terms of supporting larger projects.

In a changing landscape, Council will continue to be considerate and responsive to unanticipated opportunities as they present. Depending on financial request and individual circumstances, opportunistic applications that are received outside the

funding program schedule may be considered against the policy and guidelines with a recommendation report provided to Council.

6. Change Management Plan

With the development and endorsement of the Community Financial Support Policy and Guidelines, it is important that Council manage the implementation of change that will impact upon Council operations and community access.

The implementation of an ongoing communication plan that builds awareness of programs and showcases strong community outcomes of funded projects will build a local culture of understanding of the role of Council in considering financial support. This will reinforce the building of community trust through responsible governance for Council's long term sustainability through responsible financial management.

Appropriate training will occur with relevant staff to support them in assisting community organisations and groups to access the framework.

An analysis of the decision making model, policy and guidelines on current arrangements has been undertaken to identify actions to support community organisations and groups access the recommended framework in the future.

Consultation

Information gathered through previous community consultation and review of existing and new requests for financial support, has provided an overview of the key issues and community expectations in the provision of financial support and resources.

Through ongoing officer engagement with community, there has been a continuous identification of issues of importance, as well as potential responses by council and community.

To assist accessibility, it is recommended the Council package all funding support options into one guideline document with one centralised communication strategy.

Implications

1. Legislative

Section 3 of the Local Government Act (1989) outlines the primary object of Council as endeavouring to achieve the best outcomes for the local community through leadership and good governance. Section 136 outlines the principles of sound financial management to which any policy governing the distribution of financial resources must align.

The Community Financial Support Framework project responds to the principle of equity as outlined under the Charter of Human Rights. Specifically the recognition of equity before the law and the recognition to participate in public life. The key aim of the project is to develop a decision making system that will result in the equitable distribution of resources, ensuring that the needs of the community especially those experiencing some form of disadvantage are addressed

2. Council Plan / Policy

In presenting this report, 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

The draft 2016/17 Budget provides allocation of support for existing committed funding agreements and allocation of funds for grants and voucher programs.

Commencement of budget programs for 2017/18 and beyond will accommodate for requests in the Community Service Subsidy and Sponsorship Program's.

Annual program evaluations will be provided to Council that provide detail on project outcomes and return on investments. Evaluation on the grant categories will provide trending of requested demand as compared to budget provision with associated recommendations for variance to future budget allocation.

4. Environmental

Financial support programs will utilise an online management process for both the application and assessment processes, which will result in significant reduction in paper use.

Council will continue to work with community groups and individuals in developing proposals for partnership that can either contribute to an enhanced community awareness of environmental issues or provide an environmental benefit.

Conclusion

The implementation of an overarching framework to govern the provision of financial support for community groups and organisations will support Council decision making to be transparent, equitable and consistent.

The Community Financial Support Policy and supporting Guidelines establish an accessible system that will continue to strengthen collaboration with community groups and organisations to respond to the needs of the local community and distribute resources in a manner to ensure effective and sustainable outcomes for Moonee Valley residents.

Appendices

Appendix A: Community Financial Support Policy
Appendix B: Community Financial Support Guidelines (separately circulated)

POLICY TITLE	**Community Financial Support Policy**
POLICY TYPE	**Council**
DIRECTORATE	**Planning and Development**

1. Background

Moonee Valley City Council recognises the important contribution that community organisations, groups, and local business make to the social, cultural, economic, and environmental wellbeing of our local community.

Council appreciates that at times, these bodies seek partnership and or require financial support from Council to enable a better response to local needs.

The development and implementation of a governing policy position, defines Council's role in providing financial support and provides principles in ensuring accountability in providing a consistent, transparent and equitable decision making approach in considering community financial support.

2. Purpose

The Community Financial Support Policy provides a framework that ensures a planned, consistent, sustainable, transparent and equitable approach to the consideration and provision of financial resources, to support the Moonee Valley Community to be a strong, healthy, resilient and vibrant city.

3. Scope

This policy relates to all areas of Council involved in the promotion, management and assessment of financial or in-kind community support.

This policy governs;

- Provision of grants
- Provision of support to subsidise programs and services delivered by local Community Service Organisations for the Moonee Valley community
- Provision of sponsorship arrangements

- Provision of donations, including requests for support to local fund raising activities.

Out of scope:

- The process for the discount or waiver of fees and charges in the access of Council's community facilities.
- Receipt of sponsorships, grants and funding received by council from other levels of government, corporate partners and philanthropic trusts used to deliver council core business.
- Provision of gifts as part of recognition of individual or organisation/ group.

4. Definitions

Business: Businesses or Sole Traders located, operating or intending to start in the City of Moonee Valley with an Australian Business Number (ABN).

Community Organisations: Not for profit organisations that provide services and programs to support the functioning of individuals, families and groups to maximise their potential and enhance community wellbeing (Australian Council of Social Service 2009).

Groups: Not for profit collectives of individuals that encompass a wide range of activities, programs and services aimed at improving people's quality of life. Groups can be either formal with some structure, rules or legal entity or informal association.

Council: Moonee Valley City Council.

Donation: Voluntary contribution to a non-related charitable, public purpose/cause or not for profit organisation, without any material benefit or advantage being received by Council (typically without any reporting conditions or contractual obligations).

Grant: Competitively applied for conditional sum of funds provided to a recipient for an agreed specified purpose with agreement that there will be a defined outcome that directly benefits the community.

Local: community organisations and groups either located within the municipality or providing services or programs within the municipality that are accessible for Moonee Valley residents.

Partnership: Relationship between parties that is characterised by mutual cooperation and responsibility for the achievement of a shared specific purpose.

Sponsorship: A transaction in which a sponsor provides a contribution of money or in-kind in exchange for a transparent and reciprocal benefit, but not necessarily equal to the value of the sponsorship.

Subsidy: Provision of financial or non-financial resources to an external organisation who without funding would be unable to establish themselves or programs in the local area.

Vouchers: Refers to the provision of non-transferable vouchers for a pre-determined financial value to be redeemed at nominated Council programs, for fundraising purposes.

5. Responsibility

Responsibility for development, reporting and evaluation of this policy and its associated guidelines, is accommodated within the Planning and Development Directorate.

In ensuring a whole of council approach, Council and its officers are responsible for adherence to this policy.

6. Legislation

Local Government Act (1989)

7. Policy

7.1 Context

The primary objective of Moonee Valley City Council is to endeavour to achieve positive outcomes for the local community through a long term planning approach that improves the quality of life for community members. Council achieves this through the efficient and effective use of resources to promote social, economic and environmental viability and sustainability.

To achieve this objective, it is vital that council decision-making is transparent and accountable, ensuring high quality services and programs are delivered in an equitable and accessible manner to meet the needs of the community now and into the future (Local Government Act 1989 Section 3C).

7.2 Role of Local Government in community financial support

Traditionally local government has been seen as a key source of funding for the provision of services, programs and initiatives to community. With increasing limitations on available resources, Council maintains a longer term focus in its planning and is strategic in its decision making to ensure optimum use of resources to achieve maximum benefit and deliver high quality outcomes.

In order to deliver quality outcomes, Council works in collaboration with other levels of government, peak bodies, community organisations, local groups and individuals.

When working in partnership, Council will determine the most appropriate role for it to play to achieve the strongest possible outcome for the community. This role can be as;

- an advocate, raising issues and concerns on behalf of the Moonee Valley community independently and through peak bodies
- a planner, identifying need for services and programs and the methodology to deliver outcomes
- a provider, delivering direct services, including programs and activities, for community
- a leader, coordinating and facilitating responses to community need
- a funding body, providing financial and non-financial resources to external bodies.

7.3 Moonee Valley City Council's strategic direction

Council's direction is guided by its long term vision "that in 2035 Moonee Valley will be a city of clean, green and beautiful, vibrant, diverse and sustainable communities that people experience as friendly and safe to live in" (Moonee Valley Next Generation 2035).

In order to achieve this community vision, each new Council develops a Council Plan that identifies the strategic objectives and priorities to work towards this long term goal. Any community financial support initiatives funded by Council must align and or deliver this Plan, as well as other Council adopted plans and strategies.

7.4 Guiding Principles

In providing financial support for community organisations and groups, Council aims to:

- Foster and strengthen community involvement and participation
- Promote organisations and projects to be accessible and socially inclusive
- Support and encourage partnerships that promote collaboration and innovation
- Promote social, cultural, economic, and environmental wellbeing and sustainability

- Provide opportunities for the community to identify and respond to local and emerging needs, concerns and priorities that link with Council's strategic priorities.
- Support and promote the principles of the *Victorian Charter of Human Rights and Responsibilities Act 2006.*

7.5 Foundation for decision making

Underpinning the delivery of all Council programs and services are the principles of equity and access. As directed in Moonee Valley's Diversity, Access and Equity Policy, Council aims to "support an inclusive city that respects the human rights of all its citizens, celebrates their diversity and promotes their participation in all aspects of community life" (Diversity, Access and Equity Policy).

The Diversity, Access and Equity Policy has adopted a human rights framework that embeds the values of inclusion, access and participation by all. Council's commitment to developing an inclusive community includes; fostering respect and celebrating diversity; promoting participation; creating accessible places and spaces; and leadership and representation. These themes form the basis for assessment and decision-making associated with the provision of financial support.

In addition, Moonee Valley City Council is committed to the use of community development principles, which provide guidance for the development of community driven responses to identified local area needs.

When assessing requests for financial support, Council will consider the request against the following, as well as funding stream specific assessment criteria;

- Council's responsibility: Is this the responsibility of local government and not the responsibility of another funded agency or group, or other level of government
- Strategic: Has a strong evidence base and is aligned to Council endorsed strategic direction/s, long term plans and adopted policies
- Local Support: Provides a direct measureable outcome for the Moonee Valley community and contributes towards increasing community participation and development
- Efficiency and Effectiveness: Demonstrates best use of resources, value for money, and sustainability beyond support from Moonee Valley City Council

7.6 Provision of Support

The Community Financial Support Policy encompasses the ways that Council provides financial support to community as outlined below.

7.6.1 Community Grants Program

A request for financial support, less than $20,000, for a one-off annual project (program, activity or event) that will result in increased community

participation, access to information and services, and strengthen community wellbeing, environmental sustainability and economic growth across the municipality. Requests are assessed within a competitive process for a defined annual allocation of funding.

7.6.2 Community Service Subsidy Program

Council is not always the best placed organisation to provide services and programs in response to the needs of the Moonee Valley community. Local community service organisations play a key role in responding to our local community and working collaboratively with Council towards achieving strategic priorities.

This subsidy responds to local and emerging needs that will promote wellbeing through the provision of accessible and socially inclusive services that are aligned to Council's strategic priorities. New requests are assessed annually for a defined allocation of funding, which is provided on a sliding scale over a nominated period of time.

Applicants will be required to demonstrate how the funding request will lead to the organisation, its operations, services or activities becoming self-sustaining.

If it is determined that Council is better placed to deliver and or manage the service or program, a competitive procurement process will be undertaken by Council to secure the most appropriate service provider.

7.6.3 Sponsorship

Through the provision of sponsorship, Council is provided with a valuable opportunity to support community groups and organisations to respond to local and emerging needs that align with Council's strategic priorities. In return, Council can promote its services to the community and increase brand awareness.

Establishing partnerships that are mutually beneficial to both Council and community organisations and groups will contribute towards wellbeing and strengthen community involvement and participation. Requests for sponsorship are assessed annually within a competitive process for a defined allocation of annual funding.

7.6.4 Donation

Council can provide donations in the following manner:

7.6.4.1 Through requests by community organisations and groups; Community organisations and groups can request support to assist with fundraising activities or request contribution towards local action in response to a public cause.

Requests for donations or the use of funds raised as the result of donations must be used locally within the City of Moonee Valley.

7.6.4.2 Through funds raised via Council led or supported event, program and activities;
Where Council initiates the provision of donations, recipient causes or organisations will be selected to ensure compliance with funding guidelines and align with commitments outlined in Council's strategic directions, and endorsed policy positions and plans.

In addition, Council can assist not for profit local community groups located within the municipality with their fund raising efforts through the provision of non-transferable vouchers to a select range of council services.

Requests for donations, including requests for vouchers, are assessed for a defined one-off annual allocation.

Each of these funding streams is governed by their own Guidelines which determine eligibility and assessment criteria. These Guidelines will be reviewed on a biennial basis and updated accordingly.

8. Consultation

Development of this policy was influenced by information gathered through previous community consultation and reviewing existing and new requests for support. Through ongoing officer engagement with community seeking partnership of funding support, continuous identification of issues of importance have been identified as well as potential responses by Council and community.

9. Related Documents

Essential

- Moonee Valley Grants and Community Financial Support Guidelines
- Operational process and procedures

General

- Moonee Valley Next Generation 2035 Community Vision
- Moonee Valley Council Plan
- Moonee Valley Diversity, Access and Equity Policy
- Moonee Valley Procurement Policy
- Moonee Valley Sponsorship Policy

9.9 Draft Transport Safety Strategy

File No: FOL/16/130
Author: Transport Project Officer
Directorate: Planning & Development
Ward: Municipal

Purpose

The purpose of this report is to seek Council's endorsement for the Draft Transport Safety Strategy to be presented for public consultation.

Executive Summary

- In Moonee Valley over the last ten years, 2,474 people were involved in road trauma. 28 were killed, 759 sustained serious injury and 1,687 suffered other injuries.
- The Transport Safety Strategy is an important 10 year strategy that will build on our success and will aim to achieve the only acceptable amount of trauma, zero.
- The vision of the 10 year strategy is to provide safe travel for the whole community by adopting the Safe Systems approach. This approach will prioritise safe people, safe speeds, safe vehicle and safe roads and will assist us to achieve our goal of zero fatalities and serious injuries within Moonee Valley City Council.
- We will achieve this by embracing the safe systems approach, build on our success, focus on identified problems, locations and demographics with highest risk and address emerging issues.
- We will work in partnership with citizens, civic organisations, schools, State and Federal Government, developers, industry and local business.
- A series of incremental steps and a coordinated set of initiatives, actions and performance measures have been grouped under eight key principles.
- The action plan was developed from careful analysis of the crash data, community consultation from over 400 residents, advice from Australia's leading experts in road safety including VicRoads, TAC, Victoria Police, neighbouring Councils, the tram and bus operators, teachers, parents, Council's Youth Voice Committee and over 25 of our Council staff that deal with Road Safety issues on a day to day basis.
- A full copy of the Draft Strategy is provided in **Appendix A**.
- A full copy of the Technical report is provided in **Appendix B**.

Recommendation

That Council:

1. Endorse the Draft Transport Safety Strategy (2016 – 2026), provided in **Appendix A** for community consultation.
2. Widely circulate the Draft Transport Safety Strategy (2016 – 2026) for public consultation for a period of four weeks.
3. Receive a revised Draft of the Transport Safety Strategy, following the completion of the public consultation process.

Background

In 2010, Council adopted its second Road Safety Plan 2010 – 2014. It consisted of seven action plans with a total of 128 actions, all of the actions in the Road Safety Plan have been completed, with some ongoing. Council endorsed a report titled Integrated Transport Plan and Road Safety Plan Review on Tuesday 28 July 2015, the recommendation was to develop the Road Safety Plan (*renamed Transport Safety Strategy*). The review and strategy development process commenced in August 2015:

Discussion

The implementation of the Transport Safety Strategy will be based on the Safe Systems Approach which includes safe people, safe speeds, safe roads, and safer road vehicles and will have eight overriding principles.

- Principle 1: Embrace the Safe System Towards Zero Trauma – As a community we will aim to embrace the Safe System. Council will take leadership responsibility and act as an agent for change.
- Principle 2: Build on our success – we will continue and expand our successful programs and actions.
- Principle 3: Focus on the biggest problem area, locations with the highest crash risk and address emerging issues – Continue to invest in making our transport network safer and will prioritise activities based on the identified problem areas, most vulnerable user groups, locations with the highest crash risk and any emerging concerns.
- Principle 4: Work in partnership with: Council, citizen, civic organisations and schools, State and Federal Government, Industry and private enterprise – engaging, embracing, workshopping and integrating.
- Principle 5: Only accept safe developments, projects, designs and construction – develop our network, ensure developments do not cause new road safety hazards, new infrastructure doesn't threaten the safety of our community.
- Principle 6: Reduce the real and perceived risks for sustainable travel – providing safe facilities for pedestrians, cyclist and public transport users.
- Principle 7: Make our streets a place to enjoy, live and bring our community together – Commit to reduction in speed, look for opportunities to implement shared zones in high pedestrian activity areas, vitalise local streets, remind drivers of the nature of these areas through speed alert trailers, enforcement and infrastructure.
- Principle 8: Foster innovation – encourage and explore innovative solutions to our road safety issues, embrace innovative ways to connect with the community, accept changing technology and be courageous to do things differently.

