



Ordinary Meeting of Council

Tuesday, 26 September 2017 at 6.30pm

Agenda

Ordinary Meeting of Council

Tuesday, 26 September 2017 at 6.30pm
to be held at the Moonee Valley Civic Centre

TO :

Members: Cr Andrea Surace Mayor

Cr Cam Nation

Cr Samantha Byrne

Cr Jim Cusack

Cr Rebecca Gauci Maurici

Cr Richard Lawrence

Cr Nicole Marshall

Cr Narelle Sharpe

Cr John Sipek

Officers:	Mr Bryan Lancaster	Chief Executive Officer
	Mr David Benallack	Chief Financial Officer
	Mr Steven Lambert	Director City Services
	Ms Kendrea Pope	Director Organisational Performance
	Ms Natalie Reiter	Director Planning & Development
	Mr Petrus Barry	Manager Statutory Planning
	Ms Nicole Battle	Acting Manager Communications & Governance

Business:

1. Opening

Welcome, including the acknowledgement of the Traditional Custodians of this land and the recital of the Councillor Creed.

2. Apologies

3. Confirmation of Minutes

Ordinary Meeting of Council held on Tuesday, 12 September 2017.

4. Declarations of Conflict of Interest

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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

19 July 2017	Attended Funeral Service for the late Jonathon Tarascio, 2016 Citizen of the Year Award Recipient
21 July 2017	Attended Meeting with Danny Pearson, MP and Chief Executive Officer to discuss local concerns Attended Meeting with resident, Director Planning and Development and Planning Officer regarding pre-planning application,
22 July 2017	Attended Avondale Heights Football Club Annual Ball at Ascot House, Ascot Vale
25 July 2017	Attended Meeting with residents regarding right-of-way drainage issues, Manager Assets and Engineering and Buckley Ward Councillors Attended Meeting with resident Angela Vingini and Representative from Communications at LXR Authority, Director Organisational Performance, Manager Planning and Development Chaired Ordinary Meeting of Council
26 July 2017	Attended Essendon Citizens Advice Bureau Meeting
27 July 2017	Attended 2017 Melbourne Day Cocktail Party at Melbourne Museum, Carlton
28 July 2017	Attended Photo Opportunity for The Leader Newspaper regarding Alf Pearce Fenced Dog Park
28 – 30 July 2017	Attended MAV Councillor Development Weekend held at the RACV Club, Torquay
1 August 2017	Attended Strategic Briefing
2 August 2017	Attended Rotary “Ian Murphy’s Debating Contest” at Windy Hill Football Club, Essendon
3 August 2017	Attended Event Hosted by Moonee Valley Foundation
4 August 2017	Opened “Prime Movers” Exhibition at The Incinerator Gallery Complex, Moonee Ponds

5 August 2017	Attended Meeting with Support Melbourne Airport Rail Link Residents Group
8 August 2017	Attended Meeting with Coordinator Cultural Facilities and Arts and Culture Officers for a briefing on the 2017 Spirit of Moonee Valley Event Attended Meeting with Sports and Recreation Officer and Representatives from the Maribyrnong Football Club Attended Meeting with resident of Park Street, Moonee Ponds to discuss local concern Attended Meeting with Darren Casha of Inner Vision Engineering, Chief Executive Officer and Manager Technical Services regarding Parking Solutions Chaired Ordinary Meeting of Council
11 August 2017	Attended “Panel of Expert Session” Hosted by St Columba’s College, Essendon
12 August 2017	Officiated Opening of New Rooms at Moonee Valley Specialist Centre in Mt Alexander Road, Essendon Attended Presidents Luncheon Hosted by East Keilor Football Club
13 August 2017	Attended Annual Vietnam Veterans Services, Wreath Laying and Luncheon held at East Keilor RSL
14 August 2017	Opened Moonee Ponds Networking Evening held in Moonee Ponds Attended Former Citizen of the Year, Jonathan Tarascio One Month Mass
15 August 2017	Attended Funeral Service for The Late Kay Feain, St Monica’s Church, Moonee Ponds Attended Meeting with Representatives from the Avondale Football/Soccer Club, Chief Executive Officer and Cr Samantha Byrne
16 August 2017	Participated in Spirit of Moonee Valley Judging Panel Chaired Consultation Briefing and Meeting in relation to 15 Laurence Avenue, Airport West application
18 August 2017	Attended Funeral Service for the Late Hugh McCarry at St Christopher’s Catholic Church, Airport West

	Attended “Get Community Connection” Business Luncheon Hosted by Maribyrnong Park Football Club
	Attended Community Volunteer and Citizen of the Year Awards Hosted by Wyndham Council, Encore Events Centre, Hoppers Crossing
19 August 2017	Attended Community Drop In Session for LXRA Project held at St Columba’s College, Essendon
21 – 22 August 2017	Leave from Council

8.2 Report by Councillor Nation

19 July 2017	Attended Essendon North Primary School for Educational Session on Local Government with Year Six Students
24 July 2017	Attended Meeting Cr Lawrence, Manager of Economic Development and Representative from Australian China Business Council at Civic Centre
25 July 2017	Attended Meeting with trader in regards to signage issue in Moonee Ponds Activity Centre Attended Meeting with resident in regards to planning application in Epsom Road, Ascot Vale Attended Ordinary Meeting of Council
27 July 2017	Attended Melbourne Day Event at Melbourne Museum, Carlton
28 July 2017	Attended Rivalry Round Luncheon Hosted by Doutta Stars Football Club and Aberfeldie Football Club at Moonee Valley Racing Club
28 – 30 July 2017	Attended MAV Councillor Development Weekend held at the RACV Club, Torquay
1 August 2017	Chaired Strategic Briefing
2 August 2017	Attended Meeting with Representatives from the Flemington Association
15 August 2017	Chaired Public Forum Chaired Strategic Briefing
18 August 2017	Attended “Get Community Connection” Business Luncheon Hosted by Maribyrnong Park Football Club
22 August 2017	Assumed Acting Mayoral Role Attended Meeting with Statutory Planning Officer to discuss Housing Strategy and Residential Zones

Facilitated Council's Governance and Citizenship School Program with Cr Byrne for St Therese's Primary School Grade 4

Attended off site Meeting with resident in Moonee Ponds to discuss planning application

Attended Meeting with Chief Executive Officer and Director of Organisational Performance

Attended Meeting with Governance Officer

Attended catch-up meeting with Cr Byrne

Chaired Assembly of Councillors

Chaired Ordinary Meeting of Council

Attended various meetings with residents, community groups and businesses throughout the reporting period

Attended planning application site visits throughout the reporting period

8.3 Report by Councillor Byrne

25 July 2017	Attended Meeting with residents regarding Dennis Avenue, East Keilor application Attended Ordinary Meeting of Council
1 August 2017	Attended Meeting with Manager Governance and Communications and Coordinator Governance Attended Strategic Briefing
3 August 2017	Attended Event Hosted by Moonee Valley Foundation
4 August 2017	Attended "Prime Movers" Exhibition at The Incinerator Gallery Complex, Moonee Ponds
8 August 2017	Attended Ordinary Meeting of Council
12 August 2017	Attended Essendon District Netball Association Under 11 Round Robin Presentations
13 August 2017	Attended Annual Vietnam Veterans Service, Wreath Laying and Luncheon at the East Keilor RSL
14 August 2017	Attended Moonee Ponds Networking Evening in Puckle Street, Moonee Ponds Attended Sam Merrifield Library for Dr Susan Carland Speaking Event
15 August 2017	Attended Meeting with Representatives from the Avondale Football/Soccer Club, Chief Executive Officer and Mayor Cr Andrea Surace

	Attended Public Forum and Strategic Briefing
16 August 2017	Attended Consultation Briefing and Meeting in relation to 15 Laurence Avenue, Airport West application
17 August 2017	Attended “The Impact of Aged Care Reforms on Local Government Expert Panel Discussion” held at Pitcher Partners, Melbourne
19 August 2017	Attended Community Drop In Session for LXRA Project held at St Columba’s College, Essendon Attended Essendon District Netball Association Grand Final Presentations
22 August 2017	Participated in Council’s Governance and Citizenship School Program with Acting Mayor Cr Cam Nation for St Therese’s Primary School Grade 4 students Attended Meeting with Manager Governance and Communications and Coordinator Council Business for an update on Governance Procedures Attended Ordinary Meeting of Council

8.4 Report by Councillor Cusack

19 July 2017	Attended Flemington Estate Consultations Meeting
25 July 2017	Attended Ordinary Meeting of Council
29 July 2017	Attended Open House Melbourne held at The Incinerator Gallery Complex, Moonee Ponds
30 July 2017	Attended Australia National Tree Planting Day Hosted by Lions Club of Melbourne Sino Innovation held at Fairbairn Reserve, Ascot Vale
31 July 2017	Attended Community Meeting Development held in Ascot Vale
1 August 2017	Attended Strategic Briefing
3 August 2017	Attended Event Hosted by Moonee Valley Foundation
8 August 2017	Attended Meeting with Manager Statutory Planning and Myrnong Ward Councillors regarding 7 Fisher Parade, Ascot Vale Attended Ordinary Meeting of Council
9 August 2017	Attended Rotary Club of Flemington Breakfast
11 August 2017	Attended Meeting with Officers regarding Housing for People with Disabilities

13 August 2017	Attended Flemington Association Update Meeting in Union Road, Ascot Vale Attended Annual Vietnam Veterans Service, Wreath Laying and Luncheon at the East Keilor RSL
14 August 2017	Attended Audit Committee Meeting
15 August 2017	Attended Public Forum and Strategic Briefing
16 August 2017	Attended radio interview with Joe Toscano on 3CR
21 August 2017	Attended Wingate Committee Meeting held at Wingate Avenue, Ascot Vale

8.5 Report by Councillor Gauci Maurici

19 July 2017	Chaired Consultation Briefing and Meeting in relation to 7 Overman Court, Essendon application Attended Clifton Park Advisory Committee Meeting
25 July 2017	Attended Meeting with residents regarding right-of-way drainage issues, Manager Assets and Engineering and Buckley Ward Councillors and Mayor, Cr Andrea Surace Attended Ordinary Meeting of Council
26 July 2017	Attended Strathmore Rotary Club as Guest Speaker
28 July 2017	Attended Strathmore Bowls Club Christmas in July Dinner
30 July 2017	Attended Open House Melbourne held at The Incinerator Gallery Complex, Moonee Ponds
8 – 11 August 2017	Leave of Absence
13 August 2017	Attended Annual Vietnam Veterans Service and Wreath Laying at the East Keilor RSL
14 August 2017	Attended Audit Committee Meeting
15 August 2017	Attended Funeral Service for The Late Kay Feain held at St Monica's Catholic Church, Moonee Ponds Attended Public Forum and Strategic Briefing
16 August 2017	Attended Essendon North Traders Association Meeting held at Max's Café, Essendon
19 August 2017	Attended Community Drop In Session for LXRA Project held at St Columba's College, Essendon

8.6 Report by Councillor Lawrence

19 July 2017	Attended Consultation Briefing and Meeting in relation to 7 Overman Court, Essendon application Attended Clifton Park Advisory Committee Meeting
24 July 2017	Attended Meeting with Peter Stephens, Representative from Australian China Business Council and Deputy Mayor, Cr Cam Nation Attended Meeting with Chief Executive Officer
25 July 2017	Attended Meeting with residents regarding right-of-way drainage issues, Manager Assets and Engineering and Buckley Ward Councillors and Mayor, Cr Andrea Surace Attended Ordinary Meeting of Council
27 July 2017	Attended Strathmore Soccer Club Fundraiser Evening held at Strathnaver Reserve Pavilion
28 July 2017	Attended Rivalry Round Luncheon Hosted by Doutta Stars Football Club
29 July 2017	Attended St Thomas Men's Group Breakfast Attended Open House Melbourne held at The Incinerator Gallery Complex, Moonee Ponds
1 August 2017	Attended Meeting with Manager Governance and Communications and Coordinator Governance Attended Strategic Briefing
3 August 2017	Attended Western Melbourne Tourism Board Meeting held at Essendon Fields
4 August 2017	Attended "Bringing in The Light" Fundraiser at Essendon Baptist Church, Essendon
7 August 2017	Attended Essendon SES Meeting
8 August 2017	Attended Ordinary Meeting of Council
9 August 2017	Attended Resident Meeting at Windy Hill Football Club
10 August 2017	Attended Meeting with residents at Farnham Street Community Centre, Flemington Attended Meeting with Essendon Gem Club Members
12 August 2017	Attended Essendon District Netball Association under 11 Round Robin Presentations
13 August 2017	Attended Annual Vietnam Veterans Service, Wreath Laying and Luncheon at the East Keilor RSL

14 August 2017	Attended Moonee Ponds Networking Evening in Puckle Street, Moonee Ponds
15 August 2017	Attended Public Forum and Strategic Briefing
16 August 2017	Attended Meeting with Residents regarding Buckley Street Rail Under Level Crossing Project Attended Essendon North Traders Association Meeting held at Max's Café, Essendon
19 August 2017	Attended Community Drop In Session for LXRA Project held at St Columba's College, Essendon
21 August 2017	Opened "Empowering Parents Forum: Preparing your child to be emotionally ready for school" held in Council Chambers
22 August 2017	Attended Meeting with Manager Governance and Communications and Coordinator Council Business for an update on Governance Procedures Attended Ordinary Meeting of Council

8.7 Report by Councillor Marshall

27 July 2017	Attended Wingate Governance Subcommittee Meeting
30 July 2017	Attended Australia National Tree Planting Day Hosted by Lions Club of Melbourne Sino Innovation held at Fairbairn Reserve, Ascot Vale
31 July 2017	Attended Meeting with Manager Governance and Communications to discuss Notice of Motion Transparency issues
1 August 2017	Attended Strategic Briefing
8 August 2017	Attended Meeting with Manager Statutory Planning and Myrnong Ward Councillors regarding 7 Fisher Parade, Ascot Vale Attended Ordinary Meeting of Council
10 August 2017	Attended "Legally Blonde" Performance Hosted by Strathmore Secondary College at the Clocktower, Moonee Ponds
12 August 2017	Attended Essendon District Netball Association under 11 Round Robin Presentations
15 August 2017	Attended Public Forum and Strategic Briefing
18 August 2017	Attended "Get Community Connection" Business Luncheon Hosted by Maribyrnong Park Football Club

21 August 2017 Attended Wingate Committee Meeting held at Wingate Avenue, Ascot Vale

22 August 2017 Attended Ordinary Meeting of Council

Throughout reporting period – Attendances at planning application sites and meetings with residents in relation to issues of concern

8.8 Report by Councillor Sharpe

19 July – 22 August 2017 Verbal Report

8.9 Report by Councillor Sipek

19 July – 22 August 2017 Verbal Report

REPORTS

- 9.1** **1144-1154 Mt Alexander Road and 19 Winifred Street, Essendon (Lot 2 LP070903, Lot 1 TP567992B, Lots 1 & 2 TP236799S, Units 1-3 SP22135A, Lots 1 & 2 TP546718R) - Construction of a mixed use multi-level development (part 10 storey and part 6 storey building) accommodating shops, a supermarket and offices along with the use of the land for the purpose of dwellings, reduction in the standard car parking requirements, waiver of the loading bay requirements associated with the shop use, alteration of access to a Road Zone Category 1, variation of easements and works within an Environment Significance Overlay**

File No: FOL/17/11
Author: Matt Spozio
Team Leader, Statutory Planning
Directorate: Planning & Development

Planning File No.	MV/438/2016
Proposal	<ul style="list-style-type: none">• Demolition of all existing buildings;• Construction of a mixed use multi storey building (part 10 and part 6 storeys) comprising a ground floor supermarket and retail tenancies, offices and 222 dwellings;• The provision for 551 car spaces, 323 bicycle spaces and 41 motorcycle spaces;• Reduction in car parking requirements;• Waiver of loading bay requirements (associated with the retail tenancies);• Works within an Environmental Significance Overlay; and• Variation of easements.
Applicant	CBD Development Group (Essendon) Pty Ltd C/- Fulcrum Urban Planning
Owner	CBD Development Group (Essendon) Pty Ltd

Planning Scheme Controls	Commercial 1 Zone Design and Development Overlay (DDO3 and DDO10) Environmental Significance Overlay (ESO2)
Planning Permit Requirement	Clause 34.01-1 – Use of the land for dwellings Clause 34.01-4 – Construct a building or construct and carry out works Clause 43.02-2 - Construct a building or construct and carry out works (DDO3 and DDO10) Clause 42.01-2 - Construct a building or construct and carry out works Clause 52.02 – Variation of easements Clause 52.06 – Reduction in car parking requirements Clause 52.07 – Waiver of loading bay requirements (associated with the shop tenancies) Clause 52.29 – Alteration of access to a Road Zone, Category 1
Car Parking Requirements (Clause 52.06)	Required: 593 spaces Proposed: 551 spaces
Bicycle Requirements	Required: 89 spaces Proposed: 323 spaces
Restrictive Covenants	Nil
Easements	Yes – E-2 (Drainage and Sewerage) and E-3 (Drainage and Sewerage) along the northern boundary, E-1(Drainage and Sewerage) and E-4 (Electricity) dissecting the site.
Site Area	7,369 square metres
Number Of Objections	74
Consultation Meeting	8 February 2017

Executive Summary

- This application seeks planning approval for the construction of a multi storey building comprising retailing, a supermarket, offices and apartments, reduction in the car parking requirements and waiver of the loading bay requirements (for the ground floor shops). It also seeks works within an Environmental Significance Overlay along with variation of existing easements.
- This prime site is specifically identified within the North Essendon Activity Centre Structure Plan as a 'Key Gateway Location' with an overall vision to both intensify and consolidate retailing as well as promoting the establishment of upper level residential uses within this core commercial area of the Activity Centre.
- The site comprises a number of land parcels with a combined total area of 7,369 square metres and accommodates various commercial land uses including a Coles supermarket, 7 Eleven convenience store, petrol station, medical centre along with an associated at-grade carpark.
- The application was advertised and 74 objections were received. The concerns related to overall height of the development, off-site amenity impacts (overlooking, overshadowing, visual bulk, noise and impacts on businesses during construction), the absence of a loading area for the retail tenancies, car parking and traffic, contamination, impacts on the abutting Woodlands Park, property devaluation and general overdevelopment matters.
- The application was externally referred to VicRoads, Essendon Airport, City West Water, Jemena and Public Transport Victoria who raised no objection subject to conditions. Internally, the application was referred to Council's Development Engineering (Drainage) Unit, Development Engineering (Traffic) Unit, Waste Management Unit, Urban Designer, Environmental Sustainable Design (ESD) Officer, Economic Development Unit, Heritage Advisor, Property Services Unit, Parks and Gardens Unit and Open Space Unit. Whilst concerns were raised with respect to building height, vehicle access arrangements and impacts on the abutting parkland, conditional support was ultimately provided from the various entities and departments/officers.
- In a bid to address the various concerns raised within the referral responses, informal plans were submitted on 17 July 2017. The amendments were not required to be re-advertised as the extent of changes did not constitute further detriment.
- This application represents a rare and exciting opportunity to develop a significant area of land on a key site within the Essendon North Activity Centre. As an amalgamation of several parcels of land with primary frontage to the Mount Alexander Road corridor, a distinct interface to Woodlands Park to the north, Winifred Street to the east along with a contrasting residential context there are both challenges and opportunities in drawing out a suitable urban form.
- The main issues for consideration of this application relate to the acceptability of building height, building design and internal amenity, car parking, vehicle access and loading arrangements and impacts on both the adjacent parkland and abutting residential interfaces to the north and south of the site.

- Whilst this assessment report recommends support of the application, it is submitted that various modifications are required in order to both optimise this development and address the various referral responses and objector concerns. More specifically, the recommendation includes requirements for the deletion of a level within the mid-section of the westernmost tower, refinements to the Winifred Street presentation, revised vehicle access arrangements with the adjoining property to the south, restrictions on supermarket loading arrangements, along with ensuring premium landscape solutions throughout and in areas immediately adjacent to the subject site.
- Subject to the various design modifications, this assessment report finds the proposal demonstrates a high level of compliance with the relevant policies and provisions of the Moonee Valley Planning Scheme. It is submitted the proposal will positively contribute to the revitalisation of the centre as a compact, vibrant and sustainable urban village.
- Accordingly, it is recommended 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/438/2016 for the construction of a mixed use multi-level development (part 9 storey and part 6 storey building) accommodating shops, a supermarket and offices along with the use of the land for the purpose of dwellings, reduction in the standard car parking requirements, waiver of the loading bay requirements associated with the shop use, alteration of access to a Road Zone Category 1, variation of easements and works within an Environment Significance Overlay at 1144-1154 Mt Alexander Road and 19 Winifred Street, Essendon (Lot 2 LP070903, Lot 1 TP567992B, Lots 1 and 2 TP236799S, Units 1-3 SP22135A, Lots 1 and 2 TP546718R) subject to the following conditions;

1. Before the use and 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 an electronic copy provided. The amended plans must be generally in accordance with the plans prepared by Peddle Thorp in drawings TP-040 (Revision 8 – Sep '16), TP-050 (Revision 8 – Sep'16), TP-100 (Revision 10 – June '17), TP-101 (Revision 9 – Mar '17), TP-102 (Revision 10 – July '17), TP-103 (Revision 10 – July '17), TP-104 (Revision 10 – July '17), TP-105-TP109 (Revision 8 – Sep '16), TP-150 (Revision 8 – Sep '16), TP-300-TP302 (Revision 8 – Sep '16), TP-303 (Revision 9 – Mar '17), TP-304 (Revision 8 – Mar '17), TP-305 (Revision 9 – Mar '17), TP-400 (Revision 8 – Sep '16), TP-401 (Revision 10 – July '17), TP-402 (Revision 8 – Sep '16), TP-403 (Revision 9 – Mar '17), TP-403 (Revision 10 – July '17) and TP-700 (Revision 8 - Sep '16) assessed with the application but modified to show:
 - a) The deletion of one level within the mid-section (i.e. between floors three to seven) of the 'western wing' so that the building is a maximum of nine (9) storeys;
 - b) Level 4 (or the level as described on TP-103 'Tower Level One Plan') to be setback a minimum of 8.9 metres (inclusive of any balcony projections) from Winifred Street;
 - c) Any internal reconfigurations to the apartments and consequential parking reallocation as a result of Condition 1a) and b);
 - d) A notation regarding loading for the supermarket to be an entry via Mt Alexander Road and exit via Winifred Street arrangement;
 - e) A notation regarding a revised entry only arrangement through the adjoining site to the south at 1142 Mt Alexander Road;
 - f) Directional vehicle access arrangements to all entry/exit points to be clearly annotated;
 - g) The clear allocation of parking (including staff and customer parking) in accordance with Condition 16;

- h) The existing crossovers to be reinstated along Winifred Street (within proximity to the subject land) and the proposed location of the road hump and associated dimensions;
- i) The provision of pedestrian visibility splays in accordance with the requirements of Clause 52.06-8 (Design Standards for Car Parking) of the Moonee Valley Planning Scheme;
- j) Provision for 300mm wide trench grates at the bottom of the ramps;
- k) Windows and/or balconies to be screened in accordance with Standard B22 of Clause 55.04-6 (Overlooking) of the Moonee Valley Planning Scheme;
- l) A prominent note on all floor and elevation plans stating: “Refer to endorsed Sustainability Management Plan for all ESD commitments and requirements”;
- m) Details and notations for all Water Sensitive Urban Design (WSUD) treatment measures;
- n) Relevant tree protection notations on the ground floor plan along with an arborist report in accordance with Condition 35;
- o) Acoustic treatment measures in accordance with Condition 28;
- p) A waste management plan in accordance with Condition 32;
- q) A landscape plan in accordance with Condition 34; and
- r) A notation that the final construction must solely accord with the design detailing as specified within the Peddle Thorp drawings.

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

- 2. The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
- 3. Before the development starts, the owner of the land (or another person in anticipation of becoming the owner of the land) must enter into an Agreement (or several agreements) with the Responsible Authority under Section 173 of the *Planning and Environment Act 1987*, which provides for the following:
 - a) Formalisation of shared vehicle access and supermarket loading arrangements (i.e. entry via Mt Alexander Rd and exit to Winifred Street) associated with the adjoining property at 1142 Mt Alexander Road, Essendon along with arrangements for the delivery of removal and new line marking, erection of any directional and business identification signage and provision for any new landscaping to the future redundant accessway to the east of the substation;
 - b) The design, delivery and ongoing maintenance arrangements for landscaping works within the Mt Alexander Road frontage and Woodlands Park as generally shown within the Ground Level Landscape Plan, prepared by Tract and dated 28 September 2016. The works must be designed to the satisfaction of both Council and VicRoads; and

- c) Measures to address vehicle access and delivery arrangements associated with the adjoining property 1142 Mt Alexander Road during construction phase.

The owner of the land, or other person in anticipation of becoming the owner of the land must pay all costs and expenses (including legal expenses) of, and incidental to, the agreement/s (including those incurred by the Responsible Authority).

- 4. Before the construction of the development authorised by this permit commences, other than demolition and works required by the environmental assessment process, a contamination assessment of the land must be submitted to and approved by the Responsible Authority. The assessment must be:
 - a) Carried out by a suitably qualified environmental professional with suitable qualifications who is a member of the Australian Contaminated Land Consultants Association (Victoria);
 - b) Carried out in accordance with the Potentially Contaminated Land General Practice Note (Department of Sustainability and Environment June 2005) to the satisfaction of the Responsible Authority; and
 - c) Paid for by the owner or permit holder along with all costs and expenses associated with the preparation of the Site Contamination Assessment Report and those incurred by the Responsible Authority to review the report.

The Site Contamination Assessment Report must include:

- a) A review of the site history, including previous land uses and activities that may have had the potential to cause contamination of the land, and including anything known about the likelihood and significance of any contamination of the land;
- b) An assessment of the level, nature and distribution of any contamination within, or in close proximity to, the land;
- c) Details of any provisions, recommendations and requirements (including but not limited to, clean up, construction, ongoing maintenance or monitoring) required to effectively address and manage any contamination within the land; and
- d) Recommendations as to whether the land is currently or following remediation or other works, will be suitable for the sensitive use for which the land is proposed to be developed and whether an Environmental Auditor should be appointed under section 53S of the *Environment Protection Act 1970* (EP Act) to undertake an Environmental Audit in accordance with the provisions of the EP Act.

If the site assessment results in a recommendation that an Environmental Auditor does not need to be appointed under section 53S of the EP Act to undertake an Environmental Audit in accordance with the provisions of the EP Act, and this recommendation is accepted by the Responsible Authority:

- a) The use and development authorised by this permit must not be undertaken unless the Site Contamination Assessment Report clearly states that the land is currently or following remediation or other works, will be suitable for the sensitive use for which the land is proposed to be developed;
- b) The development authorised by this permit must not be undertaken until compliance is achieved with any provisions, recommendations and requirements that the Site Contamination Assessment Report states must be implemented and complied with before the development commences (development pre-commencement conditions);
- c) If there are any pre-commencement conditions, then before the construction of the development authorised by this permit commences, a letter prepared by a suitably qualified environmental professional who is a member of the Australian Contaminated Land Consultants Association (Victoria) which states that development pre-commencement conditions have been complied with must be submitted to the Responsible Authority;
- d) The use authorised by this permit must not be occupied until compliance is achieved with the provisions, recommendations and requirements that the Site Contamination Assessment Report states must be implemented and complied with before the use commences (use pre-commencement conditions);
- e) Before the development authorised by this permit is occupied, a letter prepared by a suitably qualified environmental professional who is a member of the Australian Contaminated Land Consultants Association (Victoria) which states that use pre-commencement conditions have been complied with must be submitted to the Responsible Authority;
- f) If any provision, recommendation or requirement of the Site Contamination Assessment Report requires any ongoing maintenance or monitoring, the owner of the land (or another person in anticipation of becoming the owner of the land) must enter into an agreement with the Responsible authority pursuant to Section 173 of the *Planning and Environment Act 1987* (Agreement). The Agreement must:
 - i. provide for the undertaking of the ongoing maintenance and monitoring as required by the Assessment Report; and
 - ii. be executed before the sensitive use for which the land is being developed commences; and
- g) The owner of the land, or other person in anticipation of becoming the owner, must pay all costs and expenses (including legal expenses) of, and incidental to, the Agreement (including those incurred by the Responsible Authority).

If the site assessment results in a recommendation that an Environmental Auditor be appointed under section 53S of the EP Act to undertake an Environmental Audit in accordance with the provisions of the EP Act, before the construction of the development authorised by this permit commences, the Environmental Auditor appointed under section 53S of the *Environment*

Protection Act 1970 (EP Act) must undertake an Environmental Audit in accordance with the provisions of the EP Act and issue:

- a) A Certificate of Environmental Audit for the land in accordance with section 53Y of the EP Act; or
- b) A Statement of Environmental Audit for the land in accordance with section 53Z of the EP Act (Statement),

and the Certificate or Statement must be provided to the Responsible Authority.

If a Statement is issued:

- a) The use and development authorised by this permit must not be undertaken unless the Statement clearly states that the land is suitable for the sensitive use for which the land is being developed;
- b) The development authorised by this permit must not be undertaken until compliance is achieved with the terms and conditions that the Statement states must be complied with before the development commences (development pre-commencement conditions);
- c) The use authorised by this permit must not be undertaken until compliance is achieved with the terms and condition that the Statement states must be implemented and complied with before the development is occupied (use pre-commencement conditions);
- d) Before the construction of the development authorised by this permit commences, a letter prepared by the Environmental Auditor appointed under section 53S of the EP Act a suitably qualified environmental professional who is a member of the Australian Contaminated Land Consultants Association (Victoria) which states that the development pre-commencement conditions have been complied with must be submitted to the Responsible Authority;
- e) Before the use authorised by this permit commences, a letter prepared by the Environmental Auditor appointed under section 53S of the EP Act a suitably qualified environmental professional who is a member of the Australian Contaminated Land Consultants Association (Victoria) which states that all pre-use commencement conditions have been complied with must be submitted to the Responsible Authority;
- f) If any term or condition of the Statement requires any ongoing maintenance or monitoring, the owner of the land (or another person in anticipation of becoming the owner of the land) must enter into an agreement with the responsible authority pursuant to Section 173 of the *Planning and Environment Act 1987*. The Agreement must:
 - i. provide for the undertaking of the ongoing maintenance and monitoring as required by the Statement; and
 - ii. be executed before the sensitive use for which the land is being developed commences; and

- g) The owner of the land, or other person in anticipation of becoming the owner, must pay all costs and expenses (including legal expenses) of, and incidental to, the Agreement (including those incurred by the Responsible Authority).
- 5. A minimum 30 days prior to any building or works commencing, all Water Sensitive Urban Design (WSUD) details (relating to the WSUD treatment measures nominated in the approved and complying MUSIC 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 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. It must also address temporary vehicle access and delivery arrangements with the adjoining property to the south (1142 Mt Alexander Road, Essendon) during the construction period and must stipulate no construction access via the abutting Woodlands Reserve.

The CSMP must be in generally in accordance with Moonee Valley City Council's CSMP's Guidelines and Template and 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.

- 7. A maximum 30 days following completion of the development, 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 initiatives by the author of the WSUD Response and STORM or MUSIC model approved pursuant to this permit, or similarly qualified person or company. This report must be to the satisfaction of the Responsible Authority and must confirm that all initiatives specified in the WSUD Response and STORM or MUSIC model have been completed and implemented in accordance with the approved report.

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

8. Before the building approved by this permit is occupied, all boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority if the owner of the adjoining land allows access for the purpose.
9. The materials, colours, decoration and/or finishes to be applied to the exterior of the building or works as described on the drawings or schedules endorsed to this permit must not be altered without the consent 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 is occupied, the privacy screens and other measures to prevent overlooking as shown on the endorsed plans must be installed in accordance with Clause 55.04-6 (Overlooking) of the Moonee Valley Planning Scheme 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. 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.
14. 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;
 - d) Finished with a permanent trafficable surface (such as concrete, asphalt or paving); and
 - 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:

- 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.

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. 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 a traffic consultant and must include:
 - a) a car parking layout generally in accordance with the relevant requirements of the Australian Standards for Off-Street Car Parking AS/NZS 2890.1-2004 (including ramp grades and dimensions, column location, headroom clearance, etc);
 - b) arrangements for the provision of 551 car spaces with these spaces to be clearly allocated;
 - c) the management of visitor parking spaces and security arrangements for occupants of the development, including the provision of an intercom system at the security entrances;
 - d) lighting of parking areas, entries and exits;
 - e) proposed signage to direct occupants and visitors to their designated spaces;
 - f) arrangements for the loading and unloading of goods and materials for the commercial uses;
 - g) entitlements to the use of loading dock areas by all retail and office uses on the land;
 - h) no charge being made for car parking without the consent of the Responsible Authority;
 - i) traffic calming measures for inclusion within the accessways and car parking areas on site, including rubber speed humps and speed restrictions as appropriate;
 - j) the closure of any car parking areas a minimum of 30 minutes after the closure of the last use(s) approved on the land; and
 - k) the movements of trucks and other vehicles to the loading docks showing likely access routes and movements from adjacent roads.

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.

17. Before the use starts, a Green Travel Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The Green Travel Plan must be prepared by a person with suitable qualifications to the satisfaction of the Responsible Authority and must encourage the use of non-private vehicle transport modes by the occupiers of

the land. The Green Travel Plan must include:

- a) A description of the location in the context of alternate modes of transport and objectives for the Green Travel Plan;
- b) An outline of Green Travel Plan measures for the development including, but not limited to:
 - i. Household welcome packs – tram, train and bus timetables relevant to the local area must be included in the pack of information provided to purchasers upon a purchaser's occupation of an apartment;
 - ii. Include a myki pass and information;
 - iii. Bicycle parking and facilities available on the land;
 - iv. Information and promotion of on-site and off-site car sharing schemes;
 - v. Monitoring and review; and
 - vi. A plan showing the bicycle parking areas to be provided for use by residents.

When approved, the Green Travel Plan will be endorsed and will form part of this permit.

The provisions, recommendations and requirements (including any ongoing management actions) of the endorsed Green Travel Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

- 18. All structures within the pedestrian visibility splays at the vehicle access points must be at least 50% visually permeable pursuant to Clause 52.06-8 (Design Standards for Car Parking) of the Moonee Valley Planning Scheme.
- 19. All easements and existing services within the site must be removed and relocated to the satisfaction of the Responsible Authority prior to any new construction works including basement/retention works commencing on site.
- 20. 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.
- 21. 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 manufacturer's 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.

22. Before the development starts, a Drainage Layout Plan, 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 include computations and location of stormwater outlets and legal points of discharge.

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

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

23. A drainage surcharge route must be shown on the layout plan, to demonstrate the overland flow path in the event of a storm exceeding the underground minor drainage system.

An underground drainage system must be designed to handle the 1 in 100 year storm event for the critical storm duration.

Before the development commences, a Drainage Layout Plan and Drainage Computations for the drainage system (including consideration of any drainage catchment external to the development that may drain to the drainage system) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The Drainage Layout Plan and Drainage Computations must be prepared by a Civil Engineer with suitable qualifications to the satisfaction of the Responsible Authority.

When approved, the Drainage Layout Plan and Drainage Computations will be endorsed and will form part of this permit.

The drainage must be constructed in accordance with the endorsed Drainage Layout Plan and Drainage Computations and the provisions, recommendations and requirements of the endorsed Drainage Layout Plan and Drainage Computations must otherwise be implemented and complied with to the satisfaction of the Responsible Authority.

24. Goods must not be stored or left exposed outside the retail and supermarket area so as to be visible from any public road or thoroughfare, to the satisfaction of the Responsible Authority.
25. Except with the prior written consent of the Responsible Authority, equipment, services or other building features (other than those shown on the endorsed plan) must not be erected above the roof level of the building.
26. The plant area and equipment on the roof of the buildings must be screened in a manner to complement the appearance of the buildings and be to the

satisfaction of the Responsible Authority.

27. The development must be provided with external lighting capable of illuminating access to each vehicle accessway, 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.
28. Before the development starts, an acoustic report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The acoustic report must be prepared by an acoustics consultant with suitable qualifications to the satisfaction of the Responsible Authority and must detail the noise attenuation measures required for:
 - a) All habitable rooms within each dwelling to ensure minimal impacts from noise sources external to that dwelling and
 - b) All the acoustic treatments to the southern elevation adjacent to the loading bay.

When approved, the acoustic report will be endorsed and will form part of the permit.

The provisions, recommendations and requirements of the endorsed acoustic report must be implemented and complied with to the satisfaction of the Responsible Authority.

29. 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.
30. 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; or

In any other way to the satisfaction of the Responsible Authority.

31. Prior to the commencement of building and works, the Sustainability Management Plan (SMP), prepared by Sustainable Built Environments Pty Ltd dated 4 October 2016 is to be modified in accordance with Condition 1 and submitted to the Responsible Authority for approval. Once approved the SMP is to be implemented and appropriately managed during construction of the proposed building.
32. 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 be:

- a) Generally in accordance with the Waste Management Plan prepared by 'Leigh Design Pty Ltd' dated 26 October 2016; and
- b) Modified in accordance with Condition 1 of this permit.

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.

- 33. All wastes must be disposed of to the satisfaction of the Responsible Authority. Liquid waste or polluted waters must not be discharged into a sewer or stormwater drainage system.
- 34. Before the development starts, and before any trees or vegetation are removed, an amended landscape, generally in accordance with the plans prepared by Tract in drawings D001 and D002 (Revision 2 – 28.09.2016) must be submitted to and approved by the Responsible Authority. The amended 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 an electronic copy must be provided. The amended landscape plan must be generally in accordance with the landscape plan submitted with the application but modified to show:
 - a) Any changes as required by Condition 1 of this permit;
 - b) Detailed 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 for areas within and abutting the site including Woodlands Park interface and Mt Alexander Road frontage;
 - c) Realignment of the pathway connections to Woodlands Park in accordance with the Woodlands Park and Salmon Reserve Draft Master Plan;
 - d) Details of the vertical landscape treatments to the acoustic panel along the southern elevation;
 - e) The provision of lighting bollards along the southern pathway abutting 17 Winifred Street; and
 - f) A landscape maintenance schedule.

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.

- 35. Before the development (including the construction of crossovers) starts, a Tree Management Plan must be submitted to and approved by the

Responsible Authority. The Tree Management Plan must be prepared by an arborist with suitable qualifications to the satisfaction of the Responsible Authority and must provide recommendations and set out actions, including the erection of tree protection barriers, that are required to minimise damage to the health of the existing trees within the abutting Woodlands Park as a consequence of the proposed development.

When approved, the Tree Management Plan will be endorsed under the planning permit.

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

All works in the endorsed Tree Management Plan to, or affecting, trees within Woodlands Park must be supervised by an arborist with qualifications to the satisfaction of the Responsible Authority.

36. 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.
37. The on-site car spaces and storage cages must not be subdivided, leased or sold separately to external parties that are not prime lot owners or tenants of the building or development.

City West Water Conditions

38. It is essential the owner of the land enters into an agreement with City West Water for the provision of water supply.
39. It is essential the owner of the land enters into an agreement with City West Water for the provision of sewerage.

Essendon Airport Condition

40. Should the development or any other activity at the Site (e.g. cranes during construction) exceed 123.5 metres AHD, approval will be required from Essendon Airport. At this height the Airports (*Protection of Airspace*) Regulations 1996 (Cth) takes effect.

Public Transport Victoria Conditions

41. The permit holder must take all reasonable steps to ensure that disruption to bus operation along the frontage to the site is kept to a minimum during the construction of the development. Foreseen disruptions to bus operations and mitigation measures must be communicated to Public Transport Victoria and bus operators fourteen (14) days prior.
42. This permit will expire if one of the following circumstances applies;
 - a) The development is not commenced within three (3) years from the date of issue of this permit; or

- b) The development is not completed and the use is not commenced within five (5) years from 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 Moonee Valley City Council regarding legal point of discharge, vehicular crossings, building over easements, asset protection, road consent/occupancy, etc.
- This permit does not authorise any advertising signs. No advertising signs may be erected on the land (other than those which, under the Moonee Valley Planning Scheme, are exempt from the need for a planning permit).
- No on street parking permits will be provided to the occupiers of the land.
- The basement from Bulla Road could be at risk of inundation. As such, the entrance ramp must be suitably designed to avoid inundation.
- All existing service locations including storm water drains must be verified by the designer/developer and minimum clearances between services must be met at all times in accordance with AS3500.3.2 Section 7.2.7 or to relevant Service Authority requirements. Council takes no responsibility for services that are in conflict with the proposed construction or drainage alignments.
- 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; $C=0.4$, $t_c=5$ mins, ARI 1 in 5. An ARI of 1 in 10 should be used for storage and the greater of post development C or $C=0.80$.
- All drainage works undertaken must be in accordance with the requirements of Stormwater Drainage Requirements for Development Works as prepared by the Moonee Valley City Council.
- All works undertaken within any existing road reserves must accord with the requirements of Moonee Valley City Council and be to the satisfaction of the Responsible Authority.
- Existing levels along the property line must be maintained. All proposed levels must match to existing surface levels along the property boundary. Council will not accept any modifications to existing levels within any road reserve.
- Prior to, during and at completion of the works outlined in the conditions, staged inspections must be arranged with Moonee Valley City Council.

- No construction access is permitted from abutting reserves.
- In the event that car parking spaces or storage cages are separately titled, a condition will be imposed on any future subdivision permit requiring the permit holder to enter into a Section 173 Agreement to ensure the on-site car spaces and storage cages must not be subdivided, leased or sold separately to external parties that are not prime lot owners or tenants of the building or the development.

1. Introduction

1.1 Subject Site and Surrounds

The subject land is located at the eastern side of the North Essendon junction, with frontages to Mount Alexander Road, Carnarvon Road and Winifred Street, Essendon. Better known as the 'Coles supermarket site', it comprises an overall area of 7,369 square metres spanning the supermarket, a former paint shop, a 7-eleven convenience store and petrol station, a plastic surgeon medical centre, open lot car parking and vehicle circulation aisles.

The site is formally identified across seven titles, as provided with the application material and summarised on the submitted land survey plan. Notably, traversing the centre of the site in a north-south direction and alongside the northern boundary of the site are a series of easements for drainage, sewerage and electricity purposes.

The paint shop, 7-eleven store, and supermarket buildings are sited towards the northern side of the site, with shared vehicle access and car parking facilities available from Winifred Street, Carnarvon Road and Mount Alexander Road. Each building is single storey in height, and architecturally unremarkable.

A single storey medical centre building is located on the southern portion of the site at 19 Winifred Street. Fencing at the perimeter of the medical centre site encloses a separate car park and vehicle access from Winifred Street.

The remainder of the site is occupied by vehicle accessways and an open lot car park. Collectively, there are 123 at-grade customer car parking spaces (101 in the main supermarket area, 22 in the medical centre car park).

The Coles supermarket currently trades 7am – midnight, 7 days a week with loading activities undertaken on-site at the northern interface to Woodlands Park. The 7-eleven convenience store and petrol station trade 24-hours a day.



Figure 2 – Subject Site (1144-1154 Mt Alexander Rd and 19 Winifred Street, Essendon)

Immediate land abutments to the subject site include the following;

North

- To the north lies Woodlands Park, a Council owned public reserve in the order of 4.6 hectares in area. A number of trees within the parklands are affected by the Environmental Significance Overlay (ESO) with one Cyprus Tree located proximate to the northern boundary of the subject site.
- The site also shares an interface with a four storey apartment building at 25 Winifred Street. Apartments within the building are generally orientated to Woodlands Park to the north. The southern elevation of the building contains a series of habitable and non-habitable windows recessed between 1.4 and 3.1 metres from the common boundary. Site inspections reveal that for the most part, the windows appear to be screened with opaque glazing to 1.7 metres above the finished floor level. The western wall of the building additionally faces the subject site with a number of windows and side elevations of balconies sharing an interface. The site is affected by Design and Development Overlay (DDO10).

South

- Land to the south (1142 Mt Alexander Road) comprises the serviced apartments, shops and restaurants at the Punt Hill serviced apartment building. The overall building is four storeys in scale and is separated from the subject site by a vehicle access isle and open lot parking. Notably, the only vehicle access available to this site is through the car park (via Mt Alexander Road) on the subject site.

Additionally, the site is affected by Heritage Overlay (HO204) and Design and Development Overlay (DD03).

- The site also shares an interface with a residential development at 17 Winifred Street. The site accommodates three dwellings, each two storeys in height arranged in an 'L' shape around the lot. Dwellings 1 and 2 are sited with their side walls abutting the common boundary with the subject land while Dwelling 3 is recessed from the subject site but has an outlook over the current car park and accessway.

East

- Land to the east comprises a number of properties along Winifred Street. Traditionally a street of single detached dwellings, recent development has been predominantly two and three storey townhouses and apartment buildings. Of particular note is a three storey apartment building at 26 Winifred accommodating seven dwellings that is in the final stages of completion. Land on the east side of Winifred Street is within the General Residential Zone and is affected by the Design and Development Overlay (DDO10).

West

- The interface to the west is a large traffic junction where Bulla Road, Mt Alexander Rd, Keilor Road, Carnarvon Road and Lincoln Road meet. Land around the junction is commercial, accommodating a range of land uses including restaurants, shops, childcare centre, medical centre, banks, fitness centre and dwellings.

The site is located within the North Essendon Activity Centre. The activity centre is a linear retail centre extending along Mt Alexander Road/Bulla Road and north westward along Keilor Road. The centre includes a commercial core along with a small amount of established residential land on the periphery. The built form along the main roads is typically low rise (one to two storeys) in height and has a fine grain subdivision pattern. Larger buildings include the adjoining four storey Punt Hill serviced apartments, a seven storey apartment building at 37 Keilor Road and a five storey apartment building at 47 Keilor Road.

The activity centre is serviced by the Keilor Road/Mt Alexander Road tram along with a series of bus routes offering connections to nearby activity centres such as Strathmore, Essendon, Moonee Ponds, Airport West and Niddrie. Additionally, the centre is located approximately 1km to the west of Glenbervie train station.

1.2 Proposal

The proposal seeks the construction of a mixed use development comprising a supermarket, retail and office tenancies and apartments. The development consists of two basement levels and four above ground (podium) levels before breaking into two distinct built forms which are described in the application as the 'eastern wing' (six storeys) and the 'western wing' (10 storeys).

More specifically, the proposal is as follows:

Table 1

Retail (ground floor)	6 retail tenancies with a combined floor area of 662 square metres
Supermarket (ground floor)	3,970 square metres
Office (first and second podium levels)	4 office tenancies with a combined floor area of 1,220 square metres
No of dwellings	222 Apartments comprising: <ul style="list-style-type: none"> • 12 x 1 bedroom • 150 x 2 bedroom • 60 x 3 bedroom
Number of car spaces (parking located within two basement levels and two podium levels)	551 car spaces comprising: <ul style="list-style-type: none"> • 225 commercial car parking spaces (shared use of supermarket, retail customers and residential visitors) and; • 326 private car parking spaces (for residents and staff of the retail and office tenancies)
No of bicycle spaces	323 bicycle spaces comprising: <ul style="list-style-type: none"> • 236 private use • 87 public use
No of motorcycles	41 motorcycles comprising; <ul style="list-style-type: none"> • 23 private use • 18 public use
Vehicle Access	Three main access points, one via Mt Alexander Road and two via Winifred Street. Additionally, the application proposes the reinstatement of three existing crossovers to Mt Alexander Road / Carnarvon Road.
Max Building Height	<ul style="list-style-type: none"> • The 'western wing' fronting Mt Alexander Road is 10 storeys (33.9 metres) • The 'eastern wing' fronting Winifred Street is 6 storeys (20.5 metres)

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

Informal Amended Plans

In a bid to respond to some of the concerns raised throughout the course of the application, informal plans were received on 17 July 2017. The summary of changes is described within a document dated 21 June 2017, prepared by Peddle Thorp. The modifications are described as follows:

Ground Level

- The retention of the existing Cypress Trees within the abutting Woodlands Park with an updated arborist report provided in support;
- Revisions to the northern façade of the Coles Supermarket (Woodlands Park interface) to be inset within the title boundary along with the incorporation of a new bluestone material incorporating lighting elements; and
- The incorporation of acoustic soundproof treatments (AcoustisOrb75 panel) along the southern elevation adjacent to the loading bay. The acoustic panel to also be treated with vertical landscaping.

Podium Levels (1 and 2)

- Reconfiguration of apartments 9 and 10 (podium level one) and apartments 31 and 32 (podium level two);
- The external shutters associated with the northern apartments (facing Woodlands Park) modified to a sliding variation;
- Removal of the wintergardens associated with the west facing apartments to Keilor Road and Carnarvon Road; and
- Screen treatment of balconies on southern apartments facing 17 and 25 Winifred Street modified to alleviate sightline issues into neighbouring private open spaces.

Tower Levels (1 and 2)

- Screen treatments of balconies on northern apartments facing 25 Winifred Street to alleviate sightline issues into the neighbouring building.

It is important to note that the permit applicant has not elected to formally amend the application pursuant to Section 57A of the *Planning and Environment Act 1987*. Notwithstanding, it is submitted that the modifications serve as an improvement on the original advertised plans and for the purpose of this report the informal plans have been assessed.

In addition, public notification of the amended plans was not required as the modifications did not constitute additional material detriment on abutting or surrounding properties. The modifications are deemed to be relatively minor within the context of the original advertised scheme.

Refer to **Appendix C** – Informal Amended Plans (separately circulated).