Targets

We aim to reduce deaths and serious injuries by 30 per cent over the next 10 years. Our long term vision is zero deaths and serious injuries, setting targets along the way to keep us motivated, keep us accountable and keep our partners engaged.

Consultation

The development of the Draft Transport Safety Strategy involved consultation with internal and external stakeholders. These included:

- Individual interviews undertaken with 25 Council staff.
- Three community drop in sessions held at Flemington Community Centre, Avondale Heights Library and Niddrie Library.

- Four shopping centre stands were conducted at Essendon Fields, Moonee Ponds Central, Westfield shopping centre, Milleara Mall shopping centre.
- An external stakeholder workshop was held that included attendance from VicRoads, TAC, schools, neighbouring Councils, Yarra Trams, Public Transport Victoria, RACV, Victoria Police, Public Transport providers, Victrack, Moonee Ponds BUG, School Principals and Walking School Bus volunteers.
- Intercept surveying at Essendon Station, East Keilor Leisure centre, Airport West tram stop, Pin Oak Crescent drop in session, Queens Park family day, The Community Conference and Sports Summit, patrons at Ascot Vale Leisure centre, attendees at The Environment Forum and at Moonee Ponds Junction.
- Workshopping with Moonee Valley Youth Voice Committee.
- Promotion included Keep MV moving webpage including an interactive map, Valley View articles, Art competition, factsheet, plasma advertisement at the Civic centre, Social media and Edna and a media release was also released on 24 August 2015.

Implications

1. Legislative

There are no legislative implications arising as a consequence of this report.

2. Council Plan / Policy

The development of the Transport Safety Strategy relates to Theme 3 (Sustainable Living) in the Council Plan 2013-17. It is also in line with the City Sustainability Policy, Health and Wellbeing Plan, draft Greenhouse Strategy, Economic Development Plan, Disability Action Plan and other adopted Council strategies.

3. Financial

Expenditure for the implementation of all the proposed actions in this strategy is estimated to be $1,676,500 over the 5 year action plan. After the first five year plan has been implemented the next five year action plan will be developed.

Details of each individual action are provided in **Appendix A**. Allocation of funding will be referred for consideration in formation of the budget on an annual basis.

4. Environmental

There are no environmental impacts arising as a consequences of this report

Conclusion

The Transport Safety Strategy 2016 – 2026 is an important strategy which aims to enhance the safety of all road users.

The vision of the 10 year plan is to provide safe travel for the whole community by adopting the Safe Systems approach. This approach will prioritise safe people, safe speeds, safe vehicle and safe roads and will assist us to achieve our goal of zero fatalities and serious injuries within Moonee Valley City Council.

We will achieved this by addressing the eight principles, the principles will assist in achieving our target of a reduction of 30 per cent in serious injuries and death over the next ten years. The long term vision will be zero deaths and serious injuries.

It is recommended that Council endorse the Strategy for public consultation.

Appendices

Appendix A: Draft Road Safety Strategy (separately circulated)
Appendix B: Transport Safety Strategy - Technical Report (separately circulated)

9.10 Recording of Public Council Meetings - 6 Month Update

File No: FOL/16/130
Author: Team Leader Council Business
Directorate: Corporate & Community Services
Ward: Municipal

Purpose

The purpose of this report is to provide an update in relation to the recording of public Council meetings.

Executive Summary

- Council, at its meeting held 25 August 2015, adopted a policy governing the recording of Council meetings. Recording of Council meetings began at the Ordinary Meeting of Council held 22 September 2015.
- In terms of access to audio recordings of Council's meeting on its website, an average of 25.6 clicks per meeting has been recorded when all public meetings are considered. When the outlier of 22 December 2015 (140 clicks) is removed, the average drops down to 12.9 clicks per meeting.
- As there are a number of factors that can influence the data collected, the data provided should be used as a general guide rather than precise information as to how many people are listening to the audio of Council meetings.

Recommendation

That Council receive and note the Recording of Public Council Meetings update.

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, at its meeting held 24 February 2015, 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 25 August 2015, a policy governing the recording of Council meetings was adopted thus allowing the audio recording and podcasting of all Public Council meetings to be implemented. Council's resolution of 25 August 2015 further requested that a report be brought back to Council "in six months' time to analyse the data and recording for attribution".

Discussion

After the adoption of the Recording of Public Council Meetings Policy in August 2015, Council began recording and podcasting audio recordings of all public meetings beginning with the Ordinary Meeting of Council held 22 September 2015.

The existing microphone system in the Council Chamber was previously set up for analogue recording. External sound technicians modified this set up to allow digital recording of audio directly to a computer.

Recording of Council meetings are uploaded to Council's website the day after the meeting takes place. A special web link is then created for the audio recording. This link, referred to as a 'bitly' link, allows the tracking of the number of unique clicks that have been made to listen to the audio file. The following details give the number of tracked clicks on each audio file:

Meeting Date	Meeting Type	Clicks
22 September 2015	Ordinary	11
27 October 2015	Ordinary	6
4 November 2015	Statutory	9
10 November 2015	Special	N/A
24 November 2015	Ordinary	15
15 December 2015	Ordinary	30
22 December 2015	Special	140
2 February 2016	Special	18
23 February 2016	Ordinary	8
8 March 2016	Special	8
22 March 2016	Ordinary	11

Table 1: No of tracked audio clicks per meeting (as at 30 March 2016)

In regards to the above data, it should be noted that no recording was made for the Special Meeting of Council held 10 November 2015, as this meeting was closed to the public. There is also a significant outlier relating to the 22 December 2015 Special Meeting of Council. This meeting considered the proposed relocation of the 'Settlers Cottage' at 1070 Mt Alexander Road, Essendon. The significant increase in clicks is directly attributed to a link of the audio recording being posted on Facebook. This also shows that the audio recording of meetings has been especially useful when contentious issues have been before Council.

There was an average of 25.6 clicks per meeting when all public meetings are considered. When the outlier of 22 December 2015 (140) is removed, the average drops down to 12.9 clicks per meeting. As at 30 March 2016, there was a total of 256 tracked clicks for audio recordings of Council meetings. The data indicates that there has been a progressive uptake in the number of clicks accessing the audio on Council's website.

Using Google Analytics, Council is also able to track the number of unique views that are made for the Council Meeting web pages per month:

Month	Page views
September	591
October	501
November	531
December	509
January	233
February	404
March	502

Table 2: Unique Council Meeting page views (as at 30 March 2016)

Unique visits to the Council Meeting web pages consistently reach 500 plus hits, audio clicks are considerably less.

The use of tracking links is not without its own issues that should be considered when examining the data. For example, there is no differentiation between whether the person accessing the audio file is from a member of Council staff or an external person.

Further, tracking is dependent on when a 'bitly' link is established. There is often some lag time between when audio is published on Council's website and when a 'bitly' link is established which allows the number of clicks to be tracked. Though this lag time is relatively minor in most instances there still may be an impact on the overall number of clicks recorded. This can be further exacerbated if an audio file is uploaded and then re-uploaded at a later date (e.g. quality of audio may have been enhanced, or size of file minimised) which means clicks from the initial upload may not be counted.

Lastly, the 'bitly' tracking links are designed to record unique views. This means that multiple views from the same computer may only be counted as one unique click rather than several. Therefore, the data collected should be used as a general guide rather than precise information as to how many people are listening to the audio of Council meetings.

As with any use of technology, there are bound to be problems arising. One such problem with regard to the recording of Council meetings occurred with the introduction of a new laptop computer equipment across Council. Initial testing of the new laptops did not identify any issues with the standard of recording. However, the recording of the Ordinary Meeting held 23 February 2016 and subsequent post meeting testing showed that the new laptops were not totally compatible with the recording equipment set up in Council Chamber. Previously used computer equipment has consequently been retained to record Council meetings. In addition, recordings can be further complicated by user error when a speaker does not turn on their microphone when speaking.

It is important to note that though audio recordings provides access to the detailed discussion and debate that Councillors engage in prior to coming to a decision, the endorsed minutes of the meeting is the official record of Council meetings.

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 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 this report.

4. Environmental

There are no environmental implications resulting from this report.

Conclusion

The data collected with regard to access audio recordings of Council's public meetings provides a general guide as to how many people are listening to the audio. The data indicates that there has been a progressive uptake in the number of times access to audio recording on Council's website has been made. It is considered that the audio recording of meetings has been especially useful when contentious issues have been before Council.

Appendices

Nil

9.11 Request to remove Peppercorn tree at 1 Antares Court, Aberfeldie

File No: FOL/16/130

Author: Manager, Operations

Directorate: City Services

Ward: Buckley

Purpose

This report investigates the possible removal of a Peppercorn tree at 1 Antares Court, Aberfeldie and outlines the results of a resident questionnaire, tree location relative to the road reserve, assessment of infrastructure in the vicinity of the tree and specialist medical advice.

Executive Summary

- A petition was received by Council in March 2016, requesting the removal of a Peppercorn tree at 1 Antares Court, Aberfeldie, primarily for medical reasons.
- As the request did not meet the criteria for removal set out in Council's Tree Management Strategy 2013-17, further investigation has been undertaken.
- Owners and occupiers of neighbouring properties were surveyed, with 95.2% of respondents supporting the removal of the tree.
- The tree trunk was found to be encroaching into the title of 1 and 3 Antares Court and in close proximity to underground utility services.
- Given the level of community support to remove the tree, the encroachment onto private land, the potential for disruption or damage to utility services and consideration of medical reasons, it is recommended to remove the tree.

Recommendation

That Council:

1. Approve the removal of the Peppercorn tree at 1 Antares Court, Aberfeldie.
2. Note the proposed trimming of the Peppercorn tree at the rear of 49 Park Crescent, Aberfeldie (Antares Court frontage).
3. Notify owners / occupiers of Antares Court, 47-53 Park Crescent and 2-4 Tilba Street, Aberfeldie of Council's decision.

Background

At the Ordinary Meeting of Council held on 22 March 2016, a petition was tabled signed by 30 individuals (20 properties) requesting the removal of a Peppercorn tree from the nature strip in Antares Court, Aberfeldie. The primary reason for removal of the tree relates to adverse allergic reactions to children of the petition convenor.

Letters have been provided from General Practitioners (GP's) seen by the family, confirming the children's allergies and that allergic reactions appear to occur as a result of contact with the tree.

Prior to the petition being presented to Council, correspondence was received from a neighbouring property in opposition to the removal of the Peppercorn tree, stating that the trees in Antares Court contribute to the neighbourhood character of the area and provide shade and privacy.

The tree is of significant age, approximately 40-45 years old and is a significant asset within the Moonee Valley's urban forest. The species is common throughout Moonee Valley, with over one hundred Peppercorn trees planted in nature strips across the city. A second Peppercorn tree is located in Antares Court at the rear of 49 Park Crescent (approximately 20 metres from 1 Antares Court). This has been previously identified for trimming as it overhangs the footpath and road.

Council's Tree Management Strategy 2013-17 details the process for considering requests for the removal of trees (Section 10), which includes a list of criteria all requests are assessed against. Infrastructure damage to buildings, fences and road infrastructure etc. are listed in this set of criteria, however medical conditions such as allergic reactions are not. Appendix 4 of the Tree Management Strategy 2013-17 also lists a range of tree species which are no longer planted by Council and the reasons why. The majority of trees in Appendix 4 are listed due to their invasive nature, with only one species listed for being known to cause skin irritation; the Norfolk Island Hibiscus. The Peppercorn tree is not listed in Appendix 4.

As a result, the requested removal of the Peppercorn tree at 1 Antares Court, Aberfeldie has been further investigated. This has included undertaking consultation with neighbouring properties via a questionnaire, investigation into the tree location relative to the road reserve, assessment of infrastructure in the vicinity of the tree and seeking specialist medical advice.

Discussion

The following outlines the results of investigations:

1. Resident questionnaire

   A total of 32 resident questionnaires were distributed to owners and occupiers of Antares Court, 47-53 Park Crescent and 2-4 Tilba Street, Aberfeldie. A summary of results is outlined below:

   - 32 resident questionnaires distributed.
   - 21 returned
   - 20 in favour of removal
   - 1 not in favour of removal

   Overall, 95.2% of returned questionnaires support the removal of the tree, with comments noting that the tree:

   - poses a medical concern
   - creates leaf debris and drops sap
   - is overly large and may pose a risk of falling limbs

- should be replaced with a more appropriate species

The objector reiterates the correspondence received prior to the petition being presented to Council. It also outlines concerns with the Melbourne Water Aberfeldie Main Drain project. It should be noted that Melbourne Water have agreed to pay for 900 shrubs and trees within Aberfeldie Park to off-set the loss of existing trees.

2. Tree Location

The location of the tree trunk is shown in **Appendix A**. As the front title boundary is not directly adjacent to the footpath, whilst substantially within the road reserve, the tree does encroach into the titles of 1 and 3 Antares Court, including the drainage and sewerage easement on their boundary.

3. Infrastructure Assessment

The location of utility services in proximity to the tree is shown in **Appendix A**. Five services are located either under or in close proximity to the tree:

- Council - drain
- City West Water - sewer
- City West Water - water
- Telstra – underground communications
- AGL – underground power

4. Medical Advice

A Specialist Allergist and Immunologist has provided the following advice regarding the Peppercorn tree at 1 Antares Court, Aberfeldie:

- As with many plants, this tree may have the potential to cause heath issues for particularly sensitive individuals. However, this would depend significantly on the degree of sensitivity of the individual.
- The recommended treatment for management of symptoms is to avoid contact with the tree, or where this is not practical, by supervision or fencing.
- While testing is available, this would only serve to confirm whether or not there is an allergic risk related to the tree.
- Without further background information, including the history of exposure or severity of reactions, a conclusion cannot be drawn as to whether further testing or treatment steps should be pursued.
- Only in the event of a severe reaction caused by minimal unavoidable contact would more involved steps be recommended.

Given the level of community support to remove the tree, the encroachment onto private land, the potential for disruption or damage to utility services, the letters from family GP’s and consideration of specialist medical advice, it is recommended to remove the tree. The tree will be replaced with an appropriate species subject to identifying a suitable location given the utility constraints.

As part of the review of the Tree Management Strategy in 2017, the criteria to remove trees (Section 10) and trees no longer planted by Council (Appendix 4) will be reviewed.

Consultation

Consultation was undertaken with 32 property owners and occupiers.

Implications

1. Legislative

There are no legislative implications resulting from this report.

2. Council Plan / Policy

In preparing this report Council's Tree Management Strategy 2013-2017 has been considered.

3. Financial

The removal of the tree can be accommodated within Council's existing operating budget.

4. Environmental

The removal of the tree will result in less leaf debris on the road and within the drainage system.

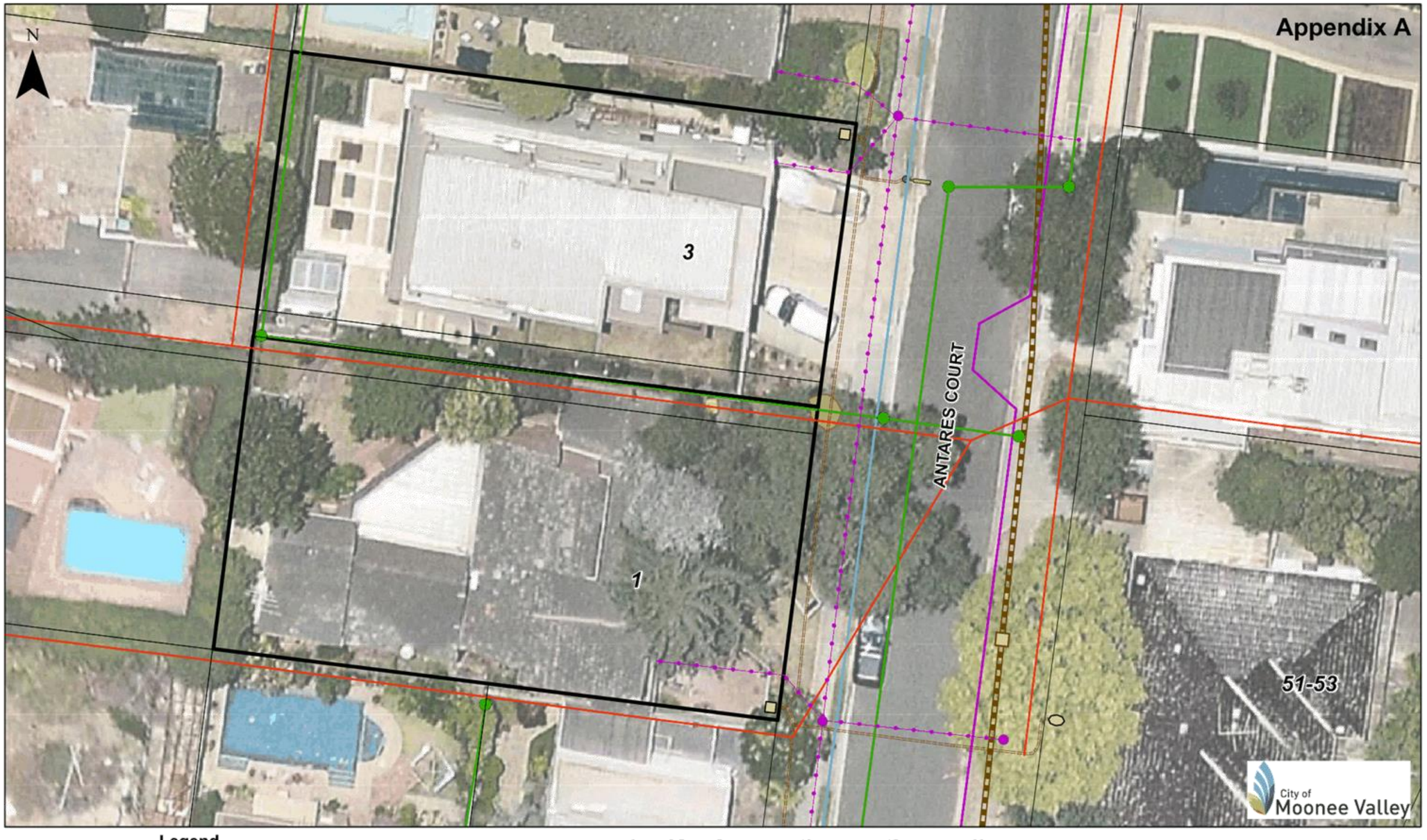
The tree will be replaced with an appropriate species, subject to identifying a suitable location given the utility constraints.

Conclusion

Given the level of community support to remove the tree, the encroachment onto private land, the potential for disruption or damage to utility services, the letters from family GP's and consideration of specialist medical advice, it is recommended to remove the tree. The tree will be replaced with an appropriate species, subject to identifying a suitable location given the utility constraints.

Appendices

Appendix A: Map of tree location and utility services - 1 and 3 Antares Court, Aberfeldie



Legend

- MVCC Drainage Pit
- MVCC Drainage Pipe
- CWW Sewer Pipe
- CWW Water Main
- AusNet Gas Distribution Main
- Cadastre Boundary
- Light Pole
- Street Light
- AGL Cable Junction Box
- AGL Underground Cable
- Melbourne Water Drain Manhole
- Melbourne Water Main Drain
- Telstra Pit
- Telstra Cable
- Tree Trunk

0 2.5 5 10 15 20
Metres

Date Created : 18/04/16 | Trim Reference : 16/84621
Document Path: \\civapp10p\GIS\Workspaces\ExternalRequests\3AntaresCrt_Aberfeldie\BaseMap_4_Services_w_Survey_v3.mxd

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1 and 3 Antares Court Aberfeldie

Utility Services

9.12 Resilient Melbourne Strategy

File No: FOL/16/130
Author: Acting Director Planning & Development
Directorate: Planning & Development
Ward: Municipal

Purpose

To update Council on the Resilient Melbourne Strategy and formally note this initiative, which is aimed at fostering the long-term viability, safety and wellness of the interconnected communities and municipalities that make up metropolitan Melbourne.

Executive Summary

- Metropolitan Melbourne is home to 4.3 million people and is rapidly growing to an estimated population of 7.3 million people by 2051.
- Our metropolitan city is not immune to shock events such as heatwaves, bushfires, flooding or other stresses that could weaken our communities including but not limited to impacts of unemployment, diminishing housing affordable and social deprivation.
- The Resilient Melbourne project is aimed at addressing these challenges in a collaborative process, developed within the 100 Resilient Cities initiative that spans six continents, 40 countries and 19 capital cities.
- In November 2014, Australia's first Chief Resilience Officer (Toby Kent) was appointed to lead the development of a resilience strategy for the 32 local government areas that make up metropolitan Melbourne.
- The project is to be delivered in collaboration with the abovementioned 32 metropolitan Melbourne councils and associated partners, guided by a Steering Committee.
- The delivery of the project will be done in three phases, namely; assessment and scoping, research and engagement and implementation through identified actions.
- Progress to date includes; developing an understanding of Melbourne's resilience, including input from state and local government at strategic level. Further to this, a preliminary resilience assessment was completed, which concluded with recommendations and the identification of objectives that are discussed later in the report. (Refer **Appendix A**)
- The draft strategy is far advanced and will be made available for public scrutiny and debate in mid-2016 to be followed by a global launch upon its finalisation.

Recommendation

That Council:

1. Receive and note this report; and
2. Receive a further report in relation to Council's future involvement in the implementation of the Resilient Melbourne Strategy.

Background

Melbourne City Council applied to participate in the 100 Resilient Cities network (100RC) initiative, which is pioneered by the Rockefeller Foundation and was selected from 372 applicant cities around the world. Melbourne is amongst the first 33 cities to join the 100RC network.

The 100RC project is aimed at helping cities around the world to become more resilient to the physical, social and economic challenges that are a growing part of the 21st century. This initiative spans six continents, 40 countries, 14 time zones and 19 capital cities and the appointment of 44 Chief Resilience Officers (RCO's).

The Resilient Melbourne project (under the auspice of the City of Melbourne) is led by Toby Kent as the CRO, managed in collaboration with the 32 local councils compromising metropolitan Melbourne.

The CRO is tasked with developing the strategy in response to the unprecedented rate of change experienced in metropolitan Melbourne and the pressures on our social, economic, environmental and administrative systems.

The first ever Resilient Melbourne Strategy is due for release to the general public in June 2016.

City of Moonee Valley's involvement to date was via pre-determined processes and has involved briefings at an executive and officer level.

Discussion

Why do we need a strategy?

Placed in global context, Australia is a stable and cohesive society, ranking near the top of the developed countries in terms of living standard, education, health and quality of life across a range of international indices.

Melbourne has been rated the most liveable city in the world since 2011 based on our high levels of stability and security, access to health care, education and culture, as well as access to infrastructure and a clean environment. In addition, Melbourne is renowned for its high quality built environment and excellence in creativity, culture and innovation.

Whilst seen as liveable and sustainable at present, it is important to realise that cities are subject to change and must be able to evolve and adopt in response to changing circumstances, such as population growth, a volatile global economy and climate change. To remain viable and liveable in the long term we need to understand and acknowledge our vulnerabilities and address them in a timely manner. An inability to adopt, accumulating stresses or sudden shocks can put our prosperous and liveable city (meaning metropolitan Melbourne comprising 32 local council areas) at risk.

Resilient Melbourne is an opportunity to equip ourselves to be able to deal with challenges collectively and individually and in a true collaborative way across different levels of government, business and the community.

The vision and guiding principles

The intent of the Resilient Melbourne Strategy is reflected in the draft vision (refer **Appendix B**), which reads as follows:

"The future of Metropolitan Melbourne and its diverse communities is viable, sustainable, liveable and prosperous."

The guiding principles underpinning this vision are the following:

- To build on existing structures
- To avoid duplication
- To deliver tangible benefits to Metropolitan Melbourne's communities

Objectives

The strategy furthermore identifies four key objectives (refer **Appendix B**) in response to the potential vulnerabilities facing metropolitan Melbourne, namely:

- **Stronger Together** – *Melbourne's communities take active responsibility for their own and each other's health, wellbeing and safety*
- **Our Shared Places** – *Create and sustain buildings, infrastructure and activities that promote social cohesion equality of opportunity and health*
- **A Dynamic Economy** – *Provide diverse local employment opportunities that support an agile workforce for the jobs of the future*
- **A Healthier Environment** – *Melbourne's natural assets and ecosystems are strong alongside a growing population*

Action Areas

A total of four main actions have been identified, which are further supplemented by 16 supporting actions and 13 aligned actions, in support of realising the vision and intended outcomes. The main actions, titled flagship actions, are of a metropolitan-wide scale, whilst the supporting actions covers a range of aspects but not all metropolitan-wide in nature and the aligned local actions relate to existing local council initiatives that has a strong alliance with the Resilient Melbourne principles.

The above projects are grouped under the four action areas, namely Adapt, Survive, Thrive and Embed.

An example is the proposed metropolitan urban forest strategy. It is grouped under the action area Adapt and addresses the goal of a healthier environment and Our Shared Places (refer Table 1 for more detail).

Table 1: Description of a project

Action area	Project	Objectives
Adapt	Metropolitan Urban Forest Strategy – *This project will scale and link existing efforts to develop a metropolitan-wide urban forest strategy to unlock*	A Healthier Environment – *Enable strong natural assets and ecosystems alongside a growing population.*

	city-wide benefits that cannot be achieved by looking at individual neighbourhoods, suburbs and councils in isolation.	Our Shared Places – *Create and sustain buildings, infrastructure and activities that promote social cohesion, equality of opportunity and health.*

The implementation of these projects will range from immediate commencement through to longer term projects being developed up to the next five years and are designed so that councils can be involved and benefit in ways that best align with their existing and emerging Council Plans.

No financial contribution is required from councils in year one. Funding will be sought from a range of sources via the Resilient Melbourne office and could include philanthropic, corporate, State and Local governments and community sectors.

Process

The Resilient Melbourne project started in April 2014 with an agenda setting workshop. Broad input was sought from selected participants to understand the current state of Melbourne's resilience. This was supplemented with desktop research and in June 2015 the preliminary resilience assessment was released. It recommended five focus areas for deeper investigation which resulted in the four objectives as outlined in **Appendix B**.

Resilient Melbourne: Preliminary Resilience Assessment: Identifying the Focus Areas for Melbourne's Resilience Strategy was published by the City of Melbourne in June 2015. It was prepared in consultation with representatives of metropolitan councils.

This provided a framework for the project to advance and resulted in working groups comprising subject matter experts and local government CEO's were established for the purpose of furthering these recommendations. Methods such as desktop research, spatial mapping, surveys, stakeholder forums and interviews were used to develop an advance understanding of these particular areas impacting on Melbourne's resilience.

Regional briefings were held across Melbourne during March 2016, enabling councils and stakeholders to understand context and direction of the draft Strategy. A meeting of CEO's and Mayor was held on 14 April 2016 in the lead up to the formal launch in June 2016.

Consultation

This report does not require any consultation by Council at this stage. The draft strategy will be made available by the CRO for public scrutiny and debate in mid-2016, to be followed by a global launch. An ongoing collaborative approach will enable metropolitan councils to develop collective solutions to shared issues, enable a better dissemination of learnings and knowledge and develop efficiencies of scale through a once in a generation opportunity.

Implications

1. Legislative

There are no legislative implications associated with this report.

2. Council Plan / Policy

More than 20 projects that form an integral part of the Melbourne Resilience strategy will be assessed and emphasis will be placed on those projects that align with the Council Plan.

3. Financial

There are no financial implications associated with this report. Any material financial implications will be reported to Council separately.

4. Environmental

There are no adverse environmental implications associated with this report.

Conclusion

Metropolitan Melbourne is not immune to shock events such as heatwaves, bushfires, flooding or other stresses that could weaken our communities such as unemployment, diminishing housing affordable and social deprivation to name but a few.

The Resilient Melbourne project is an opportunity to equip ourselves to be able to adapt to change and deal with challenges collectively and individually and in a true collaborative way across different levels of government, business and the community.

Council acknowledges the importance of this initiative and provide in principle support for the development of the Resilient Melbourne strategy and Council's ongoing involvement.

Appendices

Appendix A: Background - Resilient Melbourne
Appendix B: Vision - Resilient Melbourne

ATTACHMENT 1- Resilient Melbourne Background

Resilient Melbourne is part of the 100 Resilient Cities (100RC) initiative, pioneered by The Rockefeller Foundation. This global initiative aims to help cities around the world become more resilient to the physical, social and economic challenges that are a growing part of the 21st century.

Melbourne was selected from 372 applicant cities around the world to be among the first wave of 33 cities to join the 100RC network. We were chosen because we were judged to face some profound challenges, as well as being a city that would be willing to test and adopt further innovations – and to share effectively with other cities internationally.

In November 2014, Australia's first Chief Resilience Officer was appointed to lead the development of a resilience strategy for the 32 local government areas that make up metropolitan Melbourne.

The Resilient Melbourne project is auspiced by the City of Melbourne in collaboration with the 32 metropolitan Melbourne councils, and associated partners. The project is led by the Chief Resilience Officer who is funded by the 100 Resilient Cities initiative – pioneered by the Rockefeller Foundation. The City of Melbourne provides the project team and additional investment. The project is guided by a Steering Committee who is engaged monthly on key decisions comprising:

- Craig Lapsley, Emergency Management Victoria
- Geoff Lawler, City of Melbourne
- Mark Duckworth, Department of Premier and Cabinet
- Linda Weatherson, City of Melbourne
- Rob Spence, Municipal Association of Victoria

Melbourne's resilience project has engaged people from across sectors, council boundaries and interest groups come together to help address a shared challenge: what can we do to protect and improve the way of life for Melbourne communities now, and for the future?

This strategy provides us with an opportunity for Melbourne to foster the long-term viability, safety and wellness of our interconnected communities and municipalities.

"Resilience is about us being great for a long time and for Melbourne to be the world's most livable city in twenty years' time, not just today." Tracey Slatter, CEO, City of Port Phillip

Why Melbourne?

Melbourne is home to some 4.3 million people and spans nearly 10,000 km2. It is growing rapidly, with a population of about 7.7 million people projected for 2051.

Although consistently rated as one of the world's most liveable cities, Melbourne remains vulnerable to a range of chronic stresses that weaken the fabric of communities, including unemployment, growing social deprivation, domestic violence and diminishing housing affordability. It is also vulnerable to acute shock events such as heatwaves, bushfires and flooding, all of which are expected to worsen and become more frequent as a result of climate change. Increasing globalisation, diversity and social inequality may also increase the risk of other shock events such as influenza pandemics or civil unrest.

In a city administered by 32 local governments, these shocks and stresses cannot be dealt with comprehensively by a single agency, or by each local council acting independently. The Resilient Melbourne project offers a rare opportunity to tackle these challenges in new collaborative ways of working.

Process to date

Gathering support at the highest levels in local and state government, the strategy development process started in early 2014. We sought broad input to understand the current state of Melbourne's resilience, including:

- Stakeholder perceptions of the factors contributing to Melbourne's resilience;
- Critical physical and social infrastructure;
- Relevant stresses and shocks; and
- Existing efforts to build resilience.

Based on this information, in June 2015 we released Melbourne's Preliminary Resilience Assessment, which was the first of its kind in Australia. Agreed to by the Mayors and Chief Executive Officers (CEOs) of Melbourne's metropolitan councils, it recommended five focus areas for deeper investigation by working groups.

The working groups comprised subject matter experts and were led by five local government CEOs from 'inner, middle and outer' municipalities:

- Stephen Wall, CEO Maribyrnong City Council
- Tracey Slatter, CEO City of Port Phillip
- Chris Eddy, CEO Hobsons Bay City Council
- Simon McMillan, CEO Banyule City Council
- David Turnbull, City of Whittlesea

Members of the working groups supported and challenged one another to advance our understanding of the issues facing Melbourne's resilience. Using methods such as desktop research, spatial mapping, surveys, stakeholder forums and interviews, groups identified the impending challenges, their interdependencies, and the range of potential ways to turn challenges into opportunities to build a more resilient city.

Projects were selected following research and development with a range of stakeholders, and assessed using multi-criteria analysis decision support tool. To ensure the project builds on existing efforts and to avoid the risk of duplication, a survey was circulated and responded to by 80% of metropolitan Melbourne councils documenting exemplary projects already building resilience.

As well as being affordable, scalable, replicable and measurable they had to adhere to the Resilient Melbourne project's guiding principles of "building on existing structures; avoiding duplicating efforts; and delivering tangible benefits to communities". Further analysis as well as review by the five lead CEOs and the Steering Committee determined the projects that will inform the Resilient Melbourne strategy, designed to achieve the five goals listed in the Council briefing paper.

VISION

In a resilient Melbourne, our diverse communities are viable, sustainable, liveable and prosperous.

RESILIENT MELBOURNE

Objectives

STRONGER TOGETHER

Empower communities to take active responsibility for their own and each other's health, wellbeing and safety.

A DYNAMIC ECONOMY

Provide diverse local employment opportunities that support an agile workforce prepared for the jobs of the future.

OUR SHARED PLACES

Create and sustain buildings, infrastructure and activities that promote social cohesion, equality of opportunity and health.

A HEALTHIER ENVIRONMENT

Enable strong natural assets and ecosystems alongside a growing population.