2. Background

2.1 Relevant Planning History

The site has been the subject of numerous permit applications including:

1144 Mt Alexander Road

- MV/6362/1992 - Extension of trading hours
- MV/9296/1997 - Construction of an internally illuminated pylon sign
- MV/20960/2010 - Buildings and works to an existing supermarket including the construction of a condenser deck on roof of first floor and relocation of plant room to first floor

1148 Mt Alexander Road

- MV/3904/1984 - 5 Room Services Premises and Car Parking
- MV/6804/1993 - Erection of various advertising signs including Pole sign and Canopy update.

1150 Mt Alexander Road

- MV/4052/1985 – Illuminated Sign

19 Winifred Street

- MV/5985/1991 – Medical Centre
- MV/20331/2009 - Buildings and works to an existing medical centre comprising of alterations to the external appearance of the building including windows, entrances and doors, an increase in height of the parapet walls, and the display of illuminated and non-illuminated signs.

2.2 Planning Policies and Decision Guidelines

State Planning Policy Framework

Clause 9	Plan Melbourne
Clause 11	Settlement
Clause 11.06	Metropolitan Melbourne
Clause 15	Built Environment and Heritage
Clause 16	Housing
Clause 17	Economic Development
Clause 18	Transport

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 21.09 Transport
- Clause 22.03 Stormwater Management (Water Sensitive Urban Design)

Zoning

- Clause 34.01 Commercial 1 Zone

Overlays

- Clause 42.01 Environment Significance Overlay (Schedule 2)
- Clause 43.02 Design and Development Overlay (Schedule 3 and 10)

Particular and General Provisions

- Clause 52.02 Easements, Restrictions and Reserves
- Clause 52.06 Car Parking
- Clause 52.07 Loading and Unloading of Vehicles
- Clause 52.29 Land adjacent to a Road Zone Category 1
- Clause 52.34 Bicycle Facilities
- Clause 52.36 Integrated Public Transport Planning
- Clause 65 Decision Guidelines

2.3 Referrals

External

Table 2

Referral Authority	Comments/Conditions
VicRoads	No conditions.
Essendon Airport	Standard condition to be applied.
Public Transport Victoria	No objection subject to conditions.
City West Water	Standard conditions to be applied.
Jemena	No response.

Internal

Table 3

Department/Officer	Comments/Conditions
Development Engineering (Drainage)	No objection subject to the removal and relocation of all easements and existing services within the site prior to any new construction works including basement/retention works commencing on site.
Development Engineering (Traffic)	<p>No objection to the proposed on-site parking provisions and internal access arrangements;</p> <p>Loading arrangements for the supermarket will only be supported on the condition that vehicles enter from Mt Alexander Road and exit via Winifred Street;</p> <p>An agreement must be in place with the adjoining Punt Hill Apartments to formalise the shared internal road access arrangements;</p> <p>An updated plan to be provided showing the existing crossovers along Winifred Street and the proposed location of the road hump and associated dimensions.</p>
Waste Management	No objection to proposed private collection arrangements
Urban Designer	No objection subject to the deletion of a further level.
ESD Officer	No objection subject to standard conditions.
Parks and Gardens	The abutting cypress trees located within Woodlands Park should be retained.
City Design	No objection subject to the realignment of the pathway connections within Woodlands Park along with erection of tree protection barriers.

Department/Officer	Comments/Conditions
Heritage Advisor	The excessive bulk and massing would have a negative impact on the adjoining PuntHill Grand Hotel. Any height reduction would be beneficial for the scaling of the proposal in the context of the North Essendon junction.
Property Services	Ensure that the car park in Woodlands Park is not used by occupants/visitors of the proposed development.
Economic Development	No objection

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 six notices erected on-site for 14 days.

As a result, 74 objections were received from properties contained within **Appendix A** of this report.

A response to the objections is provided in Section 3.12 of this report.

2.5 Consultation Meeting

A Consultation Meeting was held on 8 February 2017, attended by Councillors Gauci Maurici and Lawrence, a number of objectors, the applicant and Council's Planning Officer. No resolution was achieved at this meeting.

3. Discussion

3.1 Does the proposal address the relevant policies within the State Planning Policy Framework?

The proposal is considered to comply with the relevant State Planning Policies. Generally, these objectives seek to encourage urban consolidation in locations which take advantage of existing commercial and community services and public transport. The proposal contributes to the objective of housing diversity by providing a mix of dwelling sizes and configurations, which will cater for the increasingly diverse needs of future residents. Being within an Activity Centre nominated under Plan Melbourne, the subject site is located in close proximity to commercial amenities, public reserves, education facilities and public transport options.

The proposal complies with the provisions of Clause 10.04 (Integrated Decision Making). As discussed throughout this report, the proposal suitably addresses aspects of economic, environmental and social well-being by balancing conflicting objectives in favour of net community

benefit and sustainable development for the benefit of present and future generations.

Clause 15.01-2 (Urban Design Principles) of the State Planning Policy Framework provides the main assessment tool for residential development of five or more storeys in height. Subject to conditions, including a height reduction by one storey, it is considered that the proposal complies with the objectives and strategies as contained within the design principles of Clause 15.01-2. It should be noted that the majority of these design principles are further expanded under the design elements contained within Clause 21.06-4 (Urban Design). 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.

Heritage

Whilst no heritage controls apply to the subject site, the adjoining site to the south (1142 Mt Alexander Road, Essendon) is affected by Heritage Overlay (HO204). The former 'Essendon Hotel', (now the Punt Hill Essendon Grand) was built in 1936 and has been identified for both its historical and aesthetic significance.

As highlighted within Section 2.3, Council's Heritage Advisor has raised concerns over the bulk and scale of the proposal and has recommended a height reduction in order to appropriately reflect the prevailing scale of the centre.

The proposed building is well separated by an open carpark area with a width distance in the order of 17.8 metres from the adjoining heritage building. As such, it's not considered that the design and scale of the proposal would overwhelm the heritage significance of the building.

Notwithstanding the above, a height reduction by one storey will form a condition of any approval issued for reasons discussed later within this report.

With regard to Clause 16.01-2 (Location of Residential Development), the proposed development provides new housing in an activity centre on a site that offers good access to jobs, services and public transport. Specifically, higher density housing developments are encouraged in such locations to help consolidate established urban areas and reduce the pressure for fringe development. Accordingly, the subject site offers an opportunity for more high density housing near employment and transport within Metropolitan Melbourne under Clause 16.01-3 (Housing Opportunity Areas). The proposal also 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.

The proposal appropriately responds to Clause 17.01-1 (Business) as the development will contribute in meeting the communities' needs for retailing and office space within the North Essendon Activity Centre. Importantly, the proposal provides a net community benefit in relation to accessibility, efficient infrastructure use and the aggregation and sustainability of commercial facilities.

With regard to Clause 18.01-1 (Land Use and Transport Planning), the proposed development will help create a safe and sustainable transport system by integrating land-use and transport. In particular, the proposal will provide improvements to the walking network within the Activity Centre by establishing pedestrian connections through the site and into the adjacent Woodlands Park.

Further to the above, the proposal has had regard to Clause 18.04 (Airports) and consideration has been given to the National Airports Safeguarding Framework via a referral to Essendon Airport. No objection was received from the facility subject to the inclusion of a condition that will be imposed as part of any approval issued.

3.2 Does the proposal address the relevant policies within the Local Planning Policy Framework?

The proposal complies with Clause 21.04 (Sustainable Environment) through the use of ecologically sustainable design principles, subject to the provision of an amended Sustainability Management Plan (including amended BESS Report) as a condition on any permit granted. It is noted that all dwellings will need to meet the minimum six star energy efficiency rating as required by the National Construction Code (NCC).

The proposal accords 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 building accommodates secured waste rooms both within the basement level 1 and ground floor of the building. A waste management plan was submitted with the application, which adequately addresses the provisions of this clause and is to be endorsed, implemented and managed through a condition on any permit granted accordingly.

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.

Council's Housing Strategy (2010), a reference document under the local Clause, consolidates housing projections and initiatives for the City and each of its suburbs, based on a review of population and housing data, activity centre structure plans and strategic planning work undertaken to date. The Strategy identifies areas for accelerated growth (including key redevelopment sites) and areas for more incremental and minimal change based on the principles outlined in Table 3.1. Under the Table, the subject land qualifies as a site for *'High – Substantial Housing Intensification'* (e.g. *height dependant on strategic policy, high density development, apartment*

style – 6 storeys plus dependant on set policy objectives) as it meets all the relevant tests in determining the expected degree of housing change.

Further, the subject land is located within the North Essendon Activity Centre. The vision of the Structure Plan seeks to establish:

- *A vibrant and sustainable urban village where complementary residential, business, leisure and community uses and development are co-located to create a strong sense of local identity and gateway to the inner northern suburbs.*

The Structure Plan also identifies the site as a 'Key Gateway Location' with the aspiration of both consolidating this core retail area as well as a directive for greater development 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:

Building Design Quality and Context / Urban Context

A description of the proposal has been provided within this report, along with the accompanying documentation, which accurately details the context of the site. The design response is considered appropriate, subject to a reduction in overall height/scale, given the size and location of the site with good access to a range of services including public transport, schools and recreational facilities/reserves.

The proposed design is contemporary and appropriately responds to the site's location and context through the provision of prominent high quality architectural elements and an acceptable combination of materials. It is considered that a high degree of visual interest and design articulation has been provided, subject to a reduction in height by one level so as to providing a reasonable transition of built form to adjoining properties in accordance with the DDO3. Additional setbacks will also be required to the uppermost level of the podium to appropriately address the Winifred Street interface. This will be discussed further within this report.

Streetscape and Urban Design / Street Pattern and Street-Edge Quality

The front façades would make a positive contribution to Mt Alexander Road and Winifred Street, help integrate the development with each streetscape and will enhance the experience for pedestrians. The inclusion of ground floor retailing along Mt Alexander Road along with a residential lobby area and small retail tenancy at Winifred Street, provide suitable active frontages at street level, which is consistent with the design objectives of the policy and Commercial 1 zoning. It is also noted that there would be a significant increase in fenestration, passive surveillance

and public safety to adjoining streets and the abutting Woodlands Park as a result of the proposed development. The incorporation of balconies at the upper floor levels provides appropriate articulation of the building façade and further maximises opportunities for visibility and passive surveillance. In addition to this, all vehicle and pedestrian entries are well defined and clearly identifiable from the public realm.

Car parking for the development is to be contained within two basement levels. The parking located within the two podium levels will be skinned with both commercial and residential land uses such that they will remain completely inconspicuous. This design approach is appropriate and supported by policy.

With respect to the ground floor interface to Woodlands Park, the revised plans reveal a bluestone material treatment along with the incorporation of subtle lighting along the northern elevation (as depicted below). The detailing of this aspect is considered to be appropriate and will serve to enhance the parkland interface.



Figure 3 – Woodlands Park design approach

Setbacks and Site Coverage / Building Envelope

The objectives for this design element seek to ensure that the siting of new development responds to the context of the site and does not adversely affect existing neighbourhood character, including off-site amenity impacts.

The tower element of the ‘western wing’ consists of a “U” shape, with the building skirting Mt Alexander Road and the southern boundary, before opening up to Woodlands Park. The general massing of the U shaped form is considered to be appropriate and reduces the visual bulk toward the parkland interface.

Conversely the 'eastern wing' takes on a more rectangular form articulated through varied setbacks and balcony indents. At ground level, the building offers a minimum setback of 5.9 metres. From the southern boundary the building progressively steps back as it rises in height. The first floor overhangs the accessway with varied setbacks ranging between 2 – 3.7 metres from the southern boundary while at the uppermost level, the setback increases to 15.3 metres. Overall, the design response to the southern side boundary setbacks seeks to accord with relevant ResCode side boundary setback requirements. Accordingly, the approach is supported.

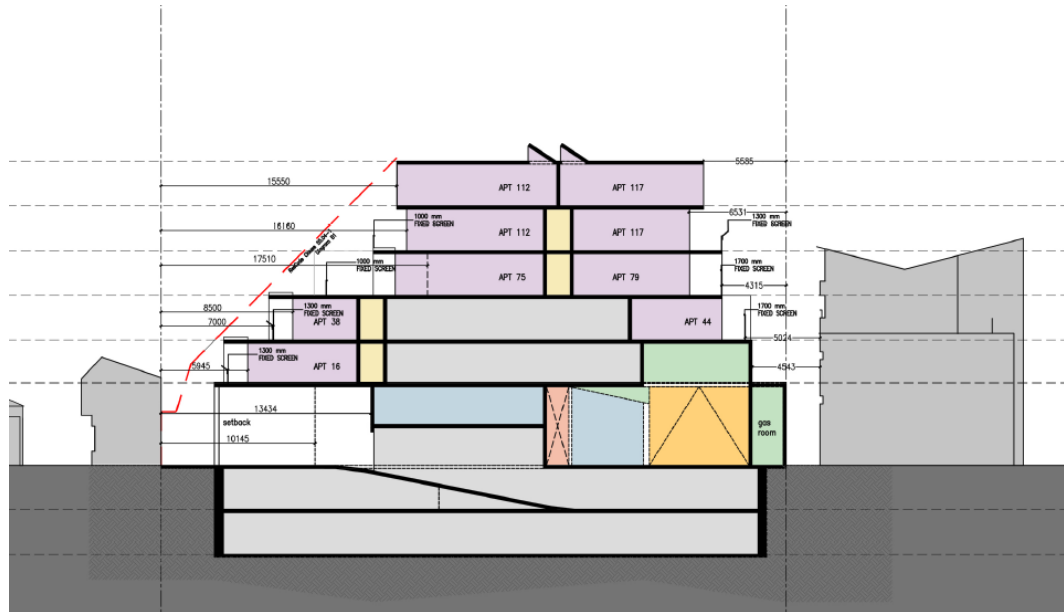


Figure 4 – Sectional diagram (as viewed from Winifred Street)

To the north, the eastern wing is proposed to be constructed to the common boundary to a height of two storeys before it begins to step back at the second level to between 2.7 – 5.8 metres. At the uppermost level the side setback increases to 5.5 metres. As previously highlighted, the apartments within the adjoining building (25 Winifred Street) are largely orientated toward the parklands to the north with a majority of the south facing windows currently screened. As such, it is considered that the proposed setbacks are acceptable in this instance.

Further, the stepping down of the eastern wing from six to four storeys is generally appropriate, subject to refinements discussed in Section 3.6, and serves to provide a four storey presentation to Winifred Street that is in keeping with the scale of the adjoining property at 25 Winifred Street.

It is submitted that the proposed development provides an appropriate response to the opportunities, constraints and features of the site, including zoning and overlay requirements.

The proposed development has a site coverage in the order of 95% which is considered acceptable to a site within a Commercial 1 Zone. This is also acceptable given the extent of properties with a high level of site coverage along the Mt Alexander Road business/employment corridor.

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.

The Design and Development Overlays (DDO3 and DDO10) essentially provide guidance on heights for the subject site, as discussed further within Sections 3.5 and 3.6 of this report. In this regard the preferred heights under the controls seek up to 6 storeys for the western half (DDO3) and 4 storeys for the eastern half of the site (DDO10).

Additionally, it is highlighted that the Design and Development Overlays, the North Essendon Structure Plan, North Essendon Activity Centre Built Form Guidelines 2012 and Mt Alexander Road Corridor Urban Design Guidelines 2010 all anticipate redevelopment of this site. Of particular note, the Structure Plan describes the site as follows:

'This site is at an important gateway into the centre at the junction of Mt Alexander Road and Bulla Road. It could therefore be a site for more intense development with excellent opportunities to develop public space and green connections between the park and the activity centre.'

In light of the above, it remains clear that at strategic level, a potential taller form could be entertained on this site. Notwithstanding, it cannot be 'development at all costs' and consideration must still be given to ensuring the proposal respects its context.

The surrounding context largely comprises single to double storey buildings with interspersed forms of 3-4 storeys. Above the podium level, the proposal essentially comprises two tower forms, with the western wing reaching to 10 storeys and the eastern wing being 6 storeys stepping down to 4 storeys at Winifred Street interface.

The height approach to the eastern wing is considered generally appropriate, however, the ten storey scale of the western wing will require a reduction. The height of the western wing is not commensurate with the scale of the surrounding context, nor does it contribute positively to the aspired 'urban village' atmosphere as articulated within the vision of the local Structure Plan. Accordingly, a condition of approval will require the deletion of a level within the mid-section of the tower so as to retain the existing composition of the building via a proportionate podium, mid-section and capping of the building.

Whilst the removal of one level still results in a development height that exceeds the preferences stipulated, it is submitted that there are various aspects that lend support for a departure from the suggested heights nominated within the various strategic controls. Firstly, the site represents one of the largest land holdings within the Activity Centre (7,300+ square metres in size), is within a Commercial 1 Zone, is unconstrained by any on-site heritage buildings, has three street frontages, is located on tram and bus routes and forms part of the core retail area of the Centre. Secondly, the proposal delivers a significant net community benefit with respect to the following:

- Creation of a landmark building of exemplary design;
- The provision and consolidation retail and office employment opportunities consistent with Council's vision for the Activity Centre;
- A complete refurbishment of the existing Coles supermarket that will serve as an anchor and support surrounding businesses beyond the subject site;
- The removal of all existing at grade car parking including an improved presentation to Winifred Street in lieu of the existing poor car park interface. Further, the proposal seeks to reduce the number of vehicle crossings to Mt Alexander Road, from four to one, thereby providing additional landscaping and activation opportunities to both complement the development and enhance the entry point to the Activity Centre;
- The provision for 222 apartments, of varying configurations, to meet the housing needs as identified within applicable planning policy, particularly at Clause 21.05 (Housing);
- The provision for commercial groundfloor active frontages to Mt Alexander Road through increased speciality retailing along with improved new supermarket entry and layout. Further, the proposal offers an increased active frontage to Woodlands Park providing opportunities for café outdoor dining within the 4 metre setback within the north western corner of the subject site;
- Landscaping both within and around the site. The proposal offers new landscaping and paving within the Mt Alexander/Bulla Road frontage, complementary low level planting along its northern abuttal to Woodlands Park along with new feature planting and visitor bike parking within the frontage to Winifred Street;
- The provision of two pathway connections to the abutting Woodlands Park;
- Site remediation of potentially contaminated (petrol station) land offering broader benefits in terms of environmental and groundwater health; and
- The provision for a dedicated loading area to serve the supermarket in a location that is separated from other traffic and acoustically treated so as to minimise off-site amenity impacts.

It is for the reasons above that a taller a more intensive redevelopment can be adequately substantiated in this particular location.

Equally, the proposal is supported by Council's Urban Designer as discussed within Section 2.3 of this report. In particular, Council's Urban Designer had the following comments:

I have reviewed the revised plans and am happy to provide support for the proposal provided the overall height of the development is reduced by a further level to bring the scale of the development closer to the village feel sought for the Activity Centre. Whilst I acknowledge a 9 storey

development is significant against a predominant 3-4 infill, it must be acknowledged that the development will be provide economic vitality, and net community benefit (linkages) to the centre. This key development site will reshape the image of Essendon North and I am satisfied that the proposal provides a well-considered visually interesting design that responds to both the opportunities of the site and natural features of the context.

In light of the above, there is no gain to be had from further reducing the heights in order to hide good design from the primary spine of Mt Alexander Road or the interface to Woodlands Park. Subject to conditions, the proposal strikes an appropriate balance in setback, massing and façade design detail, and would provide a significant net community benefit and exemplary urban design outcome justifying the building height in this instance.

Internal Circulation, Space and Building Adaptability / Circulation and Services

The proposed 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.

The entry points and residential lobby area for the building are easily identifiable from both Mt Alexander Road and Winifred Street. The provision of lift and stair access, in conjunction with communal lobby/foyer areas will allow for ease of movement, including the movement of furniture, emergency access and escape.

The development generally provides an adequate and efficiently designed car parking layout that will ensure safe vehicle movements. As discussed within Sections 2.3 and 3.8 of this report, Council's traffic engineers have no objection to the provision and layout of car parking subject to conditions.

In terms of storage space, all dwellings have been provided with a minimum of 6m³ of storage space within the basement level 2 and podium levels. This proposed storage arrangement is considered adequate to cater for the storage needs of apartments that do not rely on large private garden areas for open space.

On-Site Amenity and Liveability / Building Layout and Design

The proposal has been designed to accommodate a range of dwelling sizes and types and will cater to the needs and preferences of a range of different people. The apartments will range in size from single bedroom (studio style) apartments to larger three bedroom apartments. Apartment layouts vary and include both traditional open-plan styles, as well as split style apartments with separate living and bedroom levels. Each apartment within the development is provided with open space in the form of a balcony, with sizing ranging from a minimum of 8 m² to 96.7 m².

The proposed development also provides podium rooftop garden area on the third floor which would be accessible to all future residents. Additional communal features include a gymnasium (132 square metres) on the third level as well as resident lounge areas on each level associated with the western wing.

Off-Site Amenity

From the outset it must be highlighted that there are no immediate residential zone abutments to the subject site. Land to the south is exclusively within the Commercial 1 Zone whilst land to the north is both within a Public Park and Recreation Zone and Commercial 1 Zone. Whilst land along the eastern side of Winifred Street is within the General Residential Zone (GRZ1), this area falls within the Activity Centre boundary where more intensive redevelopment (up to three storeys) is both encouraged and is presently occurring.

Having regard to this strategic context, it is broadly accepted that the level of amenity that residents experience within an Activity Centre cannot be to the same degree as one would expect further within the residential hinterland. Notwithstanding the above, the proposal has appropriately responded to the more sensitive interfaces at 17 and 25 Winifred Street with respect to overlooking and overshadowing.

Overlooking potential to the south (17 Winifred Street) has been minimized through the incorporation of 1.7m high fixed perforated screens to the balcony edges at first and second floors whilst 1 metre balustrading has been applied to the levels above as they are located in excess of 9 metres from the property boundary (with the exception of apartment 72). With respect to overlooking to the north (25 Winifred St), 1.7 metre high screening has been applied to the balcony edges at first, second and third levels, however, it is not clear from the plans as to whether the same has been provided to the windows.

In light of the above, conditions of any approval will require screening treatments to accord with the requirements of Clause 55.04-6 (Overlooking).

In terms of overshadowing, the secluded private open spaces to 1 and 2 / 17 Winifred Street are impacted. Some lower-level west facing windows of the apartments at 25 Winifred Street are also affected.

Unit 1/ 17 Winifred Street will experience additional shadow to varying degrees between 9am and 1pm, although it is noted that the net impact to existing conditions is not significant beyond 12 noon, and that at most times of the day some direct sunlight access is maintained.

Unit 2/ 17 Winifred Street will also experience additional shadow at various times, with the main impacts at 2 - 3pm. However, it is noted that there will be some reduction in shadow (compared to existing shadow conditions) at noon and 1pm, via the removal of the existing medical centre building near the boundary.

The lower-level apartments with west-facing windows at 25 Winifred Street will be marginally impacted in the afternoon (i.e. from 2pm). It is noted that all of the west-facing apartment windows are screened with opaque glazing.

It is noted that the imposition of the condition to delete a level from the western wing would assist to reduce the extent of overshadowing, particularly to the private open space area of Unit 2/17 Winifred Street, and would result in an improved outcome for the site and surrounding area.

On balance, due to the site's location within the North Essendon Activity Centre, it is considered that the proposed shadow impacts will not have a detrimental impact on surrounding properties. The level of shadows is what would be expected within an area earmarked for greater intensification.

Landscaping and Fencing / Open Space and Landscape Design

A conceptual landscape plan was submitted with the application which indicatively highlights areas throughout and abutting the site to be treated. More specifically the following treatments are proposed:

- The retention of the existing Cypress trees located adjacent to the northern boundary of the subject site along with two connections to the pathway network within Woodlands Park. As highlighted, a condition of approval will require a realignment to the pathways to accord with the current draft masterplan applicable to the park. Additional planting is provided by way of a low-storey garden bed along the northern wall.
- New planting, paving treatments and the reinstatement of two access points is proposed within the Mt Alexander Road nature strip which falls under the care of VicRoads. The proposal also seeks to maintain the existing pathway connection to Mt Alexander Road. VicRoads has raised no objection to the proposed arrangements.
- Landscaping within the frontage setback to Winifred Street including low storey planting and a feature entry arbour over the walkway.

Conditions of any approval issued will require the landscaping to be further refined along with measures to ensure appropriate on-going maintenance.

Environmental Sustainability

Given the type of development and the intensive use of the site for a multi-level, multi-dwelling development, there are quite a number of inherent energy efficient design principles used in this project. 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 waste management plan is considered to be acceptable, as discussed earlier, and is to form a condition for endorsement, implementation and management on any permit granted accordingly.

The proposed development has incorporated many Environmentally Sustainable Design initiatives, including the provision of a 15,000 litre rainwater tank, collected from the roof for irrigating the podium level landscape area; implementation of an on-site stormwater system designed to appropriately treat off-site runoff, energy efficient lighting and air-conditioning and centralised gas domestic hot water for the dwellings.

Lastly, it is noted that the location of the subject site offers a number of benefits, namely access to public transport, the Melbourne CBD and other local services/facilities. Each of these factors reduce the need for additional housing on the fringes of the metropolitan area and make efficient use of existing infrastructure and services, reducing travel time/costs and thereby environmental impacts.

Service Infrastructure

Site services include a mechanical plant for the Coles supermarket, gas, fire tanks, and building services areas.

Council's Development Engineering Unit has no objection to the proposal subject to the inclusion of standard drainage and engineering conditions on any permit granted.

With regard to Clause 21.08 (Economic Development), it is considered the proposed development would contribute to and enhance the Mt Alexander Road employment corridor in terms of employment and business. It is noted that the proposed retail premises are 'as-of-right' uses within the Commercial 1 Zone, as discussed within Section 3.2 of this report. The proposed development is considered acceptable accordingly.

The proposal complies with Clause 22.03 Stormwater Management (Water Sensitive Urban Design) and meets the required on-site stormwater treatment as demonstrated within the MUSIC modelling supplied by AKS Environmental Solutions. The relevant WSUD notations and conditions will therefore be placed on any permit granted in accordance with this policy.

3.3 Does the proposal accord with Clause 34.01 (Commercial 1 Zone)?

The proposed dwellings are Section 2 (permit required) uses within the Commercial 1 Zone given the frontage exceeds 2 metres. The proposed dwelling uses are in accordance with the objectives of State and Local Planning Policies within the Moonee Valley Planning Scheme and fulfil the broad objectives of activity centre planning.

The proposed development requires a permit under Clause 34.01-4 (Buildings and Works). The scale, height and setbacks of the buildings are generally consistent with the purpose of the Commercial 1 Zone that seeks "*residential densities complementary to the role and scale of the commercial centre*". The recommendation to remove one level of the western wing building will achieve building height that is consistent with the aspirations of the North Essendon Activity Centre.

3.4 Does the proposal accord with Clause 42.01 (Environmental Significance Overlay – Schedule 2)?

Schedule 2 of the Overlay relates to ‘Significant Trees’ and includes various objectives that relate to both the preservation and minimisation of impacts on trees identified as being significant. The ‘*Moonee Valley City Council Significant Tree Register Review 2014*’ is listed as a reference document within the Schedule and identifies trees on both public and private land that contribute substantially to the amenity of the City.

In the case of this application, a portion of the 15 metre tree protection zone radius associated with a *Cupressus macrocarpa* (Monterey Cypress) tree encroaches within the site. The tree is located within the abutting Woodlands Park and is referenced as T59 within the Schedule to the Overlay. There were also four other Monterey Cypress trees, not affected by the ESO, that are located in close proximity to the northern boundary of the site.

An Exploratory Root Investigation report was prepared to review the potential impacts on all five of the mature Monterey Cypress trees within the park. All trees were observed to be in relatively good health at the time of the inspection. The report concluded that provided the excavation is limited to the site boundary, it is unlikely that the structural integrity of the trees would be undermined by the proposed deep excavation.

In moving forward, the report indicates that a Tree Protection and Management Plan should be provided to ensure that all works throughout the entire demolition, construction and most importantly, the deep excavation adjacent to the trees, do not unduly impact upon these trees. Accordingly this has been addressed via a condition of approval.

3.5 Does the proposal comply with the Design and Development Overlay (DDO3)?

The western half of the subject site is located within Precinct B of the Design and Development Overlay (DDO3).

It is noted that the rear setback requirements of the DDO3 are not applicable as the eastern half of the site is covered by the DDO10.

Table 4

	DDO3-Precinct B	Proposed
Preferred maximum height	15 metres (4 storeys) or 21 metres (6 storeys) for key sites	33.9 metres (10 storeys)
Front setback (up to 8 metres in height)	0 metres	0 metres (along Mt Alexander Road/Carnarvon Road/Bulla Road)

Front setback (above 8 metres in height)	2 metres, plus 0.7 metres for every metre of height above 11.5 metres	0-7.4 metres (along Mt Alexander Road/Carnarvon Road/Bulla Road)
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As highlighted within the table above, the proposal does not comply with the height and upper level front setback requirements.

Section 4 of the Schedule stipulates that sites within Precinct B can be classified as 'key sites' provided they meet all the following criteria:

- *The site has a total land parcel area of greater than 1000 m² with a frontage width of greater than 20 metres;*
- *The site is within 400 metres of a tram stop or train station;*
- *New vehicle access to the site can be achieved via a side street or via a rear lane (where access is not more than 25 metres from the laneway entry);*
- *The additional height applicable to a 'key site' has no significant amenity impacts. This refers to overlooking, overshadowing or significant detriment to existing view lines.*

For the reasons articulated throughout this report, it remains clear that the subject site qualifies as a 'key site'. The site of the size, proximity to the tram line, retention of existing access points via Mt Alexander Road and new access via Winifred Street are all aspects that meet the 'key site' criteria. With respect the final dot point, it is submitted the additional height has no significant off-site amenity impacts with respect to overlooking, overshadowing or detriment to existing view lines. Rather, the requirement to reduce the western wing by one level serves as a means to better integrate the scale of the building within the existing context and the degree of change anticipated for the Centre.

Having established the site qualifies as a 'key site', the proposed development still exceeds the preferred maximum height by 12.9 metres. The requirement to reduce the western wing by one storey would reduce the overall height to 30.7 metres resulting in a variance of 9.7 metres above the preferred 21 metre height. Having regard to the attributes of this gateway site along with the siting and location of the western wing within the commercial core of the Activity Centre, a 9 storey scale is considered acceptable.

Turning to the front setback requirements, it is noted that for the most part the non-compliances relate to the Bulla Road/Carnarvon Road interface. In this instance, a wide road reserve/nature strip separates the site from the main thoroughfare thus reducing the impacts of scale. Furthermore, the combination of the enhancement of the naturestrip coupled with the reduction of the building by one storey will serve to temper the overall prominence.

The proposal also complies with the precinct specific guidelines by emphasising pedestrian movements both within the site and to Woodlands Park, completely removing at-grade car parking and providing a unique building design offering visually prominent architectural features that provide a suitable gateway treatment to the Centre.



Figure 5 – ‘western wing’ as viewed from Bulla Road

In light of the above, the proposed development is considered appropriate and will serve to enhance the visual appearance of the Mt Alexander Road Corridor.

3.6 Does the proposal comply with the Design and Development Overlay (DDO10)?

The eastern half of the site is located within the Design and Development Overlay (DDO10).

Again, the rear setback requirements of the DDO10 are not applicable as the western half of the site is covered by the DDO3.

Table 5

	DDO10 – Commercial Properties	Proposed
Preferred maximum height	Up to 4 storeys (15 metres)	15.5 - 20.5 metres (4-6 storeys)
Ground front setback (3 metres)	3 metres	5.9 metres

Upper level front setback	Levels 3 and 4 should be setback a minimum of 3 metres from the ground floor front facade	Levels 3 and 4 project forward over the ground floor with 4.6-4.8 setbacks from the front boundary.
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As highlighted within the table above, the proposal does not comply with the height and upper level front setback requirements.

With respect to height, it is noted that the proposal adopts a four storey scale to Winifred Street at height of 15.5 metres representing a variance of 500mm. The 20.5 metre or 6 storey scale is introduced further back into the site where the two uppermost levels are setback in the order of 14.1 – 15.9 metres from Winifred Street. Accordingly, given the setback and four storey intervening presentation, the two uppermost levels will be largely inconspicuous within the streetscape profile. The response to height as it relates to the eastern wing is therefore, considered generally acceptable.



Figure 6 – ‘eastern wing’ - proposed four storey presentation to Winifred Street

With respect to the upper floor front setback requirements, three levels project forward over the ground floor (as can be seen above) and therefore, do not strictly adhere to the requirements of the Schedule. As an aside, it is noted that at Levels 3 and 4 the side setbacks increase with 2.1 – 5.8 metres at Level 3 and 5.8 -10.3 metres at Level 4 thereby reducing the overall breadth of the development when viewed within the streetscape.

Notwithstanding the above, it is considered that there ought to be some degree of recession, particularly at the fourth level so as to honour the built form aspirations for Winifred Street as well as taking reference from the adjoining four storey apartment building where the uppermost level is setback further from the three levels below. Accordingly, a condition of approval will require Level 4 (or the level as described on the ‘Tower Level One Plan’) to be setback a minimum of 8.9 metres (inclusive of any

balcony projections) from Winifred Street thus representing a 3 metre additional setback from the ground floor as required within the DDO10 controls.

The imposition of this condition will serve to provide an improved interface and a more graduated response to Winifred Street.

3.7 Does the proposal comply with Clause 52.02 (Easements, Restrictions and Reserves)?

If constructed, the proposal would necessitate the need to relocate the existing sewage, drainage and electrical easements throughout the site. In this regard, provision has been made for a relocated easement along the southern boundary of the land at 19 Winifred Street.

The proposed removal and variation of existing easements is considered to comply with the relevant provisions of the Moonee Valley Planning Scheme, and no objections have been received from any interested or affected people or authorities. Therefore, subject to the inclusion of suitable conditions on any permit granted, the proposed easement removal and variation is considered acceptable in this instance.

3.8 Is adequate car parking and vehicle access provided?

Table 6

Use	Required	Proposed
Dwellings		
12 x 1 bedroom	12	12
150 x 2 bedroom	150	150
60 x 3 bedroom	120	120
1 x Home Office	1	1
Residential Visitors	44	44
Retail (shops)	26	7
Offices	42	36
Supermarket	198	181
Total	593 spaces	551 spaces

Provision of car spaces

As highlighted above, the proposal provides a total of 551 car spaces representing a parking shortfall of 42 spaces. The parking shortfall is associated with the commercial uses (retail, office and supermarket) while the residential and visitor parking requirements are fully satisfied.

In a public/private sense, the applicant has indicated that the 551 parking provision comprises:

- 225 commercial car parking spaces across the entire upper basement level (B1) and a section of the lower basement level (B2). These spaces are proposed to be allocated for the shared use of the supermarket/retail customers and residential visitors;
- 326 private car spaces across the podium levels (P1 and P2) and sections of the parking located behind the security gates on the lower basement (B2). These spaces are proposed to be allocated to residents, home office and staff of the retail and office tenancies.

A condition of approval will require the clear allocation of parking so as to differentiate between commercial staff and customer parking.

In addition to the above, 41 motorcycle parking spaces are proposed with 18 spaces within the publicly accessible areas for commercial use and 23 spaces located throughout the lower basement (B2) and podium levels for private users.

Whilst the applicant has indicated that the Home Office will have no external employees, the plans indicate that this space is to be located within the podium level 1 and not directly connected to a dwelling. Whilst it is open to residents to potentially use this as an alternative work space, a degree of flexibility should be offered in the event the market calls for additional office space. Accordingly, an additional car space has been afforded.

All private car parking spaces which are accessed through the public car parking areas will be provided with security gates at the entrances so as to ensure they are segregated from the publically available parking areas.

Council's Traffic Engineers have reviewed both the proposed parking provisions and have raised no objection in this regard.

It should also be noted that the imposition of the conditions requiring deletion of a level within the midsection of the western wing along with a greater upper floor setback to Winifred Street would result in the reduction of up to 26 apartments. Accordingly, the parking supply associated with the former apartments can be allocated to the retail, office and supermarket thereby reducing the overall parking reduction associated with these commercial uses.

Lastly, it is noted that the existing commercial car park accommodates a total of 123 car spaces. The proposal will increase the publicly available commercial parking to a minimum of 225 spaces representing almost double the amount currently offered.

Vehicle access arrangements

Vehicle access to/from the external road network is proposed via both Mount Alexander Road and Winifred Street. The proposed arrangements are further depicted in the diagram below:



Figure 7 – post-development vehicular access arrangements

From the outset, it must be highlighted that the subject site and Punt Hill Apartments site provide an at-grade car parking supply that is generally shared by customers of the surrounding area. This includes the Coles supermarket, 7-eleven and retail uses on the subject site, as well as the commercial uses at the base of Punt Hill apartments and the wider Mount Alexander Road commercial precinct.

In a general sense, the proposal anticipates that the majority of the commercial users will enter and exit the site from Mt Alexander Road while private (residential) users will enter/exit via Winifred Street.

In addition to the above, a one-way (westbound) connection is proposed at the western end of the ground level accessway, providing vehicular access from the subject site to the Punt Hill Apartments site. This arrangement is proposed to replace the existing one-way connection provided between the subject site and the Punt Hill Apartments site. Under the proposal, motorists seeking access to the adjoining property would be required to enter via Winifred Street.

The access arrangements via the adjoining Punt Hill site have proven to be a point of contention with objections having been received regarding the proposed westbound exit only on to Mt Alexander Road. In this regard, the owners corporation associated with the adjoining site have expressed a preference for eastbound movements (i.e. entry via Mt Alexander Road and exit via Winifred Street) so as to ensure users to the site can directly access the businesses via Mt Alexander Road in lieu of Winifred Street.

Given the applicant, VicRoads and Council's Traffic Engineers have raised no objection to these revised arrangements, a condition of approval will be imposed to formalise the alternate vehicle access. It is noted that to date,

no evidence has been provided detailing any previous formal agreements pertaining to the sharing of access between the subject site and adjoining property. Approval of the application will serve to properly regulate the shared access arrangements.

Conditions will also be imposed to appropriately manage the construction phase as a means of ensuring minimal disruption and the continued operation of the adjacent businesses.

With respect to the existing Coles loading arrangements, vehicles currently utilise both Mt Alexander Road and Winifred Street to deliver product to the supermarket with approximately 21 truck movements to Winifred Street per week. The application proposes to access the supermarket loading dock via both entry and exit solely Winifred Street, which has been opposed by Council's traffic engineers.

Deliveries to the site are proposed to be made by 12.5 metre long heavy rigid vehicles. Existing and proposed supermarket deliveries are highlighted as follows;

Truck Size	Existing Operations	Proposed Operations
7.8m Rigid Truck	2 deliveries per day, Monday to Saturday	n/a
14.2m Articulated Truck	3 deliveries per day, Monday to Sunday	n/a
12m Rigid Trucks	n/a	9 deliveries per day, Monday to Saturday 5 deliveries on Sundays
Total Weekly Deliveries	33 deliveries per week	59 deliveries per week

Figure 8 – supermarket deliveries

Based on the above, the number of deliveries to the supermarket will be increased by 26 deliveries per week, equivalent to an additional 3.7 deliveries per day.

Under the current proposal, all truck movements (ingress and egress) would occur per week along Winifred Street. As a means of evenly dispersing the loading arrangements, a condition of approval will require supermarket loading to occur in a one way direction, that being entry via Mt Alexander Road (through the adjoining Punt Hill site) and exit via Winifred Street. This would result in a reduced number of truck movements along Winifred Street down to 59 per week from the initially proposed 118.

Traffic generation

With regard to traffic generation, the proposed development is expected to generate approximately 58-70 vehicle trip ends during each of the AM and PM peak hours along Winifred Street and 230-241 AM and PM peak movements for Mt Alexander Road. Cardno Pty Ltd are satisfied that traffic generated by the proposal can be adequately accommodated by the proposed access arrangements.

Looking more closely at Winifred Street, the applicant has indicated that based on the road classifications outlined at Clause 56.06 of the Moonee Valley Planning Scheme, Winifred Street would be best classified as an

‘Access Street – Level 2’, which has a target traffic volume of up to 3,000 vehicle movements per day. Taking into account existing and post development traffic volumes, Cardno have anticipated a total of 2,851 vehicle movements per day which is within the realms of the local road capacity.

Overall, both Council’s traffic engineers and VicRoads have raised no objection to the anticipated traffic generation. Furthermore, as previously highlighted, built form modifications will result in a reduced dwelling yield thereby reducing the anticipated trip generation figures as described above. Under the permit conditions the parking supply for the former residential component will be afforded to the commercial uses. Accordingly, the basement arrangements will be re-arranged to as to ensure the commercial traffic is distributed to Mt Alexander Road in lieu of Winifred Street.

3.9 Are adequate loading facilities provided?

Clause 52.07 triggers loading and unloading requirements for both the supermarket and the retail premises’ within the proposed development.

With respect to loading arrangements for the supermarket, a dedicated loading facility (115 square metres) is proposed at the ground level of the ‘eastern wing’.

Loading arrangements for the smaller retail tenancies is proposed to occur via the available on-street spaces or within the commercial car park of the development.

The proposed retail premises’ are relatively small and it is generally accepted that deliveries to retail premises of this scale would be delivered by a van or car. Such vehicles would utilise on-street car parking for short periods of time to drop off goods. Council’s traffic engineers have no objection to this arrangement. It is noted that VCAT commonly waive loading and unloading requirements for small commercial premises similar to that contained within the proposed development.

In light of the above, it is considered appropriate to waive the loading bay requirements for the retailing in this instance.

3.10 Does the proposal accord with Clause 52.29 (Alteration of access to a Road Zone, Category 1)

The extent of alteration of access to Mt Alexander Road (Road Zone, Category 1) is associated with a reinstatement of three of the four crossovers along with an increase in volume of traffic as a consequence of the proposal.

VicRoads has reviewed the proposal and raised no objection.

3.11 Are adequate bicycle spaces provided?

The development attracts a bicycle parking requirement of 89 bicycle spaces comprising 57 spaces for employee/residents and 32 spaces for visitors. In addition, there is a requirement for one shower/change room.

As the application proposes a total of 323 bicycle spaces, the provision is in well in excess of the requirements. Further, a shower and change room area are provided within the lower basement (B2) incorporating 5 showers which are also in excess of the requirements.

3.12 Objections (Discussion)

A response to the objections is provided as follows;

Table 7

Issue	Summary Description
Neighbourhood Character/Proposed 10 Storey scale too high	As highlighted within the above assessment, this site is afforded with adequate strategic justification for a more intensive design response having regard to the overall size, zoning, limited residential zone abutments and gateway location within the Activity Centre. Notwithstanding the above, conditions of approval will require a reduction of the western tower to 9 storeys along with modifications to the Winifred Street interface.
Overdevelopment	Whilst the proposal will result in a landmark building which will be taller than surrounding buildings, its prominent location and the context within which it lies indicates that the site is capable of a larger scale development. Given the strong strategic support for the proposal, together with its gateway location and close proximity to public transport, the development is not considered to be one which is an overdevelopment of the land.
No loading area for retail tenancies	This has been addressed in Section 3.9.
Off-site amenity impacts	Off-site amenity impacts have largely been addressed within Section 3.2 of this report. Considering the current uses of the land, the proposed development is not considered to be one which will have a greater detrimental effect on surrounding residential properties. Noise from the residential component is anticipated to be that which can be associated with typical residential land uses. Much of the commercial component of the proposal is oriented towards

Issue	Summary Description
	Mount Alexander Road, away from the residential interface. The exception is one shop which has a direct interface with the Winifred Street at the eastern end. It is not anticipated that the proposed shop will reduce the levels of amenity, currently enjoyed by adjoining residential property owner/occupiers. Further, it is highlighted that the Commercial 1 Zone extends for the full length of the site.
Car Parking/Traffic	Car parking traffic and revised vehicle access requirements have been addressed in Section 3.8 of this report.
Contamination	A condition of any approval will require a detailed environmental site assessment to be undertaken prior to the construction of the development.
Construction Impacts	A Construction and Site Management Plan will be required as a condition on any permit granted, to help mitigate any construction impacts on surrounding properties.
Impacts on Woodlands Park	An arborist report has been commissioned which details protection measures for existing trees within Woodlands Park. Accordingly, this will be captured within conditions of any approval issued.
Property Devaluation	This is not a valid planning consideration.
Approval would set a precedent	This is a unique site within the Activity Centre and one that is considerably larger in land size. Accordingly, it is not considered that the proposal will set a precinct for similar scale development within the area. As with all permit applications, each proposal must be considered on its individual merits.

4. General

The application was lodged prior to 13 April 2017 and therefore is exempt from the provisions of Clause 58 (Apartment Developments) within the Moonee Valley Planning Scheme.

5. 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).

6. Conclusion

The application 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.

Subject to conditions, it is considered that the proposal demonstrates an acceptable degree of compliance with the requirements of these provisions and policies. The application is therefore supported as detailed within the recommendation section.

Appendices

Appendix A: Location of Objectors

Appendix B: Plans (separately circulated)

Appendix C: Informal Amended Plans (separately circulated).

Appendix A – Location of Objectors

1/28 Shuter Street, MOONEE PONDS VIC 3039
25 Warner Street, ESSENDON VIC 3040
9 Merchiston Grove, STRATHMORE VIC 3041
27 Warner Street, ESSENDON VIC 3040
37 Warner Street, ESSENDON VIC 3040
4/16 Schofield Street, ESSENDON VIC 3040
13 Crisp Street, ESSENDON VIC 3040
31 Warner Street, ESSENDON VIC 3040
29 Warner Street, ESSENDON VIC 3040
30 Winifred Street, ESSENDON VIC 3040
28 Winifred Street, ESSENDON VIC 3040
9 Carnarvon Road, ESSENDON VIC 3040
110 Glass Street, ESSENDON VIC 3040
1129 Swan Reach Road, MOSSIFACE VIC 3885
506/40 Collins Street, ESSENDON VIC 3040
605/40 Collins Street, ESSENDON VIC 3040
13/25 Winifred Street, ESSENDON VIC 3040
16/25 Winifred Street, ESSENDON VIC 3040
6/1072 Mt Alexander Road, ESSENDON VIC 3040
4/25 Winifred Street, ESSENDON VIC 3040
15/25 Winifred Street, ESSENDON VIC 3040
10/25 Winifred Street, ESSENDON VIC 3040
4 Lind Street, STRATHMORE VIC 3041
15a Carnarvon Road, ESSENDON VIC 3040
152 Holmes Road, MOONEE PONDS VIC 3039
93 Glass Street, ESSENDON VIC 3040
95 Glass Street, ESSENDON VIC 3040
52 Bulla Road, STRATHMORE VIC 3041
25 Warner Street, ESSENDON VIC 3040
89 Glass Street, ESSENDON VIC 3040
3 Glen Street, ESSENDON VIC 3040
18/25 Winifred Street, ESSENDON VIC 3040
80 Glass Street, ESSENDON VIC 3040

81 Glass Street, ESSENDON VIC 3040
203/75 Keilor Road, ESSENDON VIC 3040
108/75 Keilor Road, ESSENDON VIC 3040
84 Glass Street, ESSENDON VIC 3040
2 Schofield Street, ESSENDON VIC 3040
2 Schofield Street, ESSENDON VIC 3040
77 Glass Street, ESSENDON VIC 3040
77 Glass Street, ESSENDON VIC 3040
106 Hedderwick Street, ESSENDON VIC 3040
1 Aroona Court, ABERFELDIE VIC 3040
17/25 Winifred Street, ESSENDON VIC 3040
17/25 Winifred Street, ESSENDON VIC 3040
2 Outlook Drive, EAGLEMONT VIC 3084
2/17 Winifred Street, ESSENDON VIC 3040
5b Carnarvon Road, ESSENDON VIC 3040
15b Carnarvon Road, ESSENDON VIC 3040
89 Glass Street, ESSENDON VIC 3040
PO Box 457, NORTH ESSENDON VIC 3041
1/10 Winifred Street, ESSENDON VIC 3040
3/12 Winifred Street, ESSENDON VIC 3040
51 Nimmo Street, ESSENDON VIC 3040
51 Nimmo Street, ESSENDON VIC 3040
1/17 Winifred Street, ESSENDON VIC 3040
3/17 Winifred Street, ESSENDON VIC 3040
124 North Oatlands Road, YARRAMBAT VIC 3091
1/13 Carnarvon Road, ESSENDON VIC 3040
5a Carnarvon Road, ESSENDON VIC 3040
17 Carnarvon Road, ESSENDON VIC 3040
1142 Mt Alexander Road, ESSENDON VIC 3040
1142 Mt Alexander Road, ESSENDON VIC 3040
Atf Cpm Unit Trust, 16 San Remo Drive, AVONDALE HEIGHTS VIC 3034
26 Salmon Avenue, ESSENDON VIC 3040
26 Bradshaw Street, ESSENDON VIC 3040

40 Daisy Street, ESSENDON VIC 3040
305/1142 Mt Alexander Road, ESSENDON VIC 3040
15 Winifred Street, ESSENDON VIC 3040
6/11 Winifred Street, ESSENDON VIC 3040
6 Montrose Court, SYDENHAM VIC 3037
234 Woodland Street, STRATHMORE VIC 3041
PO Box 4353, BURWOOD EAST VIC 3151
1101-1103 Mt Alexander Road, ESSENDON VIC 3040

**9.2 7 Overman Court, Essendon (Lot 2 on PS066745) -
Construction of 12 dwellings**

File No: FOL/17/11
Author: Grant Michell
Senior Statutory Planner
Directorate: Planning & Development

Planning File No.	MV/227/2017
Proposal	Construction of 12 dwellings comprising: <ul style="list-style-type: none">• Six double storey dwellings;• Six triple storey dwellings; and• Basement parking for 20 vehicles.
Applicant	Branson Property Group Pty Ltd
Owner	7 Overman Court Pty Ltd
Planning Scheme Controls	General Residential Zone
Planning Permit Requirement	Clause 32.08-6 – to construct two or more dwellings on a lot
Car Parking Requirements (Clause 52.06)	Required – 20 car spaces Proposed – 20 car spaces
Bicycle Requirements	N/A
Restrictive Covenants	None
Easements	None
Site Area	1230m ²
Number Of Objections	22
Consultation Meeting	19 July 2017

Executive Summary

- This application seeks approval for the construction of six double storey dwellings and six three storey dwellings for a total of 12 dwellings.
- The site is approximately 1,230 square metres in extent and located on the northern side of Overman Court, Essendon.
- The application was advertised with 22 objections received. Concerns were raised in relation to the neighbourhood character, built form, overdevelopment, waste collection, construction management, on-site and off-site amenity, traffic and parking, and consistency with the Moonee Valley Planning Scheme.
- A Consultation Meeting was held on 19 July 2017, which was attended by Councillor's Lawrence and Gauci Maurici, the Permit Applicant, Objectors and Council's Planning Officer.
- Prior to the Consultation Meeting, the Permit Applicant circulated 'without prejudice' plans to Council and all Objectors showing the removal of the third storey component of Dwellings 10 and 11 and clarification concerning waste collection by a private contractor. These plans were discussed at the Consultation Meeting.
- On 31 July 2017, Council received notification of an application for review under Section 79 of the *Planning and Environment Act 1987* against Council's failure to determine the planning application within the prescribed time. A Practice Day Hearing has been set for the 8 September, a Compulsory Conference has been set for 18 October 2017 and a Merits hearing has been set for 7 December 2017.
- The proposal demonstrates an adequate level of compliance with the relevant policies and provisions of the Moonee Valley Planning Scheme. It proposes an appropriate intensification of residential development in a well-established area close to schools, public open space and public transport. The architectural response is considered to be appropriate to the context of the site.
- The proposal achieves an acceptable level of compliance with the standards of ResCode, with four technical areas of non-compliance. Variations associated with the overall height of the development, side and rear setbacks, provision of private open space and solar access to secluded private open space are considered appropriate. The proposed development depicts an appropriate built form that provides a high level of internal amenity, protects the amenity of the adjoining properties and responds to its site context.
- Overall, this assessment report finds that the proposal demonstrates an adequate level of compliance with the relevant policies and provision of the Moonee Valley Planning Scheme and recommends that the proposal be supported subject to conditions.