Action Areas

Today, tomorrow and together, we will take action to:

ADAPT
Reduce our exposure to future shocks and stresses

FLAGSHIP ACTION
Metropolitan Urban Forest Strategy

SURVIVE
Withstand disruptions and bounce back better than before

FLAGSHIP ACTION
Emergency management community resilience framework for Victoria

THRIVE
Significantly improve people's quality of life

FLAGSHIP ACTION
The metropolitan cycling corridor network

EMBED
Build resilience thinking into our institutions and ways of working

FLAGSHIP ACTION
The Resilient Melbourne Delivery Office

In addition to the four flagship actions, there are:

16
SUPPORTING ACTIONS

13
ALIGNED LOCAL ACTIONS

Each action will help achieve several resilience objectives

	ACTION	ACTION TYPE	RESILIENCE OBJECTIVES: Stronger together	Our shared places	A dynamic economy	A healthier environment
ADAPT	Metropolitan Urban Forest Strategy	Flagship				●
	Integrated Water Management Framework	Supporting				●
	The Neighbourhood Project	Supporting	○	●		○
	New apartments trial for public housing residents	Supporting	○	●		
	Local Government Renewables Group Purchasing	Supporting	○	●		○
	Integrating STEM across Melbourne's tertiary and further education colleges and upper secondary schools	Supporting	○		●	
	National Climate Resilience and Adaptation Strategy	Local Aligned		○	○	●
	Association of Bayside Municipalities Adaptation Planning	Local Aligned		○		●
	Ask Izzy	Local Aligned	●		○	
SURVIVE	An emergency management community resilience framework for Victoria	Flagship	●	○	○	○
	Understanding drivers of community resilience	Supporting	●	○		
	Community-based resilience compendium	Supporting	○	○	○	○
	Innovative insurance	Supporting	●		○	
	IBM Smarter Cites Challenge and Twitter Data	Supporting	●		○	
	Flood Management Strategy – Port Phillip and Westernport	Local Aligned	●			○
	Multicultural water safety and settlement	Local Aligned	●	○		
	'Refuge': the role of art and culture in preparedness	Local Aligned	●	○		○
	Building preparedness through relationships in Koori and culturally and linguistically diverse communities	Local Aligned	●	○		
	30-year Infrastructure Strategy for Victoria	Local Aligned	○	●		○
	Heat vulnerability assessment	Local Aligned	○	●		○
THRIVE	The metropolitan cycling corridor network	Flagship	○	●		○
	Community-led neighbourhood renewal and development pilot projects	Supporting	○	●		
	Citymart Challenge – involving citizens in mobility and transport	Supporting	○	●	○	
	Young and Resilient Living Labs	Supporting	○	○	●	
	STEM Mentoring Melbourne	Supporting	○		●	
	Innovative business models	Supporting	○		●	○
	VicHealth Mental Wellbeing Strategy	Local Aligned	●			
	Melbourne Metro Rail Project	Local Aligned	○	●		
	Preventing Violence Together	Local Aligned	●			
EMBED	The Resilient Melbourne Delivery Office	Flagship				
	Professorial position - City of Melbourne Chair in Urban Resilience	Supporting				
	Resilience Training for Local Government	Supporting				
	Strategic Framework to Strengthen Victoria's Social Cohesion and the Resilience of its Communities	Local Aligned	●			

Flagship Action Supporting Action Local Aligned Action ● Primary resilience goal ○ Related goal

RESILIENT MELBOURNE

Summary of actions in the Resilient Melbourne strategy

	Flagship action	Initiative with the potential for metropolitan-wide involvement and transformational outcomes
	Supporting action	Key initiatives with the potential to improve Melbourne's resilience on a range of scales (i.e. some may be picked up by only few LGAs, while others could apply across the metropolitan area)
	Aligned local action	Existing initiatives that align with Resilient Melbourne principles, are worthy of broader promotion and have the potential for further local government input or involvement

Action title		Description
ADAPT – *reduce our exposure to future shocks and stresses*		
Metropolitan Urban Forest Strategy		Scale and link existing urban greening, 'forestry' and nature initiatives across Melbourne, improving wellbeing and reducing our exposure to hazards such as heatwaves and flooding.
Integrated water management framework		Enable better use of existing resources and reduce our exposure to drought and flooding risks through the development of decision-support tools to help expand the use of water sensitive urban design and integrated water management.
The neighbourhood project		Through training and capacity-building, this initiative will help community groups transform underused land around Melbourne into a network of new public spaces.
New apartments trial for public housing residents		Replicate a new development model that puts home ownership within reach of more public housing tenants, already being trialled in City Of Melbourne through the 'Melbourne Apartments Project'.
Local government renewables group purchasing		Build on the initial group purchasing being trialled in the cities of Melbourne, Moreland, Port Phillip and Yarra to increase council investment in new renewable energy across the 32 councils.
Integrating STEM across Melbourne's TAFE and upper secondary schools		Expand STEM industry internship program to help more students finish school with the skills necessary to succeed in the modern workforce.
National Climate Resilience and Adaptation Strategy		Sets out how Australia is managing climate risks. It mentions *Resilient Melbourne* as a key project currently under way and notes that resilience-building can mean many things, such as limiting or removing human-caused pressures on natural systems, or giving vulnerable communities reliable access to information and essential services.
Association of Bayside Municipalities adaptation planning		Taking a 'whole of bay' approach to produce a regional coastal adaptation plan in order to protect communities, physical assets, economic values and the natural environment from flooding and sea level rise.
Ask Izzy		A free, location-based mobile website that helps homeless Australians find food, shelter, health and other critical support services.

Action title		Description
SURVIVE – *withstand disruptions and bounce back better than before*		
Emergency management community resilience framework for Victoria		The development of a new framework for planning emergency management activities across all sectors will ensure communities are better prepared to withstand times of shock and bounce back strongly.
Understanding drivers of Community Resilience		Advance our knowledge relating to the barriers and opportunities associated with community members helping one another, to inform practical programs that encourage more cohesive communities.
Community-based Resilience Compendium		Development of a compendium of Melbourne's leading resilience-building practices to support community-led resilience efforts.
Innovative insurance models		Support the roll-out of innovative approaches that put affordable and fit-for-purpose insurance products within the reach of more Melbournians to assist with recovery from unexpected shocks.
IBM Smarter Cities Challenge and Twitter Data		Assist Melbourne's metropolitan councils to better understand how to use technology to communicate with citizens before, during and after extreme events.
Flood Management Strategy – Port Phillip and Westernport		Led by Melbourne Water, the strategy sets out how participating organisations will work together over the next five years to understand and better manage flood risks, support flood-emergency preparation and response, and achieve the best social, economic and environmental results.
Multicultural water safety and settlement		This program equips new arrivals with water safety skills while also increasing cultural understanding and access to social networks and employment opportunities.
30-year Infrastructure Strategy for Victoria		The strategy will cover Victoria's short-, medium- and long-term infrastructure priorities. One of the strategy's 30 draft objectives is 'build resilience to shocks', as unexpected events are likely to disrupt Victoria's society, environment and economy over the coming decades.
'Refuge': the role of art and culture in preparedness		Refuge' will be a research-action event where artists and disaster management professionals work with local, regional and international communities to devise responses to a natural disaster scenario. The project, to be led by artists, will involve configuring Arts House and North Melbourne Town Hall as a place of community refuge, as a rehearsal in preparedness and building community networks and connections.
Building preparedness through relationships in Koori and culturally and linguistically diverse communities		Victoria State Emergency Service (VICSES) and Melbourne Water joined forces to create the *Port Phillip and Westernport Region Flood Management and Drainage Strategy*. VICSES concentrated its efforts on leaders and members of Koori and culturally and linguistically diverse communities, using events created by the community to build understanding and relationships within communities, rather than for them.
Heat vulnerability assessment		CSIRO will conduct an initial assessment of a range of metropolitan systems and their exposure to heat stress. The assessment will include local transport networks, healthcare systems, energy and water utilities, and other local support networks, including interdependencies between them.

Action title		Description
THRIVE – *significantly improve people's quality of life*		
The metropolitan cycling corridor network		Establish a metropolitan bike path network to help make cycling a safer and more practical alternative to car travel.
Community-led neighbourhood renewal and development pilots		Citizen participation will inform property companies' trialling ways of putting residents at the heart of neighbourhood and local infrastructure planning and operating practices.
Citymart Challenge – involving citizens in mobility and transport		Citymart (a 100RC Platform Partner) will crowdsource potential initiatives to reduce transport congestion in ways that increase positive social interactions.
Young and Resilient living labs		Young people will be assisted to design, create and trial their own technology-based strategies to tackle stresses and shocks associated with youth mental health.
STEM Mentoring Melbourne		The LifeJourney program helps young people find inspiration from a suite of leading STEM professionals across Melbourne and internationally to support interest in and pursuit of careers in related industries.
Innovative Business Models		Partnering with B Corporations to assist Melbourne's small to medium enterprise sector to be better prepared for future shocks and stresses by collaborating with Melbourne's senior business students to implement business planning.
VicHealth Mental Wellbeing Strategy		Part of VicHealth's campaign to improve the health and wellbeing of one million Victorians by 2023. The strategy is informed by the CSIRO and VicHealth's *Bright Futures* report, which states that focusing on people 12–25 years old was important part of improving mental wellbeing and resilience in the community.
Melbourne Metro Rail Project		Construction of a 9 kilometre rail tunnel from Kensington in the city's north, to South Yarra, via the central city. Melbourne Metro will reduce the rail network's vulnerability to failure by providing entirely separate end-to-end lines for each train line.
Preventing Violence Together		Preventing Violence Together, led by Women's Health West is the regional partnership and plan for primary prevention of violence against women in Melbourne's west, the first of its kind in Victoria is now being replicated in other regions. Another action, Together We Can is using a collective impact model to address family violence, led by Cardinia Shire Council, Family Life and the University of Melbourne.
EMBED – *build resilience thinking into our institutions and ways of working*		
Resilient Melbourne Delivery Office		Establish an office to oversee implementation of *Resilient Melbourne* and attract additional resources; develop a range of capacities in metropolitan local government; and embed resilience principles and actions more broadly across metropolitan Melbourne and relevant institutions.
University of Melbourne professorial chair in urban resilience		Establish a professorial position to lead and align academic efforts around practical resilience-building actions in Melbourne.
Resilience training for local government		Embed resilience principles into the local government sector from the ground up through a new training program aimed at officer level staff and above.
Strategic Framework to Strengthen Victoria's Social Cohesion and the Resilience of its Communities		The framework identifies and pursues ways for governments, communities, families and young people to collectively develop initiatives to promote social inclusion. It was developed by the Community Resilience Unit in the Department of Premier and Cabinet.

9.13 2016 Spirit of Moonee Valley Community Awards

File No: FOL/16/130
Author: Manager, Arts Culture & Libraries
Directorate: City Services
Ward: Municipal

Purpose

To provide an update to Council on the format of the ceremony for the 2016 Spirit of Moonee Valley Community Awards.

Executive Summary

- The 2016 Spirit of Moonee Valley Community Awards Ceremony is scheduled to be held at the Clocktower Centre on Saturday, 13 August.
- The proposed format of the 2016 ceremony is a sit down dinner event for up to 200 guests to be held in the Pascoe Room at the Clocktower Centre.

Recommendation

That Council note the format of the 2016 Spirit of Moonee Valley Community Awards Ceremony to be held Saturday, 13 August 2016.

Background

Council first held the Spirit of Moonee Valley Community Awards in 1999. The awards were established to celebrate the outstanding achievements and contributions of the citizens of Moonee Valley. As described in Council's Civic Recognition Policy, the awards are one of Council's primary forms of formal civic recognition.

There are currently nine award categories which include:

- Contribution to Arts and Culture
- Contribution by Business to the Community
- Contribution to Environment
- Contribution to Family
- Contribution to Neighbourhood
- Contribution to Older Persons
- Contribution to Sport
- Contribution by Youth
- Citizen of the Year

The last ceremony was held on Friday, 2 October 2015 at the Clocktower Centre, with the award ceremony held in the theatre, followed by a stand-up cocktail function in the Pascoe Room. This format of ceremony allowed for up to 300 guests at the cocktail function. The event is by invitation only, with the invite list prepared in consultation with the Mayor and Councillors.

Discussion

The 2016 ceremony is scheduled to be held at the Clocktower Centre on Saturday, 13 August 2016. The date was brought forward from October to avoid a conflict with 'caretaker period' in the lead up to the 2016 Council Elections, which commences at midnight at the end of Tuesday, 20 September 2016 through to 6pm on Saturday, 22 October 2016.

The proposed format of the 2016 ceremony is a sit-down dinner event for up to 200 guests to be held in the Pascoe Room at the Clocktower Centre with the awards ceremony to take place throughout the dinner.

The invitation list will be prepared in consultation with the Mayor and Councillors.

The awards program booklet for the night will condensed to a brief A5 format, in place of the previous A4 format.

Summary of proposed changes for 2016 event:

Description	2015	2016
Date	Friday, 2 October 2015	Saturday, 13 August 2016 (Caretaker period 21 September to 22 October 2016)
Ceremony	Held in theatre at the Clocktower Centre	Held in Pascoe Room at the Clocktower Centre
Catering	Stand up cocktail function for 300 guests upstairs in Pascoe Room	Sit down dinner for 200 guests in Pascoe Room
Program booklet	A4 format	A5 format

Consultation

Planning for the event includes internal consultation. Communications to call for award nominations from the community have commenced.

Implications

1. Legislative

The date for the 2016 ceremony will comply with 'caretaker period' requirements.

2. Council Plan / Policy

Through recognising citizens who have contributed to the community, the awards support four of the five themes of the Council Plan:

- Theme 1: Friendly and safe

- Theme 2: Green, clean and beautiful
- Theme 3: Sustainable living
- Theme 4: Vibrant and diverse

3. Financial

The event cost will be met within the draft 2016/17 operational budget.

4. Environmental

The awards highlight contribution by members of the community to the environment.

Conclusion

The Spirit of Moonee Valley Community Awards are an important formal acknowledgement to celebrate the outstanding achievements and contributions of the citizens of Moonee Valley.

Appendices

Nil

9.14 Proposed New Lease for Debneys Park Community Garden

File No: FOL/16/130
Author: Manager Building, Health & Property Services
Directorate: City Services
Ward: Myrnong

Purpose

To consider entering into a new community lease with the Director of Housing for the use of part of Council's land at 25 Mt Alexander Road, Flemington, for Debneys Park Community Garden.

Executive Summary

- The renewal of the existing lease with the Director of Housing for Debneys Park Community Garden (which expired on 23 November 2013), was deferred due to potential impacts from the East West Link project on Debneys Park.
- Given land at these sites is no longer required for the cancelled East West Link project, it is now appropriate to consider entering into a new lease with the Director of Housing.
- There were no issues or concerns with the tenancy and the tenant has complied with the essential terms of their lease throughout the lease term.

Recommendation

That Council:

1. Enter into a lease with the Director of Housing for occupancy and use of part of Council's land at 25 Mt Alexander Road, Flemington, for Debneys Park Community Garden, for a term of 9 years commencing 24 November 2013 at an annual rental of $1.00.
2. Authorise the Chief Executive Officer to execute the lease.

Background

Council's current lease with the Director of Housing for occupation and use of part of Council's land at 25 Mt Alexander Road, Flemington, known as Debneys Park Community Garden, commenced on 24 December 2003 for a term of 9 years and 11 months. The lease terminated on 23 November 2013. Refer lease area at **Appendix A.**

Prior to this lease, the community gardens had been established at the site for some 20 years. No formal lease existed between the tenant and Council (being Melbourne City Council and then Moonee Valley City Council in 1994).

The Director of Housing has been a good tenant and has complied with the essential terms of the lease throughout the lease term. The Director of Housing has requested a new lease with Council.

Discussion

It is proposed to enter into a lease with the Director of Housing for occupancy and use of Council land known as Debneys Park Community Garden at Debneys Park, Flemington, for a term of nine years commencing 24 November 2013 at an annual rental of $1.00.

Consultation

Relevant Council departments have been consulted and there are no issues with the lease site and tenancy.

Implications

1. Legislative

There are no legislative implications.

2. Council Plan / Policy

In presenting this report to Council, it 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 significant financial implications.

4. Environmental

Debneys Park Community Garden provides horticultural, recreational and educational benefits to its membership.