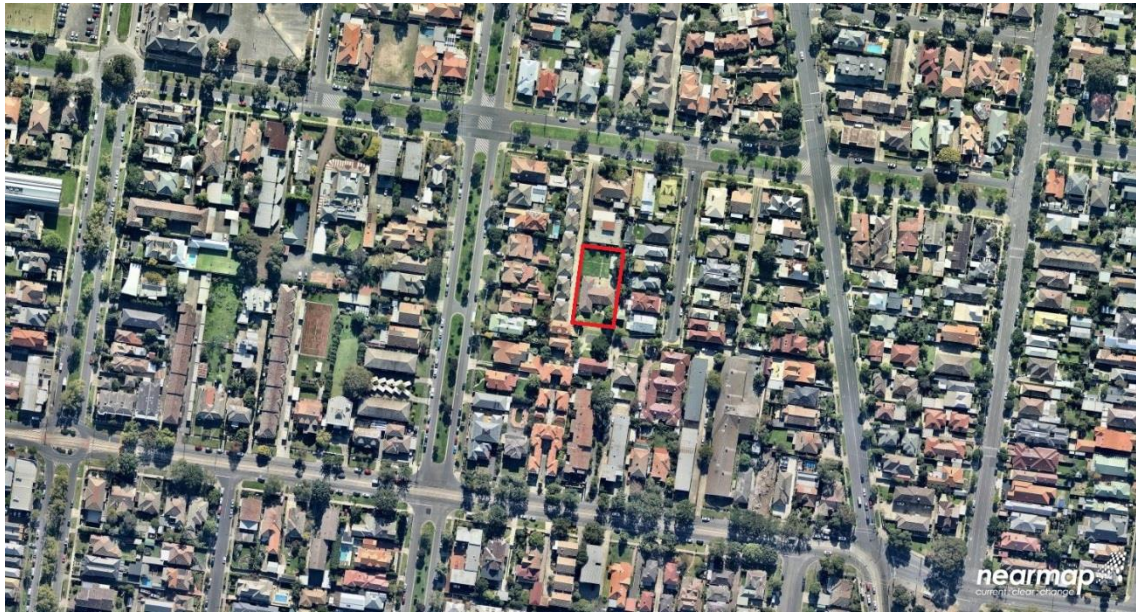


Figure 1: Aerial photograph of subject site and surrounds, dated 4 May 2017

Recommendation

That Council advises the Victoria Civil and Administrative Tribunal (VCAT) and other parties to the application, that if Council were in a position to decide on the application, that the decision would have been to issue a Notice of Decision to Grant a Permit in relation to Planning Permit Application No. MV/227/2017 for the construction of 12 dwellings at 7 Overman Court, Essendon (Lot 2 on PS066745), 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 an electronic copy must be provided. The amended plans must be generally in accordance with the advertised plans but modified to show:
 - a) The third level of Dwellings 10 and 11 be deleted;
 - b) Internal alterations to Dwellings 10 and 11 as a result of Condition 1(a);
 - c) All stormwater treatment measures and BESS measures, their locations and associated annotations in accordance with the amended STORM and BESS Assessment reports in Conditions 3 and 4;
 - d) All vehicle crossings to be constructed in accordance with Council's Vehicle Crossing Policy with the accessways to align with the crossovers;
 - e) A notation stating that all windows within the eastern, western and northern elevations to be screened in accordance with Clause 55.04-6 Standard B22 (Overlooking) of the Moonee Valley Planning Scheme and to be restricted to opening no more than 150mm;
 - f) The provision of a 300mm trench grate at the bottom of the ramp;

- g) A notation that visitor parking spaces are adequately signed in accordance with the relevant Australian Standards; and
- h) Lighting bollards within the pedestrian walkway.

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

2. The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
3. An amended 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 100% to comply with Clause 22.03-4 (Stormwater Management) of the Moonee Valley Planning Scheme.
4. An amended BESS assessment report must be submitted simultaneously with the submission of amended plans in accordance with Condition 1. The BESS Assessment must obtain a minimum 50% to comply with Clause 21.04-3 (Ecologically Sustainable Development) of the Moonee Valley Planning Scheme.
5. A minimum 30 days prior to any building or works commencing, all Water Sensitive Urban Design (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 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 CSMP must be in accordance with Moonee Valley City Council's CSMP's guideline and templates.

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.

7. A maximum 30 days following completion of the development, 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's User 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 in accordance with Clause 55.04-6 (Overlooking objective) of the Moonee Valley Planning Scheme 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, 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;
 - 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.

- 11. Before the buildings approved by this permit are occupied, concrete vehicular crossings must be constructed to suit the proposed driveways in accordance with the Responsible Authority's specification and any obsolete, disused or redundant vehicle crossing 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.

12. 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.
13. 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 manufacturer's 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.

14. A Council drain (minimum 225mm dia uPVC) must be constructed to reach the approved point of discharge. Before the development commences, Engineering Design Plans and a Drainage Layout Plan (with computations) to the satisfaction of the Responsible Authority, must be submitted to and approved by the Responsible Authority. The Engineering Design Plans and Drainage Layout Plan must be prepared by a Civil Engineer with suitable qualifications to the satisfaction of the Responsible Authority and must accord with Council's Drainage Design Guidelines.

When approved, the Engineering Design Plans and Drainage Layout Plan will be endorsed and will form part of this permit.

The drainage must be constructed in accordance with the endorsed Engineering Design Plans and Drainage Layout Plan and the provisions, recommendations and requirements of the endorsed Engineering Design Plans and Drainage Layout Plan must otherwise be implemented and complied with to the satisfaction of the Responsible Authority.

After the drainage works have been constructed and before the building/s approved by this permit is/are occupied, as constructed plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority.

All costs associated with the preparation of the plans and installation and construction of the required drainage works must be borne by the permit holder.

15. 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.
16. The development must be provided with external lighting capable of illuminating access to each garage, car parking space and pedestrian walkways. Lighting must be located, directed and shielded and of limited intensity so that no nuisance or loss of amenity is caused to any person within or beyond the land.
17. 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 an electronic copy 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) Any changes as a result of Condition 1;
 - b) A survey of all existing vegetation, abutting street trees, natural features and vegetation;
 - 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 capable of reaching a mature minimum height of 4 metres; and
 - iv. Minimising the potential of any overlooking between habitable rooms of adjacent dwellings;
 - 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 drought tolerant species;
 - h) The provision of canopy trees within the frontage of the site;
 - i) All trees on the land that are proposed to be removed or destroyed; and
 - j) All planting within the pedestrian visibility splay to be no higher than 900mm.

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.

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. 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 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; and
 - 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.

20. 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 Moonee Valley City Council on 9243 8888 regarding legal point of discharge, vehicular crossings, building over easements, asset protection, road consent/occupancy etc.
- 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.
- No on-street parking permits will be provided to the occupiers of the land.
- 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; $C=0.4$, $t_c=5\text{mins}$, ARI 1 in 5. An ARI of 1 in 10 should be used for storage and the greater of post development C or $C=0.80$.
- All drainage works undertaken must be in accordance with the requirements of Stormwater Drainage Requirements for Development Works as prepared by the Moonee Valley City Council.

1. Introduction

1.1 Subject Site and Surrounds

The subject property is located on the northern side of Overman Court, Essendon.

The site is rectangular in shape with a frontage of 20.09 metres and a depth of 48.77 metres. The site area is 1,230 square metres.

There are no easements or covenants noted on the Certificate of Title.

The subject site currently accommodates a single storey rendered brick dwelling with a pitched roof.



Figure 2: Subject Site (7 Overman Court, Essendon), view to the north

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 on large allotments and multi-unit developments.

The character of the area can be described as transitional, featuring multi-unit developments with a decreasing number of single dwellings on large lots. External materials are a mixture of brick, weatherboard and rendered finishes in differing colours. Building frontages vary from single to double frontages. Roof forms in the area are predominantly hipped with some examples of gabled-ended and flat roof forms.

1.2 Proposal

It is proposed to construct 12 dwellings on the lot comprising six double storey dwellings and six triple storey dwellings. Parking for residents and visitors is provided within a basement level accessed from the south-east corner of the site to Overman Court. A central pedestrian accessway is provided to the dwellings at ground floor.

Table 1

No of dwellings	12 dwellings (6 x two bedroom and 6 x three bedroom)
No of car spaces	20 (18 resident spaces and 2 visitor spaces)
Max Building Height	10.02 metres
Site Coverage	48%
Permeability	30.5%

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

2. Background

2.1 Relevant Planning History

No previous planning application have been determined for the subject site.

2.2 Planning Policies and Decision Guidelines

State Planning Policy Framework

Clause 10 Operation of the State Planning Policy Framework

Clause 11 Settlement

Clause 11.06 Metropolitan Melbourne

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

Overlays

N/A

Particular and General Provisions

Clause 52.06 Car Parking

Clause 55 Two or More Dwellings on a Lot

Clause 65 Decision Guidelines

2.3 Referrals

External Referrals

N/A

Internal Referrals

Table 2

Department/Officer	Yes	No	N/A	Conditions
Environmental Sustainable Design (ESD) (Officer Assessment)			✓	BESS and STORM plan annotations required
Development Engineering (Traffic)	✓			Standard crossover and accessway conditions
Development Engineering (Drainage)	✓			Standard drainage conditions.
Waste Management Officer	✓			Private waste collection.

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 displayed on site for 14 consecutive days.

As a result, 22 objections were received and identified within **Appendix A** of this report. The objections are discussed at Section 3.5 of this report.

2.5 Consultation Meeting

A Consultation Meeting was held on 19 April 2017, which was attended by Councillor's Lawrence and Gauci Maurici, the Permit Applicant, Objectors and Council's Planning Officer.

Prior to the Consultation Meeting, the Permit Applicant circulated 'without prejudice' plans to Council and all Objectors showing the removal of the third storey component of Dwellings 10 and 11 and clarification concerning waste collection by a private contractor. These plans were discussed at the meeting.

No resolution was achieved at this meeting.

3. Discussion

3.1 Does the Proposal Address the Relevant State and Local Planning Policies?

The relevant State Planning Policy Framework objectives are considered to have been satisfied by the proposal. Notably, the policy framework objectives broadly encourage consolidation of urban allotments in locations which can provide housing diversity and take advantage of existing public transport and community and commercial services, including Clauses 11, 11.06, 15, 16, 18, 21.05 and 21.06, which all seek to increase the residential supply in these areas.

The site offers an opportunity for redevelopment considering its size, location proximate to public transport and location in a residential area, which already features a range of dwelling densities. The proposed development responds to the objectives and strategies of 21.06 (Built Environment). The key concepts of this clause are assessed against the relevant Neighbourhood Character Precinct Profile Guidelines in Section 3.2.

The proposal complies with Clause 21.04 (Sustainable Environment) and Clause 22.02 (Storm Water Management) through the use of ecological sustainable design principles as highlighted within the submitted BESS assessment and STORM reports, subject to appropriate conditions on any permit issued requiring additional details on the development plans and amended reports due to the changes in the roof layout.

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. Waste collection will be undertaken by a private contractor with all waste collection being undertaken fully on-site within the basement level. Council's Waste Management Department has reviewed the submitted Waste Management Plan and has no objections to this arrangement.

3.2 Does the Development Accord with the Preferred Character of the Area?

The subject land is identified as being within character area 'Garden Suburban 4' within the Moonee Valley Neighbourhood Precinct Profiles 2012. The development is considered a suitable response to the immediate context, the design guidelines and the preferred character statement of the precinct as follows:

- The proposed contemporary built form of the development is consistent with the emerging character of the area.
- The siting and massing of the development is consistent with the pattern of development which has occurred in the immediate and wider area and is responsive to its corner location.
- The presentation and setback of the development to the street is consistent with the streetscape pattern and will not present as a dominant built form.
- The development is highly articulated through the use of varied setbacks, porch treatments and a variety of materials and finishes and will present a contemporary and visually interesting built form to this corner location.
- The flat roof form of the development is consistent with the surrounding built form within the wider area and is reflective of the contemporary building form. Additionally, the flat roof form results in a lower overall building height, which reduces the visual dominance of the development to the adjoining properties.

- The height of the development at two and three storeys is an appropriate design response for a site of this size. The third storey component of the development has been located centrally within the site to ensure that it will not be visible from the streetscape and not readily visible from the adjoining properties. However, it is considered appropriate to include a condition to remove the third storey component within the eastern section of the development associated with Dwellings 10 and 11 to limit the visual dominance of the development to the rear secluded private open spaces of the dwellings fronting Agatha Street. The third storey component within the western section is appropriate and will not impact upon secluded private open space areas of the adjoining properties to the west as the site abuts an accessway along the shared boundary. This condition is consistent with the 'without prejudice' plans prepared by the Permit Applicant prior to the Consultation Meeting.
- Sufficient areas throughout the site are provided for a landscaping response, including canopy tree planting to contribute to the garden character of the area.
- Appropriate front fencing is provided in front of the dwellings facing the street, which have been setback behind the street boundary and incorporates planting along the street edge to maintain a landscaped frontage while protecting the amenity of the dwellings.
- Car parking is located within a basement level that has been constructed to be fully below natural ground level to reduce the visual impact to the streetscape. It is noted that the existing crossover location has been maintained.

3.3 Does the Proposal Comply with Clause 52.06 (Car Parking)?

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

Table 3

	Requires	Proposed
6 x Two-bedroom Dwellings	6	6
6 x Three-bedroom Dwellings	12	12
Visitor Spaces	2	2
Total	20	20

The submitted 'without prejudice' plans result in the dwelling composition and car parking requirements changing to the following:

Table 4

	Requires	Proposed
8 x Two-bedroom Dwellings	8	8
4 x Three-bedroom Dwellings	8	8
Visitor Spaces	2	2
Total	18	18

It is noted that the development as proposed within the 'without prejudice' plans remains fully compliant with the car parking requirements of the Moonee Valley Planning Scheme.

The design of car spaces and accessways generally complies with the requirements of Clause 52.06-8, including the provision of pedestrian visibility splays on the western edge due to the high fence on the adjoining property. It is noted that a convex mirror is proposed to maintain adequate sight lines.

The application has been referred to Council's Development Engineering (Traffic) Department who do not object to the development subject to standard crossover and accessway conditions and comment that the proposed traffic generation to be generated from the proposed development will not have an adverse impact on the surrounding road network.

3.4 Does the Proposal Comply with 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 are assessed below:

Table 5

Res Code Standard	Response
Clause 55.03-2 (Standard B7 – Building Height)	The proposed overall height at 10.02 metres does not comply with the 9 metre height requirement of this Standard. It is considered that the proposed height is acceptable for the site given its size and site context, subject to conditions removing the third storey component of the eastern dwellings. The remaining third storey component of the development is located along the western boundary and abuts an accessway of the adjoining residential development. As such, there will be no unreasonable amenity impact to these dwellings resulting from the height of the development.
Clause 55.04-1 (Standard B17 – Side and Rear Setbacks)	<p>The proposed third storey east and west side setbacks do not comply with this Standard. It is considered appropriate to include a condition removing the third level from the eastern dwellings (Dwellings 10 and 11) to limit the amenity impact to the adjoining properties fronting Agatha Street.</p> <p>The proposed areas of non-compliance to the western boundary are acceptable due to the minor area of non-compliance proposed and the lack of any sensitive interface on the adjoining property to the west.</p> <p>The proposed ground and first floor setbacks fully comply with this Standard.</p>

Res Code Standard	Response
Clause 55.04-6 (Standard B22 – Overlooking)	It is considered appropriate to include a condition requiring that all habitable room windows within the eastern, western and northern elevations be screened in accordance with this Standard.
Clause 55.05-4 (Standard B28 – Private Open Space)	The private open space to Dwellings 1, 3-7, and 10-12 do not comply with the 40sqm requirement for this Standard. It is considered that the proposed provision of private open space is acceptable in this instance as it is consistent with this form of development. Additionally, the private open space areas are secluded areas and provide an acceptable level of amenity for the dwellings. Further, the subject site is well located in relation to surrounding areas of public park and recreation.
Clause 55.05-5 (Standard B29 – Solar Access to Open Space)	Dwellings 1 and 12 have areas of secluded private open space to the south of the building, which do not comply with the setback requirements of this Standard. It is considered that the proposed non-compliance is acceptable in this instance given the size of the dwellings at two bedrooms and the site's location in relation to surrounding areas of public park and recreation.

3.5 Objections

The following table provides a discussion of the concerns raised within the objections to the application:

Table 6

Issue	Officer Response
Neighbourhood Character	Refer to Section 3.2 of this report for discussion.
Visual Bulk	The development is highly articulated through the use of various materials and finishes, varied setbacks, landscaping, wall heights, roof forms, separation at the upper levels and window placements. As such, it is considered the development does not present a visually dominant built form to the streetscapes or adjoining properties. Additionally, a condition can be included on any permit issued removing the third storey component of the eastern dwellings (Dwellings 10 and 11) to limit any visual dominance to the adjoining areas of secluded private open space.

Issue	Officer Response
Overdevelopment	The proposed development does not present as an overdevelopment of the subject site as it appropriately responds to its site context of being a large site in an area with numerous multi-unit development and general compliance with the Standards and Objectives of Clause 55 of the Moonee Valley Planning Scheme.
On-site Amenity	Refer to Section 3.4 of this report for discussion.
Off-site Amenity	Refer to Section 3.4 of this report for discussion.
Traffic and Parking	Refer to Section 3.3 of this report for discussion.
Construction Management	A condition of any permit issued will require the submission of a Construction Management Plan, to the satisfaction of the Responsible Authority to ensure that the construction of any development will have minimal impact upon the surrounding properties during the construction phase.
Waste Management	A Waste Management Plan has been submitted with the application stating that waste collection will be by a private contractor and be undertaken entirely on-site within the basement level. Council's Waste Management Officer has reviewed the Waste Management Plan and does not object.
Devaluation of Properties	This is not a planning consideration.

4. General

The application was lodged prior to the 27 March 2017, and as such is not subject to the amendments to the residential zones outlined in Clauses 32.08-4 and 32.08-9 (General Residential Zone) of the Moonee Valley Planning Scheme.

5. 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).

6. 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 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

Appendix B: Plans (separately circulated)

Appendix C: Clause 55.

Objectors Location for MV/227/2017 at 7 Overman Court, ESSENDON
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14 Agatha Street, ESSENDON VIC 3040
5/16 Agatha Street, ESSENDON VIC 3040
5/16 Agatha Street, ESSENDON VIC 3040
34 Hoddle Street, ESSENDON VIC 3040
2/16 Agatha Street, ESSENDON VIC 3040
PO Box 605, MOONEE PONDS VIC 3039
129 Paisley Street, FOOTSCRAY VIC 3011
48 Buckley Street, ESSENDON VIC 3040
12 Agatha Street, ESSENDON VIC 3040
4/16 Agatha Street, ESSENDON VIC 3040
PO Box 16, BRUNSWICK EAST VIC 3057
9 Agatha Street, ESSENDON VIC 3040
1/16 Agatha Street, ESSENDON VIC 3040
2/25 Raleigh Street, ESSENDON VIC 3040
5a Overman Court, ESSENDON VIC 3040
3 Overman Court, ESSENDON VIC 3040
5/25 Raleigh Street, ESSENDON VIC 3040
8 Agatha Street, ESSENDON VIC 3040
7 Agatha Street, ESSENDON VIC 3040
3 Agatha Street, ESSENDON VIC 3040
5 Overman Court, ESSENDON VIC 3040
4 Balderrie Court, GOWANBRAE VIC 3043

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
<i>B1 - Neighbourhood Character</i>	✓	✓
<i>B 2 - Residential Policy</i>	✓	✓
<i>B 3 - Dwelling Diversity</i>	N/A	N/A
<i>B 4 - Infrastructure Objectives</i>	✓	✓
<i>B 5- Integration with the Street Objective</i>	✓	✓
<i>B6 - Street Setback Objective</i>	✓	✓
<i>B7 - Building Height Objective</i>	X	✓
<i>B8- Site Coverage Objective.</i>	✓	✓
<i>B9- Permeability Objectives</i>	✓	✓
<i>B10 - Energy Efficiency Objectives</i>	✓	✓
<i>B 11 - Open Space Objective</i>	N/A	N/A
<i>B 12- Safety Objective</i>	✓	✓
<i>B 13 - Landscaping Objectives</i>	✓ subject to conditions	✓
<i>B 14 - Access Objectives</i>	✓	✓
<i>B 15 - Parking Location Objectives</i>	✓	✓
<i>B16 – Parking Provision</i>	Deleted from Clause 55 on 5 June 2012 (VC90). Refer to Clause 52.06 for car parking requirements under Section 3.3	
<i>B 17 - Side and Rear Setbacks Objective</i>	X	✓
<i>B 18 - Walls on Boundaries Objective</i>	✓	✓
<i>B 19 - Daylight to Existing Windows Objective.</i>	✓	✓
<i>B 20 - North-facing Windows Objective</i>	✓	✓
<i>B 21 - Overshadowing Open Space Objective</i>	✓	✓
<i>B 22 - Overlooking Objective</i>	✓ subject to conditions	✓
<i>B 23 - Internal Views Objective</i>	✓	✓
<i>B 24 - Noise Impacts Objectives</i>	✓	✓

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

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

**9.3 100 Glass Street, Essendon (Lot 1 on TP747148M) -
Construction of six dwellings and reduction in visitor parking
requirements**

File No: FOL/17/11
Author: Grant Michell
Senior Statutory Planner
Directorate: Planning & Development

Planning File No.	MV/699/2016
Proposal	To construct six attached dwellings comprising: <ul style="list-style-type: none">• Five triple storey dwellings; and• One double storey dwelling.
Applicant	New Investment Galaxy Pty Ltd
Owner	New Investment Galaxy Pty Ltd
Planning Scheme Controls	General Residential Zone
Planning Permit Requirement	Clause 32.08-6 – to construct two or more dwellings on a lot Clause 52.06-3 – to reduce the visitor parking requirements
Car Parking Requirements (Clause 52.06)	Required – 8 car spaces Proposed – 7 car spaces
Bicycle Requirements	N/A
Restrictive Covenants	None
Easements	None
Site Area	704m ²
Number Of Objections	21
Consultation Meeting	22 March 2017

Executive Summary

- This application seeks approval for the construction of five three-storey dwellings and one double storey dwelling.
- The site is approximately 704 square metres in area located on the northern side of Glass Street, Essendon.
- The application was advertised with 21 objections received. Concerns were generally raised in relation to the neighbourhood character, built form, overdevelopment, on-site and off-site amenity, traffic and parking, and consistency with the Moonee Valley Planning Scheme.
- A Consultation Meeting was held on 22 March 2017, which was attended by Councillor's Sharpe and Gauci Maurici, the Permit Applicant, Objectors and Council's Planning Officer. No resolution was achieved at this meeting, however, following from the Consultation Meeting, the Permit Applicant circulated 'without prejudice' plans (refer to **Appendix D** – separately circulated) to Council showing the removal of the third storey component of Dwelling 5 and a number of other changes to the built form.
- The proposal demonstrates an adequate level of compliance with the relevant policies and provisions of the Moonee Valley Planning Scheme. It proposes an appropriate intensification of residential development in a well-established area close to schools, public open space and public transport. The architectural response is considered to be appropriate to the context.
- The application was internally referred to Council's Development Engineering (Drainage) Unit, Development Engineering (Traffic) Unit, Waste Management Unit and Environmental Sustainable Design (ESD) Officer. Conditional support was provided from all other authorities and departments/officers.
- The proposal (as advertised) achieves an acceptable level of compliance with the standards of ResCode, with four technical areas of non-compliance. Variations associated with the location of windows in proximity to the common accessway, third level west and east side setbacks, and storage provision are considered appropriate. The proposed development depicts an appropriate built form that provides a high level of internal amenity, protects the amenity of the adjoining properties and responds to its site context. Conditions have been included to reflect the 'without prejudice' plans circulated, which with a number of further modifications, results in an improved outcome in terms of the building form.
- This assessment report finds that the proposal demonstrates an adequate level of compliance with the relevant policies and provision 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 photograph 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/699/2016 for the construction of six dwellings at 100 Glass Street, Essendon (Lot 1 on TP747148M), 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 an electronic copy must be provided. The amended plans must be generally in accordance with the advertised plans but modified to show:
 - a) Deletion to the second floor level of Dwelling 5, alterations to the floor layout and built form in accordance with the floor plans and elevations dated June 2017;
 - b) The deletion of one bedroom at the second floor level of Dwelling 4 and the centralisation of the remaining bedroom at this level;
 - c) Any internal alterations to Dwelling 4 as a result of Condition 1(b) of this Permit;
 - d) At least 6m³ of storage for each dwelling;
 - e) All habitable room windows at ground level within 1 metre of the common accessway to be double glazed;
 - f) All stormwater treatment measures and BESS measures, their locations, including the identification and details of all pervious paving areas, and associated annotations in accordance with the submitted STORM and BESS Assessment reports;

- g) A notation on the plans that the rear of the garages of Dwellings 3 and 4 to be open and unroofed;
- h) All internal elevations;
- i) A landscape plan in accordance with Condition 18 of this permit;
- j) All vehicle crossings to be constructed in accordance with Council's Vehicle Crossing Policy with the accessways to align with the crossovers;
- k) A notation stating that all windows and balconies within the eastern and western elevations to be screened in accordance with Clause 55.04-6 (Standard B22 - Overlooking) of the Moonee Valley Planning Scheme and to be restricted to opening no more than 150mm;
- l) No storage doors to open into garage parking areas; and
- m) The eastern and western boundary fences to be a minimum of 1.8 metres in height, tapered to a maximum height of 1.2 metres within the street setback of the site.

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

- 2. The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
- 3. Before the development commences, an amended STORM Report reflecting the changes to the built form must be submitted simultaneously with the submission of amended plans in accordance with Condition 1.
- 4. Before the development commences, an amended BESS that outlines proposed design initiatives must be submitted to and approved by the Responsible Authority. The amended BESS shall refer to the endorsed plans. Upon approval the BESS will be endorsed as part of this planning permit and the development must incorporate the sustainable design initiatives outlined in the endorsed BESS to the satisfaction of the Responsible Authority. The BESS must be generally in accordance with the BESS submitted with the application, but modified as follows:
 - a) Any changes required by Condition 1 of this permit.The development must incorporate the sustainable design initiatives outlined in the endorsed BESS to the satisfaction of the Responsible Authority.
- 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 if the owner of the adjoining land allows access for the purpose.
- 6. A minimum 30 days prior to any building or works commencing, all Water Sensitive Urban Design (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 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 pollution from entering the stormwater systems.

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

8. A maximum 30 days following completion of the development, 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's User Guide or a Building Maintenance Guide.

9. Floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
10. 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 in accordance with Clause 55.04-6 (Overlooking objective) of the Moonee Valley Planning Scheme 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.

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 crossings must be constructed to suit the proposed driveways in accordance with the Responsible Authority's specification and any obsolete, disused or redundant vehicle crossing 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 manufacturer's 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.

15. Stormwater runoff from the development must drain via an underground system and discharge to the kerb and channel in front of the land. If discharge to the kerb and channel via gravity is not possible, the discharge to the kerb and channel in front of the land must be via a dual pump system in accordance with AS3500.3.2. 1998, Section 9.
16. 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.
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, 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 an electronic copy 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) Any changes required by Condition 1 of this permit;
 - b) A survey of all existing vegetation, abutting street trees, natural features and vegetation;
 - 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 capable of reaching a mature minimum height of 4 metres, including within the front setback; and
 - iv. Minimising the potential of any overlooking between habitable rooms of adjacent dwellings;
 - 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 drought tolerant species;
 - h) All trees on the land that are proposed to be removed or destroyed; and
 - i) All planting within the pedestrian visibility splay to be no higher than 900mm.

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.

19. The garden areas shown on the endorsed plan and schedule must only be used as gardens and must be constructed, completed and maintained in a proper, tidy and healthy condition to the satisfaction of the Responsible Authority. Any tree or shrub damaged, removed or destroyed must be replaced by a tree or shrub of similar size and variety to the satisfaction of the Responsible Authority.
20. 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 Moonee Valley City Council on 9243 8888 regarding legal point of discharge, vehicular crossings, building over easements, asset protection, road consent/occupancy etc.
- 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.
- No on-street parking permits will be provided to the occupiers of the land.
- 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; $C=0.4$, $t_c=5$ mins, ARI 1 in 5. An ARI of 1 in 10 should be used for storage and the greater of post development C or $C=0.80$.

1. Introduction

1.1 Subject Site and Surrounds

The subject property is located on the northern side of Glass Street, Essendon.

The site is rectangular in shape with a frontage of 12.19 metres and a depth of 57 metres. The site area is 704 square metres.

There are no easements or restrictive covenants noted on the Certificate of Title.

The subject site currently accommodates a single storey weatherboard dwelling with a pitched roof.



Figure 2: Subject Site (100 Glass Street, Essendon) view to the north

The surrounding land is within a General Residential Zone. Residential developments in proximity of the subject site are varied, with a mixture of single dwellings on large allotments, multi-unit developments and multi-storey apartment buildings. Examples of multi-unit developments and multi-storey apartment buildings are located at 82, 96, 99, 101-103, 106 & 114 Glass Street.

The character of the area can be described as transitional, featuring multi-unit developments with a decreasing number of single dwellings on large lots. External materials are a mixture of brick, weatherboard and rendered finishes in differing colours. Roof forms in the area are predominantly hipped or gabled, with numerous flat roof forms associated with multi-storey apartment buildings.

1.2 Proposal

Construction of six dwellings (five triple storey and one double storey) with a reduction in visitor car parking requirements. The proposal can be summarised as follows:

Table 1

No of dwellings	6 dwellings (1 x three bedroom and 5 x two bedroom)
No of car spaces	7 car spaces
Max Building Height	8.77 metres
Site Coverage	58.69%
Permeability	37.48%

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

2. Background

2.1 Relevant Planning History

No previous planning applications have been determined for the subject site.

2.2 Planning Policies and Decision Guidelines

State Planning Policy Framework

Clause 10	Operation of the State Planning Policy Framework
Clause 11	Settlement
Clause 11.06	Metropolitan Melbourne
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
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Overlays

N/A

Particular and General Provisions

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

2.3 Referrals

External Referrals

Not Applicable

Internal Referrals

Table 2

Department/Officer	Yes	No	N/A	Conditions
Environmental Sustainability Design (ESD) Officer	✓			Amended BESS report and STORM and BESS plan annotations.
Development Engineering (Traffic)	✓			Conditions relating to the accessways and crossovers and further justification for waiver of the visitor parking requirements.
Development Engineering (Drainage)	✓			Standard drainage conditions.
Waste Management	✓			Require a Waste Management Plan maintaining private waste collection

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 displayed on site for 14 consecutive days.

As a result, 21 objections were received and identified within **Appendix A** of this report. The objections are discussed at Section 3.5 of this report.

2.5 Consultation Meeting

A Consultation Meeting was held on 22 March 2017, which was attended by Councillors Sharpe and Gauci Maurici, the Permit Applicant, Objectors and Council's Planning Officer. No resolution was achieved at this meeting.

Following the Consultation Meeting, 'without prejudice' plans were provided to Council, which removed the third storey component of Dwelling 5 and subsequent internal alterations to the dwellings (refer **Appendix D** – separately circulated). It is considered that the proposed amendments are appropriate and can be incorporated through permit conditions on any permit issued.

3. Discussion

3.1 Does the Proposal Address the Relevant State and Local Planning Policies?

The relevant State Planning Policy Framework objectives are considered to have been satisfied by the proposal. Notably, the policy framework objectives broadly encourage consolidation of urban allotments in locations which can provide housing diversity and take advantage of existing public transport and community and commercial services, including Clauses 11, 11.06, 15, 16, 18, 21.05 and 21.06, which all seek to increase the residential supply in these areas.

The site offers an opportunity for redevelopment considering its size, location in proximity to an Activity Area, proximity to public transport, and location within an established residential area which already features a range of dwelling densities and developments similar to that proposed. The proposed development responds to the objectives and strategies of 21.06 (Built Environment). The key concepts of this clause are assessed against the relevant Neighbourhood Character Precinct Profile Guidelines in Section 3.2 of this report.

The proposal complies with Clause 21.04 (Sustainable Environment) and Clause 22.02 (Storm Water Management) through the use of ecological sustainable design principles as highlighted within the submitted BESS assessment and STORM reports, subject to appropriate conditions on any permit issued requiring additional details on the development plans and an amended BESS report with an amended thermal performance and dwelling energy section.

The proposal accords with objectives of Clause 21.04-4 (Waste) as it relates to encouraging the use of recycling and achieving best practice in waste minimisation. Waste collection will be undertaken by private waste collection contractor.

3.2 Does the Development Accord with the Preferred Character of the Area?

The subject land is identified as being within character area 'Garden Suburban 3' within the Moonee Valley Neighbourhood Precinct Profiles 2012. The development is considered a suitable response to the immediate context, the design guidelines and the preferred character statement of the precinct as follows:

- The proposed contemporary built form of the development is consistent with the emerging character of the area.
- The siting and massing of the development is consistent with the pattern of development which has occurred in the immediate and wider area.
- The presentation and setback of the development to the street is consistent with the streetscape pattern and will not present as a dominant built form.

- The development is highly articulated through the use of varied setbacks, porch treatments and a variety of materials and finishes and will present a contemporary and visually interesting built form to this corner location.
- The flat roof form (with raked walls at the third level) of the development is consistent with the surrounding built form within the wider area and is reflective of the contemporary building form. Additionally, the flat roof form results in a lower overall building height, which reduces the visual dominance of the development to the adjoining properties.
- The height of the development at two and three storeys is an appropriate design response for a site of this size. The third storey component of the development has been located towards the front of the site to limit the amenity impacts upon the adjoining properties. The 'without prejudice' plans prepared by the Permit Applicant after the Consultation Meeting amend the development to remove the third storey component of Dwelling 5 (amongst other amendments). It is considered that this is appropriate for the site and will further reduce amenity impacts to the adjoining properties. However, it is considered appropriate to delete one bedroom within Dwelling 4 at the third level to further reduce the extent of the third storey level. Conditions can be included to this effect on any permit issued.
- The pedestrian entry for the development is appropriate and provides a dedicated and easily identifiable entry to the development that is separate from the vehicular accessway.
- Sufficient areas throughout the site are provided for a landscaping response, including canopy tree planting to contribute to the garden character of the area.
- Appropriate front fencing is provided in front of the dwelling facing the street that allows views of the landscaped frontage and contributes to the garden character of the streetscape.
- Car parking is located within the site with access to a common accessway and limited views from the streetscape.

3.3 Does the Proposal Comply with Clause 52.06 (Car Parking)?

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

Table 3

	Requires	Proposed
1 x 3 bedroom dwellings	2	2
5 x 2 bedroom dwellings	5	5
Visitor spaces	1	0
Totals	8	7

It is noted that the 'without prejudice' plans do not alter the car parking requirements in the table above.

The design of car spaces and accessways generally complies with the requirements of Clause 52.06-8, including the provision of pedestrian visibility splays.

The application has been referred to Council's Development Engineering (Traffic) Unit who do not object to the development subject to standard crossover and accessway conditions. The reduction in visitor parking requirements is appropriate for the site given its location in proximity to public transport options to the west and the availability of on-street parking within the surrounding area. Further, the site is located within 200 metres of the Essendon North Activity Centre.

3.4 Does the Proposal Comply with the Requirements of Clause 55?

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 are assessed below:

Table 4

Res Code Standard	Response
Clause 55.03-10 (Standard B15 – Parking Location)	The lounge windows for Dwellings 4 and 5 are not setback 1 metre from the shared accessway. It is considered that subject to a condition requiring double glazing to these windows, these windows are appropriate in this instance and will not result in any unreasonable internal amenity impacts.
Clause 55.04-1 (Standard B17 – Side and Rear Setbacks)	The proposed third storey east and west side setbacks do not comply with this Standard. The proposed areas of non-compliance are acceptable due to the minor area of non-compliance proposed (200-300mm). The proposed ground and first floor setbacks fully comply with this Standard.
Clause 55.05-2 (Standard B18 – Walls on Boundary)	The overall length of wall proposed on the eastern boundary complies with the 21.75 metre requirement of this Standard. It is considered appropriate to include a condition on any permit issued requiring a notation on the plans for the roof of the carports to the rear of the Dwellings 3 and 4 to be open and unroofed.
Clause 55.04-6 (Standard B22 – Overlooking)	It is appropriate to include a condition requiring a notation stating that all habitable room windows and balconies within the eastern and western elevations be screened in accordance with this Standard.
Clause 55.05-6 (Standard B30 – Storage)	A condition requiring at least 6m ³ of storage for each dwelling in accordance with this Standard can be included on this permit.

3.5 Objections

The following table provides a discussion of the concerns raised within the objections to the application:

Table 5

Issue	Officer Response
Neighbourhood Character	Refer to Section 3.2 of this report for discussion.
Visual Bulk	The development is well articulated through the use of various materials and finishes, varied setbacks, landscaping, wall heights, roof forms, separation at the upper levels and window placements. As such, the development does not present a visually dominant built form to the streetscapes or adjoining properties.
Overdevelopment	The proposed development does not present as an overdevelopment of the subject site as it appropriately responds to its site context and general compliance with the Standards and Objectives of Clause 55 of the Moonee Valley Planning Scheme, particularly in relation to site coverage, permeability, height, and side and rear setbacks.
On-site Amenity	Refer to Section 3.4 of this report for discussion.
Off-site Amenity	Refer to Section 3.4 of this report for discussion.
Traffic and Parking	Refer to Section 3.3 of this report for discussion.
Demolition of the Existing Dwelling	The existing site is not located within a Heritage Overlay and is not proposed for heritage protection under the Heritage Gap Study.
VCAT History	It is noted that the subject site is not the subject of any previous VCAT decisions, however, it is considered that the proposed development is consistent with similar developments within the streetscape, including 91 Glass Street, Essendon, which has been approved by VCAT.
Devaluation of Properties	This is not a planning consideration.

4. General

The application was lodged prior to the 27 March 2017, and as such is not subject to the amendments to the residential zones outlined in Clauses 32.08-4 and 32.08-9 (General Residential Zone) of the Moonee Valley Planning Scheme.

5. 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).

6. 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 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

Appendix B: Advertised Plans (separately circulated)

Appendix C: Clause 55 Assessment

Appendix D: Amended 'Without Prejudice' Plans (separately circulated).

**Objectors List for MV/699/2016 at 100 Glass Street,
ESSENDON**

Objector's Mailing Address

95 Glass Street, ESSENDON VIC 3040
2 Schofield Street, ESSENDON VIC 3040
88 Glass Street, ESSENDON VIC 3040
88 Glass Street, ESSENDON VIC 3040
92 Glass Street, ESSENDON VIC 3040
69 Glass Street, ESSENDON VIC 3040
81 Glass Street, ESSENDON VIC 3040
81 Glass Street, ESSENDON VIC 3040
84 Glass Street, ESSENDON VIC 3040
77 Glass Street, ESSENDON VIC 3040
77 Glass Street, ESSENDON VIC 3040
80 Glass Street, ESSENDON VIC 3040
80 Glass Street, ESSENDON VIC 3040
97 Glass Street, ESSENDON VIC 3040
110 Glass Street, ESSENDON VIC 3040
89 Glass Street, ESSENDON VIC 3040
4 Wentworth Avenue, ESSENDON VIC 3040
89 Glass Street, ESSENDON VIC 3040
102 Glass Street, ESSENDON VIC 3040
6 Wentworth Avenue, ESSENDON VIC 3040
93 Glass Street, ESSENDON VIC 3040

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
<i>B1 - Neighbourhood Character</i>	✓	✓
<i>B 2 - Residential Policy</i>	✓	✓
<i>B 3 - Dwelling Diversity</i>	N/A	N/A
<i>B 4 - Infrastructure Objectives</i>	✓	✓
<i>B 5- Integration with the Street Objective</i>	✓	✓
<i>B6 - Street Setback Objective</i>	✓	✓
<i>B7 - Building Height Objective</i>	✓	✓
<i>B8- Site Coverage Objective.</i>	✓	✓
<i>B9- Permeability Objectives</i>	✓	✓
<i>B10 - Energy Efficiency Objectives</i>	✓	✓
<i>B 11 - Open Space Objective</i>	N/A	N/A
<i>B 12- Safety Objective</i>	✓	✓
<i>B 13 - Landscaping Objectives</i>	✓ subject to conditions	✓
<i>B 14 - Access Objectives</i>	✓	✓
<i>B 15 - Parking Location Objectives</i>	X	✓
<i>B16 – Parking Provision</i>	Deleted from Clause 55 on 5 June 2012 (VC90). Refer to Clause 52.06 for car parking requirements under Section 3.3	
<i>B 17 - Side and Rear Setbacks Objective</i>	X	✓
<i>B 18 - Walls on Boundaries Objective</i>	✓	✓
<i>B 19 - Daylight to Existing Windows Objective.</i>	✓	✓
<i>B 20 - North-facing Windows Objective</i>	✓	✓
<i>B 21 - Overshadowing Open Space Objective</i>	✓	✓
<i>B 22 - Overlooking Objective</i>	✓ subject to conditions	✓
<i>B 23 - Internal Views Objective</i>	✓	✓
<i>B 24 - Noise Impacts Objectives</i>	✓	✓

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

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

9.4 123 Bradshaw Street, Essendon (Lot 75 Block E on Plan of Subdivision 003151) - Construction of three dwellings

File No: FOL/17/11

Author: Vi Tran
Senior Statutory Planner

Directorate: Planning & Development

Planning File No.	MV/818/2016
Proposal	Construction of three double storey dwellings Two 3-bedroom dwellings One 2-bedroom dwelling
Applicant	Ultimate Design and Drafting
Owner	Mr S Alessio
Planning Scheme Controls	General Residential Zone
Planning Permit Requirement	Clause 32.06-8 – Construct two or more dwellings
Car Parking Requirements (Clause 52.06)	Required – 5 spaces Proposed – 5 spaces
Bicycle Requirements	N/A
Restrictive Covenants	None
Easements	None
Site Area	859 square metres
Number Of Objections	11 Objections
Consultation Meeting	21 June 2017

Executive Summary

- The application seeks planning permission for the construction of three double storey dwellings.
- The site is located on the western side of Bradshaw Street in-between Market Street and Spencer Street, and is rectangular in shape with a site area of approximately 859 square metres. The site is located within an established residential area and is located directly opposite Buckley Park to the east.
- The application was advertised with eleven (11) objections received. Concerns were raised primarily in relation to the neighbourhood character, architectural design, address to Buckley Park and on and off-site amenity impacts.
- A Consultation Meeting was held on 21 June 2017, which was attended by Councillor Gauci Maurici, the permit applicant, an objector and Council's Planning Officer.
- The proposal is an appropriate intensification of housing in a location which has seen consistent infill development at a similar scale. The development has a well resolved architectural theme which is respectful of the established character of the area.
- The proposal achieves a high level of compliance with the quantifiable standards of ResCode, with five technical areas of non-compliance. Variations associated with the street setback (with regards to the porch height) and a window in proximity to the shared driveway are considered acceptable. A condition will ensure compliance with the overlooking requirements.
- Overall, 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. It is recommended that a Notice of Decision to Grant a Permit be issued subject to conditions.

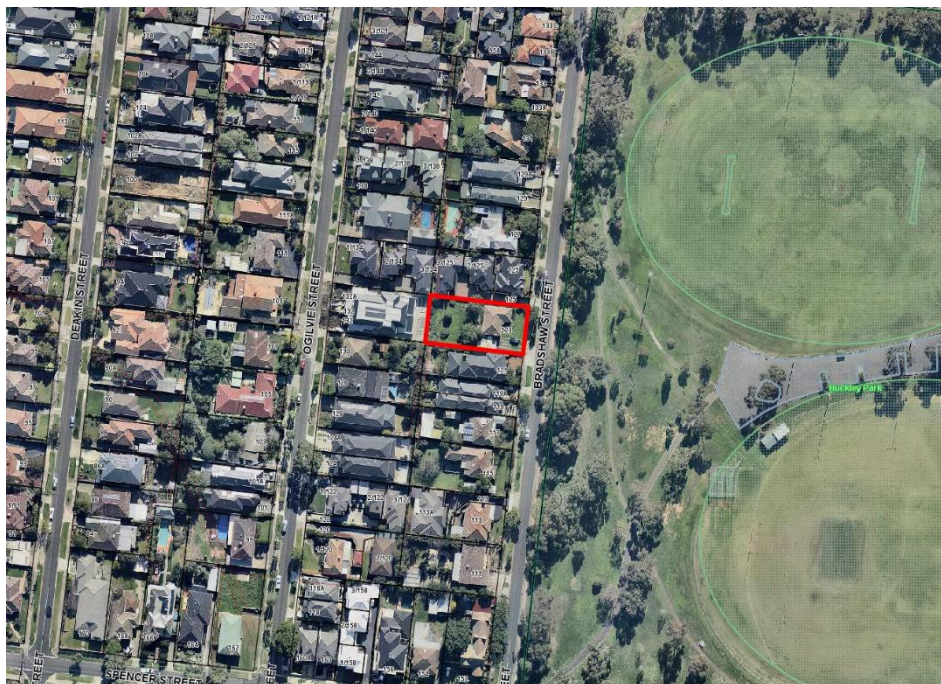


Figure 1: Aerial photograph of subject site and surrounds

Recommendation

That Council Issue a Notice of Decision to Grant a Permit in relation to Planning Permit Application MV/818/2016 for the construction of three dwellings at 123 Bradshaw Street, Essendon (Lot 75 Block E on Plan of Subdivision 003151), subject to the following conditions:

1. Before the development starts, amended plans must be submitted to and approved to the satisfaction of the Responsible Authority. The amended plans must be drawn to scale and an electronic copy must be provided. The plans must be generally in accordance with the plans submitted and assessed with the application but modified to show:
 - a) Provision of a garage access door to the lounge room of Dwelling 3;
 - b) The garage of Dwelling 3 setback 1.0 metre from the southern boundary;
 - c) The provision of 300mm trench grates to each garage;
 - d) The crossovers to be relocated to each respective side boundary and the front 2.5 metres section of each driveway to be realigned accordingly.
 - e) The ground floor, south facing, master bedroom of Dwelling 2 screened in accordance with Standard B22 of Clause 55.04-6 (Overlooking) of the Moonee Valley Planning Scheme;
 - f) Provision of a 1.8 metre high fence along the western boundary;
 - g) Notation on the plans outlining the Tree Protection and Management Plan measures 1 to 5 specified on pages 8 and 9 of the Arborist's Report prepared by Arbor-Report Victoria dated 2 December 2016 in accordance with Condition 20;
 - h) Notation on the plans stating 'the proposed vehicle crossings must either be relocated 1 metre from existing services or be installed with a heavy duty trafficable pit lid as required by the relevant Service Authority';
 - i) Notation on the plans stating 'the existing and proposed vehicle crossover must be upgraded including splays and constructed in line with Council's Vehicular Crossover Policy';
 - j) Any storm water treatment measures in accordance with Condition 3;
 - k) All BESS sustainable design initiatives and associated notations to be shown on the relevant plans as required by Condition 7; and
 - l) Landscape Plan in accordance with Condition 18.When approved these plans become the endorsed plans of this permit.
2. The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.