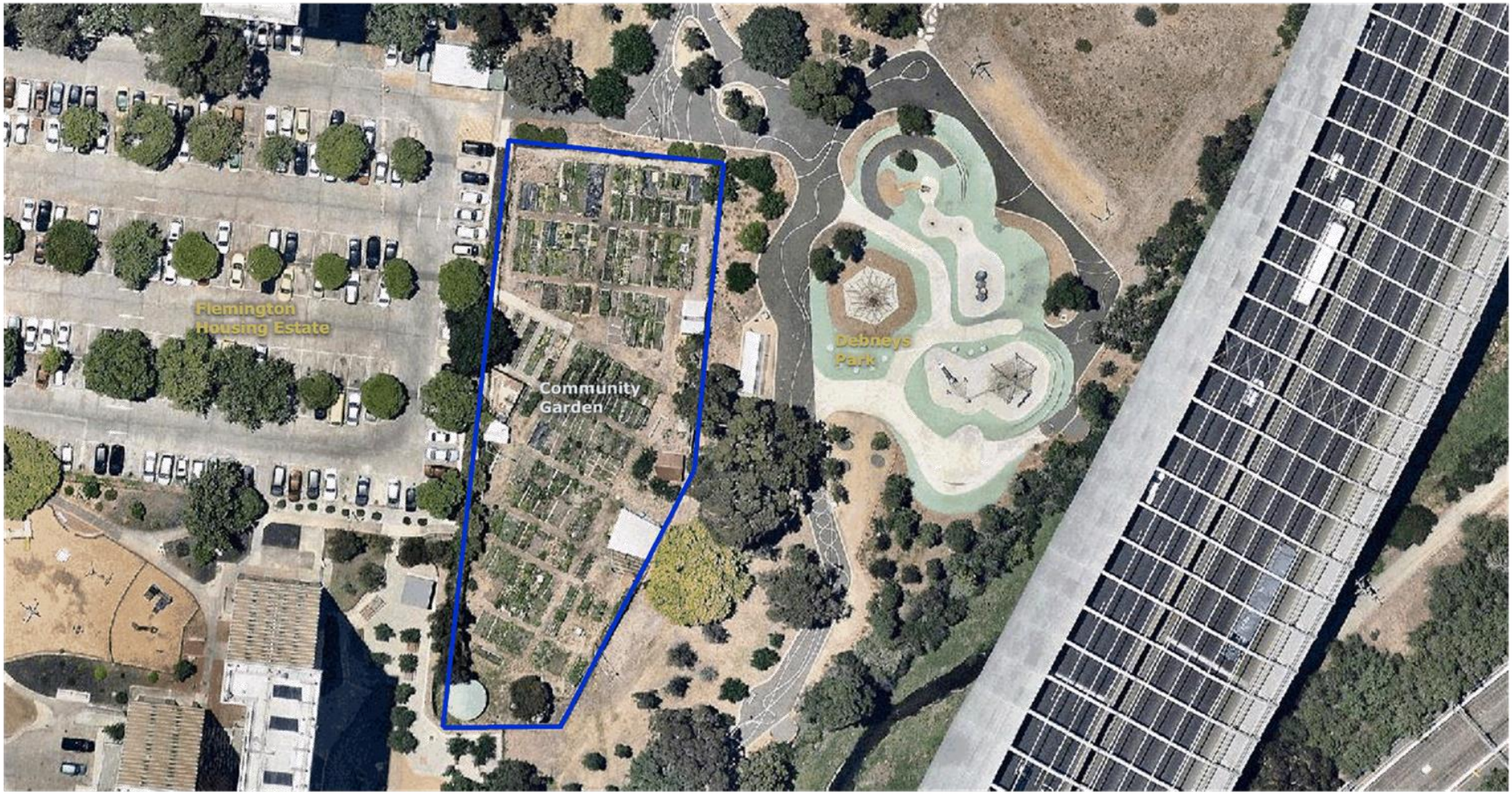
Conclusion

Given the continuing demand for the use of Council land and facilities by the Director of Housing, that Council is satisfied with the tenant's past performance under the previous lease and the cancellation of the East West Link project, it is considered appropriate to now enter into a new lease with the Director of Housing.

Appendices

Appendix A: Debneys Park Community Garden Lease Area

Appendix A



9.15 2015/16 Capital Works Status Review (April 2016)

File No: FOL/16/130
Author: Manager Infrastructure Services
Directorate: City Services
Ward: Municipal

Purpose

This report provides a review of the 2015/16 capital works program in relation to the revised forecast in expenditure to specific projects and also provides advice on the estimated cost of new projects that have been identified in the current financial year.

Executive Summary

- **Table 1** provides advice on the revised forecast expenditure for specific projects in the 2015/16 capital works budget.
- **Table 2** lists two new projects, which have been identified in the current financial year and the estimated cost of these projects.

The overall objective of the review is to manage variations to the capital works program within the capital works budget.

Recommendation

That Council approve the 2015/16 Capital Works Budget Revision (April 2016) as outlined in **Table 1** and **Table 2**.

Background

This report informs Council of variations to the budget or scope of works of individual projects with the objective of managing the variations within the capital works budget of $33,054,500.

In addition, new projects have been identified in the current financial year, which also need to be managed within the capital works budget.

Discussion

Table 1 provides advice on revised forecasts in expenditure for specific projects in the 2015/16 capital works budget. Projects identified in this review include projects with a budget of $50,000 or more and where the forecast variation is 10% above the budget.

This table also includes projects, which will require the unspent budget to be carried forward to 2016/17 to complete the project. In addition to this amount, the report to Council on 24 November 2015 also foreshadowed the likelihood of four other projects, which may also require the unspent funds to be carried forward to 2016/17. The projects identified were: sports field lighting at Cross Keys Reserve ($180,000)

and Boeing Reserve ($171,000); drainage improvements at the rear of properties in Clifton Street ($430,000); and the proposed public toilet at Rosehill Park ($280,000). Progress has been made on all projects, excepting the public toilet at Rosehill Park.

Due to a favourable forecast variance at the time of the report on 24 November 2015, four additional projects were approved within the overall capital works budget. Since that time an additional two new projects have been identified in the current financial year. The projects are listed in **Table 2**.

Table 1 – 2015/16 Capital Works Revision (April 2016) – Revised Forecasts

1	2	3	4	5	6
	Project & Comments	**Budget $**	**Revised Forecast $**	**Forecast Variance (+) Favourable (-) Unfavourable $**	**Estimated Forecast Carry Forward to 2016/17 $**
1.	BICYCLE PATHS – Bicycle Path Audit Actions **Comment** The multiple actions will be completed in 2016/17.	77,000	0	0 Unspent funds estimated at $77,000 will be transferred to 2016/17 to complete the project.	77,000
2.	BICYCLE PATHS – Travancore Park Bicycle Path **Comment** Due to the CityLink widening, this project will be deferred until 2016/17. Council has received confirmation that the contractor undertaking the widening works will provide $100,000 towards the project.	540,000	0	(+) 100,000 Unspent funds estimated at $440,000 will be transferred to 2016/17 to deliver the project.	440,000
3.	BICYCLE PATHS – Walking and Cycling Strategy **Comment** Council was advised on 24 November 2015 of the revised forecast reducing from $597,000 to $453,000, a reduction of $144,000. The revised forecast is now $377,500. In addition to this, an estimated $115,000 will be carried forward to complete projects in 2016/17. In summary, $492,500 is required.	453,000 Revised forecast reduced from $597,000 to $453,000 on 24 November 2015.	377,500	(-39,500) A total of $492,500 is required compared to a budget of $453,000.	115,000

1	2	3	4	5	6
	Project & Comments	**Budget $**	**Revised Forecast $**	**Forecast Variance (+) Favourable (-) Unfavourable $**	**Estimated Forecast Carry Forward to 2016/17 $**
4.	DRAINAGE - Brees Road Drainage Improvements **Comment** This project involves gaining access to residential properties. Although the procurement process is underway, the project will most likely commence in 2016/17.	288,000	8,000	0 Unspent funds estimated at $280,000 will be transferred to 2016/17 to undertake the project.	280,000
5.	DRAINAGE - Kelvin Close Street Diversion Drainage Works **Comment** Although the procurement process is underway, works will most likely commence in 2016/17.	450,000	25,000	0 Unspent funds estimated at $425,000 will be transferred to 2016/17 to undertake the project.	425,000
6.	DRAINAGE - Pascoe Vale Road Drainage Improvements **Comment** This study will be undertaken in 2016/17.	50,000	0	0 Unspent funds estimated at $50,000 will be transferred to 2016/17 to deliver the project.	50,000
7.	FACILITIES - Airport West Tennis Club Court Improvements **Comment** Although works are well underway, the laying of the synthetic surface needs to be done in favourable weather. The concrete slab upon which the surface is laid must also properly cure before this can occur. It is therefore possible that the final layer may not be completed until 2016/17.	498,500	418,500	0 Unspent funds estimated at $80,000 will be transferred to 2016/17 to deliver the project	80,000

1	2	3	4	5	6
	Project & Comments	**Budget $**	**Revised Forecast $**	**Forecast Variance (+) Favourable (-) Unfavourable $**	**Estimated Forecast Carry Forward to 2016/17 $**
8.	FACILITIES – Ascot Vale Leisure Centre Redevelopment **Comment** Works will continue into the first half of 2016/17. The balance of the $3.3 Million budget, will be transferred to 2016/17 to complete the project. A report was presented to the Tenders Committee on 8 March 2016 advising of cost variations which are within the budget.	3,300,000	1,800,000	0 Unspent funds estimated at $1.5 Million will be transferred to 2016/17 to complete the project.	1,500,000
9.	FACILITIES – Burley Griffin Neighbourhood Centre Improvements **Comment** Revised forecast based on tender prices.	130,000	165,000	(-) 35,000	
10.	FACILITIES – East Keilor Leisure Centre Renewal & Planning **Comment** Due to the preparation of the Feasibility Study on redevelopment options, some renewal works have been deferred until the study is completed.	250,000	170,000	(+) 80,000	
11.	FACILITIES - Electronic Scoreboards at Canning Reserve, Avondale Heights, Maribyrnong Park, Aberfeldie and Boeing Reserve Baseball Centre, Strathmore Heights. **Comment** Revised forecast based on tender prices.	120,000	195,000	(-) 75,000	

1	2	3	4	5	6
	Project & Comments	**Budget $**	**Revised Forecast $**	**Forecast Variance (+) Favourable (-) Unfavourable $**	**Estimated Forecast Carry Forward to 2016/17 $**
12.	FACILITIES – Hopetoun Children's Centre **Comment** The major cost increase is due to the site remediation and the redesign of the playground area in order to comply with the funding agreement. A report was presented to the Tenders Committee on 29 February 2016 detailing the cost variations.	1,300,000	1,630,000	(-) 330,000	
13.	FACILITIES – Lebanon Reserve Pavilion Improvements **Comment** The works commenced in February 2016. It is possible that some works and payments may extend into 2016/17.	1,223,000	1,123,000	0 Unspent funds estimated at $100,000 will be transferred to 2016/17 to undertake the project.	100,000
14.	FACILITIES – Riverside Park, Aberfeldie, duplication of toilet facilities **Comment** Revised forecast based on tender prices.	250,000 This amount was approved on 24 November 2015.	290,000	(-) 40,000	
15.	INFORMATION SERVICES – Asset Management System Implementation **Comment** The revised forecast has been reduced due to the replacement of mobile devices being undertaken within the information services budget.	50,000	20,000	(+) 30,000	
16.	INFORMATION SERVICES – Corporate Applications and Mobile Technologies Implementation **Comment** The favourable variance is based on actual costs.	90,000	30,000	(+) 60,000	

1	2	3	4	5	6
	Project & Comments	**Budget $**	**Revised Forecast $**	**Forecast Variance (+) Favourable (-) Unfavourable $**	**Estimated Forecast Carry Forward to 2016/17 $**
17.	LOCAL ROADS – Road Renewal Projects	$4,830,000 The revised forecast was increased from the budget of $3,804,000 on 24 November 2015 due to additional Roads to Recovery Grant of $595,000 and an additional $431,000 due to a favourable forecast variance in the capital works budget at this time. Due to this review, the $431,000 will not be used for local roads projects.	$4,399,000	(+) 431,000	
18.	OPEN SPACE – Fairbairn Park Master Plan **Comment** Part of the work involves the construction of a path. Due to the availability of contractors, the works will most likely occur in 2016/17.	258,000	158,000	0 Unspent funds estimated at $100,000 will be transferred to 2016/17 to complete the project.	100,000

1	2	3	4	5	6
	Project & Comments	**Budget $**	**Revised Forecast $**	**Forecast Variance (+) Favourable (-) Unfavourable $**	**Estimated Forecast Carry Forward to 2016/17 $**
19.	OPEN SPACE – Fencing for Dogs off Leash Parks **Comment** The budget provides $100,000 for this project. Council was advised on 24 November 2015 of the revised forecast reducing to $30,000. This has been further reduced to $10,000. The draft 2016/17 budget includes $70,000 for the fencing of dogs off leash parks.	30,000 The revised forecast reduced from the budget of $100,000 to $30,000 on 24 November 2015.	10,000	(+) 20,000	
20.	OPEN SPACE – Green Spine Project **Comment** The completion of the detailed design has been delayed. Works will commence in 2016/17. All unspent funds will be transferred to 2016/17.	700,000	20,000	0 Unspent funds estimated at $680,000 will be transferred to 2016/17.	680,000
21.	OPEN SPACE – Maribyrnong River Master Plan **Comment** An additional $55,000 is required to complete the design of the Afton Street Conservation Park car park.	180,000	235,000	(-) 55,000	
22.	PLANT/EQUIPMENT – Mobile Bins **Comment** The revised forecast is due to current level of expenditure.	110,000	130,000	(-) 20,000	
	TOTAL	**15,177,500**	**11,204,000**	**(+) 126,500**	**3,847,000**

Summary of Table 1

a) Total value of Budget Amounts in Table 1, Column 3 $15,177,500

b) Total value of Revised Forecasts in Table 1, Column 4 $11,204,000

Subtotal a) minus b) $3,973,500

c) Total value of favourable variances in Table 1, Column 5 $126,500

d) Total value of forecast carry forwards, Table1, Column 6 $3,847,000

Subtotal c) plus d) $3,973,500

Table 2 – 2015/16 Capital Works Revision (April 2016) - Additional Projects

	Project & Comments	Budget $	Revised Forecast	Forecast Variance (+) Favourable (-) Unfavourable
1.	FACILITIES – Settler's Cottage, Mt Alexander Road, Essendon **Comment** On 2 February 2016, Council approved the relocation of the Settler's Cottage.		100,000	(-) 100,000
2.	SHOPPING CENTRES – Treadwell Road Temporary Car Parking **Comment** On Tuesday 16 December 2014 Council resolved to: 1. Explore the possibility to use existing dwelling for community purposes if feasible. 2. Make a planning permit application for a planning permit to consolidate the titles of 1-5 Treadwell Road, Niddrie. 3. Seek a rezoning of the combined site to ensure an appropriate zoning applies to the site at 1-5 Treadwell Road, Niddrie. 4. If the application for rezoning is successful then it can be used as a car park until further plans or the possibility of a library or other public use are explored. 5. Require a minimum of 68 public car parks to be retained for public use in any future development of the combined allotment Further to this resolution, on Tuesday, 27 October 2015, Council resolved to adopt Amendment C154 (Rezoning of Treadwell Road, Niddrie) and submit the amendment to the Minister for Planning for approval. The Amendment has been approved by the Minister for Planning and was gazetted on Thursday 25 February 2016. The Amendment rezones the site from General Residential Zone to Commercial 1 Zone to facilitate its short term use as a public car park while longer term opportunities for a community facility on site are investigated.		20,000	(-) 20,000

	Project & Comments	Budget $	Revised Forecast	Forecast Variance (+) Favourable (-) Unfavourable
	TOTAL	**0**	**120,000**	**(-) 120,000**

Consultation

Information in this report is based on meetings with staff involved in capital works delivery and consultation with the executive management team.

Implications

1. Legislative

There are no legislative implications associated with this report.

2. Council Plan / Policy

Performance according to the Council Plan and Budget are recorded at the end of the financial year in the Annual Report, with ongoing progress presented in Council reports throughout the financial year.

The 2013-17 Council Plan states five strategic objectives.

- Theme 1 – Friendly and Safe
- Theme 2 – Green, clean and beautiful
- Theme 3 – Sustainable living
- Theme 4 – Vibrant and diverse
- Theme 5 – Excellence in governance

Capital works delivery impacts on all of the above themes through undertaking works in open space, streetscapes, shopping centres, facilities, drainage, local roads, bridges, footpaths, shared paths and traffic management.

Council aims to achieve an expenditure level of 90% of the capital works budget. This is equivalent to $29.7 Million in capital expenditure.

3. Financial

The information within this report relates to the delivery of the 2015/16 capital works program. The actions proposed within this report are within the overall 2015/16 capital works budget. In summary, **Table 1** shows a favourable variance of $126,500 and **Table 2** identifies two additional projects to the value of $120,000.

4. Environmental

There are no environmental implications associated with this report.

Conclusion

The capital works program includes 137 individual projects. The delivery of the program is monitored monthly. Council will continue to be advised on major variations to the program.