3. An amended 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.
4. A minimum 30 days prior to any building or works commencing, all Water Sensitive Urban Design (WSUD) Details (relating to the WSUD treatment measures nominated in the approved and complying STORM report), such as cross sections &/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 pollution from entering the stormwater systems.

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

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

7. Before the development commences, an amended BESS Report that outlines proposed design initiatives must be submitted to and approved by the Responsible Authority. The amended BESS Report shall refer to the endorsed plans. Upon approval the BESS Report will be endorsed as part of this planning permit and the development must incorporate the sustainable

design initiatives outlined in the endorsed BESS Report to the satisfaction of the Responsible Authority. The BESS Report must be generally in accordance with the BESS Report submitted with the application, but modified as follows:

a) Any changes as a result of Condition 1.

The development must incorporate the sustainable design initiatives outlined in the endorsed BESS Report to the satisfaction of the Responsible Authority.

8. Before the buildings approved by this permit are occupied, all boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority if the owner of the adjoining land allows access for the purpose.
9. 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.
10. Floor levels shown on the endorsed plan(s) must not be altered or modified without written consent of the Responsible Authority.
11. All pipes, fixtures, fittings, ducts and vents servicing any building on the land, other than 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.
12. Before the buildings approved by this permit are occupied, the concrete vehicular crossing must be constructed to suit the proposed driveway in accordance with the Responsible Authority's specification and any 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.

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 subject land to the satisfaction of the Responsible Authority.

Before the development starts a Drainage Layout Plan, including computations and manufacturer's 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. Stormwater runoff from the development must drain via an underground system and discharge to the kerb and channel in front of the land (OR WHATEVER POINT NOMINATED BY ENGINEERING). If discharge to the kerb and channel via gravity is not possible, the discharge to the kerb and channel in front of the land must be via a dual pump system in accordance with AS3500.3.2. 2003, Section 9.
16. Prior to the issue of an Occupancy Permit, all boundary fencing must be erected. The cost of such fencing must be met by the owner and carried out to the satisfaction of the Responsible Authority.
17. The development must be provided with external lighting capable of illuminating access to each garage, car parking space and pedestrian walkways. Lighting must be located, directed and shielded and of limited intensity so that no nuisance or loss of amenity is caused to any person within or beyond the site to the satisfaction of the Responsible Authority.
18. Before the development starts, 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 an electronic copy to be provided. The landscape plan must be generally in accordance with the application but modified to show:
 - a) Any changes required by Condition 1 of this permit;
 - b) Notation on the Plans outlining the Tree Protection and Management Plan measures specified on pages 8 and 9 of the Arborist's Report prepared by Arbor Report Victoria dated 2 December 2016;
 - c) 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;
 - d) The use of drought tolerant species;
 - e) The provision of two (2) canopy trees within the front setback which are able to achieve a minimum mature height of 4 metres;
 - f) The provision of one (1) canopy tree within the secluded private open space areas of each dwelling;
 - g) Features such as paths, paving and accessways;

- h) 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; and
- i) An appropriate 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.

19. The existing northern-most street tree located within the Bradshaw Street, road reserve to be removed must be replaced with an advanced tree which is at least 2 metres high at the time of planting and of a species and condition to the satisfaction of the Responsible Authority. Before the development starts, the applicant must provide details to the satisfaction of the Responsible Authority of the replacement tree including:

- a) method of mulching and mounding;
- b) the species of the replacement planting;
- c) the size of planting and its maturity; and
- d) the location of the replacement planting.

All costs associated with the removal and replacement of the street tree must be borne by the permit/applicant.

20. The following street tree protection measures must be undertaken:

- a) The southern-most nature strip and street tree located within the Bradshaw Street frontage of the land must be barricaded out using portable cyclone fencing for the duration of the development. Costs of such fencing must be borne by the developer and/or permit holder;
- b) No pruning of the southern-most nature strip and street tree located within the Bradshaw Street frontage of the land is to be undertaken by any party other than Moonee Valley City Council; and
- c) No building materials are to be stacked and/or dumped on any nature strip during construction.

21. Before the development (including demolition) starts, the Tree Protection and Management Plan measures 1 to 15 specified on pages 8 and 9 of the Arborist's Report prepared by ArborReport Victoria dated 2 December 2016 must be implemented and maintained on site at all times during construction.

22. 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.

23. This permit will expire if:

- a) The development does not start within two (2) years of the date of issue of this permit, or
- b) The development is not completed within four (4) years of the date of issue 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 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 occupiers of the subject site.
- 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; $C=0.4$, $t_c=5\text{mins}$, ARI 1 in 5. An ARI of 1 in 10 should be used for storage and the greater of post development C or $C=0.80$.
- Before the development starts, separate approval must be obtained from the Moonee Valley City Council in relation to the proposed removal and/or replacement of the nominated street tree(s). Please contact Council on 9243 8888 to speak with Council's Arborist.
- The pump system is to be in accordance with AS3500.3:2003 Section 9 and is to be installed by a person with suitable qualifications to the satisfaction of the Responsible Authority.
- Council will not be responsible for any damage to the land or neighbouring properties in the event that the pump system fails due to mechanical failure, exceedance of maximum design rainfall or otherwise. Property owner/s may face liability for any damage to neighbouring properties as a result of such failure.
- The use of an underground pump system is only considered an interim measure. Should an easement drain be constructed in future via a Special Charge Scheme, the owner may be required to contribute to the cost of the construction of an easement drain.

1. Introduction

1.1 Subject Site and Surrounds

The subject site is located on the western side of Bradshaw Street in-between Market and Spencer Streets. The site is rectangular in shape with a width of 20.12 metres and a depth of 42.67 metre resulting in a total site area of approximately 859 square metres.

The land has a gradual fall of approximately 2.79 metres along the southern boundary from the Bradshaw Street to the rear of the site. There are no easements, covenants or other restrictions identified on the title however a sewer pipe has been located along the rear boundary.

The subject site currently accommodates a single storey brick dwelling with a hipped tiled roof, set back approximately 7.5 metres from Bradshaw Street. The vehicular crossover is located on the southern side of the frontage that leads to a garage that is attached to the south side of the dwelling.

The site is reasonably vegetated throughout with a semi mature street tree located within the Bradshaw Street, road reserve.



Figure 2: Subject Site (123 Bradshaw Street, Essendon)

The surrounding land is within a General Residential Zone. Residential development in proximity of the subject site is varied, with a mixture of single dwellings on large allotments as well as numerous examples of multi-unit developments.

The immediate and wider area has been gradually developed with multi-unit developments occurring on similar sized lots to the subject land. The newer multi-dwelling developments sit alongside both older and newly constructed single homes, with dwellings being either single or double storey in scale. The character of built form in the area is varied

architecturally, reflecting the different periods in which development has taken place.

The land is located in proximity to numerous public reserves and schools, as well as the Keilor Road Activity Centre approximately 580 metres to the north.

1.2 Proposal

It is proposed to construct three double storey dwellings, summarised as follows:

Table 1

No of dwellings	Three 2 three bedroom dwellings 1 two bedroom dwelling
No of car spaces	Five (5) car spaces
Max Building Height	8.2 metres
Site Coverage	45.3%
Permeability	34.6% (this calculation does not include the area of the proposed permeable driveway)

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

2. Background

2.1 Relevant Planning History

There are no historical planning applications relevant to the subject land.

2.2 Planning Policies & Decision Guidelines

State Planning Policy Framework

- Clause 11 Settlement
- Clause 15 Built Environment and Heritage
- Clause 16 Housing
- Clause 18 Transport

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 and Overlays

Clause 32.08 General Residential Zone

Particular and General Provisions

Clause 52.06 Car Parking

Clause 55 Two or More Dwellings on a Lot

Clause 65 Decision Guidelines

2.3 Referrals

No external referrals were required for this application.

The following internal referrals were undertaken:

Table 2

Internal Referrals	Comments/Conditions
Development Engineering (Traffic)	No objection, subject to conditions.
Development Engineering (Drainage)	No objection, subject to conditions.
Arborist	Council's Arborist had no objection to the removal and replacement of the northern-most street tree located within the Bradshaw Street, road reserve. Further, Council's Arborist concurred with the proposed Tree Protection and Management Plan measures specified on pages 8 and 9 of the Arborist's Report (contained within Appendix D – separately circulated) prepared by Arbor Report Victoria dated 2 December 2016.
Environmental Sustainable Design (ESD) Officer	Council's ESD Officer raised no objection to the proposal, subject to an amended STORM and BESS report and plan annotations.
Property	No objection to the proposal.

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 consecutive days.

A total eleven (11) objections were received from the properties contained within **Appendix B** of this report. The objections are discussed at Section 3.5 of this report.

2.5 Consultation Meeting

A Consultation Meeting was held on 21 June 2017, which was attended by Councillor Gauci Maurici, permit applicant, an objector and Council's Planning Officer.

3. Discussion

3.1 Does the proposal address the relevant State and Local Planning Policies?

The relevant State and Local Planning Policy Framework objectives are considered to have been satisfied by the proposal. The policy framework objectives broadly encourage consolidation of urban allotments in locations which can provide housing diversity and take advantage of existing public transport and community and commercial services, including 'Plan Melbourne 2017-2050: Metropolitan Planning Strategy' and Clauses 11, 15, 16, 18, 21.05 and 21.06, which all seek to increase the residential supply in these areas.

The subject site is proximate to the Keilor Road Activity Centre and commercial amenities, public reserves, education centres and public transport options. The proposal represents an appropriate degree of housing intensification and contributes to the objective of housing diversity, providing a mix of dwelling sizes and configurations that will cater for the increasingly diverse needs of future residents.

The proposal is capable of compliance with the requirements of Clause 21.04-3 (Ecologically Sustainable Development) through the use of ecological sustainable design principles. An amended BESS report would be required to demonstrate a commitment to design measures, which will reduce the environmental impact of the development. Similarly, the proposal is capable of compliance with Clause 22.03 (Stormwater Management – Water Sensitive Urban Design). An amended STORM assessment would be required to ensure appropriate water sensitive urban design features are included within the development.

The proposal accords with the objectives 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 generally responds to the objectives and strategies of 21.06 (Built Environment). The key concepts of this clause are assessed against the relevant Neighbourhood Character Precinct Profile Guidelines in the following section.

3.2 Does the proposal accord with the Preferred Character of the area?

The subject site is located within the Garden Suburban 6 Precinct within the Moonee Valley Neighbourhood Character Precinct Profiles 2012.

The development is considered a suitable response to the immediate context and the preferred character statement of the precinct as follows:

- The tandem typology of the dwellings maintains the rhythm and spacing of development in the street and provides for a strong and prominent residential connection to the street and adjoining park reserve.
- The presentation and setback of the development to the street is consistent with the streetscape with the first floor condensed and sufficiently recessed to not present as a dominant built form.
- The siting and massing of the development and significant setback from at least one side boundary is consistent with the pattern of development which has occurred in the immediate and wider area.
- The development's first floors are suitably separated in-between each respective dwelling.
- The scale of the dwellings is stepped into the site as the land declines to the west (rear) resulting in the visual dominance of the proposal being reduced when viewed from the street and adjoining residential interfaces.
- Car parking is incorporated within the built form and / or located at the rear and does not present as a dominant form to the streetscape.
- The development is otherwise well articulated through the use of pitched roof forms, varied setbacks and recesses, porch treatments and a variety of materials and finishes, which will present a contemporary and visually interesting built form.
- The palette of materials and finishes includes a combination of grey, black and white tones with a brick cladding that references finishes commonly exhibited within the surrounding built form and is consistent with the architectural style of development.
- Sufficient areas within the front and rear setbacks are provided for a landscape response, including canopy tree planting to contribute to the garden character of the area.

3.3 Compliance with Clause 52.06 (Car Parking)

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

Table 3

	Requires	Provides
Two 3+ bedroom dwellings	4	4
One 2 bedroom dwelling	1	1
Total	5	5

The proposal provides the required number of parking spaces for each individual dwelling and visitors as set out under Clause 52.06.

It is noted that Council's Traffic and Transportation Unit had no objection subject to conditions, as discussed in Section 2.3 of this report.

However, to ensure the proposed lounge room to dwelling 3 is not converted to a bedroom, a condition will require the provision of a garage access door directly from this room.

3.4 Clause 55 / Compliance with the other provisions of the Planning Scheme

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

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

Table 4

ResCode Standard	Response
Standard B6 Clause 55.03-1 Street Setback	Dwelling 1 porch height is 3.6 (3.8) metres which slightly exceeds the allowable maximum height of this Standard. However, the front porch is well integrated and suitably frames the dwelling entrance and in this context is considered appropriate.
Standard B13 Clause 55.03-8 Landscaping	A formal landscape plan will be required to ensure the development provides suitable landscaping throughout the site. Further, to ensure the neighbour's trees are suitably protected notations will be required that outline the Tree Protection and Management Plan measures specified on pages 8 and 9 of the Arborist's Report prepared by Arbor Report Victoria dated 2 December 2016.
Standard B15 Clause 55.03-10 Parking Location	The Dwelling 1, south facing master bedroom window is setback 950 metres from the accessway and is provided with a 1.7 metre high sill height, which suitably mitigates vehicular noise and amenity impacts meeting the intent of this Standard.
Standard B17 Clause 55.04-1 Side and Rear Setbacks	The development has been accordingly setback in accordance with the requirements of this Standard. However, to ensure the neighbour's tree located at 121 Bradshaw Street is suitably protected, the Arborist Report recommended the garage to Dwelling 3 be setback 0.5 metres from the boundary. This inadvertently renders the proposal non-compliant.

ResCode Standard	Response
	To ensure this change complies with the requirement of this Standard, a condition will require the garage to Dwelling 3 be setback 1.0 metres from the southern boundary. It is noted this change does not affect access or egress to this garage.
Standard B22 Clause 55.04-6 Overlooking	To minimise unreasonable overlooking a condition of permit will require dwelling 2, ground floor, south facing, master bedroom window be screened and the provision of paling fence no more than 1.8 height in accordance with the requirement of this Standard.

3.5 Objections

The following table provides a discussion of the concerns raised within the objections to the application:

Table 5

Issue	Officer Response
Neighbourhood character (Building bulk and massing, poor architectural design and address to Buckley Park)	Refer to Section 3.2 of this report for discussion.
Overshadowing	The development accords with the relevant overshadowing standard contained in Clause 55, ResCode. Refer to the ResCode Table attached to this report.
Small and fragmented secluded private open space area to each dwelling	Each dwelling has been provided with the required provision of secluded private open space that is conveniently accessible from the main living areas of the dwellings in accordance with Standard B28 of Clause 55, ResCode.
On-site amenity impacts accessibility, storage and site services	The proposal achieves an acceptable level of compliance with the relevant objectives of ResCode including accessibility, storage and site services and as discussed in the Clause 55, Assessment Table of this report.

Issue	Officer Response
Loss of lifestyle and liveability	The proposed residential development is consistent with the zoning of land being for residential purposes. As such, the proposal is unlikely to result in the loss of lifestyle and livability to the surrounds.
Impact on the surrounds pre and post construction works	This is not a planning considerations and is governed under other Legislation.
Impact on existing infrastructure	The site is situated in an established residential area. Council's Development Engineering Unit raised no concern in this regard.

4. General

The application was lodged prior to the 27 March 2017, and is therefore exempt from the mandatory garden area and height requirements at Clauses 32.08-4 and 32.08-9 (General Residential Zone) of the Moonee Valley Planning Scheme.

5. 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).

6. 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.

Consideration has also been given to the requirements of Section 60(1B) of the *Planning and Environment Act 1987* with respect to the number of objections received. 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 the provisions and policies. The application is supported as detailed above in the recommendation section.

Appendices

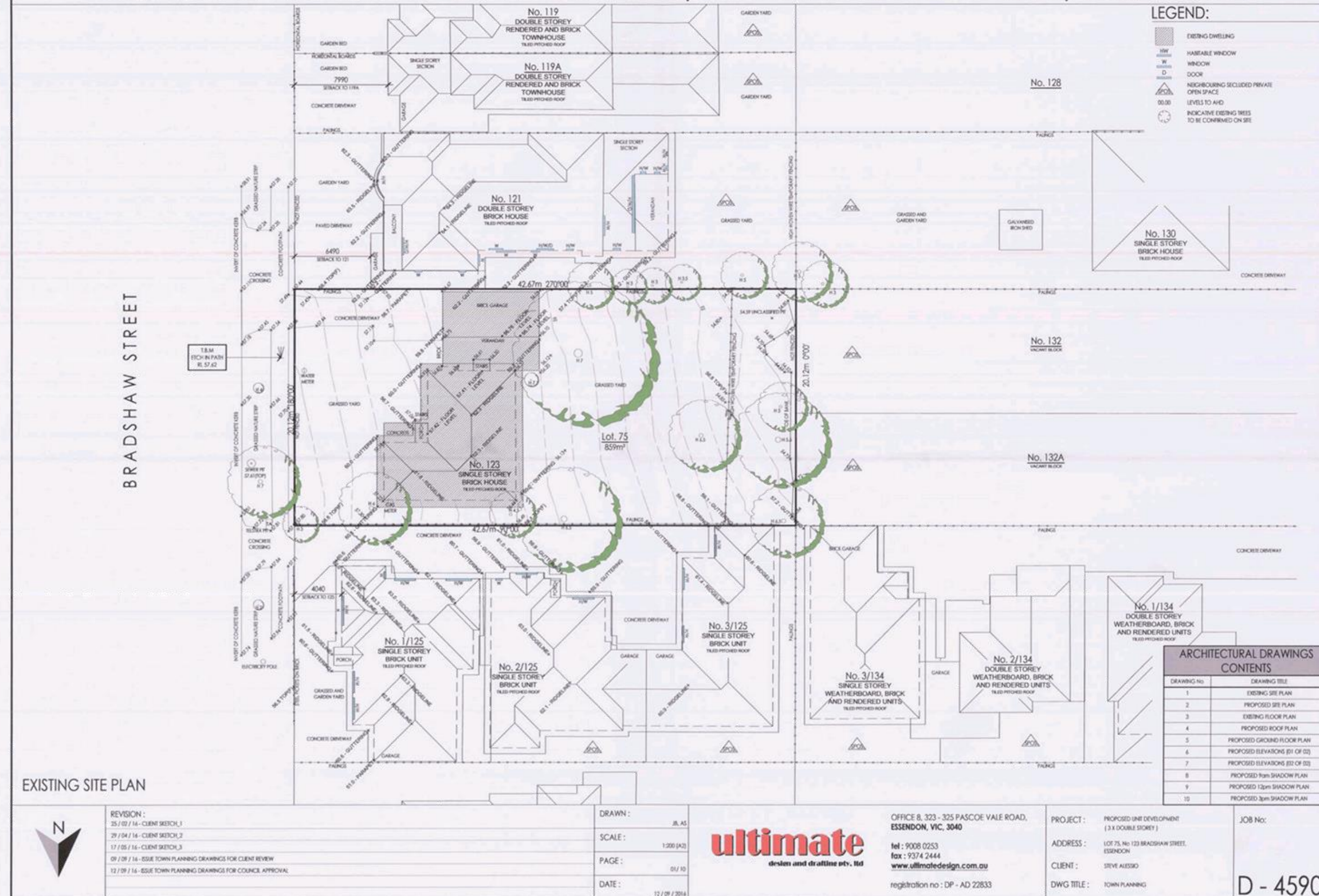
Appendix A: Plans

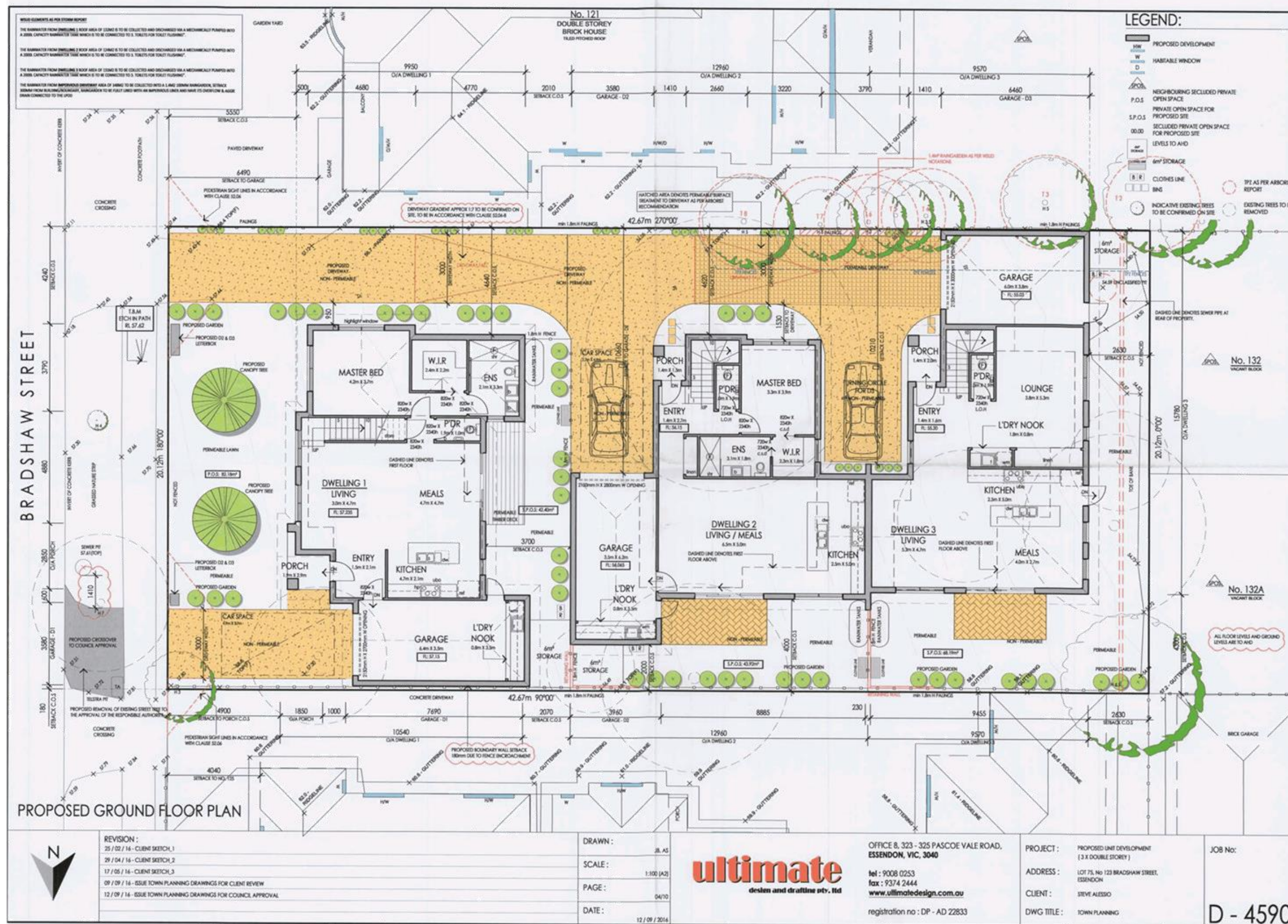
Appendix B: Location of Objectors

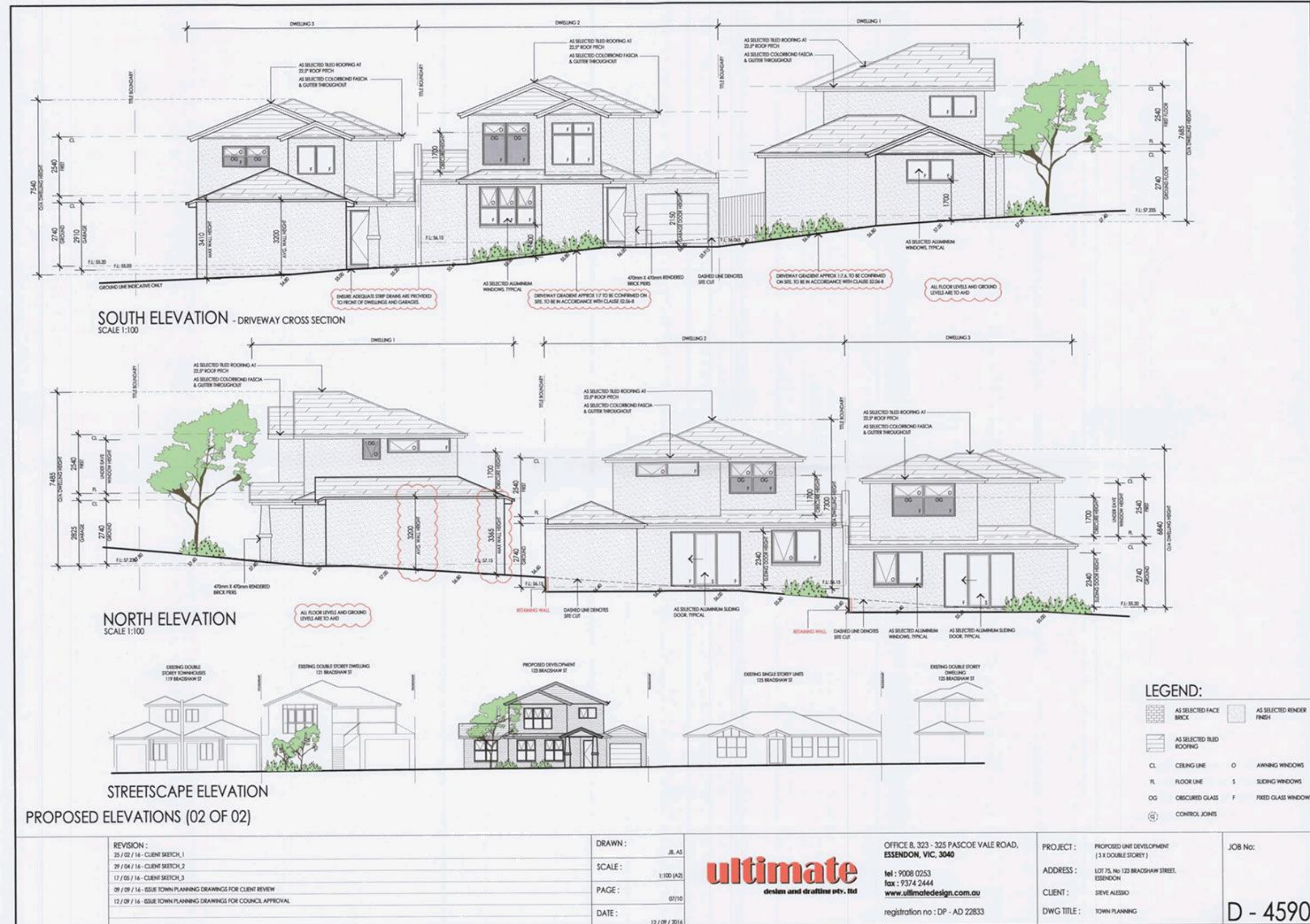
Appendix C: Clause 55 ResCode Table (separately circulated)

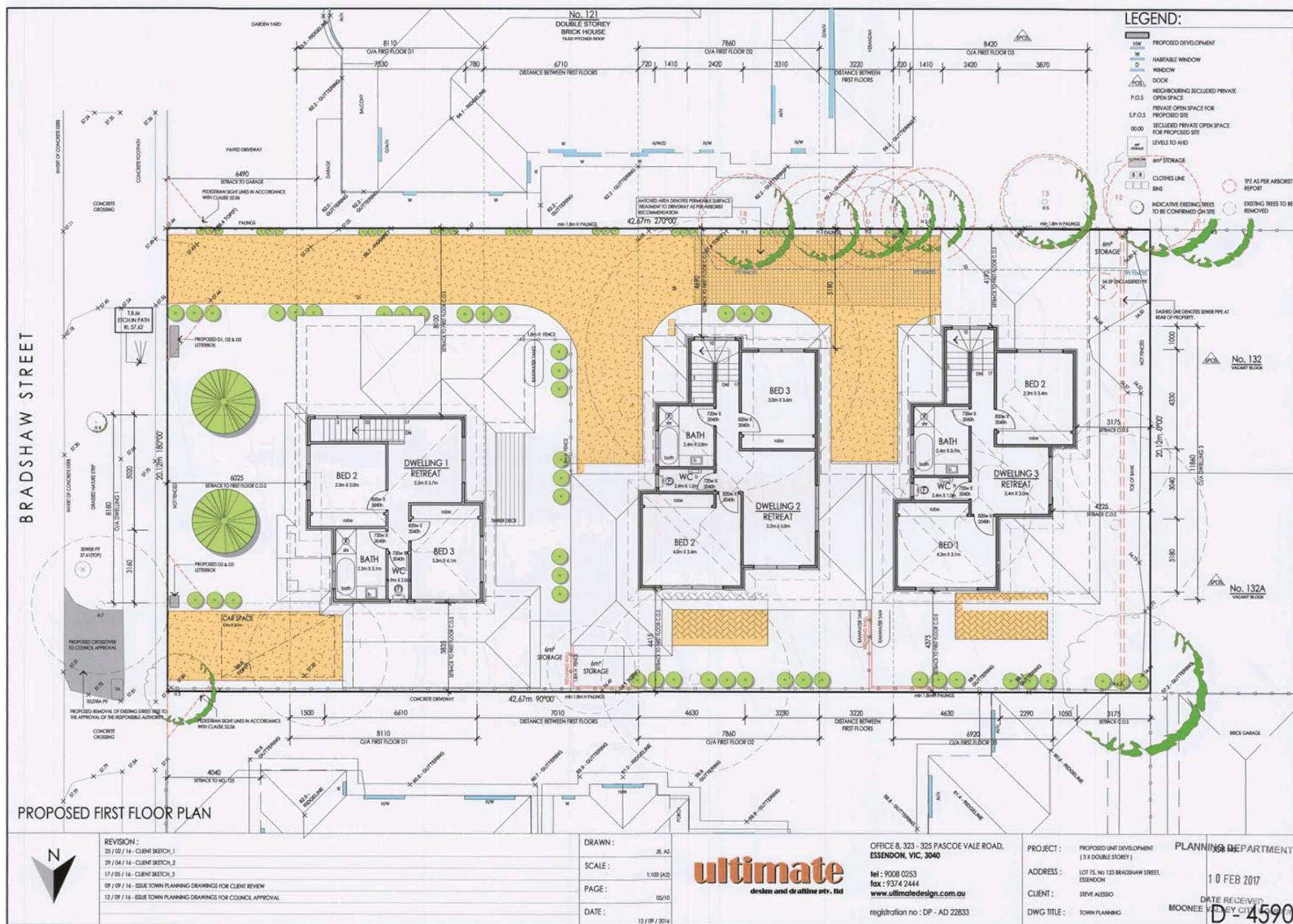
Appendix D: Arborist Report (separately circulated).

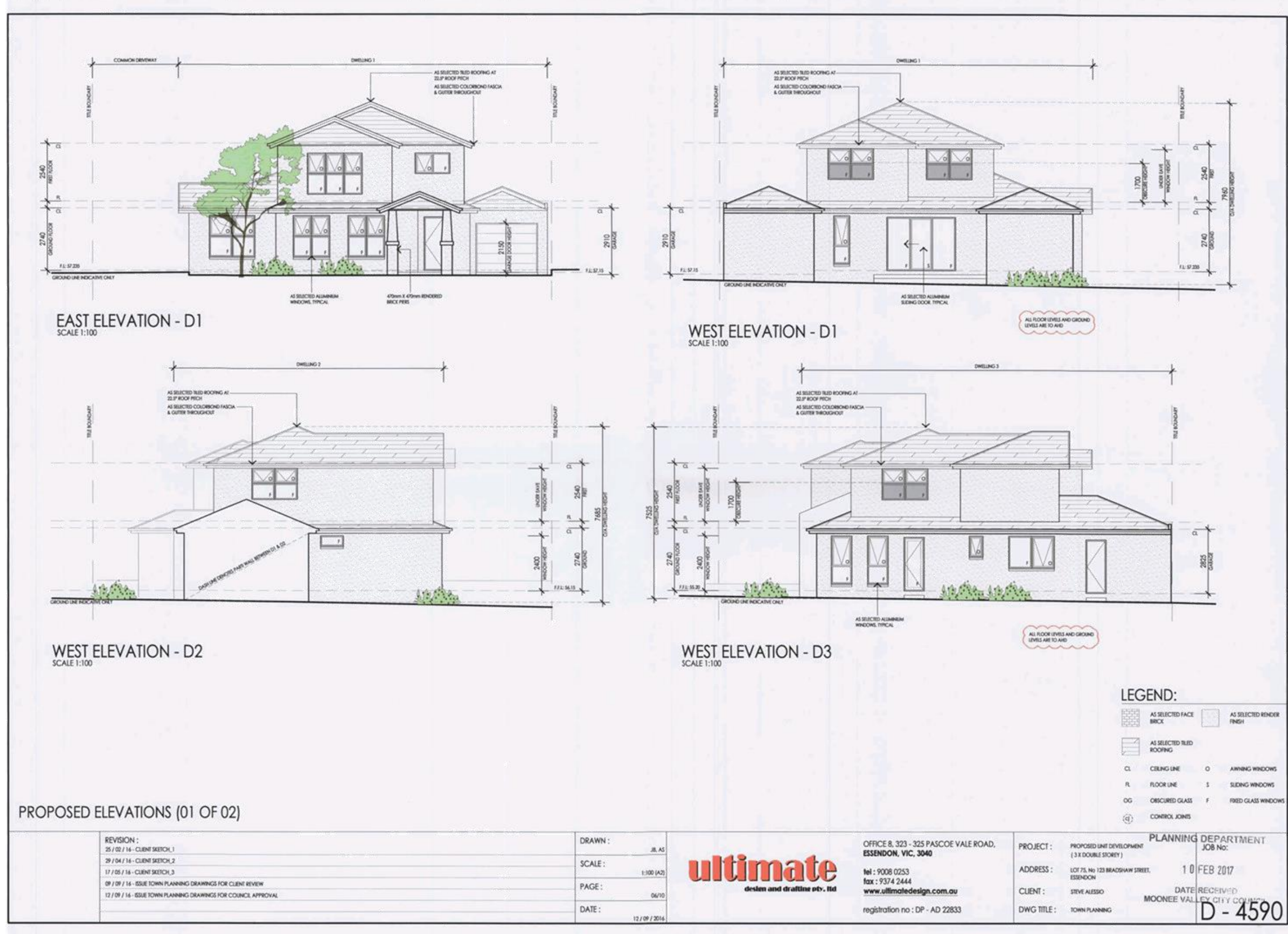
PROPOSED MULTI UNIT DEVELOPMENT, 123 BRADSHAW STREET, ESSENDON

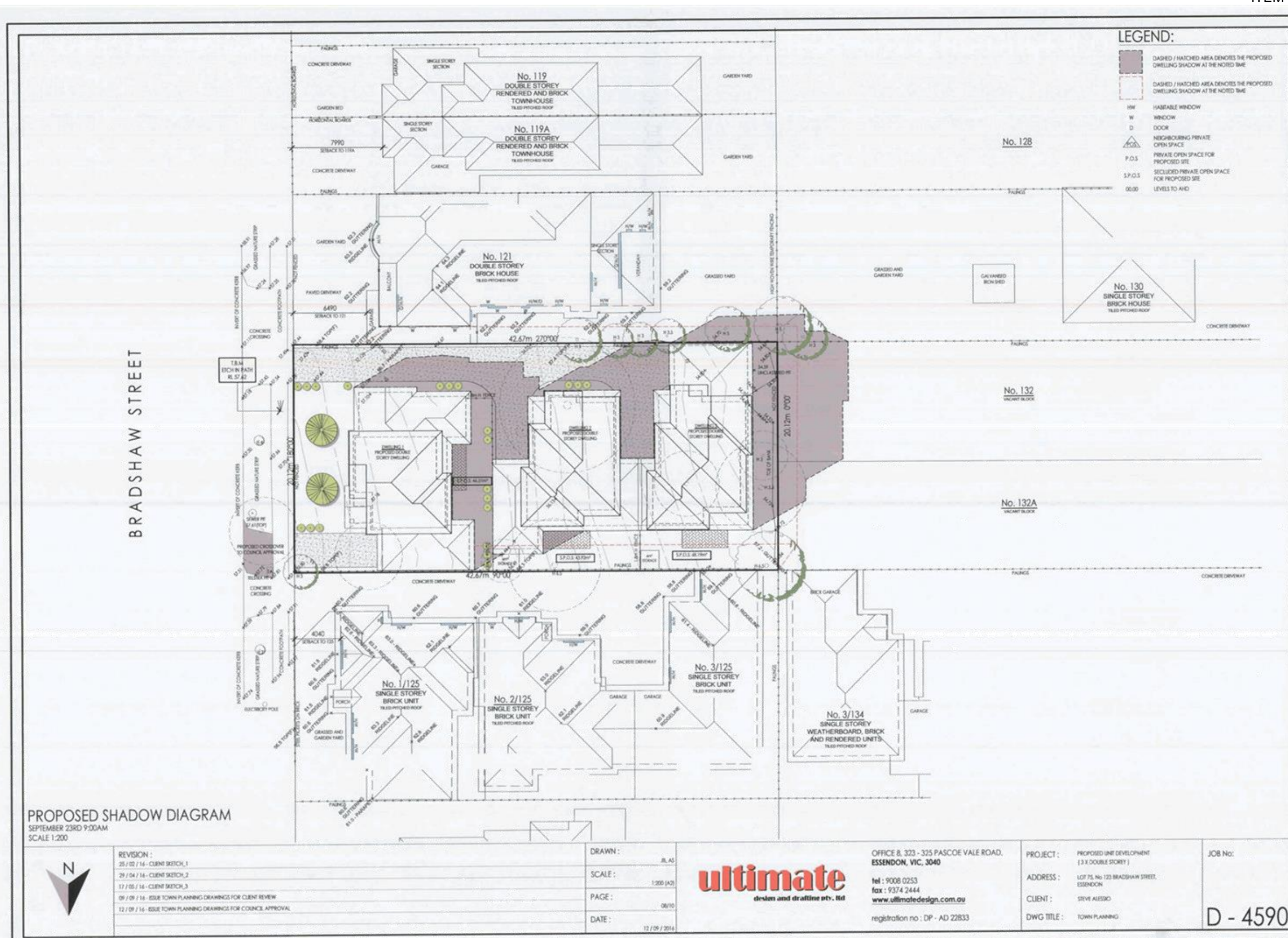


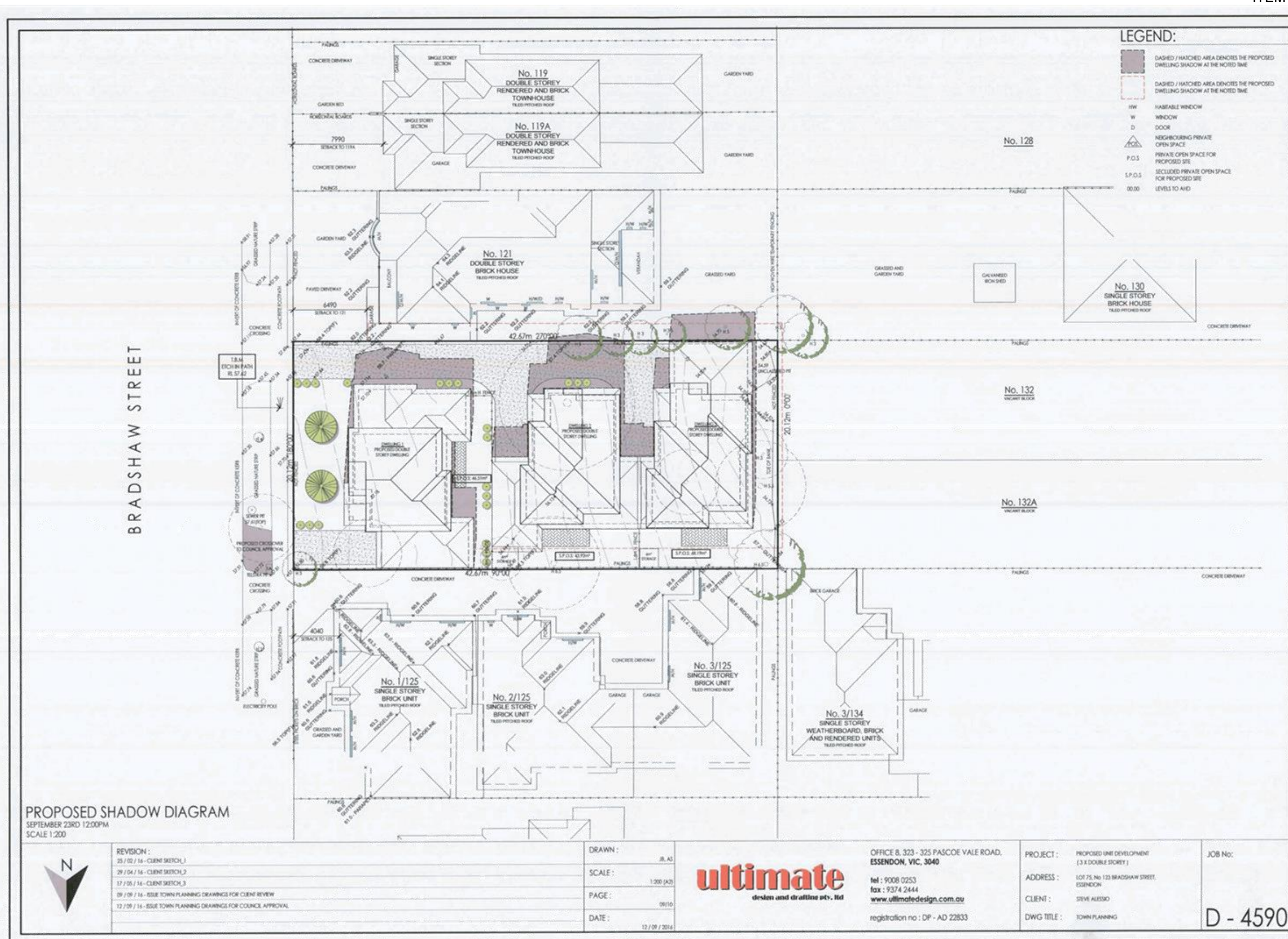


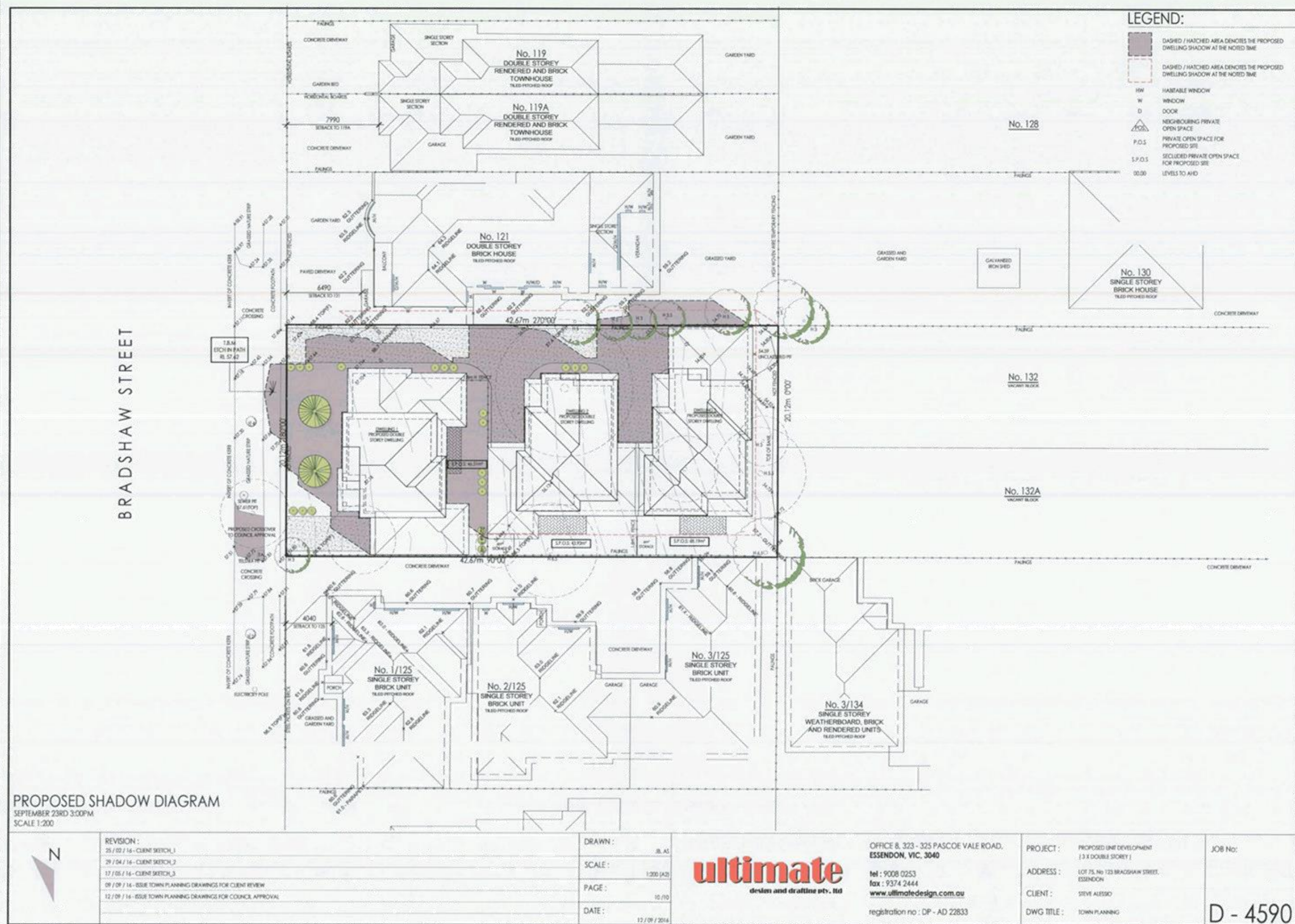












ultimate

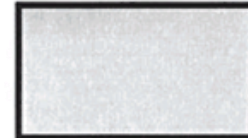
design & drafting t/a

Office 8, 323-325 Pascoe Vale Road, ESSENDON, VICTORIA 3040
Phone: 03 9008 0253 | Fax: 03 9374 2444 | www.ultimatedesign.com.au

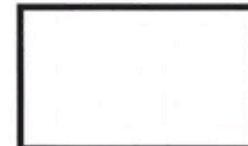
Colour Schedule

Exterior Colour Selection Schedule for Approval:
123 Bradshaw St, Essendon

1. **External walls:** Render finish is "cool grey" or similar



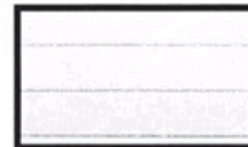
2. **Windows Frames & Door Frames:** Boral "off white" or similar



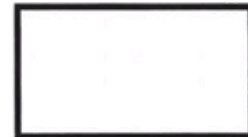
3. **Roof :** Concrete Tiled – "Charcoal Grey" or similar.



4. **Timber Cladding:** Timber look horizontal cladding
or similar in "off white" or similar



5. **Down Pipes, Fascia & Gutter :** Colorbond – "off white" or Similar

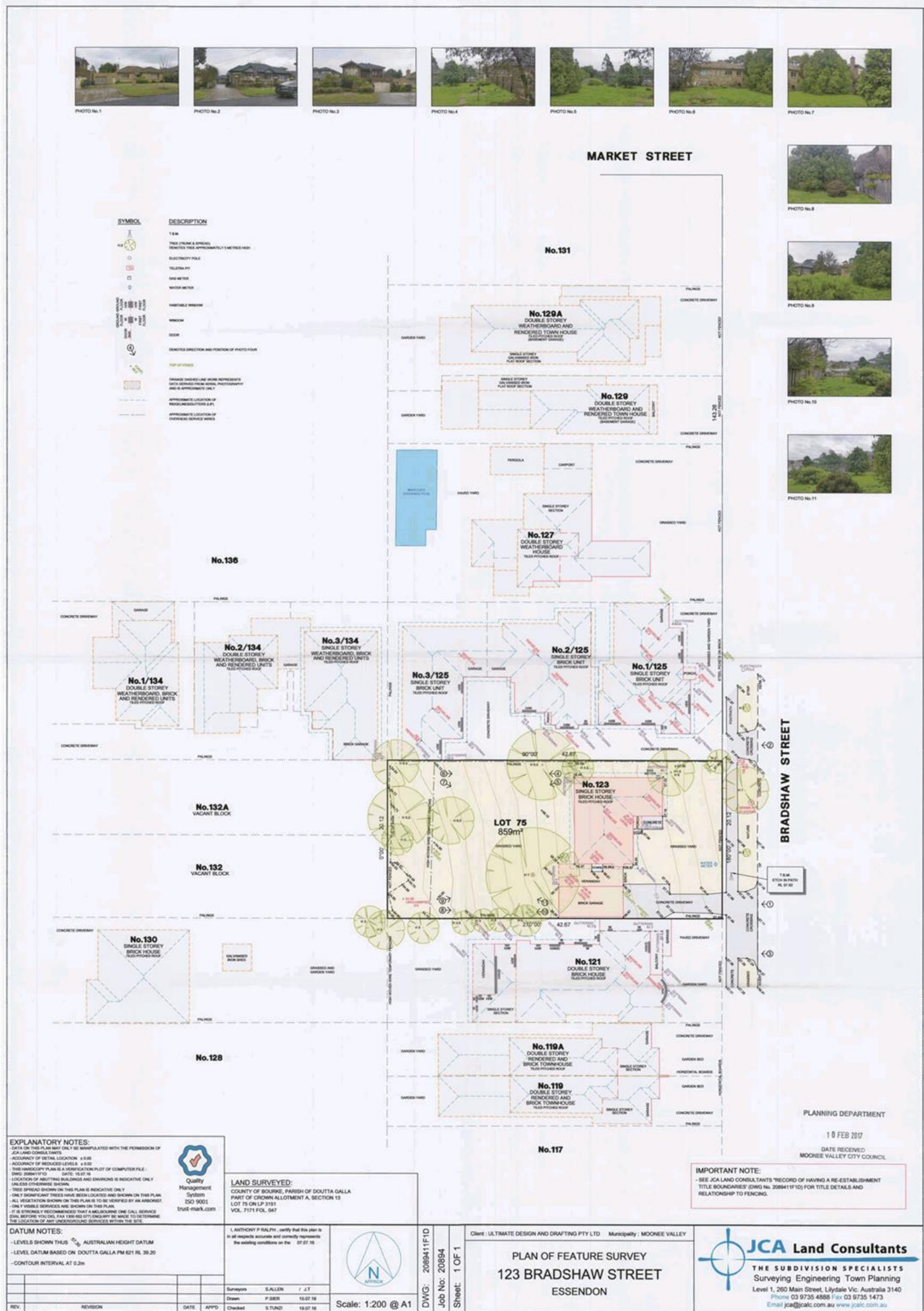


PLANNING DEPARTMENT

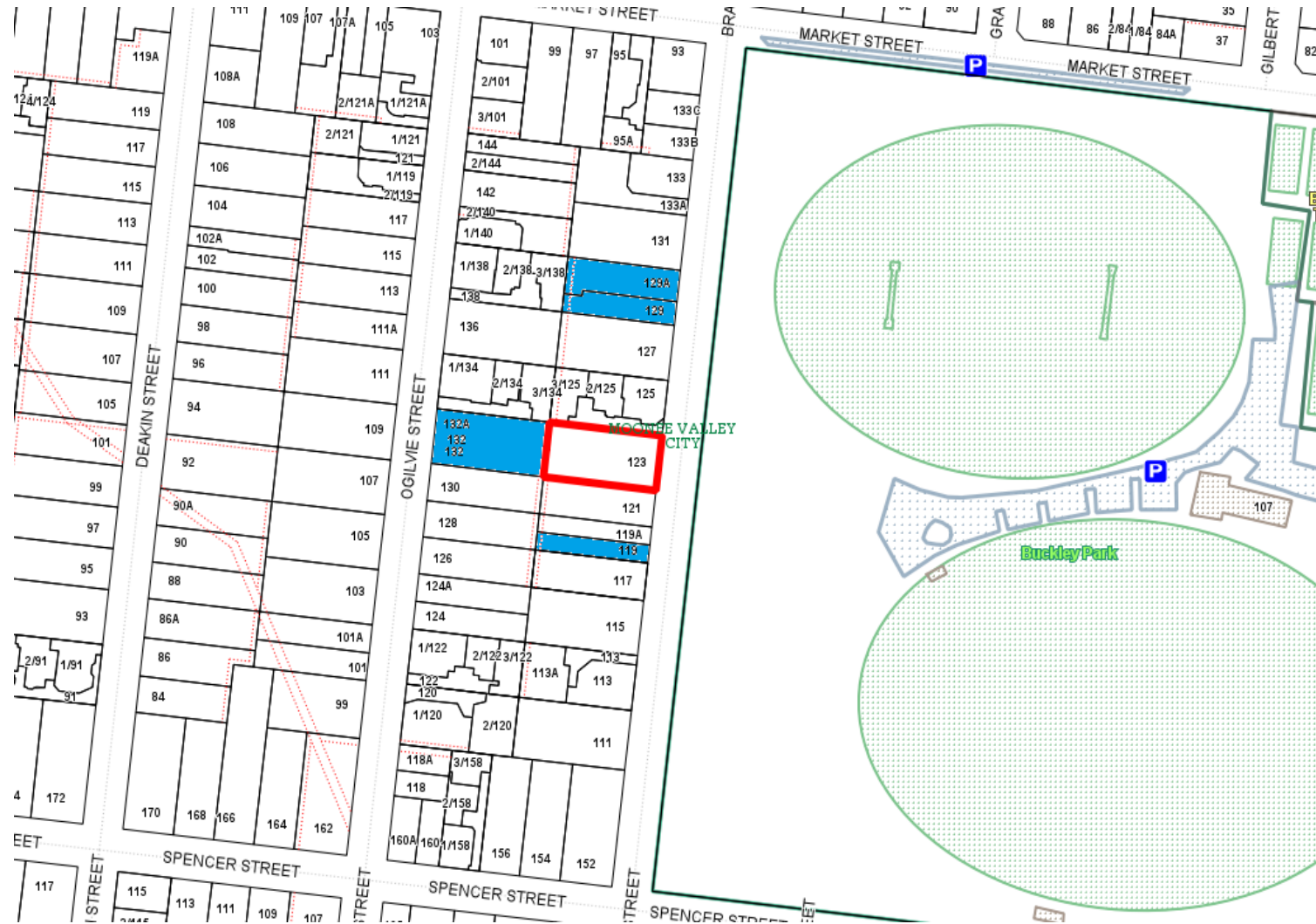
10 FEB 2017

DATE RECEIVED
MOONEE VALLEY CITY COUNCIL

1



Location of Objectors:



9.5 MV2040 Visioning Paper

File No: FOL/17/11

Author: Jessie Keating
Future Communities Senior Project Manager

Directorate: Planning & Development

Purpose

The purpose of this report is to present the Moonee Valley 2040 Visioning Paper (MV2040) to Council for endorsement and outline the planned upcoming community consultation phase, Phase 2 of the MV2040 engagement program.

Executive Summary

- Council committed to preparing a long-term strategic plan for the municipality at its Ordinary Meeting 23 August 2016.
- The development of the long-term plan MV2040 includes a comprehensive engagement program to ensure that it considers the views and aspirations of our community.
- MV2040's engagement program includes 3 key phases being: Phase 1- Visioning Phase (including preparation of an MV2040 Discussion Paper) in early 2017, Phase 2: Verification Phase (including preparation of an MV2040 Visioning Paper), and Phase 3 Testing Phase (including preparation of a draft MV2040 Strategy).
- The community feedback received, along with Council officer research has been used to inform the development of the MV2040 Visioning Paper.
- The MV2040 Visioning Paper is structured around 5 overarching themes along with visions and big ideas for our 13 neighbourhoods.
- It is intended to release the Visioning Paper for community consultation in early October 2017 for 5 weeks of engagement, including a community symposium day.

Recommendation

That Council:

1. Note the critical importance of community input to shaping the MV2040 Visioning Paper, through Phase 1 of the MV2040 engagement program.
2. Endorse the MV2040 Visioning Paper for community consultation, through Phase 2 of the MV2040 engagement program.
3. Note that all feedback received on the MV2040 Visioning Paper will be used to help develop the Draft MV2040 Strategy.
4. Allow officers to make minor editing and typographical changes as required.

Background

Council committed to preparing a long-term strategic plan for the municipality, Moonee Valley 2040 (MV2040), at its Ordinary Meeting 23 August 2016. MV2040 will set the overarching framework for how the City will develop into the future, based on the vision and aspirations of the community, evidence-based research and the existing strategic commitments of Council.

The MV2040 engagement program is phased to provide the community with multiple opportunities to provide input to the long-term strategy (see Figure 1). The precursor to the engagement program was the launch of the MV2040 Background Paper in November 2016.

We are currently in Phase 2 of the engagement program – Visioning Paper.

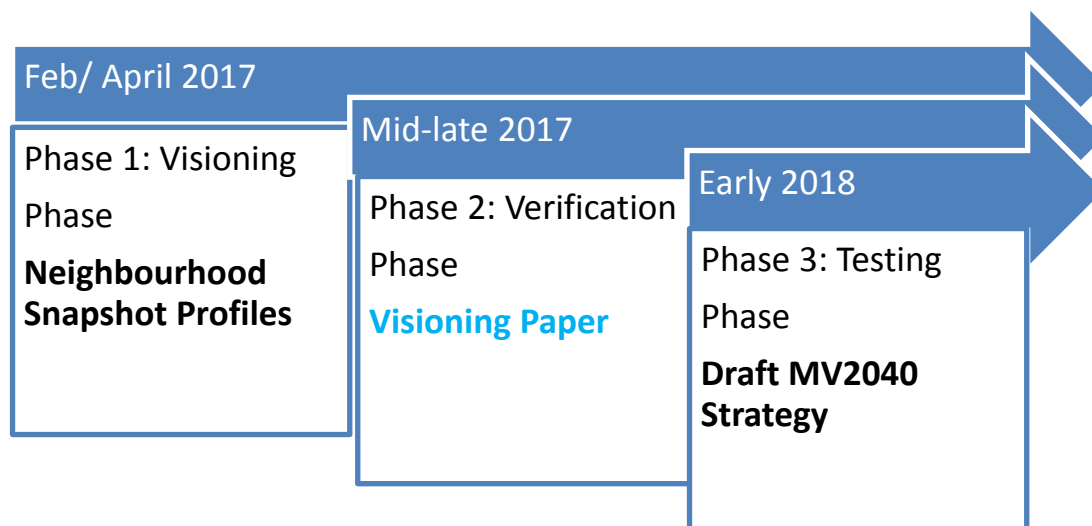


Figure 1: MV2040 key phases

The Draft MV2040 Strategy will be released in early 2018, for the third phase of engagement. At this phase the community will be invited to make formal submissions on the Draft MV2040 Strategy before it is finalised and presented to Council in mid-2018.

Discussion

This Visioning Paper builds on the MV2040 Background Paper released in October 2016. It has been developed using responses from the community during Phase 1 of MV2040, along with Council officer research into what makes a city great.

In order to adapt and respond to anticipated change, the ideas and concepts presented in the Visioning Paper are designed to be bold, inspirational and transformational. The aim is to start a conversation with our community about a vision for Moonee Valley in 2040.

The community ranked 'healthy' as the top priority for the future of Moonee Valley, with the Visioning Paper including a vision of 'A Healthy City', a city where together Council and our community will create and continually improve the conditions that enable all of us to enjoy the highest level of health and wellbeing possible.

The Visioning Paper begins to articulate what our city will look like in 2040, with the Paper structured around five themes:

- A **fair** city where everyone feels safe, is included, is healthy and has access to services and housing;
- A city that is **thriving** with access to jobs, lifelong learning, vibrant and dynamic activity centres;
- A **connected** city of accessible, active and sustainable transport choices;
- A **green** city that is ecologically healthy and environmentally responsible; and
- A **beautiful** city that celebrates its identity, heritage and open spaces.

Each one of the themes aims to respond to trends and challenges that will impact on the future of our city, through a series of strategic directions, objectives and actions. These trends, including: population growth and demographic change; climate change; and advancements in technology, requiring a coordinated, strategic response.

Following on from these overarching themes, the Visioning Paper focuses on our 13 neighbourhood areas, presenting a vision and series of big ideas for each neighbourhood based on the extensive feedback from our community. A neighbourhood approach to planning and service delivery will enable us to identify the different wants and needs of each area, to create and sustain a vibrant network of 20-minute neighbourhoods.

Consultation

Extensive community consultation has been undertaken during the first phase of the MV2040 engagement program. The program was launched on 26 February 2017 at the Moonee Valley Festival. The engagement program ran over 6 weeks and included community surveys and extensive 'pop-up' sessions, concluding on 9 April 2017. Council, received feedback from over 4,000 members of the community.

In this second phase of community engagement, it is intended to release the Visioning Paper for a 5 week period of consultation from Friday 6 October – Friday 10 November 2017. The Paper will be available through Council's website, with hardcopy versions at Council's civic venues. An extensive notification process will be undertaken, with residents to be asked:

- How does Moonee Valley look in 2040?
- How will we get around in 2040?
- How does your neighbourhood feel in 2040?
- Do you agree with the vision, big ideas and anchors for your neighbourhood?

This feedback will be critically important to shaping the Draft MV2040 Strategy.

Implications

1. Legislative

The Paper has had due regard for the Human Rights Charter, in particular, the need to maintain Respect, Equality and Dignity throughout the consultation and strategy development process.

2. Council Plan / Policy

The Visioning Paper is the next stage in development of MV2040, in accordance with the following key strategies in the Council Plan 2017-21:

- 1.2.1.1 - Prepare neighbourhood plans and priority actions through MV2040.
- 3.1.1.6 - Adopt an updated Integrated Transport Strategy within MV2040.
- 3.2.1.1.3 - Undertake the work to have MV2040 embedded into the Planning Scheme.
- 4.1.1.7 - Undertake planning and feasibility for key catalyst projects identified through Council's long-term community plans such as MV2040, which increase connectedness at the neighbourhood level.

The Visioning Paper is also in accordance with the following key priorities in the Council Plan 2017-2021:

- 3.2.1.1 - Prepare and see the adoption of MV2040 as the long-term strategy that will guide the future of the City.
- 5.4.1.1.6 - Deliver deliberative engagement processes to inform development of MV2040; and
- 5.4.1.1.7 - Coordinate the program of community engagement to inform MV2040 including online platforms, and implement Council's Community Engagement Framework in alignment with IAP2 principles and the VAGO best practice guide.

3. Financial

The MV2040 engagement program will be funded through the approved 2016/17 and proposed 2017/18 Strategic Planning and Social Planning and Wellbeing operational budgets.

4. Environmental

Environmental considerations have been taken into account for this consultation program. Council will print a limited run of paper materials for use in the program and encourage community members to participate online.

Conclusion

The MV2040 Visioning Paper vision, themes and neighbourhood ideas are aimed at continuing a conversation with our community about how they see their home in over 20 years-time. It is a chance to ask how our community think we might get around by this time, what Moonee Valley will look like and how their neighbourhoods will feel in 2040.

Community participation in the development of MV2040 is essential in achieving a robust, well-informed long-term plan for Moonee Valley. This Visioning Paper has been developed based on feedback received and Council officer research about what make a city great.

Seeking input and working collaboratively with our community to review the Visioning Paper is the important next step, Phase 2 of the MV2040 engagement program.

Appendices

Appendix A: MV2040 Visioning Paper (separately circulated)

Appendix B: MV2040 Visioning Paper Design Concept (separately circulated).

9.6 Open Space Master Plans

File No: FOL/17/11

Author: Venta Slizys
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Directorate: Planning & Development

Purpose

To seek Council approval to adopt Master Plans for the following open space reserves:

- AJ Davis Reserve;
- Buckley Park;
- Overland Reserve; and
- Woodlands Park and Salmon Reserve.

Executive Summary

- Council prepares Master Plans for Regional, Municipal and Neighbourhood open space to create an agreed shared vision for the community for improvements and upgrades to infrastructure and spaces. Master Plans are used to advocate for internal and external funding and assist with the staging of the Capital Works program, which is subject to Council's annual budgetary process.
- On 23 May 2017 Council approved the Draft Master Plans for AJ Davis Reserve, Buckley Park, Overland Reserve and Woodlands Park and Salmon Reserve for community consultation.
- The final Master Plans have been developed in consultation with the community:
 - AJ Davis Reserve Master Plan **Appendix A** (separately circulated)
 - Buckley Park Master Plan **Appendix D** (separately circulated)
 - Overland Reserve Master Plan **Appendix F** (separately circulated)
 - Woodlands Park and Salmon Reserve Master Plan **Appendix I** (separately circulated).

2013 and City Sustainability Policy 2013.

Recommendation

That Council:

1. Adopt the following Master Plans:
 - a) AJ Davis Reserve Master Plan **Appendix A** (separately circulated);
 - b) Buckley Park Master Plan **Appendix D** (separately circulated);
 - c) Overland Reserve Master Plan **Appendix F** (separately circulated); and
 - d) Woodlands Park and Salmon Reserve Master Plan **Appendix I** (separately circulated).
2. Note that delivery of Master Plan recommendations are subject to Council's annual budget process.

Background

The Moonee Valley Open Space Strategy (2009) was prepared to provide Moonee Valley City Council guidance on its public open space program up to 2020. The Strategy takes into account the location, distribution, function and condition of the existing open space and provides clear forward planning for a growing municipal population.

Masters Plans are developed for Regional, Municipal and Neighbourhood open spaces to provide an agreed vision to plan, implement and advocate for improvements for the community. They provide guidance for:

- Location and look of facilities, including infrastructure such as pavilions and carparking
- Location and type of playspaces, pathways, furniture and associated elements such as planting
- Guidance for sustainable water treatment, harvesting and reuse
- Capital Works Program and Council's Annual Budget.

Master Plans draw upon recommendations from a number of Council Plans and key Strategies, within the context of the site conditions, often including:

- Council Plan 2017-2021
- Open Space Strategy 2009
- Playspace Plan 2013
- Leisure Strategy 2013
- Sports Development Plan 2014-2023
- City Sustainability Policy 2013
- Walking and Cycling Strategy 2012

Once a Master Plan is adopted, works can be implemented according to priorities and staging of key projects i.e. building upgrades and associated works.

Discussion

The Master Plans outlined in the report, have been undertaken either due to pending infrastructure planning and design for community facilities or because they required timely review.

AJ Davis Reserve

Council's Open Space Strategy determines that AJ Davis Reserve is classified as a Municipal open space with a primary character of sporting and a secondary character of informal, linear and nature conservation.

AJ Davis Reserve contains a sports pavilion, Scout den, sports field and shared pathway. It is used for formal and informal, unstructured recreation. The following clubs use AJ Davis Reserve:

- Keilor Dog Obedience Club
- Northern Wolves Rugby Club
- Aberfeldie Cricket Club
- Airport West St. Christopher's Cricket Club.

Key features of the Master Plan **Appendix A** (separately circulated) include:

- New multi-use pavilion to replace the old pavilion and Scout den
- Inclusion of a public toilet within the new pavilion
- New playspace and picnic area
- Pathway improvements including a circuit path
- Stormwater harvesting system for park irrigation and environmental improvements to Steele Creek
- Improvements to car parking
- Outdoor exercise equipment
- More vegetation including tree plantings
- Improvements to the amenity of the park including provision of more seating, drinking fountains and bins.

The implementation plan is included in the Master Plan documents and sets out short, medium and long term projects over a fifteen year period.

Letters of support for the Master Plan have been received from 5th Keilor Scouts and Essendon Keilor College (Niddrie Campus) – **Appendix B** (separately circulated).

Buckley Park

Buckley Park requires a Master Plan to guide the design, development and management of the open space, with the 2004 Master Plan requiring review.

Council's Open Space Strategy determines that Buckley Park is classified as a Municipal open space with a primary character of sporting and a secondary character of informal.

Buckley Park contains a community centre, several sports pavilion, sports fields, playspace and pedestrian pathway. It is used for formal and informal, unstructured recreation. The following clubs currently use the park:

- Doutta Stars Cricket Club
- Essendon Doutta Stars Football Club
- Buckley Park Cricket Club
- Aberfeldie Cricket Club
- Buckley Park Tennis Club
- Buckley Park Bowls Club

Key features of the Master Plan **Appendix D** (separately circulated) include:

- New and upgraded playspaces and picnic facilities
- Pathway improvements
- Stormwater harvesting wetland for park irrigation, increased biodiversity and recreation opportunities
- Improvements to car parking
- Sensory garden
- Introduction of a dog off-leash area with time based restrictions
- Outdoor exercise equipment
- Improvements to the amenity of the park including provision of more seating, drinking fountains and bins
- More vegetation including tree plantings
- Goal post storage
- Rationalisation of sport infrastructure
- Future improvements to community facilities including Doutta Stars pavilion and the Cooper Street Community Centre
- Wayfinding signage including directions to existing public toilet.

Overland Reserve

Overland Reserve is located in the Rose Hill Ward. Council's Open Space Strategy determines that Overland Reserve is classified as a Municipal open space with a character classification of Sporting.

Overland Reserve contains a sports pavilion, sports fields, a playspace and some tree plantings. The Reserve is used for formal and unstructured recreation. The following clubs use Overland Reserve:

- East Keilor Cricket Club
- East Keilor Football Club
- St Peter's Primary School located next to the Reserve uses the Reserve on a daily basis.

The draft Master Plan for Overland Reserve included two options, one with a 4 court netball facility. The community feedback received indicated a fairly even balance of responses in support for and against the netball option.

Concerns raised in relation to the netball proposal included:

- Not wanting to lose Oval 3 - Council would need to find an alternative venue
- Loss of Oval 3 would impact junior cricket which requires a synthetic wicket
- Car parking generated by netball usage would be problematic
- Netball courts inappropriate because they would not be used for competition
- Difficult relationship between the local netball club and other sporting club.

Feedback also indicated community members were supportive of having a netball or other hard court facility to provide a wider diversity of leisure options at the Reserve.

After review of all the feedback received and internal consultation, the final Master Plan includes a single multi-lined netball/basketball court that allows Oval 3 and the synthetic wicket to be retained, albeit in a realigned form. There may be a need for new multi-court netball facilities in Moonee Valley, but it is considered this is not appropriately located at Overland Reserve. Sport and Recreation unit have prepared a document: *Netball Participation in Moonee Valley*, which outlines requirements and needs for netball. (**Appendix H** – separately circulated)

Key features of the Master Plan (**Appendix F** – separately circulated) include:

- New multi-storey pavilion to replace the old pavilion with external public toilets
- Car park upgrade to meet current standards and improve pedestrian access
- Indented parking on Eastleigh and Parkside Avenues
- New single multi-lined netball/basketball court with seating for community use and training
- Ovals 2 and 3 to overlap with re-located wickets and goals to allow space for netball court, playspace, picnic area and planting
- Oval 1 fencing and drainage upgrade, with additional players box for visiting teams
- Cricket nets relocated closer to pavilion and car park
- Ball protection fencing
- Re-located scoreboard, subject to club funding
- Upgraded playspace in new location
- Pathway including a circuit path and links to adjacent streets
- Feasibility study for stormwater harvesting system for sportsfield irrigation
- Outdoor exercise equipment
- More vegetation including tree plantings
- Improvements to the amenity of the park including provision of more seating, picnic and barbeque facilities, drinking fountains, bike parking and bins.

Woodlands Park and Salmon Reserve

Woodlands Park and Salmon Reserve (**Appendix I** – separately circulated) is located in the Buckley Ward and required a Master Plan review. The previous Woodlands Park and Salmon Reserve Master Plan was endorsed in 2007 and is now out of date. The two open space areas are included within the Master Plan as they are immediately adjacent to each other.

Moonee Valley City Council's Open Space Strategy determines that Woodlands Park is classified as a Municipal open space with a primary character of 'water feature/wetlands' and a secondary character of 'nature conservation'.

Woodlands Park has a long history of water conservation. The original land title set aside the land for the conservation of water. Whilst Salmon Reserve is classified as a Neighbourhood open space with a primary character of linear and a secondary character of nature conservation, a key feature of the Reserve is its natural and informal character.

Woodlands Park and Salmon Reserve are well loved, popular open spaces within Essendon, with intense use on the weekends for social gatherings.

The Settler's Cottage is proposed to be relocated to Woodlands Park adjacent to Woodlands Park House.

Woodlands Park was considered to be the preferred location for the Cottage, given the park's proximity to Mount Alexander Road, existing community use and function of Woodlands Park House and the ability for future users of the Cottage to access the existing facilities within Woodlands Park House.

Key features of the Master Plan (**Appendix I** – separately circulated) include:

- Improvements to the lake including stormwater harvesting for park irrigation
- Additional public toilet
- Pathway improvements
- Outdoor exercise equipment
- Improvements to existing playspace
- New and upgraded picnic facilities
- Improvements to vegetation including at entrances
- Improvements to amenity including more provision of seating, drinking fountains and bins
- Locate the historic Settler's Cottage adjacent to Woodlands House.

An implementation plan is included in all Master Plan documents and sets out short, medium and long term projects over a fifteen year period.

Consultation

In preparation for these Master Plans, consultation has been undertaken through letterbox drops, information sessions and targeted consultation with sports clubs and external stakeholders. Council departments have been consulted to ensure current and future works are consistent, ensuring a consolidated plan for transport and community facility requirements.

A workshop was held with the community, stakeholders and all residents within 500m of the sites were sent copies of the draft Master Plan and were advised of the workshop.

Alternative feedback options were provided if community members are unable to attend the workshop, through information on Council's website and email and telephone contact details.

In addition, the workshop was advertised on Council's website and publications.

Feedback from the community assisted Council in the development of the final Master Plans.

The number of written responses for the Draft Master Plans were as follows:

Master Plan	Number of responses	Consultation Summary
AJ Davis Reserve Draft Master Plan 2017	43	<u>Appendix C</u> – (separately circulated)
Buckley Park Draft Master Plan 2017	54	<u>Appendix E</u> – (separately circulated)
Overland Reserve Draft Master Plan 2017	64	<u>Appendix G</u> – (separately circulated)
Woodlands Park and Salmon Reserve Draft Master Plan 2017	66	<u>Appendix J</u> – (separately circulated)

Implications

1. Legislative

Through the Open Space Strategy and Amendment C98, Council currently received Open Space Contributions through the Subdivision Act 1988. These funds are used to acquire land and fund improvements to open space to cater for future populations. Master Plans for open space provide direction and agreed outcome with the community and stakeholders to undertake these improvements.

2. Council Plan / Policy

In presenting this report to Council, planning for improvements to open space through the development of Master Plans will contribute to achieving its Strategic Objective to:

- Theme 1: Friendly and safe – Our community is socially inclusive and healthy.
- Theme 2: Green, Clean and Beautiful – Moonee Valley has high quality places and spaces.
- Theme 3: Vibrant and Diverse – High levels of participation in accessible leisure and learning opportunities

Improvements for open space contained within the Master Plans will also have the potential to meet the objectives of Council's Leisure Strategy (2013), City Sustainability Policy (2013) and Playspace Plan (2013).

3. Financial

Master Plans provide a long term framework for prioritising improvement works within open space. All of the Master Plan proposals will be subject to Council's annual budgetary process and through the adoption of the Capital Works program

4. Environmental

Planning for improvements within open space assist Council to meet the targets identified within the City Sustainability Policy, particularly with regard to biodiversity, waterway management, remnant vegetation management and sustainable transport.

As outlined in the report, initiatives set out for stormwater harvesting, treatment and reuse will improve stormwater quality and quantity entering receiving waterways and reduce heat island effect.

Conclusion

The Open Space Strategy provides direction to Council to implement specific open space projects, set implementation priorities, and determine annual budgets and capital works programs.

Master Plans provide an agreed plan with the community, Council departments and stakeholders for future improvements within open space, including alignment and guidance for built form within open space.

The Master Plans for AJ Davis Reserve, Buckley Park, Overland Reserve and Woodlands Park and Salmon Reserve have been created through site analysis, existing Council policy and consultation process.

The Master Plans have received support from the community and provide a long term vision for the open spaces to guide future improvements and initiatives.

Appendices

Appendix A: AJ Davis Reserve Master Plan (separately circulated)

Appendix B: Letters of support for AJ Davis Reserve Master Plan (separately circulated)

Appendix C: AJ Davis Reserve Consultation Summary (separately circulated)

Appendix D: Buckley Park Master Plan (separately circulated)

- Appendix E: Buckley Park Consultation Summary (separately circulated)
- Appendix F: Overland Reserve Master Plan (separately circulated)
- Appendix G: Overland Reserve Consultation Summary (separately circulated)
- Appendix H: Netball Participation in Moonee Valley (separately circulated)
- Appendix I: Woodlands Park and Salmon Reserve Master Plan (separately circulated)
- Appendix J: Woodlands Park and Salmon Reserve Consultation Summary (separately circulated).

9.7 Thrive Strategy Update & Action Plan One Report Card

File No: FOL/17/11

Author: Rachael Fry
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Directorate: Planning & Development

Purpose

To update Council on the completion of the *Thrive: Strategy for young people* Action Plan One and the implementation of the Council Plan 2017-2021 through Action Plan Two.

Executive Summary

- Young people are a growing priority population in Moonee Valley and are disproportionately vulnerable to problems such as unemployment, inadequate housing, violence, and mental illness. It is vital that young people can access the right information and supports to help them navigate these changes and challenges smoothly.
- Sector trends towards targeted/specialist service delivery means that generalist youth work outside of local government is becoming quite rare. Councils are now the backbone of generalist youth services in Victoria.
- Moonee Valley's Youth Development service offers programs that are youth-specific, universal and available to all young people irrespective of cultural background and gender or identity. Refer **Appendix A**.
- The strategic and policy framework adopted by Council to respond to the above issues is the *Thrive: Strategy for Young People* ('Thrive'). Council adopted this document at its ordinary meeting on 27 October 2015. Thrive was developed following consultations with over 860 local young people and 30 organisations.
- Thrive is a ten year strategy with five action plans proposed to deliver on its' policy commitments. The first of these plans, Thrive Action Plan One, has now completed. A Thrive Action Plan One report card, **Appendix B**, provides a visual representation of significant achievements in the eighteen months since the Action Plan was adopted.
- Thrive Action Plan Two has been developed in conjunction with the Young People's Committee, the Young People's Coalition and young people engaged with the Youth Development service to guide Council in the implementation of the Council Plan 2017-21 and Thrive Strategy from July 2017 to June 2019.
- Central to the development and implementation of Thrive Action Plans is the Youth Development engagement framework which seeks to work with young people and the wider community (school, parents and carers, youth service providers) to ensure that Council's programs are relevant and address key community needs and concerns. Key issues which have emerged through this on-going engagement process include: youth mental health; employment opportunities and transport accessibility.

- Thrive Action Plan One Report Card will be made publically available through Council's website.

Recommendation

That Council:

1. Note the Thrive Action Plan One Report Card (**Appendix B**).
2. Note the Thrive Action Plan Two will be implemented from July 2017 to June 2019 and includes key initiatives of the Council Plan 2017-21 such as the Youth Mental Health Project.

Background

Young people are at the forefront of many of our most pressing community concerns, including climate change, gender equity, mental health, alcohol and other drugs, employment and active transport. Council is guided by the principle that young people need to be involved in all levels of decision making on matters that affect them, and that young people are essential to solving complex community issues.

Evidence demonstrates young people are a growing priority population within Moonee Valley. **Table 1** below shows the population growth and change across Moonee Valley's neighbourhoods from 2017 to 2036.

Table 1: Projected population growth for 12-25 year old in Moonee Valley 2017-2036

Neighbourhood	Year		Change	
	2017	2036	#	%
Aberfeldie	1,176	1,215	39	3%
Airport West	1,113	1,356	243	22%
Ascot Vale	1,839	2,824	985	54%
Avondale Heights	879	1,108	229	26%
Essendon	2,828	4,059	1,231	44%
Flemington	1,294	1,501	207	16%
Keilor East	2,554	3,573	1,019	40%
Keilor Road - Essendon North	1,991	2,717	726	36%
Milleara	1,629	1,942	313	19%
Moonee Ponds	2,396	4,009	1,613	67%
Niddrie - Essendon West	1,416	1,489	73	5%
Strathmore Heights	740	714	-26	-4%
Strathmore	1,448	1,573	125	9%
City of Moonee Valley	21,304	28,080	6,776	32%

Source: Population and household forecasts, 2017-2036, prepared by i.d June 2017

Challenges faced by young people

The above statistics are important because for many young people, adolescence can be a challenging time. Young people are developing their own identities while negotiating changes in relation to parents and juggling the demands of study, paid or volunteer work, and social relationships. Adolescence can add an additional dimension of complexity for young people from refugee or migrant backgrounds who may also be learning a new language, adapting to a new culture, settling in to a new school and making new friends. Likewise for young people who may be struggling with their gender identity or questioning their sexuality.

Adolescence is a period marked by transitions including completing and leaving secondary school, proceeding into higher education, training and employment, and leaving home to live independently. Simultaneously, young people are disproportionately vulnerable to problems such as unemployment, inadequate housing, violence, and mental illness. It is vital that young people can access the right information and supports to help them navigate these changes and challenges smoothly.

Increased service demand on local generalist youth services

In this context, it is important that Council continues to fund, plan, coordinate and deliver a wide range of programs and services, as well as brokering productive partnerships to better support young people and their families in Moonee Valley. The changing political and funding environment at state and federal levels has meant that demands on local government youth services teams have increased due to the loss or reduction of several other key services which had previously assisted young people. Additionally, trends towards targeted specialist service delivery means that generalist youth work outside of local government is becoming quite rare. Many Councils, now find themselves in the position of providing the only generalist youth service in their local government areas.

Generalist youth services such as Moonee Valley's Youth Development team are youth-specific and universal. This means services are available to all young people irrespective of cultural background and gender and/or sexual identity. Council services focus on preventing problems before they can occur, intervening early to address concerns, and building young people's resilience, increasing protective factors and connections to the local community. Generalist youth work is premised on the belief that all young people should have access to someone who will work with them as the primary client, with their best interests at heart. Youth Development also assist young people who are experiencing hardship or disadvantage through providing counselling and case management support. The service takes a referral and advocacy role to ensure young people can access the specialist supports they need. Despite this support, young people living in Moonee Valley travel out of the municipality to access specialist support services such as housing, employment and mental health.

Community development approaches

Moonee Valley's Youth Development service uses a number of frameworks to support young people in the community. This includes utilising a youth engagement and participation lens to actively involve young people in decision-making processes on issues that affect them. The service recognises that young people make invaluable contributions to their communities and are empowered when they

participate. This includes consulting young people about their ideas and opinions, planning or leading community activities and events and supporting them to take part in youth committees or action groups.

In this environment, and at a time of increased mental health issues, high youth unemployment, unaffordable housing and increased cost of higher education local government youth services often find themselves under pressure to address the gaps. Consequently, local governments are well served to work in partnership for improved service coordination (such as with schools, police, health providers, arts organisations, housing and employment providers etc.).

A summary of Council's Youth Development service programs are provided in **Appendix A**.

Discussion

Thrive Strategy for young people

Thrive: strategy for young people (Thrive) was adopted by Council at its' Ordinary Meeting on 27 October 2015 following consultations with over 780 young people and 30 organisations. This strategy was developed to align Moonee Valley's approach with the Australian Research Alliance for Children and Youth's national best practice model. This model aims to provide Council, the service sector and young people with strategies to address the needs and aspirations of young people in Moonee Valley.

Thrive is a ten year strategy with five action plans proposed to deliver on its' policy commitments.

Thrive Action Plan One

The first of these plans, Thrive Action Plan One, has now completed. A Thrive Action Plan One report card, **Appendix B** and **Table 2** below, provides a visual representation of significant achievements in the eighteen months since the Action Plan was adopted.

Table 2: Thrive Action Plan One- Highlights summary

Thrive action area	Highlights
Action Area 1: Being loved and safe	<ul style="list-style-type: none">• Engaged with 1,389 young people through place based programs in Flemington, Ascot Vale, Moonee Ponds, Avondale Heights and Niddrie• LGBTIQA+ youth group created with 154 young people attending meetings over 18 months• 240 LGBTIQA+ young people participated in state-wide events co-designed by Western Councils• Engaged with 230 culturally and linguistically diverse young people at youth-led Iftar dinner

Thrive action area	Highlights
Action Area 2: Having material basics	<ul style="list-style-type: none"> • 1,136 learner driver hours logged in the L2P program with 48 mentees matched with community volunteer mentors annually. • 6 young leaders participated in over 50 hours of project/event management mentoring with youth development staff • Young People's Committee created youth-led event 'Pathways to employment'
Action Area 3: Being healthy	<ul style="list-style-type: none"> • 515 hours of case management support provided to young people in Moonee Valley • 319 hours of counselling provided to young people in Moonee Valley • 6 major wellbeing networking events coordinated connected over 15 schools and 20 service agencies in Moonee Valley
Action Area 4: Learning	<ul style="list-style-type: none"> • Provided activities to 550 students across 5 Moonee Valley Schools and 4 Moonee Valley libraries to reduce academic stress • Youth resource book developed with over 16 young people
Actions Area 5: Participation	<ul style="list-style-type: none"> • Step Off! Urban dance crew competition- 507 young performers and 1,125 audience members • Young People's Coalition addressing advocacy around mental health, employment, transport, homelessness and respectful relationships • 15 events designed by young people for young people • 22 young people worked with 5 professional artists to created 4 urban art murals around Moonee Valley • 3 outdoor cinemas with over 300 attendees held at Incinerator gallery, Debneys Park and Rosehill skate park
Action Area 6: Supportive Systems and Environments	<ul style="list-style-type: none"> • Young People's Committee engaged with 28 young people • 8 Young People's Coalition meetings held

Thrive Action Plan Two

The implementation and evaluation of Action Plan One identified gaps, opportunities and learnings which have informed the development of Action Plan Two. The key issues and areas of concern for young people which have emerged through Thrive and the on-going engagement and evaluation process include:

- mental health;
- employment opportunities;
- accessibility to services, transport and youth friendly spaces; and
- activities that celebrate youth culture.

A summary of some key initiatives within Thrive Action Plan Two are highlighted in Table 3 below.

Table 3: Thrive Action Plan Two - key initiatives snapshot

Theme	Indicative key initiative
Action Area 1: Being loved and safe	<ul style="list-style-type: none">• Develop good practice young women's leadership training programs to support skill development and build on their strengths and resilience through community connectedness in priority neighbourhoods.• Support neighbourhood based projects which encourage positive interactions between young people.• Support targeted initiatives for young people of diverse backgrounds, especially those who are Lesbian, Gay, Bisexual, Transgendered, Intersex or Queer/Questioning, express their cultural identities, and/or identify as having a disability.
Action Area 2: Having material basics	<ul style="list-style-type: none">• Advocate for and support the establishment of employment and training programs that support disadvantaged young people to gain sustainable employment outcomes and career pathways in Flemington and Ascot Vale.• Support work experience and internship opportunities in the Youth Development team and across Council for young people.• Deliver the L2P Learner Driver Program for young people facing significant barriers in reaching the required number of practice driving hours.

Theme	Indicative key initiative
Action Area 3: Being healthy	<ul style="list-style-type: none"> • Deliver universal youth mental health partnerships and targeted individual support for young people 12-25 through our youth case management and counselling services. • Promote positive mental health in education settings through community education, programs and public campaigns, including a Young People's Mental Health First Aid initiative in local schools. In order to build capacity of staff, students, parents, carers and the wider community. • Promote bike riding as a fun, healthy mode of transport and educate young people about road safety, bike riding and maintenance. • Support local Secondary schools in partnership with the Department of Education with the delivery of 'Respectful Relationships' Victorian Education Curriculum.
Action Area 4: Learning	<ul style="list-style-type: none"> • Partner with young people and/or youth organisation to deliver peer-to-peer engagement and positive role modelling opportunities. • Promote Library resources including study areas and online learning opportunities as dynamic spaces for young people to study.
Actions Area 5: Participation	<ul style="list-style-type: none"> • Support young people to connect with youth friendly volunteer placement pathways in Moonee Valley. • Support young people to develop and implement small scale community projects. • Facilitate regular consultation process with a diverse spread of young people in Moonee Valley to inform planning. • Deliver community events and activities which showcase youth arts and culture and celebrate local talent.
Action Area 6: Supportive Systems and Environments	<ul style="list-style-type: none"> • Increase Council's digital presence to make information more accessible to young people and their lifestyles. • Ensure that each representative body; i.e. Committee, Services Network and Coalition function effectively by sharing information on trends, emerging issues and effective solutions to systemic problems facing young people. • Roll out of the Monitoring and Evaluation framework tool in order to measure collective impact on the key priorities within Thrive across Moonee Valley.

Young People's Mental Health First Aid initiative within Action Plan Two

One example of a project that uses a strong youth participation, engagement and community development frameworks is the flagship initiative, the Young People's Mental Health First Aid Initiative.

Mental health issues are common in our community and the average onset of mental illness occurs between the ages of fifteen to eighteen years. Additionally, 50% of all people who go on to develop a mental illness will have had their first episode prior to the age of 18 (Dr Claire Kelly, Mental Health First Aid Australia, 2017). The National statistic for youth mental health is that 1 in 7 adolescents will have a diagnosed mental health issue, however adolescents in Moonee Valley (MV) report a higher level of psychological distress at 19.5% compared to the Victorian average of 13% (MVCC, Thrive, 2015).

An alarming 30% of young people within Moonee Valley have also reported that they are dissatisfied with their quality of life compared to the Victorian average of 17% (Op cit). These snapshots of data showcase the mental health landscape of young people within Moonee Valley and the importance for addressing these needs with a comprehensive and strategic mental health initiative.

Moonee Valley as a region is lacking in mental health services for young people and their families. There is a lack of comprehensive mental health services such as Headspace or Orygen Youth Health within the boundaries of the municipality, requiring local youth to travel out of area to receive support with mental health issues. Evidence shows that untreated mental illness remains the biggest risk factor for suicide. Additionally the data highlights that suicide is the leading cause of deaths amongst young people, with young males aged 15-24 most at risk.

The Youth Mental Health Program is a large scale initiative which aims to increase the mental wellbeing of the Moonee Valley community through building their capacity to identify, assess and respond to youth mental health issues. The program aims to strengthen partnerships between council and schools, namely teaching and wellbeing staff and students as well as the service sector and the broader community. This approach offers a unique and most effective way of targeting the key youth cohort as well as their support networks (peers, parents, teachers etc.); and is a gap in terms of service provision at other levels of government.

The project will be delivered in 5 stages as follows:

- Youth Mental Health First Aid sessions will be delivered to 45 school executive staff and key wellbeing/teaching staff across 4 schools in the next 2 years.
- A condensed version of Youth Mental Health First Aid modules will be delivered to 300 school staff in Moonee Valley.
- Teen Mental Health First Aid will be delivered to 800 year 9 and 10 students across 4 schools.
- A condensed version of Youth Mental Health First Aid delivered to 200 parents/carers and wider community members.
- Peer led school assembly distilling the core messages of the Teen Mental Health First Aid and highlighting Council's youth counselling and case management team as a key external support at 4 schools reaching over 2500 students in Moonee Valley.

Consultation

Thrive was developed following consultations with over 860 local young people and 30 organisations.

To guide and support the implementation of Thrive action plans at a community and service sector level Youth Development have developed an engagement approach which includes the:

- Moonee Valley Young People's Committee – led by young people and meets once a month
- Young People's Coalition and Service network – includes representatives from organizations providing youth services and support and meets quarterly
- On-going consultation with other young people engaged with the Youth Development service.

Implications

1. Legislative

The Victorian Human Rights Charter has been considered in the development of Thrive Action Plan Two, especially Section 18: Taking Part in Public Life.

Moonee Valley City Council is a registered child safe organisation and operates in accordance with Council's Child Safe policy.

2. Council Plan / Policy

In presenting this report, Council is achieving its Strategic Objectives across all 5 themes within the Council Plan 2017-2021. Three Council Plan priorities specifically relate to Youth Development and include:

- 1.1.1.6 Promote positive mental health in education settings through community education, programs and public campaigns, including a Young People's Mental Health First Aid initiative in schools
- 1.1.1.1.9 Work with partners to deliver a series of quarterly parenting forums focusing on key wellbeing issues, to provide information and prevention strategies to parents and caregivers of children and teenagers
- 1.2.1.1.2 Deliver universal youth mental health partnerships and targeted individual support through our youth counselling services.

The objectives of both the Council Plan and Thrive have been aligned and are outlined in **Appendix C**.

3. Financial

Implementation of Thrive will be accommodated within recurrent budget allocations.

4. Environmental

Actions implemented through Thrive: Action Plan Two will ensure compliance with Council's City Sustainability Policy.

Conclusion

The Thrive Action Plan One Report details action outcomes following the first eighteen months in implementing Thrive from January 2016 - June 2017. The solid foundation and lessons learned from Action Plan One has strengthened Youth Development's approach to the development of Thrive Action Plan Two (from July 2017 to June 2019). Thrive Action Plan Two provides Council with its next steps toward the long-term vision of a city where young people are celebrated, supported and thriving in all aspects of community life.

Appendices

Appendix A: Youth Development Service Summary - 2017

Appendix B: Action Plan One report Card

Appendix C: Council Plan 2017-21 and Thrive Strategy alignment.

Community Planning Service Plan for Youth Development	
Leads and coordinates the development and implementation of plans, programs, and support services, alongside young people 12 – 25 years, which increases engagement and participation in services and decision making, enhancing the inclusion, health and wellbeing of young people. The team is dedicated to representing, advocating, working alongside, supporting and empowering young people to build resilience and belonging to their environment.	
Program #1 Youth Development coordination	Coordinating the strategic planning, management, implementation and promotion of programs and services for young people in alignment with the <i>Council Plan 2017-21</i> and <i>Thrive: Strategy for young people</i> . This includes supporting the flow of information between services and young people to undertake advocacy, increase referral pathways and facilitate stakeholder engagement and strategic relationship building to enhance service quality, coordination and support service attraction in Moonee Valley.
Program #2 Youth Programs and Engagement	Engages a diverse range of young people through neighbourhood-based and community-wide engagement and capacity building activities, projects and programs. This includes developing partnerships and delivering workshops and programs to young people and other community members on leadership and life skill development, mental health, alcohol and other drugs in schools and community settings. The team also runs The Avenue [place] a multi-use young persons' arts facility in Niddrie, facilitates the FReeZA committee and delivers arts and cultural activities for young people to build community connection and celebrate youth culture. It also coordinates and raises awareness of holiday activities delivered by other services in the region, supports young LGBTIQ people to gather, share experiences, and build strong support networks through regular meetings and other ad-hoc events with surrounding Councils
Program #3 Youth Counselling and Case Management	Provides counselling and individual case management support for young people in schools and community settings. This includes the provision of generalist support for young people needing assistance with day to day activities, over the phone advice to parents / carers / guardians of young people and referrals to external support services. Co-facilitating networks of School Wellbeing Coordinators and community services, increasing awareness of referral pathways and the development of the youth services sector in Moonee Valley and delivering educational workshops to young people on mental health and other priority issues identified by young people.
Program #4 Youth Planning and Advocacy	Leads the development of the youth strategy and service models through an evidence based approach, to ensure the identification of needs and encouraging innovative outcomes that meet the aspirations of young people. Builds the capacity of the organisation and the sector to identify and respond to social issues, trends and service gaps. Consulting on, developing and implementing <i>Thrive: Strategy for young people</i> and its monitoring and evaluation Framework. Facilitating the Moonee Valley Young Peoples' Coalition which consists of service sector leaders and provides joint planning and advocacy responses to the needs of young people in Moonee Valley and facilitating the Moonee Valley Young Peoples' Committee which consists of young people aged 12-25 and provides advice and direction to Council and its partners on new and emerging priorities. Running a peer recognition awards program where the outstanding achievements and contributions young people make to community life are acknowledged.
Program #5 L2P program	Supports young learner drivers with significant barriers to achieve the required 120 hours driving practice through a mentoring arrangement with a community volunteer.

THRIVE: STRATEGY FOR YOUNG PEOPLE ACTION PLAN ONE REPORT CARD

January 2016 - June 2017



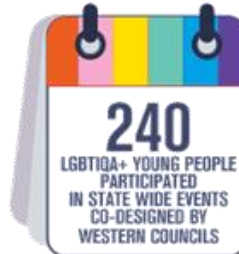
ACTION AREA 1:

BEING LOVED AND SAFE

LGBTIQA+ YOUTH GROUP CREATED



154 YOUNG PEOPLE ATTENDED



ENGAGED WITH 1,389 YOUNG PEOPLE THROUGH PLACE-BASED PROGRAMS



ENGAGED WITH 230 CULTURALLY AND LINGUISTICALLY DIVERSE YOUNG PEOPLE AT YOUTH-LED IFTAR DINNERS

ACTION AREA 2:

HAVING MATERIAL BASICS



CREATED YOUTH-LED EVENT; PATHWAYS TO EMPLOYMENT

1,136 LEARNER DRIVER HOURS LOGGED



ACTION AREA 3:

BEING HEALTHY



515 : HRS OF CASE MANAGEMENT SUPPORT PROVIDED TO YOUNG PEOPLE



ACTION AREA 4:

LEARNING



PROVIDED ACTIVITIES TO 550 STUDENTS IN 5 MOONEE VALLEY SCHOOLS AND 4 MOONEE VALLEY LIBRARIES TO



ACTION AREA 5:

PARTICIPATION



STEP OFF!
URBAN DANCE CREW COMPETITION, 507 YOUNG PERFORMERS AND 1,125 AUDIENCE MEMBERS



ACTION AREA 6:

SUPPORTIVE SYSTEMS AND ENVIRONMENTS



8 MEETINGS HELD

Appendix C - Council Plan 2017-21 and Thrive Strategy alignment

Moonee Valley Council Plan 2017-2021	Thrive: strategy for young people	What is Valley Youth going to do for young people?			
Theme 1: Friendly and safe An equitable, inclusive and healthy community	Action Area 1: Being loved and safe	1. Promote the achievements of young people in the City and the contributions young people make to community life.	2. Deliver projects that encourage good relationships among young people and between young people and the rest of the community, including their families.	3. Build the resilience of young people and their social support networks.	4. Respect, appreciate and consider young people's different needs, wants and aspirations in all we do, especially those who [are vulnerable or underrepresented].
Theme 2: Clean, green and beautiful A healthy environment and enhanced amenity	Action Area 2: Having material basics	5. Provide and promote meaningful work experience and skill building opportunities for young people.	6. Support the development of youth enterprise income generating opportunities.	7. Help young people with the transition to an independent lifestyle.	8. Advocate for a diversity of housing stock to provide affordable options for young renters and home-buyers.
Theme 3: Sustainable living A connected, well-designed municipality, thriving neighbourhoods, accessible places and spaces	Action Area 3: Being healthy	9. Improve the promotion and access to mental and emotional health supports.	10. Provide creative spaces and opportunities for young people to have fun, exercise and maintain physical health.	11. Equip young people with the skills and knowledge to make informed decisions about alcohol and other drugs, and to support their peers.	12. Encourage positive, equitable and safe intimate relationships.
Theme 4: Vibrant and diverse Celebrating diversity, promoting participation, and creating a strong economy	Action Area 4: Learning	13. Offer dynamic spaces for diverse learning needs, such as online learning and study.	14. Provide spaces and opportunities for group and peer-to-peer learning.	15. Improve young people's experience in different education settings to increase their success.	
Theme 5: Resilient organisation A resilient organisation that is sustainable, innovative, engaging and accountable	Action Area 5: Participation	16. Strengthen and celebrate young people's leadership skills and increase their decision making opportunities.	17. Support young people to participate in volunteering.	18. Provide opportunities for young people to develop their own community projects.	19. Raise awareness of the role and functions of Local Government. 20. Celebrate youth culture and identity through arts and events to build community connectedness.
	Action Area 6: Supportive Systems & environments	21. Improve communication flows between young people, Council and the service sector.	22. Partner with young people, other levels of government, the service sector and community stakeholders to advocate for and address the different needs, wants and aspirations of young people in Moonee Valley.	23. Plan for and develop young people friendly community spaces and facilities.	