Appendices

Nil

9.16 Attendance at the 2016 ALGA National General Assembly of Local Government

File No: FOL/16/130

Author: Team Leader Council Business

Directorate: Corporate & Community Services

Ward: Municipal

Purpose

The purpose of this report is to seek endorsement for the attendance of Councillors at the Australian Local Government Association (ALGA) 2016 National General Assembly of Local Government, to be held in Canberra on 19-22 June 2016.

Executive Summary

- The National General Assembly is convened by the ALGA as a service to local government associations (wherein resolutions of the Assembly help to inform the ALGA when developing priorities on behalf of local government).
- The theme for the upcoming meeting will be "*Partners in an Innovative and Prosperous Australia*".

Recommendation

That Council:

1. Note that in accordance with the Resources, Facilities and Reimbursement of Expenses to Councillors Policy, attendance of the Mayor, Councillor Andrea Surace, at the National General Assembly of Local Government is approved as a matter of policy entitlement.
2. Endorse the attendance of Councillor John Sipek at the Australian Local Government Association 2016 National General Assembly of Local Government to be held in Canberra on 19-22 June 2016.
3. In the absence of the nominated Councillor representative as appointed in 2 above, delegate the Mayor to seek and appoint an alternate Councillor.

Background

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

The upcoming National General Assembly of Local Government will be held at the National Convention Centre in Canberra on 19-22 June 2016.

The theme of the 2015 Assembly is "*Partners in an Innovative and Prosperous Australia*" and reflects current issues being debated nationally and priority issues facing local government.

Discussion

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

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

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

The ALGA 2016 Assembly theme, "*Partners in an Innovative and Prosperous Australia*", identifies the renewed focus across all levels of government on the roles and responsibilities of the public sector and the challenge of meeting our communities. The Assembly will look at the many ways local government is being innovative both here and overseas and delegates will be able to learn from the ideas and experiences of other councils and gain valuable ideas for their own councils.

The Assembly will hear speakers from both the federal government and the federal opposition. In particular, the Hon. Malcolm Turnbull, Prime Minister, and the Hon. Bill Shorten, Leader of the Opposition, have been invited to speak.

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

Consultation

The nature of this report does not require any consultation.

Implications

1. Legislative

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

There are no Human Rights implications resulting from this report.

2. Council Plan / Policy

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

A cost of approximately $2,500 (covering conference registration, airfares, meals and taxi fares) per registrant would be incurred, which can be met from the Civic Governance conference allocation for the 2015/2016 year.

4. Environmental

There are no environmental implications resulting from this report.

Conclusion

As this is an important forum for Local Government, it is recommended that Council endorse the attendance of Councillors at the 2016 National General Assembly of Local Government.

Appendices

Nil

9.17 Attendance at the Australian Mayoral Aviation Council (AMAC) Annual General Meeting and Conference 2016

File No: FOL/16/130

Author: Team Leader Council Business

Directorate: Corporate & Community Services

Ward: Municipal

Purpose

The purpose of this report is to seek endorsement for the attendance of Councillors to the Australian Mayoral Aviation Council (AMAC) Annual General Meeting and Conference to be held in Adelaide, South Australia from 4 to 6 May 2016.

Executive Summary

- At its Statutory Meeting held 4 November 2015, Council appointed the Mayor, Cr Andrea Surace and Cr Paul Giuliano as its representatives to the Australian Mayoral Aviation Council.
- In accordance with Council's Resources, Facilities and Reimbursement of Expenses to Councillors Policy, where Councillors propose to travel interstate, the proposal must be approved by the Council.

Recommendation

That Council:

1. Endorse the attendance of its Australian Mayoral Aviation Council representatives, the Mayor, Cr Andrea Surace, Cr Paul Giuliano and Cr _____ to the AMAC Annual General Meeting and Conference 2016 to be held in Adelaide, South Australia from 4 to 6 May 2016.
2. In the absence of a nominated Councillor representative as appointed in 1 above, delegate the Mayor to seek and appoint an alternate Councillor.

Background

AMAC is a voluntary national association of local governments whose communities are adjacent to and impacted by airport operations and aircraft noise. The primary objective of AMAC is to ensure that all reasonable measures are taken by relevant authorities to minimise the deleterious effect of aircraft and airport operations on local communities. This Council has been an active member of AMAC due to the presence of Essendon Airport within the municipality and the closeness of Melbourne Airport and its impact on planning as a Referral Authority.

At its Statutory Meeting held 4 November 2015 Council appointed Councillors Andrea Surace and Paul Giuliano as its representatives to the Australian Mayoral Aviation Council.

Discussion

The Australian Mayoral Aviation Council Annual General Meeting and conference will be held at the Stamford Plaza in Adelaide, South Australia from 4 to 6 May 2016.

The program for the AMAC Annual Conference will cover a number of issues pertaining to airport development that will have relevance to the City of Moonee Valley. The range of speakers engaged and the topics they will address will benefit Council representatives in better understanding the current and future directions of aviation as well as the dynamic of aviation related economic development.

As Council is aware part of Moonee Valley is directly impacted upon by noise associated with the operation of Melbourne Airport, whilst at Essendon Airport (Essendon Fields) considerable commercial development is underway which will have a significant impact on Moonee Valley particularly in terms of economic development and employment, and also on other established commercial and business centres within the City.

In addition to this, there is an opportunity for networking with Councillors and Senior Officers from other Councils that are associated with the operation of airports and also with representatives from within the aviation industry itself.

Consultation

The nature of this report does not require any consultation.

Implications

1. Legislative

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

2. Council Plan / Policy

In line with Council's "Resources, Facilities and Reimbursement of Expenses to Councillors Policy", the attendance of Councillors at interstate conferences requires endorsement by Council.

3. Financial

The total cost per delegate for the AMAC conference, including registration, airfares, accommodation, meals and taxi fares will be in the order of $2,400 which can be met from the Mayor and Councillors 2015-16 budget.

4. Environmental

There are no environmental implications resulting from this report.

Conclusion

It is considered appropriate that Council endorse the attendance of its representatives to the Australian Mayoral Aviation Council Annual General Meeting and Conference from 4 to 6 May 2016 in Adelaide, South Australia.

Appendices

Nil

9.18 Report on Assemblies of Council

File No: FOL/16/130
Author: Team Leader Council Business
Directorate: Corporate & Community Services
Ward: Municipal

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 Officer 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 March 2016.

Background

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

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

Discussion

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

a) the subject of a decision of the Council; or

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

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

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

Records of Assemblies of Councillors, held since the last report to Council in March 2016, 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: Record of Assembly of Councillors - Report to Council 26 April 2016

RECORD OF ASSEMBLY OF COUNCILLORS

Tuesday, 15 March 2016 at 6.38 pm at the Moonee Valley Civic Centre

PRESENT

Councillors:

Paul Giuliano, Jan Chantry, Shirley Cornish, Jim Cusack, Nicole Marshall, Cam Nation and John Sipek.

Officers:

Anthony Smith	Director Corporate & Community Services
Henry Bezuidenhout	Acting Director Planning & Development
Gil Richardson	Acting Director City Services
Troy Watson	Manager Arts, Culture & Libraries
Matt Spozio	Acting Coordinator Statutory Planning
Christina Collia	Acting Coordinator Strategic Planning
Daniela Padula	Strategic Planner
Daniel Smith	GIS Planner

CONFLICT OF INTEREST DISCLOSURES

Nil.

MATTERS CONSIDERED

1. 40 Hall Street and 34 - 36 Margaret Street, Moonee Ponds
2. Spirit of Moonee Valley Community Awards 2016 - Options
3. Update on Top Cut Site Development
4. Draft Housing Strategy
5. Items of a general nature raised by Councillors and Officers.

RECORD COMPLETED BY

Anthony Smith	Director Corporate & Community Services

RECORD OF ASSEMBLY OF COUNCILLORS

Tuesday, 22 March 2016 at 6.16 pm at the Moonee Valley Civic Centre

PRESENT

Councillors:

Andrea Surace, Paul Giuliano, Jan Chantry, Shirley Cornish, Jim Cusack, Nicole Marshall, and Narelle Sharpe.

Officers:

Bryan Lancaster	Chief Executive Officer
Anthony Smith	Director Corporate & Community Services
Henry Bezuidenhout	Acting Director Planning & Development
Gil Richardson	Acting Director City Services
Yvonne Hansen	Manager Legislative Services & Support
James Martin	Manager Communications & Customer Service
Vera Mitrovic-Misic	Acting Manager Statutory Planning

CONFLICT OF INTEREST DISCLOSURES

Nil.

MATTERS CONSIDERED

1. Proposed Budget 2016/17
2. 11 Mooltan Street, Travancore
3. 12 Butler Street, Essendon
4. 8 Ida Street, Niddrie
5. 54 Mary Street, Essendon
6. 222 - 226 Buckley Street, Essendon
7. 21 - 23 Norwood Crescent, Moonee Ponds
8. 1 Melfort Avenue, Essendon
9. Items of a general nature raised by Councillors and Officers.

RECORD COMPLETED BY

Anthony Smith Director Corporate & Community Services

RECORD OF ASSEMBLY OF COUNCILLORS

Tuesday, 12 April 2016 at 6.38 pm at the Moonee Valley Civic Centre

PRESENT

Councillors:

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

Officers:

Bryan Lancaster	Chief Executive Officer
Anthony Smith	Director Corporate & Community Services
Henry Bezuidenhout	Acting Director Planning & Development
Gil Richardson	Acting Director City Services
Adam Boyle	Manager Community Planning
Peter Gaffney	Manager Infrastructure Services
Yvonne Hansen	Manager Legislative Services & Support
Matt Spozio	Principle Statutory Planner
Janice Raux	Health & Community Planning Officer

CONFLICT OF INTEREST DISCLOSURES

Councillor Marshall declared a Conflict of Interest in Item 15.

MATTERS CONSIDERED

1. Community Financial Support Framework
2. Draft Transport Safety Strategy
3. 2015/16 Capital Works Status Review (April 2016)
4. Proposed New Lease for Debneys Park Community Garden
5. Attendance at the 2016 ALGA National General Assembly of Local Government
6. Attendance at the Australian Mayoral Aviation Council (AMAC) Annual General Meeting and Conference 2016
7. Recording of Public Council Meetings - 6 Month Update
8. Utilities Contracts with AGL
9. 53 - 55 Amelia Avenue, Essendon
10. 4 Kernan Street, Strathmore
11. 147 - 149 The Parade, Ascot Vale
12. 39 Pearl Street, Niddrie
13. 19 - 21 Illawarra Road, Flemington

14. 33 Marshall Street, Flemington
15. 8 - 14 Shuter Street, Moonee Ponds
16. Items of a general nature raised by Councillors and Officers.

RECORD COMPLETED BY

Anthony Smith Director Corporate & Community Services

9.19 Report on Advisory Committees

File No: FOL/16/130
Author: Team Leader Council Business
Directorate: Corporate & Community Services
Ward: Municipal

Purpose

To present the minutes of Council's Advisory Committee meetings received since the last report to Council held in March 2016.

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 March 2016:

a) Disability Reference Group held 1 February 2016 (**Appendix A**);
b) ANZAC Centenary Advisory Committee held 8 February 2016 (**Appendix B**); and
c) Strategic Planning Advisory Committee held 11 February 2016 (**Appendix C**).

Background

Council at its Statutory Meeting on 4 November 2015, appointed representatives to Advisory Committees, up to the month of October 2016.

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

Discussion

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

a) Disability Reference Group held 1 February 2016;
b) ANZAC Centenary Advisory Committee held 8 February 2016; and
c) Strategic Planning Advisory Committee held 11 February 2016.

Consultation

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

Implications

1. Legislative

These minutes are presented to Council in accordance with sections 80A(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: Disability Reference Group held 1 February 2016
Appendix B: ANZAC Centenary Advisory Committee held 8 February 2016
Appendix C: Strategic Planning Advisory Committee held 11 February 2016

Moonee Valley City Council Disability Reference Group Meeting

Minutes

Held Monday 1 February 2016 at 4.00pm- 5.30pm

Moonee Valley City Council

Attendees:

Cr Shirley Cornish (Cr.SC)	Chair, Moonee Valley City Council
Heidi Peart (HP)	Metro Access Officer
Dean Alexander (DA)	Program Manager, Inner North CoHealth
Elizabeth Perez (EP)	General Manager of Housing, Wintringham
Laurie Elliot (LE)	Local Resident
Greg Francis (GF)	Local Resident
Vincenza Fazzalori (VF)	Local Resident
Lisa Greenfield (LG)	Local Resident
Rose-Marie McQueen (RM)	Business Support Officer (Minutes)

Apologies:

Cr Jim Cusack (Cr.JC)	Councillor, Moonee Valley City Council
Anthony Smith (AS)	Director, Corporate & Community Services
Jim Karabinis (JK)	Manager Aged & Disability
Maria Weiss (MW)	Coordinator, Healthy Ageing & Disability
Ruth Kyne (RK	Local Resident
Peter Gaffney (PG)	Manager Infrastructure

Guests:

Adam Boyle (AB)	Manager Community Development & Planning
Melany Lorback (ML)	Senior Leisure Facilities Officer

Order of Business

Welcome

Cr S Cornish welcome all to the first meeting for 2016, wished everyone a good year and requested we continue to work well together and produce good results for the community.

Cr S Cornish will meet with JK re a proposal to broaden Disability Reference Group to western region area.

Topics for ongoing discussions this year,

- Crown Street Stables business model – to profit this year
- DAP review

Assessable Parking has been endorsed by Council and through a proposed consultation process with AMA it will be determined how and what the criteria will be to enable consistency and uniformity across the state when assessing and issuing parking permits.

- There is a budget allocation for parking bays

Action: Anthony Smith is to request a Notice of Motion for Cr S Cornish together with Cr J Sipek for Council to approach the State Government to review the Disability Parking Permit assessment through the AMA.

Council will receive a report on the outcome and findings will be presented to the DRG.

Apologies

Noted

1. Confirmation of Previous Minutes

Moved by GF, Second by DA

2. Declarations of Conflict of Interest

Nil

Items

3.1 Actions from the Previous Meeting

Nil

3.2 Correspondence

NDIS enquiry;

Submission is due in by March 2016, submissions can be forwarded to Jim Karabinis to collate a response.

Service for People with Autism Spectrum Disorder Parliament of Victoria;

- Submission is due by March 2016
- Submissions can be forwarded to Jim Karabinis to collate a response
- Cr S Cornish will submit a letter to Council expressing interest to be on the board

Action: A copy of the NDIS enquiry document is to be sent to the DRG for comments (RM) to email the DRG

3.3 Presentation; Wintringham, Housing – update (EP)

EP, thanked the group for the opportunity to speak, an overview of the organisation was provided.

- EP thanked RM for her support today
- Power point presentation
- Handouts disseminated

Wintringham is the only Australian organisation to win the United Nations World Habitat Scroll of Honour award.

The CEO, Mr Bryan Lipmann was also awarded the Melbournian of the year award.

Housing;

- A range of facilities are available from low level to full support
- Independent housing is available – cleaning provided where necessary
- Home Care and Dementia Packages are available
- Housing fees are 25% of income
- Appropriate, Dignified, Supported Affordable and award winning accommodation
- Current portfolio consists of 426 properties owned / rented
- Alexander Miller Trust association is partnered to redevelop and revitalise housing

Action: Dean Alexander to present on behalf of Inner North Mental Health Community Support Services CoHealth, at the next meeting scheduled for Monday 4 April 2016.

3.4 East Keilor & Ascot Vale Leisure Centre – update (ML)

ML presented on behalf of PG

- The pool is designed for access to all abilities and caters for all Groups including Wintringham
- Disability access; Changes Places changing room to be included for high level needs or multiple carers (Ascot Vale)
- Universal accessible design for everyone to use a feasibility study to be conducted
- Zero depth water space to be included in the design, sensory inclusions, soft play wet surface, pending on the feasibility study outcomes (East Keilor)

Q: Is furniture for the pool to be included?

A: Urban design strategy determines what the furniture will be like, updates will be provided at the next DRG meeting in April 2016

Action: (A guest speaker to be invited to the DRG meeting)

3.5 Presentation, Community Safety, Healthy & Wellbeing Strategy (AB)

AB presented an overview of the portfolio Community Development provides the community

- Encompassing; LGBTIQ Action Plan 2015- 2017
- Moonee Valley Next Generation, 2035 – Community Vision
- Thrive – Strategy for young people
- Moonee Valley – a safe community
- Household Safety Plan – a guide to assist all household members during emergencies
- The Advocacy Agenda 2013- 2017
- Preventing Violence Together – Western Region Action Plan, preventing violence against women
- DAP
- Public Health & Wellbeing Plan 2013- 2017
- Diversity, Access and Equity Policy – Supporting vibrant & inclusive community

Council Plan Strategies;

The key policy is Diversity Access and Equity Policy. Other strategic council policies and groups associated with Council and the community hold forums and collate requirements that address synergies and connections between the stakeholders, groups and Council to ensure nothing falls through the cracks.

The new proposal is to hold annual planning forums, consolidated with stakeholders and practitioners to determine how key projects line up with services and create an annual planning forum.

- A check list may to be created to make universal access easier
- **Action:** HP to follow up with the proposed bus shelter in Moonee Ponds junction and inform LE on its progress
- Mapping process – strategic direction of documents, planning and development to ensure that documents relate to one another and eliminate duplication

Action: AB will present on the progress at a later stage in the year (TBC)

3.6 Crown Street Stables, Annual Report (HP)

- Positive feedback has been received from the community and staff who attend the café'
- All targets have been met
- Accessible parking in the area to be reviewed due to restrictions during event times
- RTO has withdrawn – space to be offered to RTO's to rent for classes
- Having no access to the loft area limits the use of the space, a lift is needed to ensure everyone can utilise the space

Feedback from DRG

- More to be done with the upstairs space
- Information – update on the lift to be provided

Action: Dean Alexander will provide Heidi Peart with information and alternate people to target

- Involve western region councils
- Utilise upstairs for business functions
- Business Management Consultants may be engaged to provide ideas to generate more business away from government for the Café'
- Events have doubled in the last few months
- An independent website away from government, may be created

Action: HP to investigate the possibility of setting up an independent web site to advertise Crown Street Stables

- Crown Street Stables to be entered in Social Enterprise awards

3.7 Update - Accessible Parking; discussion & update (JK) Deferred

LG left the meeting 5.30pm

HP presented, in response to a letter Cr J Cusack received, the scenario – Snap Send and Solve – concept of taking a picture and sending it to local authorities who can then can respond quickly to people parking illegally.

It is Local Laws responsibility to fine the perpetrators or even the police if it is necessary for them to attend.

4. General Business

- Affordable Housing for consideration, a Community Consultation is being held soon
- Disability Newsletter inclusions, please email HP with items for the newsletter. Email reminders are to be sent calling for items.

Cr S Cornish would like a copy of the newsletter bought into the meeting for perusal and discussion.

5. Close of Meeting: 5.45 pm

Next Scheduled meeting;
Monday 4 April 2016
Moonee Valley City Council
4.00pm – 5.30pm

City of Moonee Valley

Anzac Centenary Community Coordinating Committee

Minutes

Meeting #9

Monday, 8 February 2016 at 6pm
Committee Room, Moonee Valley Civic Centre
9 Kellaway Avenue, Moonee Ponds

Attendees	Cr Jan Chantry	Chair, Buckley Ward
Arrived 6.40pm	Cr Jim Cusack	(Sub chair) – Myrnong Ward
Arrived 6.37pm	Barry Gough	Former Mayor City of Essendon
	Bill Laker	President, Keilor East RSL
	Bob Chalmers	President, Essendon Historical Society
	Elaine Brogan	Friends of Sandy
	Everette Reynolds	58/32 Infantry Battalion Association Inc.
	John Hills	Essendon Historical Society
	Judy Maddigan	Local Historian
Council officers	Gil Richardson	Acting Director City Services
	Troy Watson	Manager Arts, Culture and Libraries
	James Martin	Acting Manager Communications and Customer Service
	Craig Medcalf	Manager Operations
	Alana Stevens	Executive Assistant City Services (minute taker)
Apologies	Cr Shirley Cornish	(Sub chair) – Rose Hill Ward
	Ange Kenos	President, Essendon RSL Sub Branch
	Gavin Comport	General Manager, Keilor East RSL

Order of Business

Welcome

Meeting opened at 6pm.

Chair Cr Jan Chantry welcomed all attendees to the meeting.

Apologies

Noted as per page 1.

1. Confirmation of Previous Minutes

Moved by Elaine Brogan seconded by John Hills that the Minutes of the Anzac Centenary Community Coordinating Committee (#8) held on Monday, 9 November 2015 be confirmed with no changes.

2. Declarations of Conflict of Interest

Nil.

3. Actions arising from previous minutes

3.1 Committee term and memberships extended

Cr Chantry advised that at the Ordinary Meeting of Council in December 2015 the committee's Terms of Reference and memberships were extended to now align with the Anzac Centenary.

Two committee members - Jane Canaway and Yvonne Kernan – chose not to extend their memberships and have resigned from their positions on the committee.

ACTION: *On behalf of chair Cr Chantry, Alana Stevens to prepare letters to Jane Canaway and Yvonne Kernan, thanking them for their contribution to the committee.*

3.2 100th Anniversary of Fromelles – July 2016

Ev Reynolds advised that 58/32 Infantry Battalion Association Inc. Vice President Maj. Bob Prewett will be representing the Battalion at the 100th Anniversary of Fromelles in July this year.

Cr Chantry suggested the committee may like to provide Maj. Prewett with an item to take to Fromelles on behalf of the committee. The committee agreed that this item would be a photograph of the Moonee Ponds Cenotaph.

ACTION: *Alana Stevens to liaise with James Martin and Councillor Support to arrange for photo to be provided to the* 58/32 Infantry Battalion Association Inc.

3.3 Street signs in Ascot Vale

James showed the committee the final artwork for the Ascot Vale street signs and advised that the biographies are now up on Council's website.

Cr Chantry suggested she would like the website to acknowledge the work of the committee and the Essendon Historical Society in researching this project.

Discussion was had around the launch of the signs and it was decided that Essendon Historical Society would conduct a history walk on the weekend prior to Anzac Day. The walk will be led by John Hills, invites will be extended to local schools and Elaine Brogan and friend Eve will dress in historical costumes.

Judy Maddigan suggested that a flyer be distributed to letter boxes in the area to explain the significance of the street names. As the area is home to many recently arrived migrants, it was suggested that the flyers include translations.

Cr Chantry asked James to pass on the committee's thanks to Ingrid Busuttil who had designed the signs and Gary Haythorpe who will be printing and installing the signs. Cr Chantry also thanked John Hills for his work in researching the signs.

POST MEETING NOTE: For consideration when planning for the launch of the signs: The Anzac Day commemoration ceremony at Queens Park Cenotaph, run by Council in partnership with Essendon RSL Sub Branch, will be held on Sunday, 17 April commencing at 3pm.

ACTIONS:

- *James Martin to update website, acknowledging the committee and Essendon Historical Society.*
- *James Martin to liaise with John Hills to arrange promotions for launch, including invites to local schools and a letter box drop of flyers with translations.*

3.4 Rosemary statue – Victory Park

Craig Medcalf provided an update on the theft of 'Rosie' from Victory Park. Council is preparing an insurance claim and looking at options for a replacement, which will be an 'up-spec' statue that will be more theft/vandal proof than the original. This may involve filling the statue for greater strength. Better lighting for the area is also being investigated.

ACTION: *Craig Medcalf to keep the committee updated on the replacement of 'Rosie'.*

3.5 Update on projects

Queens Park Memorial Wall

Judy Maddigan advised that she recently met with Peter Gaffney and Venta Slizys from Council on this project. A new design was discussed, which will be presented to Essendon Historical Society next week for approval. The project will require some funding from Council for completion. Council officers are looking into the cost.

ACTION: *Gilbert Richardson to follow up with Peter Gaffney regarding the cost for this project.*

Boulevard Project

Bill advised that the Boulevard committee will be looking to meet with Council's Grants Officer Nina Stanwell to seek feedback on their previous unsuccessful application. They will be re-applying in the current round of Council grants.

Gil Richardson provided a brief update on the impact the Melbourne Water Aberfeldie Main Drain project will have on the Avenue of Honour. Some trees and the *Irresistible* plaque will need to be removed and then reinstated. This will take place around April 2016. Cr Chantry asked that James Martin include this in Valley View, so that residents are aware of the work.

Ev Reynolds advised that the 58/32 Infantry Battalion Association Inc. have managed to make contact with the family of Maj. William Charles Scurry, who is one of the names receiving a plaque as part of the Boulevard project. Judy Maddigan would like to see the man who worked with Scurry acknowledged on his plaque.

ACTIONS:

- *James Martin to include Melbourne Water works at the Avenue of Honour in Valley View.*
- *Item to be listed on agenda for next meeting.*

3.6 Telling the story of the Anzac Centenary Community Coordinating Committee

Cr Cusack arrived late to the meeting and this item was returned to following item 4.

Cr Cusack suggested he would like to see a document or video put together to tell the story of the Anzac Centenary Community Coordinating Committee and what it has achieved over its term. Troy Watson suggested this could be done as an audio project.

James Martin asked the committee members to send him their information, photos etc and he will start to collate these.

ACTIONS:

- *Committee members to provide information, photos etc. to James Martin.*
- *Cr Cusack to liaise with James Martin and Troy Watson to determine how this project will be brought together.*

4. Event / project status updates

4.1 Friends of Sandy memorial

Elaine Brogan advised that Friends of Sandy have been making progress in gaining access to the site where their memorial will be installed. They are currently seeking a mock-up of the memorial – which will be a steel framed wire horse.

Due to the unforseen delays, the group may need to request an extension to the funding they received for the memorial.

6.37pm – Barry Gough arrived.

4.2 58/32 Infantry Battalion Battle Honours and Colours

6.40pm – Cr Jim Cusack arrived.

Ev Reynolds advised that all is on track for the October 2016 unveiling of the Battle Honours and Colours. The booklet is also nearly completed and ready to distribute to schools.

4.3 Annual Pompey Elliott Memorial and Luncheon

Ev Reynolds advised that the annual Pompey Elliott Memorial and Luncheon will be held on Friday, 11 March commencing at 11am at Keilor East RSL.

4.4 Essendon Rifles book

Judy Maddigan advised that the Essendon Rifles book is in progress and is currently being proof-read. The book will likely be launched next year.

4.5 Moonee Valley Libraries events

Troy Watson advised there are some upcoming events being held at Moonee Valley Libraries.

ACTIONS:

- *Troy Watson to provide Alana Stevens with details of library events.*
- *Alana to update summary of events and activities document and distribute with minutes.*

5. Other Business

5.1 Final event for Anzac Centenary

The committee agreed they'd like to see a significant final event held to mark the end of the Anzac Centenary in November 2018 – such as a dinner dance or ball held at the Clocktower Centre.

Elaine Brogan has some ideas and the item will be discussed further at the next committee meeting.

ACTIONS:

- *Alana Stevens to add event to summary of events and activities document.*
- *Item to be included on agenda for next meeting.*

5.2 Visit to Villers–Bretonneux

Barry Gough advised the committee that he will be visiting France in May, and requested that Council write to the Mayor of Villers–Bretonneux to offer an introduction. Ev Reynolds advised that the 58/32 Infantry Battalion Association Inc. may also be able to arrange a letter of introduction for Barry's visit.

ACTIONS:

- *Barry Gough to provide further details of his travel arrangements.*
- *Alana Stevens to liaise with CEO or Mayor to arrange for letter of introduction to be sent to the Mayor of Villers–Bretonneux.*

5.3 Gift to Cr Joan Brodie

Judy Maddigan enquired as to what had happened to the book that was gifted to former Councillor Joan Brodie on her visit to Villers–Bretonneux during her term on the City of Essendon Council. Judy felt this should be placed on display.

ACTION: *Cr Chantry to investigate whereabouts of Villers–Bretonneux book.*

5.4 Remembrance Day Commemoration Ceremony

Ev Reynolds advised that the Remembrance Day Commemoration Ceremony held in Queens Park in November 2015 ran behind schedule and the minutes silence was not observed on time at 11am.

ACTIONS: *James Martin to liaise with Jackie Digiorgio and request that this year's ceremony run to time.*

5.5 Victoria Cross commemorative pavers

Cr Chantry read aloud a letter received from the Veterans Branch at the Department of Premier & Cabinet, advising that pavers would be made available to Councils in commemoration of Victoria Cross recipients with links to the municipality.

The letter identified Issy Smith VC as a recipient who lived in Ascot Vale and died in Moonee Ponds. Cr Chantry asked the group if there were any other VC recipients they knew of with a connection to Moonee Valley. The group suggested Lt. Rupert Vance

Moon and Maj. Frederick Harold Tubb may qualify for a commemorative paver in Moonee Valley. Discussion about the location of the paver/s will be had at the next meeting.

ACTIONS:

- *Alana to respond to Veterans Branch suggesting that Lt. Moon and Maj. Tubb may qualify for a commemorative paver in Moonee Valley.*
- *Item to be included in agenda for next meeting.*

5.6 Scurry Court proposal

Barry Gough requested that an item be included in the next meeting's agenda, to discuss the possibility of renaming a section of West Street in Ascot Vale to Scurry Court.

ACTIONS: *Item to be included in agenda for next meeting.*

6. Date of next meeting

Meeting schedule for 2016:

- Monday, 21 March, 6pm-8pm
- Monday, 6 June, 6pm-8pm
- Monday, 12 September, 6pm-8pm
- Monday, 5 December, 6pm-8pm

The meeting closed at 7.23pm

City of Moonee Valley

Strategic Planning Advisory Committee

Minutes

MEETING #8
held Thursday, 11 February 2016 at 6.00pm
Council Chambers, Moonee Valley City Centre,
9 Kellaway Ave, Moonee Ponds

Attendees	Cr Nicole Marshall	Chairperson
	Anastasia Georgiou	Community member
	Andrew Gunter	Community member
	Jennifer Nola	Community member
	Kristen Bell	Community member
	Maria Loiacono	Community member
	Peter Burke	Community member
	Peter Leyden	Community member
	Senka Sestan	Community member
	Charles Sowerwine	Community member
	Steven Zebic	Community member
	Henry Bezuidenhout	Acting Director Planning and Development
	Tim Mileham	Acting Manager City Planning
	Christina Collia	Acting Coordinator Strategic Planning
	Brian Labadie	Senior Strategic Planner
	Kim Hutchinson	Planning Engagement Officer
Apologies		
	Cr Narelle Sharpe	Deputy Chairperson
	Cr Shirley Cornish	Deputy Chairperson
	Adam Wojcik	Community member
	Chris Macdonald	Community member

Order of Business

1.1 Welcome

Cr Marshall opened the meeting at 6.05pm and welcomed members.

1.2 Matters arising from minutes and confirmation of minutes

Moved by Steven Zebic, seconded by Charles Sowerwine that the Minutes of the Strategic Planning Advisory Committee (SPAC) held on Thursday, 12 November 2015 (meeting #7) be confirmed.

Matters arising from the minutes on 12 November 2015:

- Query regarding Paul Bird's resignation: Henry Bezuidenhout sought advice from Committee regarding replacement considering term of Committee would cease with Council term and that would be October 2016. Committee agreed to not seek to fill position.
- Caretaker period for Council before elections will begin 22 September 2016. Role of Councillors will change and Henry Bezuidenhout advised will provide information of this process and implications for the SPAC at the next meeting.

ACTIONS:

8.1	*Provide committee with information regarding process of caretaker period and Council elections and implications on Strategic Planning Advisory Committee.*

1.3 Outstanding Actions

Committee provided with list of outstanding actions Tim Mileham gave update on these matters:

- Action 5.8 and 6.8: There has been no response from the State Government regarding the Metropolitan planning levy and development contributions, an official letter will be sent from Henry Bezuidenhout to request response.
- Action 5.7: Further discussion on property rating to remain a requested topic to be considered as a possible topic at future meeting.
- 7.2 Housing strategy presentation requested to be circulated.

ACTIONS:

5.8/6.8	*Henry Bezuidenhout to formally write to State Government regarding the Metropolitan planning levy and development contributions.*
5.7	*Property rating to remain a requested topic to be considered as a possible topic at future meeting.*
7.2	*Circulate Housing strategy presentation.*

1.4 Declaration of conflict of interest

Nil.