9.8 Community Funding Independent Review

File No: FOL/17/11

Author: Nina Stanwell
Community Grant Officer

Directorate: Planning & Development

Purpose

To present the findings of the Community Financial Support Policy Compliance Review prepared by HLB Mann Judd.

Executive Summary

- In April 2016, Council endorsed the Community Financial Support Policy (the Policy) to establish a new whole of council approach to the provision of community funding.
- Following adoption of the Policy, a new Community Funding Program (the Program) commenced in July 2016, with four new funding streams available for 2016/17: Community Service Subsidy, Sponsorship, Donations and Vouchers (in addition to Council's ongoing Grants Program).
- In July 2017, Council engaged independent auditors, HLB Mann Judd to conduct a review (the Review) assessing compliance with the Policy and progress of the first twelve months of Program implementation. Refer **Appendix A** (separately circulated).
- The Review notes substantial progress in Program implementation to date and sample testing identified that the community financial support applications were adequately approved and complied with the Community Financial Support Policy. It also provides a number of recommendations to improve the Program moving forward.

reported to Council in November 2017.

Recommendation

That Council note the findings of the Community Financial Support Policy Compliance Review prepared by HLB Mann Judd as presented at **Appendix A** (separately circulated).

Background

At its Ordinary Meeting on 26 April 2016, Council adopted the Community Financial Support Policy (the Policy) establishing a new framework to guide decision making in the provision of community funding. This approach ensures a planned, consistent, sustainable, transparent and equitable approach to all funding applications, assessment and recommendations.

The associated Program commenced in July 2016, including four new funding streams in addition to the existing Biannual and Responsive Grants programs. These are detailed in the table below.

Table 1. Community Funding Streams

Stream	Description	Frequency
Community Service Subsidy	Funding for community organisations to provide identified services in the Moonee Valley area.	Annual
Sponsorship	Funding and in-kind support for initiatives that are mutually beneficial to both Council and community organisations.	Annual
Donations	Donations provided to local community organisations and groups to support fundraising events or activities.	Monthly
Vouchers	Vouchers for select Council venues are available to support fundraising efforts of local community groups.	Ongoing

Adoption of the new Policy required Council to transition from a decentralised to a coordinated approach. That is, a shift away from individual departments managing funding arrangements to a coordinated approach where funding arrangements are centrally recorded and managed as per the Policy and implementation guidelines. A change management approach was championed across the organisation to support delivery of the new Program. This included:

- new Community Funding Guidelines and internal processes;
- a Transition Plan to track existing funding arrangements;
- a centralised administrative function to manage SmartyGrants applications (online tool);
- staff training for 40 officers across Council; and
- one-on-one administration and change management support for staff.

To support the community in this transition period, a Communications Plan was implemented. This included:

- publication of new Community Funding Guidelines on Council's website and hard copies available at community centres and libraries;
- community information sessions held in line with round open dates; and
- transitional arrangements for previously funded community groups including individual letters, phone calls and one-on-one staff support.

Throughout 2016/2017, a total of 16 applications were funded (excluding bi-annual grants). A summary of all awarded funding for this period is detailed in the table below. Further information is available in the Review (**Appendix A** – separately circulated).

Table 2. Summary Provision of Community Funding 2016/2017

Program Funding Stream	Number of funded applications	Amount
Community Service Subsidy	3	\$39,500
Sponsorship	0	Nil
Donations	3	\$1,870
Vouchers	11	\$1,565

Discussion

In response to Councillor feedback and following the first twelve months of implementation, auditors HLB Mann Judd were engaged to conduct an independent review of the Program in July 2017 to:

- review progress made to date to implement the Policy;
- determine compliance with the Policy; and
- provide a report detailing opportunities and recommendations to improve compliance and implementation of the Policy.

The findings of the Review (**Appendix A** – separately circulated) note:

- Council has made considerable progress implementing the Policy.
- Processes surrounding funding under the Service Subsidy stream and service planning should be clarified, simplified and aligned.
- Where departments require goods or services which can be met by a local community organisation (for example, a brass band for an ANZAC Day ceremony), these should be procured using Council's Procurement Policy (rather than a funding agreement).
- A lack of community interest in the Sponsorship stream suggest opportunities to explore integration of this stream within Biannual Grants.
- The approval process for Responsive Grants, Vouchers and Donations could be streamlined to improve efficiency and effectiveness.

These observations and recommendations will be integrated into a broader evaluation of the Program currently underway. A reporting timeline and next steps are presented below.

Table 3: Policy and Program: Review, evaluation and update timeline

Stage	Date
Review by HLB Mann Judd	26 September 2017 – Ordinary meeting
Community Funding Program Review (evaluation)	28 November 2017 – Ordinary meeting
Revised Community Funding Policy (tbc)	February 2018 – Ordinary meeting
Implementation of updated Community Funding policy and guidelines (if required)	From 1 July, 2018

Councillor and community feedback will inform the review and evaluation process. Key community input will be through feedback from applicants and assessment panel members. Council officers will seek Councillor feedback on the review process at a Strategic Briefing in November 2017. The review and evaluation process will address a number of issues captured to date including (but not limited to) the following:

- Public and Products Liability Insurance for community groups
- community group incorporation requirements
- applicant eligibility criteria
- social support for community groups
- contributions by community groups/schools for capital works
- capital works contributions to businesses
- community assessment panel process
- staff and Councillor applications
- potential for centralised budget
- Councillor briefing during annual budget process
- alignment to neighbourhood priorities in MV2040 and Council Plan 2017-21
- festivals and community events funding
- in-kind support.

There may be a requirement to update the Policy to reflect the review and evaluation findings. If this is required, an updated Policy would be presented to Council for endorsement in February 2018.

Consultation

The Community Financial Support Policy Compliance Report was prepared by external consultants HLB Mann Judd. The scope and contents of the Report was informed guided by feedback received from Councillors, community members (grant applicants and community assessment panel members) and Council officers.

Implications

1. Legislative

Section 3 of the *Local Government Act* (1989) outlines the primary objective of Councils is '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 Policy responds to the principle of equity as outlined under the *Charter of Human Rights and Responsibilities Act* (2006). Specifically the recognition of equity before the law and the recognition to participate in public life. The aim of which is to have a decision making system that results 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 to Council, Council is achieving its Strategic Objective to Support other organisations in contributing to community wellbeing in accordance with Council Plan 2017-2021 Objective 1.4: our community is empowered to thrive.

The key program objectives are directed by the four themes that reflect the *Community Vision MV2035* – Friendly and Safe, Clean, Green and Beautiful, Sustainable Living, and Vibrant and Diverse.

Specifically, the implementation of the program supports Strategic Objective 1.4 of the *Council Plan 2017-2021 including*:

- 'Provide a range of community funding streams' and key priority 'deliver Council's Community Funding Program. Measure, monitor and evaluate financial support provided.
- Transition Council's community funding to align with a neighbourhood place based approach and target areas where it is most needed and to address health inequalities.'

The Program has embedded the goal of Council's *Diversity, Access and Equity Policy* 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'.

3. Financial

The 2017/18 Budget provides allocation for existing committed funding from Council resolution in April 2017 and our ongoing Biannual and Responsive Grant Programs.

Community Service Subsidy and Sponsorship Program requests (round open dates 1 Aug 2017 – 30 October 2017) will be considered within the draft budget process for 2018/19 annual budget.

Annual program evaluations will be provided to Council that provide detail on project outcomes and return on investments.

4. Environmental

The Program uses an online management system for both application and assessment processes resulting in a significant reduction in paper use.

Council will continue to work with community groups and individuals in developing proposals for funding that can either contribute to an enhanced community awareness of environmental issues or provide an environmental benefit.

Conclusion

The Report provided by HLB Mann Judd (**Appendix A** – separately circulated) notes considerable progress in the implementation of the Policy, and that the community financial support applications were adequately approved and complied with the Community Financial Support Policy. It also provides a number of recommendations for improvement moving forward. These recommendations will inform a broader evaluation, currently underway and due to be reported to Council in late 2017.

Appendices

Appendix A: LB Mann Judd - Review of Compliance with Community Financial Support Policy - August 2017 - Final (separately circulated).

9.9 Planning Scheme Amendment C182 - Heritage Overlay 62, 64, 66 and 68 Buckley Street, Essendon

File No: FOL/17/11

Author: Justin Scriha
Strategic Planner

Directorate: Planning & Development

Purpose

To seek authorisation from the Minister for Planning, to prepare and exhibit Amendment C182, which proposes to apply the Heritage Overlay to numbers 62, 64, 66 and 68 Buckley Street, Essendon, and to apply for interim heritage controls for number 66 Buckley Street which is under immediate threat of demolition.

Executive Summary

- On 24 April 2017, Council received a request for demolition (DEMO/170/2017) for the existing dwelling at 66 Buckley Street, Essendon. If approved this would result in complete demolition of the dwelling.
- This property is identified as having potential heritage significance in Council's adopted Heritage Gap Study 2014 as part of a cluster of Edwardian dwellings at 62 – 68 Buckley Street, Essendon. The demolition request was therefore referred to Council's Heritage Adviser for comment.
- The advice from Council's Heritage Advisor is that Council should seek to apply interim heritage controls to the property as the dwelling's demolition would compromise the heritage significance of the cluster of dwellings. A copy of this advice is provided in **Appendix A**. This advice is consistent with the process adopted by Council at its May 2015 Council Meeting for seeking to apply heritage controls for places which meet identified criteria and are under threat of demolition (refer to **Appendix B**).
- For the reasons as outlined, Council wrote to the Minister for Planning on 30 June 2017, requesting interim controls be applied to the property at 66 Buckley Street.
- The Department of Environment, Land, Water and Planning have subsequently advised that a formal application for interim heritage controls must be submitted pursuant to Section 20(4) of the *Planning and Environment Act 1987* for consideration and must include a resolution from Council to pursue interim controls for the property. This will be known as Amendment C181.
- In addition, Council sought alternative advice from external heritage consultants Context PTY LTD who advised that the dwellings at 62, 64, 66 and 68 Buckley Street, Essendon are of local historic significance to the City of Moonee Valley and should be included in the Heritage Overlay of the Moonee Valley Planning Scheme.

- The draft heritage citation prepared for 62, 64, 66 and 68 Buckley Street indicates that these properties are significant as a cluster of dwellings and contribute to the area based on local historical criterion. A copy of the draft citation is included in **Appendix C**.
- This report also recommends Council progresses an amendment to apply permanent heritage controls to the properties at 62, 64, 66 and 68 Buckley Street, Essendon via Amendment C182.
- A copy of the explanatory report for Amendment C182 can be found at **Appendix D**.

Recommendation

That Council:

1. In accordance with Section 8A(3) of the *Planning and Environment Act 1987*, seek authorisation from the Minister for Planning to prepare and exhibit Planning Scheme Amendment C182 – Permanent Heritage controls for numbers 62, 64, 66 and 68 Buckley Street, Essendon and also to formally request that the Minister apply interim heritage controls to 66 Buckley Street, Essendon pursuant to Section 20(4) of the *Planning and Environment Act 1987*.
2. Subject to obtaining authorisation from the Minister for Planning, exhibit Moonee Valley Planning Scheme Amendment C182 in accordance with Section 19 of the *Planning and Environment Act 1987*.
3. Refer submissions which request changes to Amendment C182, and are not resolved, to an independent Planning Panel in accordance with Section 23(1)(b) of the *Planning and Environment Act 1987*.

Background

On 24 April 2017, Council received a request for demolition (DEMO/170/2017) for the property at 66 Buckley Street, Essendon. If approved this would require the complete demolition of the existing dwelling on site.

As the property is identified as having potential local heritage significance in Council's Heritage Gap Study 2014 as part of a cluster of Edwardian buildings alongside 62, 64 and 68 Buckley Street, Essendon, the demolition request was referred to Council's Heritage Advisor for comment. A copy of this advice is provided at **Appendix A**. The Heritage Adviser raised particular concerns regarding the impact of the demolition of the dwelling at 66 Buckley Street on the heritage significance of the cluster of dwellings of which it forms a part. As a result, Council's Heritage Adviser requested that Council applies for an interim Heritage Overlay for the property under threat due to the demolition request. This assessment is based on the process adopted by Council at its Ordinary Council meeting on 26 May 2015 (refer **Appendix B**).

For the reasons outlined above, Council wrote to the Minister for Planning on 30 June 2017, requesting interim controls be applied to the property at 66 Buckley Street.

The Department of Environment, Land, Water and Planning have subsequently advised that a formal application for interim heritage controls must be submitted pursuant to Section 20(4) of the *Planning and Environment Act 1987* for consideration and must include a resolution from Council to pursue interim controls for the property. This will be known as Amendment C181.

In addition, Council sought advice from external heritage consultants Context PTY LTD who prepared a heritage assessment and citation describing the cluster of dwellings at 62, 64, 66 and 68 Buckley Street, Essendon as having local historical significance to the City of Moonee Valley for reasons described in the statement of significance within this citation.

The draft citation prepared for this site indicates that these properties are significant as a cluster of buildings that contribute to the area based on local historical criterion. A copy of the draft citation is included in **Appendix C** (separately circulated).

Discussion

In order for the request for the application of an interim Heritage Overlay to No. 66 Buckley Street, Essendon to be considered by the Minister for Planning, Council must resolve to pursue permanent heritage controls for the entire cluster of dwellings.

Council is following its adopted procedures in seeking to apply the Heritage Overlay to the properties at 62, 64, 66 and 68 Buckley Street, Essendon.

The cluster of dwellings at the subject sites are of local historical significance to the City of Moonee Valley.

Amendment C182 seeks to apply permanent Heritage Controls to the properties at 62, 64, 66 and 68 Buckley Street, Essendon.

The explanatory report for Amendment C182 can be found at **Appendix D**.

Consultation

Planning Scheme Amendment C181 to apply interim heritage controls to 66 Buckley Street will be submitted to the Minister for Planning pursuant to Section 20(4) of the *Planning and Environment Act 1987* (the Act). Section 20(4) of the Act enables the Minister for Planning to prepare an amendment and exempt himself from the notice requirements of Section 19 of the Act. Amendment C181 will therefore not be exhibited.

Council will directly notify the property owners of land affected by Planning Scheme Amendment C182, which seeks to apply a permanent Heritage Overlay to the four properties at 62 – 68 Buckley Street.

Other aspects of the consultation will include:

- An exhibition period of at least four (4) weeks;
- Letter to Heritage Victoria;
- Notices in the local newspapers;

- Information displayed at Council's Civic Centre; and
- Information on the Council and the Department of Environment, Land, Water and Planning Website.

Implications

1. Legislative

Planning Scheme Amendment C182 is consistent with Ministerial Direction relating to the form and content of Planning Schemes under Section 7(5) of the *Planning and Environment Act 1987*. The preparation of the amendment is also in accordance with Section 4 of the *Planning and Environment Act 1987*.

There are no human rights implications as a result of this report.

2. Council Plan / Policy

In presenting this report to council, council is achieving its Strategic Objective to ensure Growth and development is well managed in accordance with Council Plan 2017-2021 Theme 3: Sustainable Living – A connected, well-designed municipality, thriving neighbourhoods, accessible places and spaces.

3. Financial

There are no relevant financial considerations to this report. The cost of the preparation of the amendments will be borne by Council through the Strategic Planning budget.

4. Environmental

Applying the Heritage Overlay to the identified properties will have a positive environmental impact through protecting places of historical significance.

Conclusion

Amendment C182 will assist Council in preserving places of important historical significance in Moonee Valley.

This amendment will be formally exhibited allowing the property owners and any other interested parties to provide a submission to the Amendment. Any submitters would then have the opportunity to present their submission to an Independent Planning Panel.

It is also recommended that Council formally requests that the Minister for Planning apply interim heritage controls to 66 Buckley Street while the amendment process for the permanent controls is underway.

Appendices

Appendix A: Heritage Adviser comments

Appendix B: Adopted Council process for assessing potential heritage of properties under threat of demolition

Appendix C: Draft Heritage Citation (separately circulated)

Appendix D: Amendment C182 Explanatory Report.

Moonee Valley Heritage Advisory Service

Heritage assessment of property included in Heritage Gap Study

Property address: 66 Buckley Street, Essendon

Assessment as per process adopted by Council on 26 May 2015.

This template assists in the consideration as to whether property meets the threshold criteria adopted by Council on 26 May 2015, in order to warrant applying to the Minister for Planning for interim heritage controls.

It is also important to note that the department has advised that they will not be granting authorisation for any future amendments seeking to apply permanent controls to individual places which form part of potential heritage precincts identified in the Moonee Valley Heritage Gap Study 2014. Permanent heritage controls will only be considered in instances where a stage 2 heritage study has progressed to a point whereby Council has committed to seek authorisation for the application of the heritage overlay to an entire precinct.

In order to request an interim Heritage Overlay, all of the following criteria (1-3) must be met.

In the case of precincts, in addition to Criteria 1-3, Criteria 4 must also be met.





Assessment against Threshold Criteria

Criteria 1 – Significant or Landmark

Particularly significant or landmark building

Comments:

Upon closer inspection, the 4 Edwardian houses offer a great variety of details and construction. Their overall form and massing is shared with the typical Federation roof and connected verandahs. Because of their close location to the Mt Alexander and Buckley Streets intersection that is punctuated by the presence of churches to either side, this group of four houses has a landmark location as well as carrying individual variations on the Edwardian theme.

Criteria 2 – Good condition

Property is in good condition.

Comments:

The property is in very good condition.

Criteria 3 – Existing representation under HO

Criteria 4 – Precincts

For precincts or groups of buildings – whether the loss of the building would irreversibly jeopardise the significance and intactness of the entire precinct.

Comments:

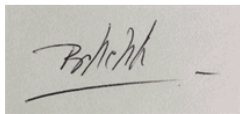
There is no doubt, the demolition of 66 Buckley Street, Essendon will jeopardise the significance of the precinct overall.

Conclusions and Recommendation:		
Can the buildings be demolished?	<u>NO</u>	
Interim controls to be sought?		<u>YES</u>
Can improvements be sought from the developer?		
If Yes – refer to Coordinator Strategic Planning.		

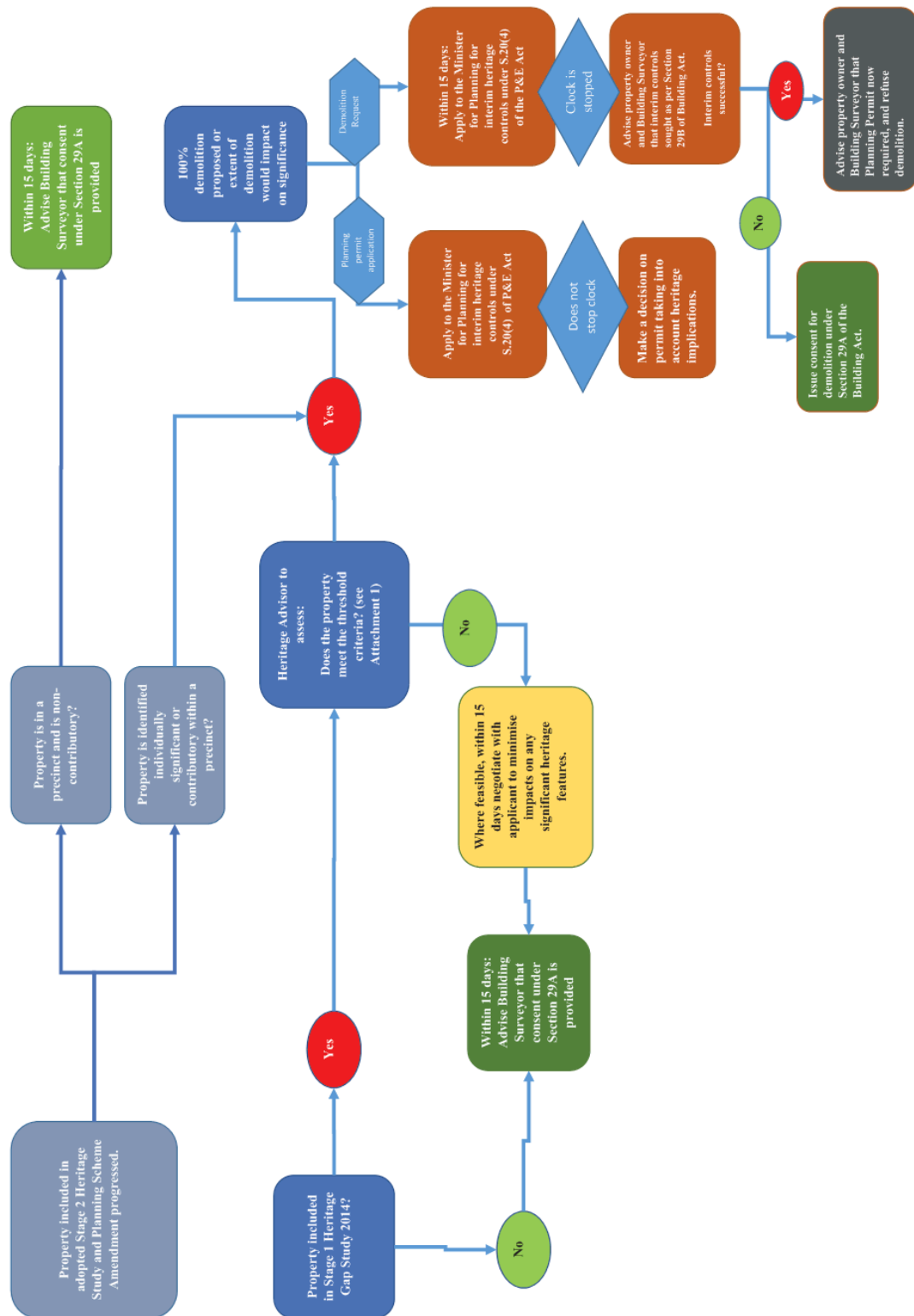
Date: 14/6/2017

Name: Bernadette De Corte

Signed:



Section 29A Internal Process for demolition requests and planning applications for properties identified in heritage studies.



Section 29A Internal Process for demolition requests and planning applications for properties identified in heritage studies.

Attachment 1

Threshold Criteria for interim Heritage Overlay requests as discussed with Heritage Victoria

Council's Heritage Advisor will assess demolition requests or permit applications to determine whether to request interim Heritage Overlays.

In order to request an interim Heritage Overlay all of the following criteria (1-3) must be met.

In the case of precincts, in addition to Criteria 1-3, Criteria 4 must also be met.

1. Significant or landmark building

- Significance is beyond reasonable doubt.
- Subject to review by Heritage Advisor.

2. Good condition

- No major structural failings.

3. Rarity in the local context

- Type of building is not already well represented in the Heritage Overlay in Moonee Valley.
- Is a particularly fine example of the type of building.

4. If in a precinct or group of buildings – the loss of the building will irreversibly jeopardise the significance of the entire precinct

- Building is a key building within the middle of a precinct or group of buildings, and its loss will impact on the intactness of the precinct or group of buildings.

Notes:

- Requests for interim Heritage Overlays delegated to Chief Executive.
- Report to Council to be presented at next available meeting (subject to Council Report Planner Timetable) to request preparation of planning scheme amendment for permanent Heritage Overlay.
- Council has 15 days in which to respond to demolition requests, or approval is assumed

Planning and Environment Act 1987

**MOONEE VALLEY PLANNING SCHEME
AMENDMENT C182
EXPLANATORY REPORT**

Who is the planning authority?

This amendment has been prepared by the Moonee Valley City Council, which is the planning authority for this amendment.

The Amendment has been made at the request of Moonee Valley City Council.

Land affected by the Amendment

The Amendment applies to 62, 64, 66 and 68 Buckley Street, Essendon.

What the amendment does

The Amendment will apply the Heritage Overlay to the subject sites.

Specifically, the Amendment proposes to:

- Update the Schedule to the Heritage Overlay (Clause 43.01) of the Moonee Valley Planning Scheme by including the subject sites.
- Amend Planning Scheme Map 12HO to include the subject land in the HO.

Strategic assessment of the Amendment

Why is the Amendment required?

Nos 62 – 68 Buckley Street are intact residential buildings which form part of a wider residential precinct. They were identified in Council's Heritage Gap Study (Stage 1) 2014 as potentially having heritage significance. The dwellings are from the Edwardian era and have a landmark location due to their proximity to the intersection of Mt Alexander Road and Buckley Street. They share similar features such as typical Federation rooves and interconnected verandahs, however it is noted that each dwelling also possesses an individual variation to the Edwardian theme.

Council has received an application to demolish the dwelling at No. 66 Buckley Street. This amendment is therefore required to protect the cluster of dwellings which are of local heritage significance along Buckley Street.

The dwellings are of local historical significance to the City of Moonee Valley.

How does the Amendment implement the objectives of planning in Victoria?

The amendment will implement the following objectives of planning in Victoria, under Section 4 of the *Planning and Environment Act 1987*:

- 4(1)(a) to provide for the fair, orderly, economic and sustainable use, and development of land.
- 4(1)(d) to conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value;
- 4(1)(f) to facilitate development in accordance with the objectives set out in paragraph (d);
- 4(1)(g) to balance present and future interests of all Victorians.

These objectives are implemented by this amendment through identification of and protection of places in Moonee Valley City Council that have local historical significance.

How does the Amendment address any environmental, social and economic effects?

The amendment is expected to have positive environmental and social effects by protecting places of cultural and historical significance in Moonee Valley.

The amendment is not expected to have any adverse economic effects.

Does the Amendment address relevant bushfire risk?

There is no bushfire risk arising from this amendment.

Does the Amendment comply with the requirements of any Minister's Direction applicable to the amendment?

The amendment is consistent with the *Ministerial Direction on the Form and Content of Planning Schemes* under section 7(5) of the *Planning and Environment Act 1987*.

The amendment is consistent with *Ministerial Direction No. 9 – Metropolitan Strategy* (Plan Melbourne) in terms of the identification and protection of places of heritage significance. The relevant components of *Plan Melbourne* are:

- Direction 4.7 – Respect our heritage as we build for our future

This direction seeks to ensure that heritage is valued when managing growth and change. It acknowledges that Melbourne is recognised for its well-preserved heritage buildings and that there is a need to manage future growth and change so Melbourne's distinctive characteristics and heritage are maintained.

- Initiative 4.7.1- Value heritage when managing growth and change

This initiative aims to protect the city's heritage, and improve heritage management processes within the Victoria planning system.

The amendment is consistent with these directions and initiatives in that it identifies and provides protection of properties of local cultural heritage value.

The amendment is consistent with the *Ministerial Direction No. 11 – Strategic Assessments of Amendments*.

How does the Amendment support or implement the State Planning Policy Framework and any adopted State policy?

This amendment is consistent with the State Planning Policy Framework, in particular Clause 15.03 (Built Environment and Heritage) and implements the policy by including places which have been identified and assessed as having local cultural heritage significance in the Schedule to Clause 43.01 to the Heritage Overlay.

This amendment will directly implement the first strategy under Clause 15.03-1 to 'identify, assess and document places of natural and cultural heritage significance as a basis for their inclusion in the planning scheme.'

In addition, the SPPF requires Council as the responsible authority for planning to balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations. The amendment seeks to achieve this net community benefit by ensuring places with heritage values are conserved, through inclusion in the Heritage Overlay, for present and future generations.

The amendment is therefore consistent with and supports the State Planning Policy Framework in relation to heritage.

How does the Amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?

The amendment will assist in the implementation of Clause 21.06-2 (Heritage) within the Local Planning Policy Framework by 'conserving the historic fabric and quality of places of cultural heritage significance including buildings, streetscapes, gardens and archaeological sites'.

Does the Amendment make proper use of the Victoria Planning Provisions?

The application of the Heritage Overlay is the most appropriate mechanism for recognising and protecting the cultural heritage significance of the identified places.

How does the Amendment address the views of any relevant agency?

The views of relevant agencies, including Heritage Victoria will be sought through the public exhibition phase of the amendment.

Does the Amendment address relevant requirements of the Transport Integration Act 2010?

The amendment is not expected to impact on the transport system.

Resource and administrative costs

- **What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?**

The amendment is not expected to have a substantial impact on the resource and administrative costs of the responsible authority.

9.10 Planning Scheme Amendments C185 & C186 - Interim and Permanent Heritage Controls for 5 Alma Street, Aberfeldie

File No: FOL/17/11

Author: Justin Scriha
Strategic Planner

Directorate: Planning & Development

Purpose

To seek authorisation from the Minister for Planning to prepare and exhibit Planning Scheme Amendment C186, which proposes to apply the Heritage Overlay to 5 Alma Street, Aberfeldie. To request that the Minister for Planning applies interim heritage controls over 5 Alma Street, Aberfeldie which is under threat of demolition.

Executive Summary

- On 5 June 2017, Council received planning permit application MV/389/2017 which seeks permission to construct three dwellings at No. 5 Alma Street, Aberfeldie. If approved this would result in complete demolition of the existing dwelling on the site.
- This property is identified as having potential individual heritage significance as an Interwar period dwelling of high integrity in Council's adopted Heritage Gap Study 2014. The demolition request was therefore referred to Council's Heritage Adviser for comment.
- The advice from Council's Heritage Adviser is that Council should seek to apply interim heritage controls to the property as the dwelling appears to be of significance. A copy of this advice is provided in **Appendix A**. This advice is consistent with the process adopted by Council at its May 2015 Ordinary Meeting for seeking to apply heritage controls for places which meet identified criteria and are under threat of demolition (refer to **Appendix B**).
- Council sought alternative advice from external heritage consultants Context PTY LTD who advised that the dwelling is of local historic significance to the City of Moonee Valley and should be included in the Heritage Overlay of the Moonee Valley Planning Scheme.
- The heritage citation prepared for the property indicates that it is significant and contributes to the area based on local historical criterion. A copy of the citation is included in **Appendix C**.
- This report recommends Council progresses an amendment to apply permanent heritage controls to the property via Amendment C186, and Amendment C185 to apply interim heritage controls in the meantime.
- A copy of the explanatory report for Amendment C186 can be found at **Appendix D**.

Recommendation

That Council:

1. In accordance with Section 8A(3) of the *Planning and Environment Act 1987*, seek authorisation from the Minister for Planning to prepare and exhibit Planning Scheme Amendment C186 – Permanent Heritage controls for 5 Alma Street, Aberfeldie and also to formally request that the Minister apply interim heritage controls to this property pursuant to Section 20(4) of the *Planning and Environment Act 1987*.
2. Subject to obtaining authorisation from the Minister for Planning, exhibit Moonee Valley Planning Scheme Amendment C186 in accordance with Section 19 of the *Planning and Environment Act 1987*.
3. Refer submissions which request changes to Amendment C186, and are not resolved, to an independent Planning Panel in accordance with Section 23(1)(b) of the *Planning and Environment Act 1987*.

Background

On 5 June 2017, Council received planning permit application MV/389/2017 which seeks permission to construct three dwellings at No. 5 Alma Street, Aberfeldie. If approved this would result in complete demolition of the existing dwelling on the site.

As the property is identified as having potential individual local heritage significance as an Interwar period dwelling of high integrity in Council's Heritage Gap Study 2014, the demolition request was referred to Council's Heritage Advisor for comment.

A copy of this advice is provided at **Appendix A**. The Heritage Adviser raised concerns regarding the potential demolition of the dwelling as it is an individual site (not in a proposed cluster or precinct) of high integrity from the Interwar period and has potential landmark value. As a result, Council's Heritage Adviser requested that Council apply for an interim Heritage Overlay for the property under threat due to the planning permit application. This assessment is based on the process adopted by Council at its Ordinary Council meeting on 26 May 2015 (refer **Appendix B**).

In addition, Council sought advice from external heritage consultants Context PTY LTD. Context have prepared a heritage assessment and citation describing the dwelling at 5 Alma Street, Aberfeldie as having local historical significance to the City of Moonee Valley for reasons described in the statement of significance within this citation.

The citation prepared for this site indicates that it is significant and contributes to the area based on local historical criterion. A copy of the citation is included in **Appendix C** (separately circulated).

Discussion

In order for a request for the application of an interim Heritage Overlay to No. 5 Alma Street, Aberfeldie to be considered by the Minister for Planning, Council must resolve to pursue permanent heritage controls for the dwelling.

The dwelling at the subject site is of local historical significance to the City of Moonee Valley.

Amendment C186 therefore seeks to apply permanent Heritage Controls to the property.

The explanatory report for Amendment C186 can be found at **Appendix D**.

Consultation

Planning Scheme Amendment C185 to apply interim heritage controls to 5 Alma Street will be submitted to the Minister for Planning pursuant to Section 20(4) of the *Planning and Environment Act 1987* (the Act). Section 20(4) of the Act enables the Minister for Planning to prepare an amendment and exempt himself from the notice requirements of Section 19 of the Act. Amendment C185 is therefore not proposed to be exhibited.

Council will directly notify the property owners and occupiers of land affected by Planning Scheme Amendment C186, which seeks to apply a permanent Heritage Overlay to the property at 5 Alma Street.

Other aspects of the consultation will include:

- An exhibition period of at least four (4) weeks;
- Letter to Heritage Victoria;
- Notices in the local newspapers;
- Information displayed at Council's Civic Centre; and
- Information on the Council and the Department of Environment, Land, Water and Planning Website.

The consultation process will give any affected parties concerned by the amendment an opportunity to make a submission. Any submitters would then have the opportunity to present their submission to an Independent Planning Panel.

Implications

1. Legislative

Planning Scheme Amendment C186 is consistent with Ministerial Direction relating to the form and content of Planning Schemes under Section 7(5) of the Planning and Environment Act 1987. The preparation of the amendment is also in accordance with Section 4 of the Planning and Environment Act 1987.

There are no human rights implications as a result of this report.

2. Council Plan / Policy

In presenting this report to council, council is achieving its Strategic Objective to ensure Growth and development is well managed in accordance with Council Plan 2017-2021 Theme 3: Sustainable Living – A connected, well-designed municipality, thriving neighbourhoods, accessible places and spaces.

3. Financial

There are no relevant financial considerations to this report. The cost of the preparation of the amendments will be borne by Council through the Strategic Planning budget.

4. Environmental

Applying the Heritage Overlay to the identified property will have a positive environmental impact through protecting a place of historical significance.

Conclusion

Amendment C186 will assist Council in preserving a place of important historical significance in Moonee Valley.

This amendment will be formally exhibited allowing the property owners and any other interested parties to provide a submission to the Amendment.

It is also recommended that Council formally requests that the Minister for Planning apply interim heritage controls to 5 Alma Street while the amendment process for the permanent controls is underway.

Appendices

Appendix A: Heritage Adviser comments - 5 Alma Street, Aberfeldie

Appendix B: Adopted Council process for assessing potential heritage of properties under threat of demolition

Appendix C: Heritage Citation - 5 Alma Street, Aberfeldie - Context (separately circulated)

Appendix D: Moonee Valley C186 Explanatory Report Authorisation.

Moonee Valley Heritage Advisory Service

Heritage assessment of property included in Heritage Gap Study

Property address: 5 Alma Street, Aberfeldie

Assessment as per process adopted by Council on 26 May 2015.

This template assists in the consideration as to whether property meets the threshold criteria adopted by Council on 26 May 2015, in order to warrant applying to the Minister for Planning for interim heritage controls.

It is also important to note that the department has advised that they will not be granting authorisation for any future amendments seeking to apply permanent controls to individual places which form part of potential heritage precincts identified in the Moonee Valley Heritage Gap Study 2014. Permanent heritage controls will only be considered in instances where a stage 2 heritage study has progressed to a point whereby Council has committed to seek authorisation for the application of the heritage overlay to an entire precinct.

In order to request an interim Heritage Overlay, all of the following criteria (1-3) must be met.

In the case of precincts, in addition to Criteria 1-3, Criteria 4 must also be met.





Assessment against Threshold Criteria

Criteria 1 – Significant or Landmark Particularly significant or landmark building
Comments: The existing house is a fine example of a more substantial Inter War Bungalow displaying the following features: <ol style="list-style-type: none">1. Individual site (not in a proposed precinct);2. Design features to both street aspects such as decorative projecting gables with projecting baywindows;3. Rich materials and details: double colonettes on brick piers, dual brickwork, low flowing integrated rooflines, main walls in original grey render, low original fence with brick piers and grey unpainted render with brick motive, original tall chimneys, iron gate.4. The roof cladding has been replaced but this is easily reversible. <p>"An intact large Interwar bungalow, its significant setbacks from Alma and Beaver streets combined with its remnant original details give it a distinctive street presence." From the Heritage Citation report, Context Pty.</p>
Criteria 2 – Good condition Property is in good condition.
Comments:

The property is in good condition.
Criteria 3 – Existing representation under HO
Criteria 4 – Precincts
For precincts or groups of buildings – whether the loss of the building would irreversibly jeopardise the significance and intactness of the entire precinct.
Comments:
Not applicable.

Conclusions and Recommendation:		
Can the buildings be demolished?	<u>NO</u>	
Interim controls to be sought?		<u>YES</u>
Can improvements be sought from the developer?		
If Yes – refer to Coordinator Strategic Planning.		

Date: 28/6/2017

Name: Bernadette De Corte

Signed:





Section 29A Internal Process for demolition requests and planning applications for properties identified in heritage studies.

Attachment 1

Threshold Criteria for interim Heritage Overlay requests as discussed with Heritage Victoria

Council's Heritage Advisor will assess demolition requests or permit applications to determine whether to request interim Heritage Overlays.

In order to request an interim Heritage Overlay all of the following criteria (1-3) must be met.

In the case of precincts, in addition to Criteria 1-3, Criteria 4 must also be met.

1. Significant or landmark building

- Significance is beyond reasonable doubt.
- Subject to review by Heritage Advisor.

2. Good condition

- No major structural failings.

3. Rarity in the local context

- Type of building is not already well represented in the Heritage Overlay in Moonee Valley.
- Is a particularly fine example of the type of building.

4. If in a precinct or group of buildings – the loss of the building will irreversibly jeopardise the significance of the entire precinct

- Building is a key building within the middle of a precinct or group of buildings, and its loss will impact on the intactness of the precinct or group of buildings.

Notes:

- Requests for interim Heritage Overlays delegated to Chief Executive.
- Report to Council to be presented at next available meeting (subject to Council Report Planner Timetable) to request preparation of planning scheme amendment for permanent Heritage Overlay.
- Council has 15 days in which to respond to demolition requests, or approval is assumed

Planning and Environment Act 1987

MOONEE VALLEY PLANNING SCHEME

AMENDMENT C186

EXPLANATORY REPORT

Who is the planning authority?

This amendment has been prepared by the Moonee Valley City Council, which is the planning authority for this amendment.

The Amendment has been made at the request of Moonee Valley City Council.

Land affected by the Amendment

The Amendment applies to 5 Alma Street, Aberfeldie.

What the amendment does

The Amendment will apply an interim Heritage Overlay to the subject site.

Specifically, the Amendment proposes to:

- Update the Schedule to the Heritage Overlay (Clause 43.01) of the Moonee Valley Planning Scheme by including the subject site.
- Amend Planning Scheme Map 11HO to include the subject land in the HO.

Strategic assessment of the Amendment

Why is the Amendment required?

Council has received a planning permit application for the site which proposes to demolish the existing dwelling in order to construct three new dwellings. The existing dwelling on the site has been identified as having local heritage significance to the City of Moonee Valley.

A Heritage Overlay is needed in order for Council to legitimately consider the heritage significance of the place when considering a planning application.

How does the Amendment implement the objectives of planning in Victoria?

The amendment will implement the following objectives of planning in Victoria, under Section 4 of the *Planning and Environment Act 1987*:

- 4(1)(a) to provide for the fair, orderly, economic and sustainable use, and development of land.
- 4(1)(d) to conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value;
- 4(1)(f) to facilitate development in accordance with the objectives set out in paragraph (d);
- 4(1)(g) to balance present and future interests of all Victorians.

These objectives are implemented by this amendment through identification of and protection of places in Moonee Valley City Council that have local historical significance.

How does the Amendment address any environmental, social and economic effects?

Environmental effects

The amendment will conserve and enhance a place identified as being of aesthetic and historic significance.

The amendment will also make a significant positive contribution to the built environment of the municipality by assisting in the conservation of heritage places.

Social effects

The amendment is expected to have positive social impacts by providing protection for a place identified as being of aesthetic and historic significance to the municipality.

Economic effects

The amendment is not expected to have any adverse or significant economic repercussions for the community. However some additional costs are likely to be imposed on the owners or developers of affected residential properties, since the amendment will necessitate a planning permit for most buildings and works. The amendment also has potential to affect the redevelopment opportunities of the affected site.

It is considered that economic effects will be offset by the contribution that the heritage place offers to the broader community.

Does the Amendment address relevant bushfire risk?

There is no bushfire risk arising from this amendment

Does the Amendment comply with the requirements of any Minister's Direction applicable to the amendment?

The amendment is consistent with the *Ministerial Direction on the Form and Content of Planning Schemes* under section 7(5) of the *Planning and Environment Act 1987*.

The amendment is consistent with *Ministerial Direction No. 9 – Metropolitan Strategy* (Plan Melbourne) in terms of the identification and protection of places of heritage significance. The relevant components of *Plan Melbourne* are:

- Direction 4.7 – Respect our heritage as we build for our future

This direction seeks to ensure that heritage is valued when managing growth and change. It acknowledges that Melbourne is recognised for its well-preserved heritage buildings and that there is a need to manage future growth and change so Melbourne's distinctive characteristics and heritage are maintained.

- Initiative 4.7.1- Value heritage when managing growth and change

This initiative aims to protect the city's heritage, and improve heritage management processes within the Victoria planning system.

The amendment is consistent with these directions and initiatives in that it identifies and provides protection of a property of local heritage significance.

The amendment is consistent with the *Ministerial Direction No. 11 – Strategic Assessments of Amendments*.

How does the Amendment support or implement the State Planning Policy Framework and any adopted State policy?

This amendment is consistent with the State Planning Policy Framework, in particular Clause 15.03 (Built Environment and Heritage) and implements the policy by including a place which has been identified and assessed as having local cultural heritage significance in the Schedule to Clause 43.01 to the Heritage Overlay.

This amendment will directly implement the first strategy under Clause 15.03-1 to 'identify, assess and document places of natural and cultural heritage significance as a basis for their inclusion in the planning scheme.'

In addition, the SPPF requires Council as the responsible authority for planning to balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations. The amendment seeks to achieve this net community benefit by ensuring places with heritage values are conserved, through inclusion in the Heritage Overlay, for present and future generations.

The amendment is therefore consistent with and supports the State Planning Policy Framework in relation to heritage.

How does the Amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?

The amendment will assist in the implementation of Clause 21.06-2 (Heritage) within the Local Planning Policy Framework by 'conserving the historic fabric and quality of places of cultural heritage significance including buildings, streetscapes, gardens and archaeological sites'.

Does the Amendment make proper use of the Victoria Planning Provisions?

The application of the Heritage Overlay is the most appropriate mechanism for recognising and protecting the cultural heritage significance of the identified place.

How does the Amendment address the views of any relevant agency?

The views of relevant agencies, including Heritage Victoria will be sought through the public exhibition phase of the amendment.

Does the Amendment address relevant requirements of the Transport Integration Act 2010?

The amendment is not expected to impact on the transport system.

Resource and administrative costs

- **What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?**

The amendment is not expected to have a substantial impact on the resource and administrative costs of the responsible authority.

9.11 Flemington and Union Road Special Rate & Charge

File No: FOL/17/11

Author: Malcolm Ward
A/Coordinator Economic Development

Directorate: Planning & Development

Purpose

This report seeks endorsement by Council to commence statutory procedures to renew the Special Rates and Charges for both Flemington and Union Road Business Precincts and sets out the process.

Executive Summary

- Council has received a written request from both the Flemington Chamber of Commerce and Union Road Traders to renew the Special Rate and Charge for each Business District to carry out marketing goals and objectives from a five year Business Plan.
- Following direct consultation with both Flemington and Union Road property owners and occupiers within the scheme area, Council have been able to gauge support for renewal of Council's collection of the proposed Special Rate and Charge Schemes.
- The proposed Special Rates and Charges are a combination of 20 per cent fixed Special Charge and 80 per cent Special Rate based on Capital Improved Value (CIV). This will raise \$60,000 in the first year and increase in \$2,500 increments for a five year period from 1 July 2018 to 30 June 2023. Year five will collect \$70,000 for each of the precincts.
- The Special Rates and Charges will apply to commercial properties within the boundaries of the Flemington and Union Road Business Precincts outlined in **Appendices A and B**.
- This report proposes that Council give notice of its intention to declare Special Rates and Charges by way of declaration for the Flemington and Union Road Business Precincts. Through the statutory process Council will seek submissions and objections from business and property owners liable to pay the Special Rates and Charges (**Appendices C and D**). Council will receive submissions from these parties up to the close of business on 17 November 2017.

Recommendation

That Council:

1. Commence the statutory process under the Local Government Act 1989 (the Act) to re-introduce by way of renewal a Special Rate and Charge to and for the properties within both the Flemington and Union Road Business Precincts.
2. Notes the Special Rates and Charges will raise a total amount of \$60,000 for each respective precinct (Flemington and Union Road Business Precincts) in the first year and increase in \$2,500 increments for a five year period from 1 July 2018 to 30 June 2023.
3. In accordance with sections 163(1A) and 163B(3) of the Act, directs that public notices be given in the Moonee Valley Weekly and the Moonee Valley Leader of the intention of Council to declare at its Ordinary meeting to be held of 13 February 2018 (tbc), in accordance with the proposed declarations of Special Rate and Charge in the form of the attachment to this resolution (**Appendices E and F**), such Special Rate and Charge to be for the purpose of defraying expense to be incurred by Council in providing funds to the incorporated bodies known as the Flemington Chamber of Commerce and the Union Road Traders Association and which funds, administratively only and subject always to the approval, direction and control of Council are to be used for the purposes of the appointment of a part-time Shopping Centre Coordinator, promotional, advertising, marketing, business development and other incidental expense as approved by and agreed to from time to time between Council and the Flemington Chamber of Commerce and Union Road Traders Association, all of which are associated with the encouragement of commerce, retail and professional activity and employment in the Flemington and Union Road Business Precincts.
4. Authorises in accordance with section 163(1C) of the Act, separate letters enclosing a copy of the public notice be sent to the owners and the occupiers of the properties referred to and set out in the schedules of properties forming a part of the Proposed Declarations of Special Rate and Charge, advising of the intention of Council to declare the Special Rates and Charges at its Ordinary meeting to be held on 13 February 2018 (tbc), the amount for which the property owner or the occupier (being a person who as a condition of a lease under which the person who occupies the property is required to pay the Special Rate and Charge) will be liable, the basis of the calculation and distribution of the Special Rates and Charges and notifying such persons that submission and/or objections in writing in relation to the Proposed Declarations of Special Rate and Charge will be considered and/or taken into account by Council in accordance with sections 163A, 163B and 223 of the Act.
5. Advises the Flemington Chamber of Commerce and Union Road Traders Association of the matters specified in paragraphs 1, 2 and 3 of this resolution.

6. Appoints and authorises Councillors _____, _____ and _____ to be the members of the committee that is established by Council under section 223(1) (b) (i) of the Act, to be known as the Flemington and Union Road Special Rates and Charges Hearing Committee, to hear any persons who in their written submissions under section 223 of the Act have requested that they be heard in support of their submissions.
7. Authorises the Council's Chief Executive Officer or his nominated representative:
 - a) To carry out any and all other administrative procedures necessary to enable Council to carry out its functions under section 163A and section 163(1A), (1B) and (1C) and sections 163B and 223 of the Act; and
 - b) To prepare funding agreements between Council and the Flemington Chamber of Commerce and Council and the Union Road Traders Association to formalise the administrative operations of the Special Rates and Charges, such agreement being to ensure that at all times, and as a precondition to the payment of any funds by Council to the Flemington Chamber of Commerce and Union Road Traders Association, Council is, and remains, legally responsible for approving, directing and controlling the expenditure of the proceeds of the Special Rate and Charge in accordance with its obligations under the Local Government Act 1989 to do so.
8. Directs that the agreement specified in paragraph 7(b) of this resolution is to be subsequently submitted to Council for approval and sealing.

Background

A Special Rate and Charge for both Flemington Business Precinct and Union Road has been in place since 1992 and it is considered that the services provided from the proceeds of the Special Rates and Charges provide a special benefit to the rated businesses and properties. The current Flemington and Union Road Special Rate and Charge agreements will expire on the 30 June 2018.

The services that have been provided from the proceeds of the Special Rates and Charges, all being marketing related, have been designed to benefit the commercial and business properties and land in the Flemington and Union Road business districts. The Flemington and Union Road Business Precinct Special Rate and Charge currently raise \$60,000 each annually.

It is considered that each rateable property and each business included in the Flemington and Union Road Business Precincts that are required to pay the Special Rate and Charge, will receive a special benefit because the viability of the business district as a commercial, retail and professional area will be enhanced through economic activity. On this basis, the whole of the proposed Special Rates and Charges will be levied against the retail, commercial and professional business properties that are located in the scheme areas.

Discussion

The Union Road business precinct boundary for the Special Rate and Charge will remain unchanged, this decision has been based on feedback from consultation undertaken. All properties being used for commercial, retail or professional purposes within the designated boundary will incur a Special Rate and Charge.

The Flemington Chamber of Commerce have requested an extension of the Flemington Business Precinct boundary to include the commercial, retail or professional businesses along Racecourse Road from Coronet Street to Epsom Road.

It is proposed that each of the schemes will collect \$60,000 in the first year of the Special Rate and Charge, with an increase of \$2,500 each year for the duration of the scheme. Over the five year period of the schemes \$325,000 will be collected from each of the Flemington and Union Road Business Precincts.

Year 1 - \$60,000	Year 2 - \$62,500	Year 3 - \$65,000
Year 4 - \$67,500	Year 5 - \$70,000	Total - \$325,000

To provide consistency between the Special Rate and Charge schemes that apply throughout other precincts in Moonee Valley, it is proposed to declare a combination of 20 per cent fixed special charge and 80 per cent special charge based on Capital Improved Value (CIV).

The 20 per cent fixed component represents a fair and equitable distribution of the funds ensuring all properties contribute to the core marketing of the precinct. The 80 per cent component will recognise that most of the benefit from the Special Rate and Charge will be distributed in accordance with CIV. A list of rated properties are outlined in **Appendices C and D**.

The Special Rates and Charges will be capped at a maximum amount of \$5,000 per rated property. No properties within the Flemington and Union Road Business Precincts have reached this maximum amount.

Consultation

In July 2017, a survey was sent to all business and property owners within the Flemington and Union Road business precincts seeking feedback on the current rate and whether or not they support its renewal.

The response from the Flemington survey was low, with only 18 responses received from the 110 properties. With such a low response, it is implied that there is passive endorsement and of those responses received, approximately 40 per cent indicated support for the renewal of the Special Rate and Charge. A separate survey was sent to the owners and occupiers of the businesses within the extended area of Racecourse Road from Coronet Street to Ascot Vale Road (six addresses) of which one response was received indicating support to be included in the scheme.

Responses from the Union Road survey recipients was also low with 27 responses from the 165 properties which implies passive endorsement for the renewal. Of the responses received more than 40 per cent indicated their support for the renewal of the Special Rate and Charge.

Implications

1. Legislative

Section 163 of the Local Government Act 1989 states that Council must determine a number of matters when considering a new Special Rate or Charge:

- a) The purpose of the Special Rate or Charge or a combination of both.

In the case the defraying of any expenses relating to a specific function (marketing and promotion of Flemington and Union Road Business Precincts). This must be of special benefit to the persons required to pay the Special Rate and/or Charge.

- b) The total amount of the Special Rate and/or Charge to be levied.

The total cost of implementing these rates would include:

- The annual amount \$60,000 in the first year of the scheme rising each subsequent year by \$2,500, for the remainder of the scheme for both the Flemington and Union Road Business Precincts.
- Council's own administrative costs in relation to the scheme including the renewal process and on-going administration. The practice in previous schemes is for Council to not recover its administrative costs from liable properties, and to only levy those costs incurred by the Association. It is proposed that this practice continue for the proposed schemes. It needs to be emphasised that Council's contribution (around \$20,000 for the renewal process and \$20,000 annually for administration) in providing its own resources towards the benefit of both Flemington and Union Road Business Precincts (which could otherwise be recouped from benefiting properties) is not inconsiderable.

The Act provides that Council must calculate the above amount in accordance with the following formula:

$$R \times C = S$$

R is the total 'benefit ratio' which is the percentage of the total cost that Council determines is able to be levied. It takes into account whether there are properties Council believes will derive a 'special benefit' and are to be levied, and others which also receive such a benefit but which aren't to be levied (such as non-commercial community facilities).

Council must also determine if there is a clear, direct and tangible 'community benefit' provided by the scheme that cannot be rated to the shops. This must be attributed to, and paid for, by Council.

C is the total cost of the scheme. **S** is the maximum amount that can be levied.

With regard to the 'benefit ratio', it is considered that all the properties shown on the map and detailed in the list annexed to the attached proposed declaration as outlined in **Appendices C and D**, will receive a special benefit through increased economic activity. There are no rateable properties identified within this area which should not be levied the rate. Also, it is considered that there

are no separate 'community benefits' that can be measured which might accrue from the existence of the scheme. Any benefits to people visiting the businesses in the centre will accrue to the businesses themselves.

Therefore, the total maximum amount that can be levied on liable property owners would be 100 per cent of the total cost of the scheme.

Council needs to specify the methodology it will use in determining how the payment of the Rate and Charge is to be apportioned amongst the benefiting properties. In this instance, it is proposed that all properties will pay a 20 per cent fixed special charge and 80 per cent special charge based on CIV.

2. Council Plan / Policy

In presenting this report to Council, Council is achieving a number of Strategic Objectives:

2.2: Moonee Valley has high quality places and spaces

Key Strategy

2.2.1.1: Develop our activity centres as destinations by improving the amenity and quality of the public realm, including parking.

4.3: Our local economy is strong

Key Strategies

4.3.1.5: Improve and increase visits and spending at local shopping precincts; and

4.3.1.7: Support the growth of activity centres as entertainment precincts that have a high level of activity day and night to increase the vitality of precincts and the viability of businesses.

3. Financial

The renewal of the Special Rate and Charge Scheme is accounted for in the operational budget.

4. Environmental

The renewal of the Special Rate and Charge Schemes will have no negative impact on the environment. Growing the Flemington and Union Road Business Precincts supports local residents to shop locally which in turn can reduce the environmental impact caused through travel.

Conclusion

The renewal of the Flemington and Union Road Special Rates and Charges have the support and endorsement of the Flemington Chamber of Commerce and Union Road Traders Association. It is considered that all of the commercial, retail and professional properties in the Flemington and Union Road Business Precincts will derive a special benefit from the expenditure of Special Rate and Charge funds and the viability of the business precincts as commercial and retail centres will be further enhanced.

The intention to declare Special Rates and Charges by way of renewal invites public comment and provides Council the opportunity to review the proposed rate in light of public submissions, before its ultimate declaration.

Appendices

Appendix A: Boundaries of Flemington business precinct

Appendix B: Boundaries of Union Road business precinct

Appendix C: Flemington Property Owners liable to pay the Special Rate and Charge

Appendix D: Union Road Property Owners liable to pay the Special Rate and Charge

Appendix E: Proposed declaration of Flemington Special Rate

Appendix F: Proposed declaration of Union Road Special Rate.

APPENDIX A – Boundaries of the Flemington business precinct



APPENDIX B – Boundaries of the Union Road business precinct



APPENDIX C - Flemington Property Owners liable to pay the Special Rate and Charge

Assessment Number	Capital Improved Value	20% Fixed	80% Special Variable Rate	TOTAL
283709	\$ 1,288,000	\$ 96.00	\$ 415.64	\$ 511.64
283715	\$ 1,072,000	\$ 96.00	\$ 345.94	\$ 441.94
283758	\$ 768,000	\$ 96.00	\$ 247.84	\$ 343.84
283744	\$ 1,254,000	\$ 96.00	\$ 404.67	\$ 500.67
283700	\$ 940,000	\$ 96.00	\$ 303.34	\$ 399.34
283723	\$ 1,080,000	\$ 96.00	\$ 348.52	\$ 444.52
283674	\$ 1,388,000	\$ 96.00	\$ 447.91	\$ 543.91
283703	\$ 668,000	\$ 96.00	\$ 215.56	\$ 311.56
283714	\$ 820,000	\$ 96.00	\$ 264.62	\$ 360.62
283755	\$ 1,172,000	\$ 96.00	\$ 378.21	\$ 474.21
283713	\$ 974,000	\$ 96.00	\$ 314.31	\$ 410.31
288147	\$ 346,000	\$ 96.00	\$ 111.65	\$ 207.65
283750	\$ 100,000	\$ 96.00	\$ 32.27	\$ 128.27
283669	\$ 1,018,000	\$ 96.00	\$ 328.51	\$ 424.51
283741	\$ 450,000	\$ 96.00	\$ 145.22	\$ 241.22
283737	\$ 458,000	\$ 96.00	\$ 147.80	\$ 243.80
288148	\$ 840,000	\$ 96.00	\$ 271.07	\$ 367.07
286840	\$ 1,708,000	\$ 96.00	\$ 551.18	\$ 647.18
283648	\$ 564,000	\$ 96.00	\$ 182.00	\$ 278.00
283695	\$ 800,000	\$ 96.00	\$ 258.16	\$ 354.16
283753	\$ 100,000	\$ 96.00	\$ 32.27	\$ 128.27
283668	\$ 928,000	\$ 96.00	\$ 299.47	\$ 395.47
283702	\$ 682,000	\$ 96.00	\$ 220.08	\$ 316.08
283722	\$ 2,708,000	\$ 96.00	\$ 873.88	\$ 969.88
283683	\$ 4,340,000	\$ 96.00	\$ 1,400.53	\$ 1,496.53
283730	\$ 602,000	\$ 96.00	\$ 194.27	\$ 290.27
286837	\$ 330,000	\$ 96.00	\$ 106.49	\$ 202.49
283678	\$ 466,000	\$ 96.00	\$ 150.38	\$ 246.38
283748	\$ 2,150,000	\$ 96.00	\$ 693.81	\$ 789.81
283680	\$ 1,732,000	\$ 96.00	\$ 558.92	\$ 654.92
283733	\$ 580,000	\$ 96.00	\$ 187.17	\$ 283.17
288149	\$ 784,000	\$ 96.00	\$ 253.00	\$ 349.00
283660	\$ 1,530,000	\$ 96.00	\$ 493.73	\$ 589.73
283731	\$ 674,000	\$ 96.00	\$ 217.50	\$ 313.50
283757	\$ 484,000	\$ 96.00	\$ 156.19	\$ 252.19
283671	\$ 578,000	\$ 96.00	\$ 186.52	\$ 282.52
283728	\$ 270,000	\$ 96.00	\$ 87.13	\$ 183.13
283685	\$ 920,000	\$ 96.00	\$ 296.89	\$ 392.89
283644	\$ 380,000	\$ 96.00	\$ 122.63	\$ 218.63

Assessment Number	Capital Improved Value	20% Fixed	80% Special Variable Rate	TOTAL
283661	\$ 728,000	\$ 96.00	\$ 234.93	\$ 330.93
283718	\$ 860,000	\$ 96.00	\$ 277.52	\$ 373.52
283673	\$ 4,834,000	\$ 96.00	\$ 1,559.94	\$ 1,655.94
286836	\$ 2,388,000	\$ 96.00	\$ 770.61	\$ 866.61
283707	\$ 866,000	\$ 96.00	\$ 279.46	\$ 375.46
283754	\$ 424,000	\$ 96.00	\$ 136.83	\$ 232.83
283667	\$ 1,020,000	\$ 96.00	\$ 329.16	\$ 425.16
283704	\$ 868,000	\$ 96.00	\$ 280.11	\$ 376.11
283656	\$ 852,000	\$ 96.00	\$ 274.94	\$ 370.94
283643	\$ 724,000	\$ 96.00	\$ 233.64	\$ 329.64
283653	\$ 836,000	\$ 96.00	\$ 269.78	\$ 365.78
283706	\$ 890,000	\$ 96.00	\$ 287.20	\$ 383.20
283739	\$ 850,000	\$ 96.00	\$ 274.30	\$ 370.30
283651	\$ 1,900,000	\$ 96.00	\$ 613.13	\$ 709.13
283710	\$ 750,000	\$ 96.00	\$ 242.03	\$ 338.03
283654	\$ 796,000	\$ 96.00	\$ 256.87	\$ 352.87
283729	\$ 288,000	\$ 96.00	\$ 92.94	\$ 188.94
283686	\$ 892,000	\$ 96.00	\$ 287.85	\$ 383.85
283642	\$ 476,000	\$ 96.00	\$ 153.61	\$ 249.61
288150	\$ 558,000	\$ 96.00	\$ 180.07	\$ 276.07
283657	\$ 536,000	\$ 96.00	\$ 172.97	\$ 268.97
283752	\$ 100,000	\$ 96.00	\$ 32.27	\$ 128.27
283681	\$ 554,000	\$ 96.00	\$ 178.78	\$ 274.78
283735	\$ 682,000	\$ 96.00	\$ 220.08	\$ 316.08
283746	\$ 606,000	\$ 96.00	\$ 195.56	\$ 291.56
283736	\$ 484,000	\$ 96.00	\$ 156.19	\$ 252.19
283711	\$ 1,020,000	\$ 96.00	\$ 329.16	\$ 425.16
283697	\$ 802,000	\$ 96.00	\$ 258.81	\$ 354.81
283662	\$ 1,220,000	\$ 96.00	\$ 393.70	\$ 489.70
283649	\$ 514,000	\$ 96.00	\$ 165.87	\$ 261.87
283652	\$ 732,000	\$ 96.00	\$ 236.22	\$ 332.22
283720	\$ 860,000	\$ 96.00	\$ 277.52	\$ 373.52
283672	\$ 810,000	\$ 96.00	\$ 261.39	\$ 357.39
283738	\$ 730,000	\$ 96.00	\$ 235.57	\$ 331.57
283756	\$ 580,000	\$ 96.00	\$ 187.17	\$ 283.17
283675	\$ 3,762,000	\$ 96.00	\$ 1,214.01	\$ 1,310.01
283717	\$ 1,588,000	\$ 96.00	\$ 512.45	\$ 608.45
283676	\$ 1,042,000	\$ 96.00	\$ 336.26	\$ 432.26
283708	\$ 1,804,000	\$ 96.00	\$ 582.15	\$ 678.15
288151	\$ 650,000	\$ 96.00	\$ 209.76	\$ 305.76
283734	\$ 530,000	\$ 96.00	\$ 171.03	\$ 267.03
283666	\$ 1,100,000	\$ 96.00	\$ 354.97	\$ 450.97

Assessment Number	Capital Improved Value	20% Fixed	80% Special Variable Rate	TOTAL
283701	\$ 682,000	\$ 96.00	\$ 220.08	\$ 316.08
283724	\$ 1,960,000	\$ 96.00	\$ 632.50	\$ 728.50
283664	\$ 890,000	\$ 96.00	\$ 287.20	\$ 383.20
283740	\$ 564,000	\$ 96.00	\$ 182.00	\$ 278.00
283687	\$ 902,000	\$ 96.00	\$ 291.08	\$ 387.08
283725	\$ 868,000	\$ 96.00	\$ 280.11	\$ 376.11
283716	\$ 2,396,000	\$ 96.00	\$ 773.19	\$ 869.19
283688	\$ 874,000	\$ 96.00	\$ 282.04	\$ 378.04
283665	\$ 860,000	\$ 96.00	\$ 277.52	\$ 373.52
283745	\$ 566,000	\$ 96.00	\$ 182.65	\$ 278.65
283705	\$ 866,000	\$ 96.00	\$ 279.46	\$ 375.46
283659	\$ 420,000	\$ 96.00	\$ 135.53	\$ 231.53
283699	\$ 790,000	\$ 96.00	\$ 254.93	\$ 350.93
283749	\$ 1,812,000	\$ 96.00	\$ 584.74	\$ 680.74
286838	\$ 13,350,000	\$ 96.00	\$ 4,308.07	\$ 4,404.07
283726	\$ 734,000	\$ 96.00	\$ 236.86	\$ 332.86
283670	\$ 578,000	\$ 96.00	\$ 186.52	\$ 282.52
283645	\$ 2,326,000	\$ 96.00	\$ 750.61	\$ 846.61
288152	\$ 900,000	\$ 96.00	\$ 290.43	\$ 386.43
283721	\$ 860,000	\$ 96.00	\$ 277.52	\$ 373.52
283647	\$ 1,106,000	\$ 96.00	\$ 356.91	\$ 452.91
283759	\$ 100,000	\$ 96.00	\$ 32.27	\$ 128.27
283663	\$ 1,034,000	\$ 96.00	\$ 333.67	\$ 429.67
283655	\$ 352,000	\$ 96.00	\$ 113.59	\$ 209.59
286839	\$ 5,142,000	\$ 96.00	\$ 1,659.33	\$ 1,755.33
283690	\$ 400,000	\$ 96.00	\$ 129.08	\$ 225.08
283684	\$ 1,012,000	\$ 96.00	\$ 326.57	\$ 422.57
283682	\$ 594,000	\$ 96.00	\$ 191.69	\$ 287.69
283732	\$ 524,000	\$ 96.00	\$ 169.10	\$ 265.10
283743	\$ 510,000	\$ 96.00	\$ 164.58	\$ 260.58
283650	\$ 842,000	\$ 96.00	\$ 271.72	\$ 367.72
283698	\$ 10,580,000	\$ 96.00	\$ 3,414.19	\$ 3,510.19
283747	\$ 564,000	\$ 96.00	\$ 182.00	\$ 278.00
283658	\$ 638,000	\$ 96.00	\$ 205.88	\$ 301.88
283712	\$ 868,000	\$ 96.00	\$ 280.11	\$ 376.11
283719	\$ 860,000	\$ 96.00	\$ 277.52	\$ 373.52
283692	\$ 522,000	\$ 96.00	\$ 168.45	\$ 264.45
283646	\$ 3,482,000	\$ 96.00	\$ 1,123.65	\$ 1,219.65
283742	\$ 522,000	\$ 96.00	\$ 168.45	\$ 264.45
288154	\$ 576,000	\$ 96.00	\$ 185.88	\$ 281.88
283679	\$ 932,000	\$ 96.00	\$ 300.76	\$ 396.76
283696	\$ 752,000	\$ 96.00	\$ 242.67	\$ 338.67

Assessment Number	Capital Improved Value	20% Fixed	80% Special Variable Rate	TOTAL
283677	\$ 602,000	\$ 96.00	\$ 194.27	\$ 290.27
283691	\$ 2,580,000	\$ 96.00	\$ 832.57	\$ 928.57
	<u>\$ 148,744,000</u>	<u>\$ 12,000.00</u>	<u>\$ 48,000.00</u>	<u>\$ 60,000.00</u>

APPENDIX D – Union Road Property Owners liable to pay the Special Rate and Charge

Assessment Number	Capital Improved Value	20% Fixed	80% Special Variable Rate	TOTAL
283555	\$ 1,116,000	\$ 73.62	\$ 447.02	\$ 520.64
283626	\$ 386,000	\$ 73.62	\$ 154.61	\$ 228.23
283494	\$ 622,000	\$ 73.62	\$ 249.14	\$ 322.76
283561	\$ 980,000	\$ 73.62	\$ 392.54	\$ 466.16
283544	\$ 736,000	\$ 73.62	\$ 294.81	\$ 368.43
283530	\$ 442,000	\$ 73.62	\$ 177.04	\$ 250.66
283624	\$ 594,000	\$ 73.62	\$ 237.93	\$ 311.55
283548	\$ 4,438,000	\$ 73.62	\$ 1,777.66	\$ 1,851.28
283567	\$ 768,000	\$ 73.62	\$ 307.63	\$ 381.25
283556	\$ 762,000	\$ 73.62	\$ 305.22	\$ 378.84
283610	\$ 410,000	\$ 73.62	\$ 164.23	\$ 237.85
283578	\$ 640,000	\$ 73.62	\$ 256.35	\$ 329.97
283566	\$ 918,000	\$ 73.62	\$ 367.71	\$ 441.33
283513	\$ 642,000	\$ 73.62	\$ 257.16	\$ 330.78
283493	\$ 368,000	\$ 73.62	\$ 147.40	\$ 221.02
283504	\$ 696,000	\$ 73.62	\$ 278.79	\$ 352.41
283560	\$ 564,000	\$ 73.62	\$ 225.91	\$ 299.53
285492	\$ 506,000	\$ 73.62	\$ 202.68	\$ 276.30
283518	\$ 624,000	\$ 73.62	\$ 249.95	\$ 323.57
283541	\$ 304,000	\$ 73.62	\$ 121.77	\$ 195.39
283632	\$ 648,000	\$ 73.62	\$ 259.56	\$ 333.18
283545	\$ 642,000	\$ 73.62	\$ 257.16	\$ 330.78
283540	\$ 762,000	\$ 73.62	\$ 305.22	\$ 378.84
283599	\$ 604,000	\$ 73.62	\$ 241.93	\$ 315.55
283627	\$ 200,000	\$ 73.62	\$ 80.11	\$ 153.73
283523	\$ 1,250,000	\$ 73.62	\$ 500.69	\$ 574.31
283600	\$ 368,000	\$ 73.62	\$ 147.40	\$ 221.02
283500	\$ 1,756,000	\$ 73.62	\$ 703.37	\$ 776.99
283590	\$ 404,000	\$ 73.62	\$ 161.82	\$ 235.44
283524	\$ 556,000	\$ 73.62	\$ 222.71	\$ 296.33
283571	\$ 746,000	\$ 73.62	\$ 298.81	\$ 372.43
283488	\$ 616,000	\$ 73.62	\$ 246.74	\$ 320.36
283514	\$ 644,000	\$ 73.62	\$ 257.96	\$ 331.58
286844	\$ 498,000	\$ 73.62	\$ 199.48	\$ 273.10
283607	\$ 562,000	\$ 73.62	\$ 225.11	\$ 298.73
283503	\$ 462,000	\$ 73.62	\$ 185.06	\$ 258.68
283570	\$ 1,158,000	\$ 73.62	\$ 463.84	\$ 537.46
Assessment Number	Capital Improved Value	20% Fixed	80% Special Variable Rate	TOTAL

283474	\$ 980,000	\$ 73.62	\$ 392.54	\$ 466.16
283496	\$ 606,000	\$ 73.62	\$ 242.74	\$ 316.36
283531	\$ 720,000	\$ 73.62	\$ 288.40	\$ 362.02
283639	\$ 600,000	\$ 73.62	\$ 240.33	\$ 313.95
283476	\$ 592,000	\$ 73.62	\$ 237.13	\$ 310.75
283597	\$ 474,000	\$ 73.62	\$ 189.86	\$ 263.48
283536	\$ 870,000	\$ 73.62	\$ 348.48	\$ 422.10
283517	\$ 740,000	\$ 73.62	\$ 296.41	\$ 370.03
283589	\$ 676,000	\$ 73.62	\$ 270.77	\$ 344.39
283511	\$ 676,000	\$ 73.62	\$ 270.77	\$ 344.39
283497	\$ 1,030,000	\$ 73.62	\$ 412.57	\$ 486.19
283622	\$ 410,000	\$ 73.62	\$ 164.23	\$ 237.85
283477	\$ 336,000	\$ 73.62	\$ 134.59	\$ 208.21
283516	\$ 646,000	\$ 73.62	\$ 258.76	\$ 332.38
283564	\$ 782,000	\$ 73.62	\$ 313.23	\$ 386.85
283543	\$ 280,000	\$ 73.62	\$ 112.16	\$ 185.77
283512	\$ 644,000	\$ 73.62	\$ 257.96	\$ 331.58
283510	\$ 682,000	\$ 73.62	\$ 273.18	\$ 346.80
283609	\$ 716,000	\$ 73.62	\$ 286.80	\$ 360.42
283615	\$ 524,000	\$ 73.62	\$ 209.89	\$ 283.51
285493	\$ 946,000	\$ 73.62	\$ 378.92	\$ 452.54
283598	\$ 306,000	\$ 73.62	\$ 122.57	\$ 196.19
283573	\$ 752,000	\$ 73.62	\$ 301.22	\$ 374.84
283601	\$ 1,138,000	\$ 73.62	\$ 455.83	\$ 529.45
283612	\$ 364,000	\$ 73.62	\$ 145.80	\$ 219.42
283638	\$ 708,000	\$ 73.62	\$ 283.59	\$ 357.21
283629	\$ 210,000	\$ 73.62	\$ 84.12	\$ 157.74
283616	\$ 502,000	\$ 73.62	\$ 201.08	\$ 274.70
283526	\$ 728,000	\$ 73.62	\$ 291.60	\$ 365.22
283592	\$ 352,000	\$ 73.62	\$ 141.00	\$ 214.61
283581	\$ 956,000	\$ 73.62	\$ 382.93	\$ 456.55
283498	\$ 760,000	\$ 73.62	\$ 304.42	\$ 378.04
283586	\$ 1,214,000	\$ 73.62	\$ 486.27	\$ 559.89
283594	\$ 624,000	\$ 73.62	\$ 249.95	\$ 323.57
283554	\$ 806,000	\$ 73.62	\$ 322.85	\$ 396.47
283576	\$ 472,000	\$ 73.62	\$ 189.06	\$ 262.68
283550	\$ 1,498,000	\$ 73.62	\$ 600.03	\$ 673.65
283565	\$ 784,000	\$ 73.62	\$ 314.03	\$ 387.65
283618	\$ 286,000	\$ 73.62	\$ 114.56	\$ 188.18
283535	\$ 924,000	\$ 73.62	\$ 370.11	\$ 443.73
283619	\$ 568,000	\$ 73.62	\$ 227.51	\$ 301.13
Assessment Number	Capital Improved Value	20% Fixed	80% Special Variable Rate	TOTAL
283533	\$ 1,290,000	\$ 73.62	\$ 516.71	\$ 590.33

283482	\$ 672,000	\$ 73.62	\$ 269.17	\$ 342.79
283520	\$ 648,000	\$ 73.62	\$ 259.56	\$ 333.18
283620	\$ 494,000	\$ 73.62	\$ 197.87	\$ 271.49
283591	\$ 774,000	\$ 73.62	\$ 310.03	\$ 383.65
283532	\$ 928,000	\$ 73.62	\$ 371.71	\$ 445.33
283487	\$ 684,000	\$ 73.62	\$ 273.98	\$ 347.60
283479	\$ 554,000	\$ 73.62	\$ 221.91	\$ 295.53
283506	\$ 662,000	\$ 73.62	\$ 265.17	\$ 338.79
283595	\$ 1,016,000	\$ 73.62	\$ 406.96	\$ 480.58
283636	\$ 380,000	\$ 73.62	\$ 152.21	\$ 225.83
283580	\$ 740,000	\$ 73.62	\$ 296.41	\$ 370.03
283478	\$ 416,000	\$ 73.62	\$ 166.63	\$ 240.25
283529	\$ 770,000	\$ 73.62	\$ 308.43	\$ 382.05
283489	\$ 460,000	\$ 73.62	\$ 184.25	\$ 257.87
283505	\$ 628,000	\$ 73.62	\$ 251.55	\$ 325.17
283509	\$ 770,000	\$ 73.62	\$ 308.43	\$ 382.05
283577	\$ 854,000	\$ 73.62	\$ 342.07	\$ 415.69
286843	\$ 448,000	\$ 73.62	\$ 179.45	\$ 253.07
283499	\$ 854,000	\$ 73.62	\$ 342.07	\$ 415.69
283552	\$ 332,000	\$ 73.62	\$ 132.98	\$ 206.60
283549	\$ 432,000	\$ 73.62	\$ 173.04	\$ 246.66
283537	\$ 594,000	\$ 73.62	\$ 237.93	\$ 311.55
283508	\$ 658,000	\$ 73.62	\$ 263.56	\$ 337.18
283521	\$ 640,000	\$ 73.62	\$ 256.35	\$ 329.97
283625	\$ 352,000	\$ 73.62	\$ 141.00	\$ 214.61
283522	\$ 584,000	\$ 73.62	\$ 233.92	\$ 307.54
283633	\$ 400,000	\$ 73.62	\$ 160.22	\$ 233.84
283569	\$ 952,000	\$ 73.62	\$ 381.33	\$ 454.95
283490	\$ 448,000	\$ 73.62	\$ 179.45	\$ 253.07
283568	\$ 742,000	\$ 73.62	\$ 297.21	\$ 370.83
284875	\$ 1,264,000	\$ 73.62	\$ 506.30	\$ 579.92
283515	\$ 776,000	\$ 73.62	\$ 310.83	\$ 384.45
283507	\$ 516,000	\$ 73.62	\$ 206.69	\$ 280.31
283528	\$ 456,000	\$ 73.62	\$ 182.65	\$ 256.27
283539	\$ 330,000	\$ 73.62	\$ 132.18	\$ 205.80
283611	\$ 420,000	\$ 73.62	\$ 168.23	\$ 241.85
283534	\$ 1,566,000	\$ 73.62	\$ 627.27	\$ 700.89
283557	\$ 916,000	\$ 73.62	\$ 366.91	\$ 440.53
286842	\$ 334,000	\$ 73.62	\$ 133.79	\$ 207.40
283579	\$ 1,834,000	\$ 73.62	\$ 734.62	\$ 808.24
Assessment Number	Capital Improved Value	20% Fixed	80% Special Variable Rate	TOTAL
283485	\$ 504,000	\$ 73.62	\$ 201.88	\$ 275.50
283559	\$ 726,000	\$ 73.62	\$ 290.80	\$ 364.42

283486	\$ 576,000	\$ 73.62	\$ 230.72	\$ 304.34
283502	\$ 1,210,000	\$ 73.62	\$ 484.67	\$ 558.29
283481	\$ 460,000	\$ 73.62	\$ 184.25	\$ 257.87
283630	\$ 350,000	\$ 73.62	\$ 140.19	\$ 213.81
283572	\$ 692,000	\$ 73.62	\$ 277.18	\$ 350.80
286841	\$ 1,012,000	\$ 73.62	\$ 405.36	\$ 478.98
283501	\$ 728,000	\$ 73.62	\$ 291.60	\$ 365.22
283617	\$ 288,000	\$ 73.62	\$ 115.36	\$ 188.98
283480	\$ 566,000	\$ 73.62	\$ 226.71	\$ 300.33
283495	\$ 382,000	\$ 73.62	\$ 153.01	\$ 226.63
283562	\$ 1,124,000	\$ 73.62	\$ 450.22	\$ 523.84
283527	\$ 798,000	\$ 73.62	\$ 319.64	\$ 393.26
283475	\$ 380,000	\$ 73.62	\$ 152.21	\$ 225.83
283641	\$ 336,000	\$ 73.62	\$ 134.59	\$ 208.21
283547	\$ 1,630,000	\$ 73.62	\$ 652.90	\$ 726.52
283621	\$ 872,000	\$ 73.62	\$ 349.28	\$ 422.90
283538	\$ 1,120,000	\$ 73.62	\$ 448.62	\$ 522.24
283574	\$ 344,000	\$ 73.62	\$ 137.79	\$ 211.41
283608	\$ 716,000	\$ 73.62	\$ 286.80	\$ 360.42
283546	\$ 822,000	\$ 73.62	\$ 329.26	\$ 402.88
283628	\$ 360,000	\$ 73.62	\$ 144.20	\$ 217.82
283519	\$ 690,000	\$ 73.62	\$ 276.38	\$ 350.00
283563	\$ 740,000	\$ 73.62	\$ 296.41	\$ 370.03
283553	\$ 812,000	\$ 73.62	\$ 325.25	\$ 398.87
283542	\$ 702,000	\$ 73.62	\$ 281.19	\$ 354.81
283491	\$ 396,000	\$ 73.62	\$ 158.62	\$ 232.24
283558	\$ 772,000	\$ 73.62	\$ 309.23	\$ 382.85
283623	\$ 558,000	\$ 73.62	\$ 223.51	\$ 297.13
283606	\$ 780,000	\$ 73.62	\$ 312.43	\$ 386.05
283483	\$ 732,000	\$ 73.62	\$ 293.21	\$ 366.83
283587	\$ 856,000	\$ 73.62	\$ 342.87	\$ 416.49
283575	\$ 696,000	\$ 73.62	\$ 278.79	\$ 352.41
283492	\$ 410,000	\$ 73.62	\$ 164.23	\$ 237.85
283603	\$ 2,250,000	\$ 73.62	\$ 901.25	\$ 974.87
283551	\$ 1,794,000	\$ 73.62	\$ 718.59	\$ 792.21
283596	\$ 716,000	\$ 73.62	\$ 286.80	\$ 360.42
283484	\$ 580,000	\$ 73.62	\$ 232.32	\$ 305.94
283604	\$ 712,000	\$ 73.62	\$ 285.19	\$ 358.81
283585	\$ 2,688,000	\$ 73.62	\$ 1,076.69	\$ 1,150.31
Assessment Number	Capital Improved Value	20% Fixed	80% Special Variable Rate	TOTAL
283593	\$ 350,000	\$ 73.62	\$ 140.19	\$ 213.81
283602	\$ 1,450,000	\$ 73.62	\$ 580.80	\$ 654.42
288157	\$ 292,000	\$ 73.62	\$ 116.96	\$ 190.58

	<u>\$ 19,834,000</u>	<u>\$ 12,000.00</u>	<u>\$ 48,000.00</u>	<u>\$ 60,000.00</u>
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FLEMINGTON BUSINESS PRECINCT

PROPOSED DECLARATION OF SPECIAL RATE AND CHARGE

1. Moonee Valley City Council (**Council**) proposes to declare a Special Rate and Charge (**Special Rate and Charge**) under section 163(1) of the *Local Government Act 1989* (**Act**) for the purposes of defraying expenses to be incurred by Council in providing funds to the incorporated body known and operating as the Flemington Chamber of Commerce (**Chamber of Commerce**), which funds, subject always to the approval, direction and control of Council, are to be used for the purposes of funding a part-time Shopping Centre Coordinator, promotional, advertising, marketing, business development and other incidental expenses as approved by Council and agreed to from time to time between Council and the Chamber of Commerce, all of which are associated with the encouragement of commerce, retail and professional activity and employment in the Flemington Business Precinct (**Business Precinct or Scheme**).
2. The criteria which form the basis of the proposed declaration of the Special Rate and Charge are the ownership and the capital improved value of rateable land used, or reasonably capable of being used, for commercial, retail or professional purposes, which rateable land is situated within the geographical area in which the properties described in paragraphs 6 and 7 of this proposed declaration are included.
3. In proposing the declaration of the Special Rate and Charge, Council is performing functions and exercising powers in relation to the peace, order and good government of the municipal district of the City of Moonee Valley, in particular the encouragement of commerce, retail activity and employment opportunities within the area for which the proposed Special Rate and Charge is to be declared.
4. The total cost of the performance of the function and the exercise of the power by Council (in relation to activities associated with the encouragement of commerce, retail activity and employment opportunities in the area for which the proposed Special Rate and Charge is to be declared) and also the total amount of the Special Rate and Charge to be levied by Council is referable to an amount of \$60,000, which it is proposed will be levied in first year of the Scheme, with such Special Rate and Charge amounts increasing by \$2,500 in each year of the Scheme and which in total will raise an amount of \$310,000 over the five year period of the Scheme.
5. The period for which the proposed Special Rate and Charge is to be declared and is to remain in force is a period of five years commencing on 1 July 2018 and ending 30 June 2023.

6. The area for which the proposed Special Rate and Charge is to be declared is all of the land referred to as the Flemington Business District, as identified and shown on the plan set out in the schedule forming a part of this proposed declaration (being **Schedule 1**).
7. The land in relation to which the proposed Special Rate and Charge is to be declared is all that rateable land described in the listing of rateable properties set out in the schedule forming a part of this proposed declaration (being **Schedule 2**).
8. The proposed Special Rate and Charge will be declared and assessed in accordance with an ad valorem rate and a fixed charge component, to be applied to each property within the schedule forming a part of this proposed declaration (being **Schedule 2**), such amounts having respectively been assessed based on:
 - a. an 80 per cent Special Rate component calculated by multiplying the capital improved value of each property by a rate in the dollar (adjusted annually);
 - b. a 20 per cent fixed Special Charge component assessed as a flat charge of \$96.00 in the first year;
 - c. the Special Rate and Charge will be capped at a maximum amount of \$5,000 per rated property,

with the total amount of the Special Rate and Charge to be collected increasing by \$2,500 in each year of the Scheme for the remaining four years of the Scheme.

Council is required to revalue all properties within the Municipality every two years. On 1 July 2018 new values will be used to calculate the rate in the dollar for all properties within the Business Precinct. The new values merely redistribute the collection of the remaining 80 per cent of the Special Rate component. The values and the rate in the dollar will be listed on notice of levy for the Special Rate to be issued after 1 July 2018.

9. The proposed Special Rate and Charge will be levied by sending a notice of levy in the prescribed form annually to the person who is liable to pay the Special Rate and Charge, which will require that the Special Rate and Charge must be paid by two instalments, to be paid by the dates which are fixed by Council in the notice.
10. Council will consider cases of financial and other hardship and may reconsider other payment options for the Special Rate and Charge.
11. No incentives will be given for payment of the Special Rate and Charge before the due date for payment.
12. Council considers that there will be a special benefit to the persons required to pay the Special Rate and Charge because there will be a benefit to those persons that is over and above, or greater than, the benefit that is available to persons who are not

subject to the proposed Special Rate and Charge, and directly and indirectly as a result of the expenditure proposed by the Special Rate and Charge the viability of the Business District as a business, commercial and retail area, and the value and the use, occupation and enjoyment of the properties and the business included in the Scheme area will be maintained or enhanced through increased economic activity.

13. For the purposes of having determined the total amount of the Special Rate and Charge to be levied under the Scheme, Council further considers and formally determines for the purposes of sections 163(2)(a), (2A) and (2B) of the Act that the estimated proportion of the total benefits of the Scheme to which the performance of the function and the exercise of the power relates (including all special benefits and community benefits) that will accrue as special benefits to all of the persons who are liable to pay the Special Rate and Charge is in a ratio of 1:1 (or 100 per cent). This is on the basis that, in the opinion of Council, all of the services and activities to be provided from the expenditure of the proposed Special Rate and Charge are marketing, promotion and advertising related and will accordingly only benefit those properties and businesses included in the Scheme that are used, or reasonably capable of being used, for retail, commercial or professional purposes.

Schedule 1 to the Proposed Declaration of Special Rate and Charge

PLAN OF SCHEME AREA

Schedule 2 to the Proposed Declaration of Special Rate and Charge

LISTING OF RATEABLE PROPERTIES AND AMOUNTS PAYABLE BY SPECIAL RATE CONTRIBUTORS

Schedule 1 - PLAN OF SCHEME AREA



**Schedule 2 - LISTING OF RATEABLE PROPERTIES AND AMOUNTS PAYABLE BY SPECIAL RATE
CONTRIBUTORS**

Assessment Number	Capital Improved Value	20% Fixed	80% Special Variable Rate	TOTAL
283709	\$ 1,288,000	\$ 96.00	\$ 415.64	\$ 511.64
283715	\$ 1,072,000	\$ 96.00	\$ 345.94	\$ 441.94
283758	\$ 768,000	\$ 96.00	\$ 247.84	\$ 343.84
283744	\$ 1,254,000	\$ 96.00	\$ 404.67	\$ 500.67
283700	\$ 940,000	\$ 96.00	\$ 303.34	\$ 399.34
283723	\$ 1,080,000	\$ 96.00	\$ 348.52	\$ 444.52
283674	\$ 1,388,000	\$ 96.00	\$ 447.91	\$ 543.91
283703	\$ 668,000	\$ 96.00	\$ 215.56	\$ 311.56
283714	\$ 820,000	\$ 96.00	\$ 264.62	\$ 360.62
283755	\$ 1,172,000	\$ 96.00	\$ 378.21	\$ 474.21
283713	\$ 974,000	\$ 96.00	\$ 314.31	\$ 410.31
288147	\$ 346,000	\$ 96.00	\$ 111.65	\$ 207.65
283750	\$ 100,000	\$ 96.00	\$ 32.27	\$ 128.27
283669	\$ 1,018,000	\$ 96.00	\$ 328.51	\$ 424.51
283741	\$ 450,000	\$ 96.00	\$ 145.22	\$ 241.22
283737	\$ 458,000	\$ 96.00	\$ 147.80	\$ 243.80
288148	\$ 840,000	\$ 96.00	\$ 271.07	\$ 367.07
286840	\$ 1,708,000	\$ 96.00	\$ 551.18	\$ 647.18
283648	\$ 564,000	\$ 96.00	\$ 182.00	\$ 278.00
283695	\$ 800,000	\$ 96.00	\$ 258.16	\$ 354.16
283753	\$ 100,000	\$ 96.00	\$ 32.27	\$ 128.27
283668	\$ 928,000	\$ 96.00	\$ 299.47	\$ 395.47
283702	\$ 682,000	\$ 96.00	\$ 220.08	\$ 316.08
283722	\$ 2,708,000	\$ 96.00	\$ 873.88	\$ 969.88
283683	\$ 4,340,000	\$ 96.00	\$ 1,400.53	\$ 1,496.53
283730	\$ 602,000	\$ 96.00	\$ 194.27	\$ 290.27
286837	\$ 330,000	\$ 96.00	\$ 106.49	\$ 202.49
283678	\$ 466,000	\$ 96.00	\$ 150.38	\$ 246.38
283748	\$ 2,150,000	\$ 96.00	\$ 693.81	\$ 789.81
283680	\$ 1,732,000	\$ 96.00	\$ 558.92	\$ 654.92
283733	\$ 580,000	\$ 96.00	\$ 187.17	\$ 283.17
288149	\$ 784,000	\$ 96.00	\$ 253.00	\$ 349.00
283660	\$ 1,530,000	\$ 96.00	\$ 493.73	\$ 589.73
283731	\$ 674,000	\$ 96.00	\$ 217.50	\$ 313.50
283757	\$ 484,000	\$ 96.00	\$ 156.19	\$ 252.19
283671	\$ 578,000	\$ 96.00	\$ 186.52	\$ 282.52
283728	\$ 270,000	\$ 96.00	\$ 87.13	\$ 183.13
283685	\$ 920,000	\$ 96.00	\$ 296.89	\$ 392.89
283644	\$ 380,000	\$ 96.00	\$ 122.63	\$ 218.63

Assessment Number	Capital Improved Value	20% Fixed	80% Special Variable Rate	TOTAL
283661	\$ 728,000	\$ 96.00	\$ 234.93	\$ 330.93
283718	\$ 860,000	\$ 96.00	\$ 277.52	\$ 373.52
283673	\$ 4,834,000	\$ 96.00	\$ 1,559.94	\$ 1,655.94
286836	\$ 2,388,000	\$ 96.00	\$ 770.61	\$ 866.61
283707	\$ 866,000	\$ 96.00	\$ 279.46	\$ 375.46
283754	\$ 424,000	\$ 96.00	\$ 136.83	\$ 232.83
283667	\$ 1,020,000	\$ 96.00	\$ 329.16	\$ 425.16
283704	\$ 868,000	\$ 96.00	\$ 280.11	\$ 376.11
283656	\$ 852,000	\$ 96.00	\$ 274.94	\$ 370.94
283643	\$ 724,000	\$ 96.00	\$ 233.64	\$ 329.64
283653	\$ 836,000	\$ 96.00	\$ 269.78	\$ 365.78
283706	\$ 890,000	\$ 96.00	\$ 287.20	\$ 383.20
283739	\$ 850,000	\$ 96.00	\$ 274.30	\$ 370.30
283651	\$ 1,900,000	\$ 96.00	\$ 613.13	\$ 709.13
283710	\$ 750,000	\$ 96.00	\$ 242.03	\$ 338.03
283654	\$ 796,000	\$ 96.00	\$ 256.87	\$ 352.87
283729	\$ 288,000	\$ 96.00	\$ 92.94	\$ 188.94
283686	\$ 892,000	\$ 96.00	\$ 287.85	\$ 383.85
283642	\$ 476,000	\$ 96.00	\$ 153.61	\$ 249.61
288150	\$ 558,000	\$ 96.00	\$ 180.07	\$ 276.07
283657	\$ 536,000	\$ 96.00	\$ 172.97	\$ 268.97
283752	\$ 100,000	\$ 96.00	\$ 32.27	\$ 128.27
283681	\$ 554,000	\$ 96.00	\$ 178.78	\$ 274.78
283735	\$ 682,000	\$ 96.00	\$ 220.08	\$ 316.08
283746	\$ 606,000	\$ 96.00	\$ 195.56	\$ 291.56
283736	\$ 484,000	\$ 96.00	\$ 156.19	\$ 252.19
283711	\$ 1,020,000	\$ 96.00	\$ 329.16	\$ 425.16
283697	\$ 802,000	\$ 96.00	\$ 258.81	\$ 354.81
283662	\$ 1,220,000	\$ 96.00	\$ 393.70	\$ 489.70
283649	\$ 514,000	\$ 96.00	\$ 165.87	\$ 261.87
283652	\$ 732,000	\$ 96.00	\$ 236.22	\$ 332.22
283720	\$ 860,000	\$ 96.00	\$ 277.52	\$ 373.52
283672	\$ 810,000	\$ 96.00	\$ 261.39	\$ 357.39
283738	\$ 730,000	\$ 96.00	\$ 235.57	\$ 331.57
283756	\$ 580,000	\$ 96.00	\$ 187.17	\$ 283.17
283675	\$ 3,762,000	\$ 96.00	\$ 1,214.01	\$ 1,310.01
283717	\$ 1,588,000	\$ 96.00	\$ 512.45	\$ 608.45
283676	\$ 1,042,000	\$ 96.00	\$ 336.26	\$ 432.26
283708	\$ 1,804,000	\$ 96.00	\$ 582.15	\$ 678.15
288151	\$ 650,000	\$ 96.00	\$ 209.76	\$ 305.76
283734	\$ 530,000	\$ 96.00	\$ 171.03	\$ 267.03
283666	\$ 1,100,000	\$ 96.00	\$ 354.97	\$ 450.97

Assessment Number	Capital Improved Value	20% Fixed	80% Special Variable Rate	TOTAL
283701	\$ 682,000	\$ 96.00	\$ 220.08	\$ 316.08
283724	\$ 1,960,000	\$ 96.00	\$ 632.50	\$ 728.50
283664	\$ 890,000	\$ 96.00	\$ 287.20	\$ 383.20
283740	\$ 564,000	\$ 96.00	\$ 182.00	\$ 278.00
283687	\$ 902,000	\$ 96.00	\$ 291.08	\$ 387.08
283725	\$ 868,000	\$ 96.00	\$ 280.11	\$ 376.11
283716	\$ 2,396,000	\$ 96.00	\$ 773.19	\$ 869.19
283688	\$ 874,000	\$ 96.00	\$ 282.04	\$ 378.04
283665	\$ 860,000	\$ 96.00	\$ 277.52	\$ 373.52
283745	\$ 566,000	\$ 96.00	\$ 182.65	\$ 278.65
283705	\$ 866,000	\$ 96.00	\$ 279.46	\$ 375.46
283659	\$ 420,000	\$ 96.00	\$ 135.53	\$ 231.53
283699	\$ 790,000	\$ 96.00	\$ 254.93	\$ 350.93
283749	\$ 1,812,000	\$ 96.00	\$ 584.74	\$ 680.74
286838	\$ 13,350,000	\$ 96.00	\$ 4,308.07	\$ 4,404.07
283726	\$ 734,000	\$ 96.00	\$ 236.86	\$ 332.86
283670	\$ 578,000	\$ 96.00	\$ 186.52	\$ 282.52
283645	\$ 2,326,000	\$ 96.00	\$ 750.61	\$ 846.61
288152	\$ 900,000	\$ 96.00	\$ 290.43	\$ 386.43
283721	\$ 860,000	\$ 96.00	\$ 277.52	\$ 373.52
283647	\$ 1,106,000	\$ 96.00	\$ 356.91	\$ 452.91
283759	\$ 100,000	\$ 96.00	\$ 32.27	\$ 128.27
283663	\$ 1,034,000	\$ 96.00	\$ 333.67	\$ 429.67
283655	\$ 352,000	\$ 96.00	\$ 113.59	\$ 209.59
286839	\$ 5,142,000	\$ 96.00	\$ 1,659.33	\$ 1,755.33
283690	\$ 400,000	\$ 96.00	\$ 129.08	\$ 225.08
283684	\$ 1,012,000	\$ 96.00	\$ 326.57	\$ 422.57
283682	\$ 594,000	\$ 96.00	\$ 191.69	\$ 287.69
283732	\$ 524,000	\$ 96.00	\$ 169.10	\$ 265.10
283743	\$ 510,000	\$ 96.00	\$ 164.58	\$ 260.58
283650	\$ 842,000	\$ 96.00	\$ 271.72	\$ 367.72
283698	\$ 10,580,000	\$ 96.00	\$ 3,414.19	\$ 3,510.19
283747	\$ 564,000	\$ 96.00	\$ 182.00	\$ 278.00
283658	\$ 638,000	\$ 96.00	\$ 205.88	\$ 301.88
283712	\$ 868,000	\$ 96.00	\$ 280.11	\$ 376.11
283719	\$ 860,000	\$ 96.00	\$ 277.52	\$ 373.52
283692	\$ 522,000	\$ 96.00	\$ 168.45	\$ 264.45
283646	\$ 3,482,000	\$ 96.00	\$ 1,123.65	\$ 1,219.65
283742	\$ 522,000	\$ 96.00	\$ 168.45	\$ 264.45
288154	\$ 576,000	\$ 96.00	\$ 185.88	\$ 281.88
283679	\$ 932,000	\$ 96.00	\$ 300.76	\$ 396.76
283696	\$ 752,000	\$ 96.00	\$ 242.67	\$ 338.67

Assessment Number	Capital Improved Value	20% Fixed	80% Special Variable Rate	TOTAL
283677	\$ 602,000	\$ 96.00	\$ 194.27	\$ 290.27
283691	\$ 2,580,000	\$ 96.00	\$ 832.57	\$ 928.57
	<u>\$ 148,744,000</u>	<u>\$ 12,000.00</u>	<u>\$ 48,000.00</u>	<u>\$ 60,000.00</u>

UNION ROAD BUSINESS PRECINCT

PROPOSED DECLARATION OF SPECIAL RATE AND CHARGE

1. Moonee Valley City Council (**Council**) proposes to declare a Special Rate and Charge (**Special Rate and Charge**) under section 163(1) of the *Local Government Act 1989* (**Act**) for the purposes of defraying expenses to be incurred by Council in providing funds to the incorporated body known and operating as the Union Road Traders' Association (**Traders' Association**), which funds, subject always to the approval, direction and control of Council, are to be used for the purposes of funding a part-time Shopping Centre Coordinator, promotional, advertising, marketing, business development and other incidental expenses as approved by Council and agreed to from time to time between Council and the Traders' Association, all of which are associated with the encouragement of commerce, retail and professional activity and employment in the Union Road Business Precinct (**Business Precinct** or **Scheme**).
2. The criteria which form the basis of the proposed declaration of the Special Rate and Charge are the ownership and the capital improved value of rateable land used, or reasonably capable of being used, for commercial, retail or professional purposes, which rateable land is situated within the geographical area in which the properties described in paragraphs 6 and 7 of this proposed declaration are included.
3. In proposing the declaration of the Special Rate and Charge, Council is performing functions and exercising powers in relation to the peace, order and good government of the municipal district of the City of Moonee Valley, in particular the encouragement of commerce, retail activity and employment opportunities within the area for which the proposed Special Rate and Charge is to be declared.
4. The total cost of the performance of the function and the exercise of the power by Council (in relation to activities associated with the encouragement of commerce, retail activity and employment opportunities in the area for which the proposed Special Rate and Charge is to be declared) and also the total amount of the Special Rate and Charge to be levied by Council is referable to an amount of \$60,000, which it is proposed will be levied in the first year of the Scheme, with such Special Rate and Charge amounts increasing by \$2,500 in each year of the Scheme and which in total will raise an amount of \$310,000 over the five year period of the Scheme.
5. The period for which the proposed Special Rate and Charge is to be declared and is to remain in force is a period of five years commencing on 1 July 2018 and ending 30 June 2023.