1.5 Presentation: Moonee Ponds Activity Centre Car Parking Plan, Brian Labadie Senior Strategic Planner

Discussion points raised following presentation:

- Has the land available for parking been identified?
  - Brian: Plan identifies possible sites under Council ownership but the selection of sites will require further consultation.
- This does commit Council to providing a car park and where will the funding come from? Concern raised that this was not highlighted through community consultation. Initial surveys were with businesses not residents. It is committing rate payers to a structure. Will paid parking be considered?
  - Brian: The Plan is providing a dedication to infrastructure and consultation with Council will be required to seek further funding. There is potential to consider inclusion of alternate that if the money is not spent it can be refunded to developers.
  - Cr Marshall: The parking discussion is constant and it is a balance to get it right. Unlikely in this Council term to have the discussion of paid parking raised within Council. I acknowledge concerns raised and encourage putting in a submission.
  - Henry: Most developments ask for car parking waiver, and preference it investing in green travel schemes and these are strong arguments that are sustained at VCAT. What we are introducing is an overlay in the planning scheme to acknowledge the options in the centre. It will provide funding for key projects and implementation of some policy directives.
- Support for transport however don't support not knowing if it is funding sustainable transport and can't understand why this would not be the preferred direction. Was there inclusion in the study about what people were coming to the centre for, and times of day, as there are different uses, ie Mount Alexander Road at night time,
  - Brian: The study does include these surveys of user behaviour, which have informed the recommended parking rates.
  - Henry: Restaurants are unique and any new development now works on patron numbers and if extending floor area then need to understand parking and complete a parking survey. If they can't provide additional parking on site and it's a concern than applications can be refused.
- Car parking and waivers in lieu of cash, planning scheme discourages parking for everyone and quality sized apartments. Could this look at different sized apartments and their need for 1 carpark, regardless of size of apartment? Need to review how setting out planning scheme and waivers for developers.
  - Cr Marshall: Agree with comment and the idea of flexibility of parking is interesting, however not sure as a matter of practise how this can be achieved.
  - Tim: Trying to look at not just a snapshot of today, but also the future. There is significant discussion in planning and VCAT at the moment about the option of no parking, with the Nightingale development in Moreland an example.
- Melbourne is a city in transition and public transport is a relic of a small to medium city. Need to improve public transport offering, and will take time, in the mean time we need a hybrid option.

- Cr Marshall: an important point, however also need to be mindful that Moonee Valley is diverse and different form one end to the other and there are different Councillor and community views.

- Important to consider different options; have large car parks, service flexi cars, developers can buy spaces off multi car parks, it's a rigid approach that there is one car park per unit, if parks are off site then they can have multiple uses. Disincentive will be the cost of business and should be the lifecycle of business or a yearly rate.
  - Cr Marshall: Encourage all views to be considered and provide a submission.
  - Henry: Based on submissions the plan will be reviewed and all submission are important, actions through ITP, no predetermined position on what is final. Public and local input will inform the process.
- There was a significant portion of housing stock developed without car parking and this is often forgotten.
- How were the cash in lieu rates decided?
  - Brian: Reviewing other benchmarks, what the average cost for a car park is, taking half of what would be a general rate, strategic justification for rates for residential component, environments and congestion benefits.
- Request for link of SGS report
- Concern raised that this is letting developers off the hook that every developer will apply for waiver of car parking and the precedent that this will have, might be MPAC, but this will spread. The contribution is too low and should be higher.
  - SGS report is midlevel and within 2 years there is the option of another amendment to reduce the rate.
  - Henry: the planning scheme clearly defines trigger points. A trigger point could be put in to amend the scheme.
- Does the cost include land acquisition? Brian: No.
  - If Council has to acquire more land this will push the cost up.
- Cr Marshall concluded conversation and again called for individual submissions which raised specific concerns.

ACTIONS:

8.2	*Copy of presentation to be circulated*
8.3	*Link to SGS report to be circulated*

1.6 Strategic Planning projects update

- Flemington Racecourse Development: Currently on exhibition. There is a community information session this Saturday at 1.30 at Flemington Community Centre. Submission are due 1/3/16 and public hearing to begin on 1/3/16 and hearing will be for three weeks. Council submission will be endorsed at February Council meeting and available on website next Friday 19th February 2016.

- Moonee Valley Racecourse Development are currently developing and Integrated Transport Plan, will take approximately 6 months and must be endorsed by Council. Currently there are monthly meetings between Council and MVRC and the first step is to agree the areas that will be modelled for ITP.
- Essendon Junction Structure Plan planning scheme amendment is being drafted at the moment. Parking overlay will be modelled on MPAC. It will go to the April Council meeting to be endorsed for exhibition and the exhibition period will be in May/June.
- Buckley Street grade separation: Level Crossing Removal Authority provided present feasibility study with options will to Government at end of December and Minister will decide which options go to consultation. Henry has had direct contact with project manager, will be meeting Thursday 18th February 2016 and will be requesting establishing a reference group.
- Airport West Structure Plan received significant number of submissions to the Draft Issues and Opportunities Report. Key findings will be presented at February Council workshop and meeting in March. Will then be meeting with the various working groups and have a draft Structure Plan completed in June.
    - Discussion regarding the delivery of the green spine and Tim Mileham advised that the project will go to tender before the end of financial year and will start delivery next financial year. Cr Marshall requested an update on this project be provided at the next meeting.
- Heritage Study has been updated and will be presented to Council for adoption in March, proceeding for planning scheme amendment. Currently reviewing guidelines and preparing a new local policy to be available next year.
- The draft Housing Strategy is currently being finalised and will be presented to Council with a report in April. Exhibition period will be May/June.
    - Discussion regarding the timelines of this project and the role of this Committee in actively being involved in this strategy and as there is no reference group for the Housing Strategy this Committee feels they should provide strategic input.
- Residential zones review: Managing Residential Development Advisory Committee is looking at process and changes to zones, not individual Council amendments. We are preparing a submission that will be presented February at Council meeting for endorsement. The public hearing will be March/April and findings released end of June. Uncertain as to the implications of this review.
    - Request to circulate Residential Zones State of Play reports.

ACTION:

8.4	*Provide update at next meeting on Airport West green spine project.*
8.5	*Circulate link to Residential Zones State of Play reports*

1.7 Discussion of topic for next meeting

The following were highlighted as topics to be considered for the next meeting

- Housing Strategy
- Heritage Study

- Reflection on the committee and how to make the next 6 months productive
- Property ratings

ACTION:

8.6	*Next meeting scheduled for 24 March 2016*

2 General Business

- Hume toxic dump at the airport, query raised about how Hume and Moonee Valley Council's communicate and any update about this project. Tim Mileham advised that the usual process would be for the neighbouring Council to be advised if there was an amendment impacting another municipality. Tim to follow up on this item.

ACTION:

8.6	*Tim Mileham to advise on process and update of query of airport toxic dump amendment.*

3 Meeting closed at 8.05 pm.

The next meeting will be on **Thursday, 24 March 6pm - 7.30pm** at Moonee Valley City Council, Civic Centre – Committee Room.

9.20 Report on Audit Committee

File No: FOL/16/130
Author: Team Leader Council Business
Directorate: Corporate & Community Services
Ward: Municipal

Purpose

To present the confirmed Minutes of Council's Audit Committee Meeting held 22 February 2016, provided as **Appendix A**.

Executive Summary

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

Recommendation

That Council receive the confirmed Minutes of the Audit Committee Meeting held 22 February 2016.

Background

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

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

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

Discussion

The Act requires that the Committee report to Council on the findings and recommendations from its meetings. This report provides a summary of matters considered at the Audit Committee meeting held 22 February 2016 as follows:

1. The Audit Committee minutes of 7 December 2015, presented to Council on 23 February 2016, were confirmed by the Audit Committee without change.

2. Risk Register and Improvement Plan

   The Audit Committee received an update work being undertaken to embed risk into the Council's values and operational activities through the Risk Register and Improvement Plan.

3. Fraud Control Policy and Fraud Prevention and Control Plan 2016-2019

   Audit Committee members endorsed both the Fraud Control Policy and Fraud Prevention and Control Plan 2016-19. The Fraud Control Policy, supported by a Fraud Prevention and Control Plan, provides a framework to support the organisation manage fraud risk.

4. Audit Strategy for Financial Year Ending 30 June 2016

   The Audit Committee received and noted a report on the Audit Strategy for the financial year ending 30 June 2016, which has been prepared primarily to communicate the Victorian Auditor-General's planned approach to the audit of Council's annual financial report and performance statement.

5. Status of Audit Recommendation Implementation

   The Audit Committee received and noted the status of internal audit recommendations from previous Internal Audit Reports, which identified the status of management actions addressing recommendations from previous internal audit reports contained in the Internal Audit Program.

6. Internal Audit Status Report 2015/16

   The Internal Audit Status Report, detailing the current status of the internal audit program, was noted by the Audit Committee.

7. Financial Performance Report – December 2015

   The Audit Committee received the December 2015 Financial Performance Report, which highlighted Council's overall financial position.

Consultation

The nature of this report does not require any consultation.

Implications

1. Legislative

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

2. Council Plan / Policy

In presenting this report to Council, Council is achieving its Strategic Objective 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

This report does not have any direct financial implications.

4. Environmental

There are no environmental implications resulting from this report.

Conclusion

The Audit Committee plays an integral role in assisting Council to manage financial, compliance and other risks, it is therefore recommended that Council receive and note the confirmed Minutes of the Audit Committee meeting held 22 February 2016.

Appendices

Appendix A: Minutes of Audit Committee held 22 February 2016

City of Moonee Valley

Audit Committee Meeting

Monday, 22 February 2016 at 6.00pm

Moonee Valley Civic Centre

Minutes

Report Index

The following reports were considered:

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Minutes of the Audit Committee Meeting

Monday, 22 February 2016 at 6.00pm
to be held at the Moonee Valley Civic Centre

TO:

Members:	Mr Bruce Potgieter	Chairperson
	Mr David Ashmore	
	Mr John Gavens	
	Mr David Nairn	
	Cr Nicole Marshall	
	Cr Cam Nation	
	Cr Narelle Sharpe	
Officers:	Mr Bryan Lancaster	Chief Executive Officer
	Mr Anthony Smith	Director Corporate & Community Services
	Ms Yvonne Hansen	Manager Legislative Services & Support
	Mr Dale Monk	Manager Finance
	Mr Danny Bilaver	Team Leader Council Business
Invited Guests:	Mr Mark Peters	HLB Mann Judd
	Mr Tim Loughnan	VAGO
	Ms Ivy Ly	VAGO

1. Apologies

Nil.

2. Confirmation of Minutes

Moved by Cr Sharpe, seconded by Mr Gavens that the Minutes of the Audit Committee Meeting held on Monday, 7 December 2015 be confirmed.

CARRIED

3. Declarations of Conflict of Interest

Nil.

4. Declarations of Breaches of Legislation

Nil.

CONFIDENTIAL

5. Chief Executive / Executive Update

The Chief Executive Officer, Mr Bryan Lancaster, provided an update to the Audit Committee on the following matters:

- Organisational restructure
- Flemington VRC development proposal
- Moonee Valley Racecourse development
- Moonee Ponds Market Site
- Rate capping implications.

6. Reports

6.1 Risk Register and Improvement Plan

Author: Risk Advisor

Directorate: Corporate & Community Services

Committee Resolution

Moved by Mr Ashmore, seconded by Mr Nairn that the Audit Committee receive and note the report on Council's Risk Management Framework and Risk Register and Improvement Plan.

CARRIED

Yvonne Hansen left the meeting at 6.30pm.

6.2 Fraud Control Policy and Fraud Prevention and Control Plan 2016 - 2019

Author: Manager Finance

Directorate: Corporate & Community Services

Committee Resolution

Moved by Mr Ashmore, seconded by Cr Marshall that the Audit Committee endorses the amended Fraud Control Policy and Fraud Prevention and Control Plan 2016 -2019, provided as Attachment 1 and Attachment 2 to these minutes.

CARRIED

6.3 Audit Strategy for Financial Year Ending 30 June 2016

Author: Manager Finance

Directorate: Corporate & Community Services

Committee Resolution

Moved by Mr Gavens, seconded by Mr Nairn that the Audit Committee receive and note the Audit Strategy for Council for the financial year ending 30 June 2016.

CARRIED

6.4 Status of Audit Committee Recommendation Implementation

Author: Manager Finance

Directorate: Corporate & Community Services

Committee Resolution

Moved by Cr Marshall, seconded by Mr Ashmore that the Audit Committee notes the status of the implementation of internal audit recommendations – refer **Appendix A**.

CARRIED

Councillor Narelle Sharpe left the meeting at 6.54pm.

6.5 Internal Audit Status Report 2015/16

Author: Manager Finance

Directorate: Corporate & Community Services

Committee Resolution

Moved by Mr Nairn, seconded by Mr Gavens that the Audit Committee notes the status of the internal audit program – refer **Appendix A.**

CARRIED

6.6 Financial Performance Report - December 2015

Author: Manager, Finance

Directorate: Corporate & Community Services

Committee Resolution

Moved by Mr Ashmore, seconded by Cr Marshall that the Audit Committee receives the December 2015 Financial Performance Report.

CARRIED

7. Other Business

Nil.

8. Next Meeting

Next meeting of the Audit Committee will be held on Monday, 18 April 2016.

CONFIDENTIAL

9. Close of Meeting

The meeting concluded at 7.10pm.

BRUCE POTGIETER
Chairperson

NOTICES OF MOTION

10.1 Notice of Motion No. 2016/8 - Sky Rail Grade Separation Option at Essendon Junction

File No: FOL/16/130

From: Councillor Narelle Sharpe

Ward: Buckley

Take notice that at the Ordinary Meeting of Council to be held on 26 April 2016 it is my intention to move:

That Council write to the Hon. Daniel Andrews MP, Premier, Mr Luke Donnellan MP, Minister for Roads and Road Safety, the Hon. Jacinta Allan MP, Minister for Public Transport, Mr Ben Carroll MP, State Member for Niddrie and Mr Danny Pearson MP, State Member for Essendon to emphasise to the State Government that Council:

a) Strongly opposes any elevated rail option, also known as Skyrail, given the permanent impacts on those residences located close to any Skyrail element;

b) Strongly opposes the road-under options for the Essendon Grade Separation given the permanent impact to the functionality of Essendon Junction, including restrictions on vehicle movements, loss of development opportunities associated with rail under options, and the potential for adverse impacts to the business, education and residential communities in the area;

c) Requests that the rail under options be fully analysed with equal consideration as all other options, including geotechnical testing, noise monitoring and assessments, and economic cost benefit analysis and that these be fully considered or as options for funding consideration prior to any decision being made on a preferred design;

d) Requests that all options be presented to the community for full and robust consultation prior to any decision being made on a preferred design.

Officer Comments

In order to for a sustainable argument to be made for any option it is important that all options are considered using the same criteria.Officers are aware that road under, road over, rail over and rail under options have been prepared for consideration by the LXRA.

Council officers support the above notice of motion. It is in line with Council's transport advocacy agenda and adopted position on grade separation at Essendon, originally resolved in May 2014, and reinforced in April 2015.

Officers preference is for rail-under grade separation will improve pedestrian connectivity through the Essendon Activity Centre, allows for Mt Alexander Road to be 'lifted' to grade, provides opportunities for improved public transport outcomes with better tram-bus-train interchange, allows for sensitive adaptive re-use of the

heritage listed station complex and reinstating the historic boulevard alignment of Mt Alexander Road. It also potentially would allow a consolidated development site across the entire area between Rose Street and Mt Alexander Road.

10.2 Notice of Motion No. 2016/9 - Councillor Expenses

File No: FOL/16/130

From: Councillor Nicole Marshall

Ward: Myrnong

Take notice that at the Ordinary Meeting of Council to be held on 26 April 2016 it is my intention to move:

That Council requests the Chief Executive Officer to make available on a quarterly basis on Council's website and its Quarterly Finance Report information pertaining to all Council business related expenses incurred by Councillors, as provided through Council's Resources, Facilities and Reimbursement of Expenses to Councillors Policy, such information to be provided using clearly identified categories to enable the nature of the expense to be readily identified.

Officer Comments

As per its Resources, Facilities and Reimbursement of Expenses to Councillors Policy, Council is committed to ensuring that Councillors are provided with the facilities and resources required to enable them to perform their duties and to provide accountability and transparency with regard to bona fide expenses incurred by Councillors.

This Notice of Motion supports the intent of good governance and Council's Policy whilst noting the publishing of such information is becoming an apparent practice across the Local Government industry.

10.3 Notice of Motion No. 2016/10 - Councillor Attendance at Conferences, Seminars and Other Similar Events

File No: FOL/16/130

From: Councillor Shirley Cornish

Ward: Rosehill

Take notice that at the Ordinary Meeting of Council to be held on 26 April 2016 it is my intention to move:

That Council:

1. Limit representation at interstate conferences, seminars and other similar events to the relevant Portfolio Councillor or to the Councillor appointed as Council's representative on a related Committee or external body.
2. Seek that upon their return from attending a conference, seminar or other similar event, the Councillor provide a brief presentation to a Councillor Workshop or Briefing session, to outline the key learnings or outcomes gained by attending the particular event.

Officer Comments

Council's Portfolio / Advisory Committee representation model is intended to assist Councillors to receive and provide preliminary feedback in relation to issues impacting on the community and to develop an in-depth understanding and knowledge of a particular aspect of Council's services, projects and initiatives at the strategic level. Equally, it fosters the ability to share the overall representation workload.

This Notice of Motion supports the intention of the Portfolio / Advisory Committee representation model whilst ensuring effective use of Council resources when considering potential cost impacts.

CONFIDENTIAL REPORTS

Closure of meeting to public

Recommendation

That Council resolve to close the meeting to the public pursuant to Section 89(2) of the *Local Government Act 1989* to discuss the following matters:

12.1 Utilities Contracts with AGL

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