6. The area for which the proposed Special Rate and Charge is to be declared is all of the land referred to as the Union Road Business District, as identified and shown on the plan set out in the schedule forming a part of this proposed declaration (being **Schedule 1**).
7. The land in relation to which the proposed Special Rate and Charge is to be declared is all that rateable land described in the listing of rateable properties set out in the schedule forming a part of this proposed declaration (being **Schedule 2**).
8. The proposed Special Rate and Charge will be declared and assessed in accordance with an ad valorem rate and a fixed charge component, to be applied to each property within the schedule forming a part of this proposed declaration (being **Schedule 2**), such amounts having respectively been assessed based on:
 - a. an 80 per cent Special Rate component calculated by multiplying the capital improved value of each property by a rate in the dollar (adjusted annually);
 - b. a 20 per cent fixed Special Charge component assessed as a flat charge of \$90.50 in the first year;
 - c. the Special Rate and Charge will be capped at a maximum amount of \$5,000 per rated property,

with the total amount of the Special Rate and Charge to be collected increasing by \$2,500 in each year of the Scheme for the remaining four years of the Scheme.

Council is required to revalue all properties within the Municipality every two years. On 1 July 2018 new values will be used to calculate the rate in the dollar for all properties within the Business Precinct. The new values merely redistribute the collection of the remaining 80 per cent of the Special Rate component. The values and the rate in the dollar will be listed on notice of levy for the Special Rate to be issued after 1 July 2018.

9. The proposed Special Rate and Charge will be levied by sending a notice of levy in the prescribed form annually to the person who is liable to pay the Special Rate and Charge, which will require that the Special Rate and Charge must be paid by two instalments, to be paid by the dates which are fixed by Council in the notice.
10. Council will consider cases of financial and other hardship and may reconsider other payment options for the Special Rate and Charge.
11. No incentives will be given for payment of the Special Rate and Charge before the due date for payment.
12. Council considers that there will be a special benefit to the persons required to pay the Special Rate and Charge because there will be a benefit to those persons that is over and above, or greater than, the benefit that is available to persons who are not subject to the proposed Special Rate and Charge, and directly and indirectly as a result

of the expenditure proposed by the Special Rate and Charge the viability of the Business Precinct as a business, commercial and retail area, and the value and the use, occupation and enjoyment of the properties and the business included in the Scheme area will be maintained or enhanced through increased economic activity.

13. For the purposes of having determined the total amount of the Special Rate and Charge to be levied under the Scheme, Council further considers and formally determines for the purposes of sections 163(2)(a), (2A) and (2B) of the Act that the estimated proportion of the total benefits of the Scheme to which the performance of the function and the exercise of the power relates (including all special benefits and community benefits) that will accrue as special benefits to all of the persons who are liable to pay the Special Rate and Charge is in a ratio of 1:1 (or 100 per cent). This is on the basis that, in the opinion of Council, all of the services and activities to be provided from the expenditure of the proposed Special Rate and Charge are marketing, promotion and advertising related and will accordingly only benefit those properties and businesses included in the Scheme that are used, or reasonably capable of being used, for retail, commercial or professional purposes.

Schedule 1 to the Proposed Declaration of Special Rate and Charge

PLAN OF SCHEME AREA

Schedule 2 to the Proposed Declaration of Special Rate and Charge

LISTING OF RATEABLE PROPERTIES AND AMOUNTS PAYABLE BY SPECIAL RATE
CONTRIBUTORS

Schedule 1 - PLAN OF SCHEME AREA



**Schedule 2 - LISTING OF RATEABLE PROPERTIES AND AMOUNTS PAYABLE BY SPECIAL RATE
 CONTRIBUTORS**

Assessment Number	Capital Improved Value	20% Fixed	80% Special Variable Rate	TOTAL
283555	\$ 1,116,000	\$ 73.62	\$ 447.02	\$ 520.64
283626	\$ 386,000	\$ 73.62	\$ 154.61	\$ 228.23
283494	\$ 622,000	\$ 73.62	\$ 249.14	\$ 322.76
283561	\$ 980,000	\$ 73.62	\$ 392.54	\$ 466.16
283544	\$ 736,000	\$ 73.62	\$ 294.81	\$ 368.43
283530	\$ 442,000	\$ 73.62	\$ 177.04	\$ 250.66
283624	\$ 594,000	\$ 73.62	\$ 237.93	\$ 311.55
283548	\$ 4,438,000	\$ 73.62	\$ 1,777.66	\$ 1,851.28
283567	\$ 768,000	\$ 73.62	\$ 307.63	\$ 381.25
283556	\$ 762,000	\$ 73.62	\$ 305.22	\$ 378.84
283610	\$ 410,000	\$ 73.62	\$ 164.23	\$ 237.85
283578	\$ 640,000	\$ 73.62	\$ 256.35	\$ 329.97
283566	\$ 918,000	\$ 73.62	\$ 367.71	\$ 441.33
283513	\$ 642,000	\$ 73.62	\$ 257.16	\$ 330.78
283493	\$ 368,000	\$ 73.62	\$ 147.40	\$ 221.02
283504	\$ 696,000	\$ 73.62	\$ 278.79	\$ 352.41
283560	\$ 564,000	\$ 73.62	\$ 225.91	\$ 299.53
285492	\$ 506,000	\$ 73.62	\$ 202.68	\$ 276.30
283518	\$ 624,000	\$ 73.62	\$ 249.95	\$ 323.57
283541	\$ 304,000	\$ 73.62	\$ 121.77	\$ 195.39
283632	\$ 648,000	\$ 73.62	\$ 259.56	\$ 333.18
283545	\$ 642,000	\$ 73.62	\$ 257.16	\$ 330.78
283540	\$ 762,000	\$ 73.62	\$ 305.22	\$ 378.84
283599	\$ 604,000	\$ 73.62	\$ 241.93	\$ 315.55
283627	\$ 200,000	\$ 73.62	\$ 80.11	\$ 153.73
283523	\$ 1,250,000	\$ 73.62	\$ 500.69	\$ 574.31
283600	\$ 368,000	\$ 73.62	\$ 147.40	\$ 221.02
283500	\$ 1,756,000	\$ 73.62	\$ 703.37	\$ 776.99
283590	\$ 404,000	\$ 73.62	\$ 161.82	\$ 235.44
283524	\$ 556,000	\$ 73.62	\$ 222.71	\$ 296.33
283571	\$ 746,000	\$ 73.62	\$ 298.81	\$ 372.43
283488	\$ 616,000	\$ 73.62	\$ 246.74	\$ 320.36
283514	\$ 644,000	\$ 73.62	\$ 257.96	\$ 331.58
286844	\$ 498,000	\$ 73.62	\$ 199.48	\$ 273.10
283607	\$ 562,000	\$ 73.62	\$ 225.11	\$ 298.73
283503	\$ 462,000	\$ 73.62	\$ 185.06	\$ 258.68
283570	\$ 1,158,000	\$ 73.62	\$ 463.84	\$ 537.46
283474	\$ 980,000	\$ 73.62	\$ 392.54	\$ 466.16
283496	\$ 606,000	\$ 73.62	\$ 242.74	\$ 316.36

Assessment Number	Capital Improved Value	20% Fixed	80% Special Variable Rate	TOTAL
283531	\$ 720,000	\$ 73.62	\$ 288.40	\$ 362.02
283639	\$ 600,000	\$ 73.62	\$ 240.33	\$ 313.95
283476	\$ 592,000	\$ 73.62	\$ 237.13	\$ 310.75
283597	\$ 474,000	\$ 73.62	\$ 189.86	\$ 263.48
283536	\$ 870,000	\$ 73.62	\$ 348.48	\$ 422.10
283517	\$ 740,000	\$ 73.62	\$ 296.41	\$ 370.03
283589	\$ 676,000	\$ 73.62	\$ 270.77	\$ 344.39
283511	\$ 676,000	\$ 73.62	\$ 270.77	\$ 344.39
283497	\$ 1,030,000	\$ 73.62	\$ 412.57	\$ 486.19
283622	\$ 410,000	\$ 73.62	\$ 164.23	\$ 237.85
283477	\$ 336,000	\$ 73.62	\$ 134.59	\$ 208.21
283516	\$ 646,000	\$ 73.62	\$ 258.76	\$ 332.38
283564	\$ 782,000	\$ 73.62	\$ 313.23	\$ 386.85
283543	\$ 280,000	\$ 73.62	\$ 112.16	\$ 185.77
283512	\$ 644,000	\$ 73.62	\$ 257.96	\$ 331.58
283510	\$ 682,000	\$ 73.62	\$ 273.18	\$ 346.80
283609	\$ 716,000	\$ 73.62	\$ 286.80	\$ 360.42
283615	\$ 524,000	\$ 73.62	\$ 209.89	\$ 283.51
285493	\$ 946,000	\$ 73.62	\$ 378.92	\$ 452.54
283598	\$ 306,000	\$ 73.62	\$ 122.57	\$ 196.19
283573	\$ 752,000	\$ 73.62	\$ 301.22	\$ 374.84
283601	\$ 1,138,000	\$ 73.62	\$ 455.83	\$ 529.45
283612	\$ 364,000	\$ 73.62	\$ 145.80	\$ 219.42
283638	\$ 708,000	\$ 73.62	\$ 283.59	\$ 357.21
283629	\$ 210,000	\$ 73.62	\$ 84.12	\$ 157.74
283616	\$ 502,000	\$ 73.62	\$ 201.08	\$ 274.70
283526	\$ 728,000	\$ 73.62	\$ 291.60	\$ 365.22
283592	\$ 352,000	\$ 73.62	\$ 141.00	\$ 214.61
283581	\$ 956,000	\$ 73.62	\$ 382.93	\$ 456.55
283498	\$ 760,000	\$ 73.62	\$ 304.42	\$ 378.04
283586	\$ 1,214,000	\$ 73.62	\$ 486.27	\$ 559.89
283594	\$ 624,000	\$ 73.62	\$ 249.95	\$ 323.57
283554	\$ 806,000	\$ 73.62	\$ 322.85	\$ 396.47
283576	\$ 472,000	\$ 73.62	\$ 189.06	\$ 262.68
283550	\$ 1,498,000	\$ 73.62	\$ 600.03	\$ 673.65
283565	\$ 784,000	\$ 73.62	\$ 314.03	\$ 387.65
283618	\$ 286,000	\$ 73.62	\$ 114.56	\$ 188.18
283535	\$ 924,000	\$ 73.62	\$ 370.11	\$ 443.73
283619	\$ 568,000	\$ 73.62	\$ 227.51	\$ 301.13
283533	\$ 1,290,000	\$ 73.62	\$ 516.71	\$ 590.33
283482	\$ 672,000	\$ 73.62	\$ 269.17	\$ 342.79
283520	\$ 648,000	\$ 73.62	\$ 259.56	\$ 333.18

Assessment Number	Capital Improved Value	20% Fixed	80% Special Variable Rate	TOTAL
283620	\$ 494,000	\$ 73.62	\$ 197.87	\$ 271.49
283591	\$ 774,000	\$ 73.62	\$ 310.03	\$ 383.65
283532	\$ 928,000	\$ 73.62	\$ 371.71	\$ 445.33
283487	\$ 684,000	\$ 73.62	\$ 273.98	\$ 347.60
283479	\$ 554,000	\$ 73.62	\$ 221.91	\$ 295.53
283506	\$ 662,000	\$ 73.62	\$ 265.17	\$ 338.79
283595	\$ 1,016,000	\$ 73.62	\$ 406.96	\$ 480.58
283636	\$ 380,000	\$ 73.62	\$ 152.21	\$ 225.83
283580	\$ 740,000	\$ 73.62	\$ 296.41	\$ 370.03
283478	\$ 416,000	\$ 73.62	\$ 166.63	\$ 240.25
283529	\$ 770,000	\$ 73.62	\$ 308.43	\$ 382.05
283489	\$ 460,000	\$ 73.62	\$ 184.25	\$ 257.87
283505	\$ 628,000	\$ 73.62	\$ 251.55	\$ 325.17
283509	\$ 770,000	\$ 73.62	\$ 308.43	\$ 382.05
283577	\$ 854,000	\$ 73.62	\$ 342.07	\$ 415.69
286843	\$ 448,000	\$ 73.62	\$ 179.45	\$ 253.07
283499	\$ 854,000	\$ 73.62	\$ 342.07	\$ 415.69
283552	\$ 332,000	\$ 73.62	\$ 132.98	\$ 206.60
283549	\$ 432,000	\$ 73.62	\$ 173.04	\$ 246.66
283537	\$ 594,000	\$ 73.62	\$ 237.93	\$ 311.55
283508	\$ 658,000	\$ 73.62	\$ 263.56	\$ 337.18
283521	\$ 640,000	\$ 73.62	\$ 256.35	\$ 329.97
283625	\$ 352,000	\$ 73.62	\$ 141.00	\$ 214.61
283522	\$ 584,000	\$ 73.62	\$ 233.92	\$ 307.54
283633	\$ 400,000	\$ 73.62	\$ 160.22	\$ 233.84
283569	\$ 952,000	\$ 73.62	\$ 381.33	\$ 454.95
283490	\$ 448,000	\$ 73.62	\$ 179.45	\$ 253.07
283568	\$ 742,000	\$ 73.62	\$ 297.21	\$ 370.83
284875	\$ 1,264,000	\$ 73.62	\$ 506.30	\$ 579.92
283515	\$ 776,000	\$ 73.62	\$ 310.83	\$ 384.45
283507	\$ 516,000	\$ 73.62	\$ 206.69	\$ 280.31
283528	\$ 456,000	\$ 73.62	\$ 182.65	\$ 256.27
283539	\$ 330,000	\$ 73.62	\$ 132.18	\$ 205.80
283611	\$ 420,000	\$ 73.62	\$ 168.23	\$ 241.85
283534	\$ 1,566,000	\$ 73.62	\$ 627.27	\$ 700.89
283557	\$ 916,000	\$ 73.62	\$ 366.91	\$ 440.53
286842	\$ 334,000	\$ 73.62	\$ 133.79	\$ 207.40
283579	\$ 1,834,000	\$ 73.62	\$ 734.62	\$ 808.24
283485	\$ 504,000	\$ 73.62	\$ 201.88	\$ 275.50
283559	\$ 726,000	\$ 73.62	\$ 290.80	\$ 364.42
283486	\$ 576,000	\$ 73.62	\$ 230.72	\$ 304.34
283502	\$ 1,210,000	\$ 73.62	\$ 484.67	\$ 558.29

Assessment Number	Capital Improved Value	20% Fixed	80% Special Variable Rate	TOTAL
283481	\$ 460,000	\$ 73.62	\$ 184.25	\$ 257.87
283630	\$ 350,000	\$ 73.62	\$ 140.19	\$ 213.81
283572	\$ 692,000	\$ 73.62	\$ 277.18	\$ 350.80
286841	\$ 1,012,000	\$ 73.62	\$ 405.36	\$ 478.98
283501	\$ 728,000	\$ 73.62	\$ 291.60	\$ 365.22
283617	\$ 288,000	\$ 73.62	\$ 115.36	\$ 188.98
283480	\$ 566,000	\$ 73.62	\$ 226.71	\$ 300.33
283495	\$ 382,000	\$ 73.62	\$ 153.01	\$ 226.63
283562	\$ 1,124,000	\$ 73.62	\$ 450.22	\$ 523.84
283527	\$ 798,000	\$ 73.62	\$ 319.64	\$ 393.26
283475	\$ 380,000	\$ 73.62	\$ 152.21	\$ 225.83
283641	\$ 336,000	\$ 73.62	\$ 134.59	\$ 208.21
283547	\$ 1,630,000	\$ 73.62	\$ 652.90	\$ 726.52
283621	\$ 872,000	\$ 73.62	\$ 349.28	\$ 422.90
283538	\$ 1,120,000	\$ 73.62	\$ 448.62	\$ 522.24
283574	\$ 344,000	\$ 73.62	\$ 137.79	\$ 211.41
283608	\$ 716,000	\$ 73.62	\$ 286.80	\$ 360.42
283546	\$ 822,000	\$ 73.62	\$ 329.26	\$ 402.88
283628	\$ 360,000	\$ 73.62	\$ 144.20	\$ 217.82
283519	\$ 690,000	\$ 73.62	\$ 276.38	\$ 350.00
283563	\$ 740,000	\$ 73.62	\$ 296.41	\$ 370.03
283553	\$ 812,000	\$ 73.62	\$ 325.25	\$ 398.87
283542	\$ 702,000	\$ 73.62	\$ 281.19	\$ 354.81
283491	\$ 396,000	\$ 73.62	\$ 158.62	\$ 232.24
283558	\$ 772,000	\$ 73.62	\$ 309.23	\$ 382.85
283623	\$ 558,000	\$ 73.62	\$ 223.51	\$ 297.13
283606	\$ 780,000	\$ 73.62	\$ 312.43	\$ 386.05
283483	\$ 732,000	\$ 73.62	\$ 293.21	\$ 366.83
283587	\$ 856,000	\$ 73.62	\$ 342.87	\$ 416.49
283575	\$ 696,000	\$ 73.62	\$ 278.79	\$ 352.41
283492	\$ 410,000	\$ 73.62	\$ 164.23	\$ 237.85
283603	\$ 2,250,000	\$ 73.62	\$ 901.25	\$ 974.87
283551	\$ 1,794,000	\$ 73.62	\$ 718.59	\$ 792.21
283596	\$ 716,000	\$ 73.62	\$ 286.80	\$ 360.42
283484	\$ 580,000	\$ 73.62	\$ 232.32	\$ 305.94
283604	\$ 712,000	\$ 73.62	\$ 285.19	\$ 358.81
283585	\$ 2,688,000	\$ 73.62	\$ 1,076.69	\$ 1,150.31
283593	\$ 350,000	\$ 73.62	\$ 140.19	\$ 213.81
283602	\$ 1,450,000	\$ 73.62	\$ 580.80	\$ 654.42
288157	\$ 292,000	\$ 73.62	\$ 116.96	\$ 190.58
	<u>\$ 19,834,000</u>	<u>\$ 12,000.00</u>	<u>\$ 48,000.00</u>	<u>\$ 60,000.00</u>

9.12 **Niddrie Special Rate and Charge**
File No: FOL/17/11
Author: Malcolm Ward
 A/Coordinator Economic Development
Directorate: Planning & Development

Purpose

This report seeks endorsement by Council to commence statutory procedures to renew the Special Rate and Charge for Niddrie Business Precinct and sets out the process.

Executive Summary

- Council has received a written request from the Niddrie Traders Association to renew the Special Rate for Niddrie Business District to carry out marketing goals and objectives from a five year Business Plan.
- Following direct consultation with Niddrie property owners and occupiers within the scheme area, Council have been able to gauge support for tor renewal for Council's collection of the proposed Special Rate and Charge Scheme.
- The proposed Special Rate and Charge is a combination of 20 per cent fixed special charge and 80 per cent special rate based on Capital Improved Value (CIV). This will raise \$125,000 in the first year and increase in \$5,000 increments for a five year period from 1 July 2018 to 30 June 2023. Year five will collect \$145,000.
- The Special Rate and Charge will apply to commercial properties within the boundaries of the Niddrie Business Precinct outlined in (Appendix A – Schedule 1 separately circulated).
- This report proposes that Council give notice of its intention to declare a Special Rate and Charge by way of declaration for the Niddrie Business Precinct. Through the statutory process Council will seek submissions and objections from business and property owners liable to pay the Special Rate and Charge (Appendix A – Schedule 2 separately circulated). Council will receive submissions from these parties up to the close of business on 17 November 2017.

Recommendation

That Council:

1. Commence the statutory process under the Local Government Act 1989 (the Act) to re-introduce by way of renewal a Special Rate and Charge to and for the properties within the Niddrie Business Precinct.
2. Notes the Special Rate and Charge will raise a total amount of \$125,000 in the first year and increase in \$5,000 increments for a five year period from 1 July 2018 to 30 June 2023.
3. In accordance with sections 163(1A) and 163B(3) of the Act, directs that public notices be given in the Moonee Valley Weekly and the Moonee Valley Leader of the intention of Council to declare at its ordinary meeting to be held of 13 February 2018 (tbc), in accordance with the proposed declaration of Special Rate and Charge in the form of the attachment to this resolution (**Appendix C**), such Special Rate and Charge to be for the purpose of defraying expense to be incurred by Council in providing funds to the incorporated body known as the Niddrie Traders Association and which funds, administratively only and subject always to the approval, direction and control of Council are to be used for the purposes of the appointment of a part-time Shopping Centre Coordinator, promotional, advertising, marketing, business development and other incidental expense as approved by and agreed to from time to time between Council and the Niddrie Traders Association, all of which are associated with the encouragement of commerce, retail and professional activity and employment in the Niddrie Business Precinct.
4. Authorises in accordance with section 163(1C) of the Act, separate letters enclosing a copy of the public notice be sent to the owners and the occupiers of the properties referred to and set out in the schedule of properties forming a part of the Proposed Declaration of Special Rate and Charge, advising of the intention of Council to declare the Special Rate at its ordinary meeting to be held on 13 February 2018 (tbc), the amount for which the property owner or the occupier (being a person who as a condition of a lease under which the person who occupies the property is required to pay the Special Rate and Charge) will be liable, the basis of the calculation and distribution of the Special Rate and Charge and notifying such persons that submission and/or objections in writing in relation to the Proposed Declaration of Special Rate and Charge will be considered and/or taken into account by Council in accordance with sections 163A, 163B and 223 of the Act.
5. Advises the Niddrie Traders Association of the matters specified in paragraphs 1, 2 and 3 of this resolution.
6. Appoints and authorises Councillors _____, _____ and _____ to be the members of the committee that is established by Council under section 223(1) (b) (i) of the Act, to be known as the Niddrie Special Rate Hearing Committee, to hear any persons who in their written submissions under section 223 of the Act have requested that they be heard in support of their submissions.
7. Authorises the Council's Chief Executive Officer or his nominated representative:

- a) To carry out any and all other administrative procedures necessary to enable Council to carry out its functions under section 163A and section 163(1A), (1B) and (1C) and sections 163B and 223 of the Act; and
 - b) To prepare a funding agreement between Council and the Niddrie Traders Association to formalise the administrative operations of the Special Rate and Charge, such agreement being to ensure that at all times, and as a precondition to the payment of any funds be Council to the Niddrie Trader Association, Council is, and remains, legally responsible for approving, directing and controlling the expenditure of the proceeds of the Special Rate and Charge in accordance with its obligations under the Local Government Act 1989 to do so.
8. Directs that the agreement specified in paragraph 7(b) of this resolution is to be subsequently submitted to Council for approval and sealing.

Background

A Special Rate and Charge for Niddrie Business Precinct has been in place since 1992 and it is considered that the services provided from the proceeds of the Special Rate and Charge provide a special benefit to the rated businesses and properties. The current Niddrie Special Rate Agreement will expire on the 30 June 2018.

The services that have been provide from the proceeds of the Special Rate and Charge, all being marketing related, have been designed to benefit the commercial and business properties and land in the Niddrie Business Precinct. The Niddrie Business Precinct Special Rate and Charge currently raises \$120,000 annually.

It is considered that each rateable property and each business included in the Niddrie Business Precinct that are required to pay the Special Rate and Charge, will receive a special benefit because the viability of the business district as a commercial, retail and professional area will be enhanced through economic activity. On this basis, the whole of the proposed Special Rate and Charge will be levied against the retail, commercial and professional business properties that are located in the scheme area.

Discussion

The Niddrie Business Precinct boundary for the Special Rate and Charge will remain unchanged, this decision has been based on feedback from consultation undertaken. All properties being used for commercial, retail or professional purposes within the designated boundary will incur a Special Rate Charge.

It is proposed that the scheme will collect \$125,000 in the first year of the Special Rate and Charge, with an increase of \$5,000 each year for the duration of the scheme. Over the five year period of the scheme \$675,000 will be collected from the Niddrie Business Precinct.

Year 1 - \$125,000	Year 2 - \$130,000	Year 3 - \$135,000
Year 4 - \$140,000	Year 5 - \$145,000	Total - \$675,000

To provide consistency between the Special Rate and Charge schemes that apply throughout other precincts in Moonee Valley, it is proposed to declare a combination of 20 per cent fixed special charge and 80 per cent special charge based on Capital Improved Value (CIV).

The 20 per cent fixed component represents a fair and equitable distribution of the funds ensuring all properties contribute to the core marketing of the precinct. The 80 per cent component will recognise that most of the benefit from the Special Rate and Charge will be distributed in accordance with CIV. A list of rated properties are outlined in **Appendix B**.

The Special Rates and Charges will be capped at a maximum amount of \$5,000 per rated property. No properties within the Niddrie Business Precincts have reached this maximum amount.

Consultation

In July 2017, a survey was sent to all business and property owners within the Niddrie Business Precinct seeking feedback on the current rate and whether or not they support its renewal. There were 220 letters sent in total with 64 completed and returned (29 per cent). The low rate of return implied passive endorsement. Of those who responded, 46 per cent indicated support for the rate.

Implications

1. Legislative

Section 163 of the Local Government Act 1989 states that Council must determine a number of matters when considering a new Special Rate and/or Charge:

- a) The purpose of the Special Rate and/or Charge or a combination of both.

In the case the defraying of any expenses relating to a specific function (marketing and promotion of Niddrie Business Precinct). This must be of special benefit to the persons required to pay the special rate or special charge.

- b) The total amount of the Special Rate and/or Charge to be levied.

The total cost of implementing this rate would include:

- The annual amount \$125,000 in the first year of the scheme rising each subsequent year by \$5,000, for the remainder of the scheme for the Niddrie Business Precinct.
- Council's own administrative costs in relation to the scheme including the renewal process and on-going administration. The practice in previous schemes is for Council to not recover its administrative costs from liable properties, and to only levy those costs incurred by the Association. It is proposed that this practice continue for the proposed scheme. It needs to be emphasised that Council's contribution (around \$20,000 for the renewal process and \$20,000 annually for administration) in providing its own resources towards the benefit of the Niddrie Business Precinct (which could otherwise be recouped from benefiting properties) is not inconsiderable.

The Act provides that Council must calculate the above amount in accordance with the following formula:

$$R \times C = S$$

R is the total 'benefit ratio' which is the percentage of the total cost that Council determines is able to be levied. It takes into account whether there are properties Council believes will derive a 'special benefit' and are to be levied, and others which also receive such a benefit but which aren't to be levied (such as non-commercial community facilities).

Council must also determine if there is a clear, direct and tangible 'community benefit' provided by the scheme that cannot be rated to the shops. This must be attributed to, and paid for, by Council.

C is the total cost of the scheme. **S** is the maximum amount that can be levied.

With regard to the 'benefit ratio', it is considered that all the properties shown on the map and detailed in the list annexed to the attached proposed declaration as outlined in **Appendix A**, will receive a special benefit through increased economic activity. There are no rateable properties identified within this area which should not be levied the rate. Also, it is considered that there are no separate 'community benefits' that can be measured which might accrue from the existence of the scheme. Any benefits to people visiting the businesses in the centre will accrue to the businesses themselves.

Therefore, the total maximum amount that can be levied on liable property owners would be 100 per cent of the total cost of the scheme.

Council needs to specify the methodology it will use in determining how the payment of the Special Rate and Charge is to be apportioned amongst the benefiting properties. In this instance, it is proposed that all properties will pay a 20 per cent fixed special charge and 80 per cent special charge based on CIV.

2. Council Plan / Policy

In presenting this report to Council, Council is achieving a number of Strategic Objectives:

2.2: Moonee Valley has high quality places and spaces

Key strategy

2.2.1.1: Develop our activity centres as destinations by improving the amenity and quality of the public realm, including parking.

4.3: Our local economy is strong

Key strategies

4.3.1.5: Improve and increase visits and spending at local shopping precincts and

4.3.1.7: Support the growth of activity centres as entertainment precincts that have a high level of activity day and night to increase the vitality of precincts and the viability of businesses.

3. Financial

The renewal of the Special Rate and Charge is accounted for in the operational budget.

4. Environmental

The renewal of the Special Rate and Charge Scheme will have no negative impact on the environment. Growing the Niddrie business precinct supports local residents to shop locally which in turn can reduce the environmental impact caused through travel.

Conclusion

The renewal of the Niddrie Special Rate and Charge has the support and endorsement of the Niddrie Traders Association. It is considered that all of the commercial, retail and professional properties in the Niddrie Business Precinct will derive a special benefit from the expenditure of Special Rate and Charge funds and the viability of the business precinct as a commercial and retail centre will be further enhanced.

The intention to declare a Special Rate and Charge by way of renewal invites public comment and provides Council the opportunity to review the proposed rate in light of public submissions, before its ultimate declaration.

Appendices

Appendix A: Boundaries of the Niddrie business precinct

Appendix B: Property Owners liable to pay the Special Rate and Charge

Appendix C: Proposed declaration of Special rate and Charge.

APPENDIX A – Schedule 1: Boundaries of the Niddrie Business Precinct



File No: 17/222512

APPENDIX A – Schedule 1: Boundaries of the Niddrie Business Precinct

APPENDIX A – Schedule 2: Niddrie Property Owners liable to pay the Special Rate and Charge

Assessment Number	Capital Improved Value	20% Fixed	80% Special Variable Rate	TOTAL
282159	\$ 620,000	\$ 111.11	\$ 270.11	\$ 381.22
282133	\$ 848,000	\$ 111.11	\$ 369.44	\$ 480.55
282200	\$ 374,000	\$ 111.11	\$ 162.94	\$ 274.05
282204	\$ 1,120,000	\$ 111.11	\$ 487.94	\$ 599.05
285691	\$ 538,000	\$ 111.11	\$ 234.38	\$ 345.49
282138	\$ 978,000	\$ 111.11	\$ 426.07	\$ 537.18
282307	\$ 990,000	\$ 111.11	\$ 431.30	\$ 542.41
282263	\$ 996,000	\$ 111.11	\$ 433.92	\$ 545.03
282290	\$ 960,000	\$ 111.11	\$ 418.23	\$ 529.34
282287	\$ 316,000	\$ 111.11	\$ 137.67	\$ 248.78
282268	\$ 684,000	\$ 111.11	\$ 297.99	\$ 409.10
282241	\$ 1,070,000	\$ 111.11	\$ 466.15	\$ 577.26
282239	\$ 1,152,000	\$ 111.11	\$ 501.88	\$ 612.99
282274	\$ 500,000	\$ 111.11	\$ 217.83	\$ 328.94
282271	\$ 538,000	\$ 111.11	\$ 234.38	\$ 345.49
282211	\$ 454,000	\$ 111.11	\$ 197.79	\$ 308.90
282189	\$ 434,000	\$ 111.11	\$ 189.08	\$ 300.19
285689	\$ 812,000	\$ 111.11	\$ 353.75	\$ 464.86
282142	\$ 1,080,000	\$ 111.11	\$ 470.51	\$ 581.62
282182	\$ 776,000	\$ 111.11	\$ 338.07	\$ 449.18
282196	\$ 638,000	\$ 111.11	\$ 277.95	\$ 389.06
282302	\$ 1,012,000	\$ 111.11	\$ 440.89	\$ 552.00
282198	\$ 282,000	\$ 111.11	\$ 122.86	\$ 233.97
282209	\$ 836,000	\$ 111.11	\$ 364.21	\$ 475.32
283457	\$ 388,000	\$ 111.11	\$ 169.04	\$ 280.15
282254	\$ 308,000	\$ 111.11	\$ 134.18	\$ 245.29
282193	\$ 996,000	\$ 111.11	\$ 433.92	\$ 545.03
282329	\$ 470,000	\$ 111.11	\$ 204.76	\$ 315.87
285693	\$ 1,256,000	\$ 111.11	\$ 547.19	\$ 658.30
282310	\$ 1,106,000	\$ 111.11	\$ 481.84	\$ 592.95
282332	\$ 662,000	\$ 111.11	\$ 288.41	\$ 399.52
282304	\$ 944,000	\$ 111.11	\$ 411.26	\$ 522.37
282156	\$ 420,000	\$ 111.11	\$ 182.98	\$ 294.09
285706	\$ 420,000	\$ 111.11	\$ 182.98	\$ 294.09
282231	\$ 1,284,000	\$ 111.11	\$ 559.38	\$ 670.49
285694	\$ 336,000	\$ 111.11	\$ 146.38	\$ 257.49
282132	\$ 3,304,000	\$ 111.11	\$ 1,439.41	\$ 1,550.52
282313	\$ 3,242,000	\$ 111.11	\$ 1,412.40	\$ 1,523.51

File No: 17/222589

APPENDIX A – Schedule 2: Niddrie Property Owners liable to pay the Special Rate and Charge

Assessment Number	Capital Improved Value	20% Fixed	80% Special Variable Rate	TOTAL
283456	\$ 1,096,000	\$ 111.11	\$ 477.48	\$ 588.59
282163	\$ 1,500,000	\$ 111.11	\$ 653.49	\$ 764.60
282285	\$ 708,000	\$ 111.11	\$ 308.45	\$ 419.56
282275	\$ 536,000	\$ 111.11	\$ 233.51	\$ 344.62
285701	\$ 1,200,000	\$ 111.11	\$ 522.79	\$ 633.90
282248	\$ 1,004,000	\$ 111.11	\$ 437.40	\$ 548.51
282197	\$ 668,000	\$ 111.11	\$ 291.02	\$ 402.13
282172	\$ 298,000	\$ 111.11	\$ 129.83	\$ 240.94
282253	\$ 244,000	\$ 111.11	\$ 106.30	\$ 217.41
282258	\$ 2,944,000	\$ 111.11	\$ 1,282.58	\$ 1,393.69
282309	\$ 1,692,000	\$ 111.11	\$ 737.13	\$ 848.24
285709	\$ 600,000	\$ 111.11	\$ 261.39	\$ 372.50
282281	\$ 2,422,000	\$ 111.11	\$ 1,055.16	\$ 1,166.27
282298	\$ 1,216,000	\$ 111.11	\$ 529.76	\$ 640.87
285703	\$ 366,000	\$ 111.11	\$ 159.45	\$ 270.56
282221	\$ 626,000	\$ 111.11	\$ 272.72	\$ 383.83
282299	\$ 894,000	\$ 111.11	\$ 389.48	\$ 500.59
282227	\$ 1,992,000	\$ 111.11	\$ 867.83	\$ 978.94
282234	\$ 1,920,000	\$ 111.11	\$ 836.46	\$ 947.57
282151	\$ 726,000	\$ 111.11	\$ 316.29	\$ 427.40
282166	\$ 1,192,000	\$ 111.11	\$ 519.30	\$ 630.41
282171	\$ 756,000	\$ 111.11	\$ 329.36	\$ 440.47
282322	\$ 2,180,000	\$ 111.11	\$ 949.73	\$ 1,060.84
282333	\$ 1,162,000	\$ 111.11	\$ 506.23	\$ 617.34
282224	\$ 584,000	\$ 111.11	\$ 254.42	\$ 365.53
282325	\$ 300,000	\$ 111.11	\$ 130.70	\$ 241.81
282199	\$ 276,000	\$ 111.11	\$ 120.24	\$ 231.35
282214	\$ 1,046,000	\$ 111.11	\$ 455.70	\$ 566.81
282336	\$ 832,000	\$ 111.11	\$ 362.47	\$ 473.58
282184	\$ 1,610,000	\$ 111.11	\$ 701.41	\$ 812.52
286835	\$ 430,000	\$ 111.11	\$ 187.33	\$ 298.44
282235	\$ 1,180,000	\$ 111.11	\$ 514.08	\$ 625.19
282137	\$ 986,000	\$ 111.11	\$ 429.56	\$ 540.67
282270	\$ 734,000	\$ 111.11	\$ 319.77	\$ 430.88
283461	\$ 308,000	\$ 111.11	\$ 134.18	\$ 245.29
282169	\$ 3,280,000	\$ 111.11	\$ 1,428.96	\$ 1,540.07
282246	\$ 1,394,000	\$ 111.11	\$ 607.31	\$ 718.42
283459	\$ 1,090,000	\$ 111.11	\$ 474.87	\$ 585.98
282149	\$ 726,000	\$ 111.11	\$ 316.29	\$ 427.40
282191	\$ 340,000	\$ 111.11	\$ 148.12	\$ 259.23
282140	\$ 1,036,000	\$ 111.11	\$ 451.34	\$ 562.45

File No: 17/222589

APPENDIX A – Schedule 2: Niddrie Property Owners liable to pay the Special Rate and Charge

Assessment Number	Capital Improved Value	20% Fixed	80% Special Variable Rate	TOTAL
283465	\$ 240,000	\$ 111.11	\$ 104.56	\$ 215.67
285708	\$ 376,000	\$ 111.11	\$ 163.81	\$ 274.92
282212	\$ 876,000	\$ 111.11	\$ 381.64	\$ 492.75
282323	\$ 1,070,000	\$ 111.11	\$ 466.15	\$ 577.26
282297	\$ 1,384,000	\$ 111.11	\$ 602.95	\$ 714.06
282314	\$ 2,106,000	\$ 111.11	\$ 917.50	\$ 1,028.61
282164	\$ 7,420,000	\$ 111.11	\$ 3,232.58	\$ 3,343.69
282245	\$ 1,430,000	\$ 111.11	\$ 622.99	\$ 734.10
282264	\$ 1,224,000	\$ 111.11	\$ 533.25	\$ 644.36
285695	\$ 332,000	\$ 111.11	\$ 144.64	\$ 255.75
282276	\$ 1,728,000	\$ 111.11	\$ 752.82	\$ 863.93
282338	\$ 288,000	\$ 111.11	\$ 125.47	\$ 236.58
282213	\$ 804,000	\$ 111.11	\$ 350.27	\$ 461.38
285692	\$ 1,332,000	\$ 111.11	\$ 580.30	\$ 691.41
282205	\$ 1,002,000	\$ 111.11	\$ 436.53	\$ 547.64
282293	\$ 984,000	\$ 111.11	\$ 428.69	\$ 539.80
282210	\$ 630,000	\$ 111.11	\$ 274.46	\$ 385.57
282136	\$ 1,050,000	\$ 111.11	\$ 457.44	\$ 568.55
282260	\$ 532,000	\$ 111.11	\$ 231.77	\$ 342.88
282233	\$ 5,376,000	\$ 111.11	\$ 2,342.10	\$ 2,453.21
282160	\$ 530,000	\$ 111.11	\$ 230.90	\$ 342.01
285690	\$ 324,000	\$ 111.11	\$ 141.15	\$ 252.26
282185	\$ 1,350,000	\$ 111.11	\$ 588.14	\$ 699.25
282165	\$ 604,000	\$ 111.11	\$ 263.14	\$ 374.25
282153	\$ 3,692,000	\$ 111.11	\$ 1,608.45	\$ 1,719.56
282135	\$ 1,514,000	\$ 111.11	\$ 659.59	\$ 770.70
282230	\$ 1,198,000	\$ 111.11	\$ 521.92	\$ 633.03
283455	\$ 1,624,000	\$ 111.11	\$ 707.51	\$ 818.62
282186	\$ 1,114,000	\$ 111.11	\$ 485.32	\$ 596.43
282216	\$ 734,000	\$ 111.11	\$ 319.77	\$ 430.88
282335	\$ 876,000	\$ 111.11	\$ 381.64	\$ 492.75
282170	\$ 184,000	\$ 111.11	\$ 80.16	\$ 191.27
282256	\$ 754,000	\$ 111.11	\$ 328.49	\$ 439.60
282312	\$ 912,000	\$ 111.11	\$ 397.32	\$ 508.43
282337	\$ 400,000	\$ 111.11	\$ 174.26	\$ 285.37
282152	\$ 726,000	\$ 111.11	\$ 316.29	\$ 427.40
282305	\$ 884,000	\$ 111.11	\$ 385.12	\$ 496.23
285704	\$ 390,000	\$ 111.11	\$ 169.91	\$ 281.02
282192	\$ 230,000	\$ 111.11	\$ 100.20	\$ 211.31
282207	\$ 1,264,000	\$ 111.11	\$ 550.67	\$ 661.78
282236	\$ 1,228,000	\$ 111.11	\$ 534.99	\$ 646.10

File No: 17/222589

APPENDIX A – Schedule 2: Niddrie Property Owners liable to pay the Special Rate and Charge

Assessment Number	Capital Improved Value	20% Fixed	80% Special Variable Rate	TOTAL
282178	\$ 154,000	\$ 111.11	\$ 67.09	\$ 178.20
283463	\$ 576,000	\$ 111.11	\$ 250.94	\$ 362.05
282181	\$ 678,000	\$ 111.11	\$ 295.38	\$ 406.49
282194	\$ 510,000	\$ 111.11	\$ 222.19	\$ 333.30
282330	\$ 546,000	\$ 111.11	\$ 237.87	\$ 348.98
282259	\$ 1,252,000	\$ 111.11	\$ 545.44	\$ 656.55
282288	\$ 286,000	\$ 111.11	\$ 124.60	\$ 235.71
282222	\$ 1,300,000	\$ 111.11	\$ 566.36	\$ 677.47
282311	\$ 912,000	\$ 111.11	\$ 397.32	\$ 508.43
282162	\$ 500,000	\$ 111.11	\$ 217.83	\$ 328.94
282146	\$ 2,080,000	\$ 111.11	\$ 906.17	\$ 1,017.28
285707	\$ 2,152,000	\$ 111.11	\$ 937.54	\$ 1,048.65
282148	\$ 2,124,000	\$ 111.11	\$ 925.34	\$ 1,036.45
282242	\$ 2,172,000	\$ 111.11	\$ 946.25	\$ 1,057.36
282272	\$ 292,000	\$ 111.11	\$ 127.21	\$ 238.32
283460	\$ 308,000	\$ 111.11	\$ 134.18	\$ 245.29
282326	\$ 300,000	\$ 111.11	\$ 130.70	\$ 241.81
282188	\$ 400,000	\$ 111.11	\$ 174.26	\$ 285.37
282141	\$ 766,000	\$ 111.11	\$ 333.71	\$ 444.82
282183	\$ 1,354,000	\$ 111.11	\$ 589.88	\$ 700.99
282238	\$ 1,272,000	\$ 111.11	\$ 554.16	\$ 665.27
282157	\$ 600,000	\$ 111.11	\$ 261.39	\$ 372.50
282229	\$ 1,096,000	\$ 111.11	\$ 477.48	\$ 588.59
282266	\$ 792,000	\$ 111.11	\$ 345.04	\$ 456.15
282327	\$ 430,000	\$ 111.11	\$ 187.33	\$ 298.44
282262	\$ 1,038,000	\$ 111.11	\$ 452.21	\$ 563.32
282218	\$ 416,000	\$ 111.11	\$ 181.23	\$ 292.34
282265	\$ 1,784,000	\$ 111.11	\$ 777.21	\$ 888.32
283454	\$ 2,824,000	\$ 111.11	\$ 1,230.30	\$ 1,341.41
282308	\$ 678,000	\$ 111.11	\$ 295.38	\$ 406.49
282300	\$ 936,000	\$ 111.11	\$ 407.78	\$ 518.89
282195	\$ 582,000	\$ 111.11	\$ 253.55	\$ 364.66
282158	\$ 460,000	\$ 111.11	\$ 200.40	\$ 311.51
282237	\$ 1,358,000	\$ 111.11	\$ 591.62	\$ 702.73
282273	\$ 574,000	\$ 111.11	\$ 250.07	\$ 361.18
282161	\$ 570,000	\$ 111.11	\$ 248.32	\$ 359.43
282223	\$ 578,000	\$ 111.11	\$ 251.81	\$ 362.92
282261	\$ 914,000	\$ 111.11	\$ 398.19	\$ 509.30
282286	\$ 348,000	\$ 111.11	\$ 151.61	\$ 262.72
285700	\$ 450,000	\$ 111.11	\$ 196.05	\$ 307.16
282247	\$ 2,062,000	\$ 111.11	\$ 898.33	\$ 1,009.44

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APPENDIX A – Schedule 2: Niddrie Property Owners liable to pay the Special Rate and Charge

Assessment Number	Capital Improved Value	20% Fixed	80% Special Variable Rate	TOTAL
282180	\$ 186,000	\$ 111.11	\$ 81.03	\$ 192.14
282244	\$ 1,270,000	\$ 111.11	\$ 553.29	\$ 664.40
283095	\$ 500,000	\$ 111.11	\$ 217.83	\$ 328.94
282202	\$ 1,050,000	\$ 111.11	\$ 457.44	\$ 568.55
282284	\$ 916,000	\$ 111.11	\$ 399.06	\$ 510.17
282291	\$ 1,208,000	\$ 111.11	\$ 526.27	\$ 637.38
282134	\$ 658,000	\$ 111.11	\$ 286.66	\$ 397.77
282315	\$ 2,186,000	\$ 111.11	\$ 952.35	\$ 1,063.46
282155	\$ 430,000	\$ 111.11	\$ 187.33	\$ 298.44
282295	\$ 970,000	\$ 111.11	\$ 422.59	\$ 533.70
282289	\$ 250,000	\$ 111.11	\$ 108.91	\$ 220.02
282339	\$ 288,000	\$ 111.11	\$ 125.47	\$ 236.58
282243	\$ 1,222,000	\$ 111.11	\$ 532.37	\$ 643.48
282283	\$ 1,130,000	\$ 111.11	\$ 492.29	\$ 603.40
282296	\$ 1,266,000	\$ 111.11	\$ 551.54	\$ 662.65
282282	\$ 2,698,000	\$ 111.11	\$ 1,175.40	\$ 1,286.51
282168	\$ 1,584,000	\$ 111.11	\$ 690.08	\$ 801.19
285705	\$ 372,000	\$ 111.11	\$ 162.06	\$ 273.17
282328	\$ 514,000	\$ 111.11	\$ 223.93	\$ 335.04
282131	\$ 1,522,000	\$ 111.11	\$ 663.07	\$ 774.18
282201	\$ 1,488,000	\$ 111.11	\$ 648.26	\$ 759.37
282267	\$ 790,000	\$ 111.11	\$ 344.17	\$ 455.28
282217	\$ 1,118,000	\$ 111.11	\$ 487.07	\$ 598.18
282219	\$ 236,000	\$ 111.11	\$ 102.82	\$ 213.93
282206	\$ 1,076,000	\$ 111.11	\$ 468.77	\$ 579.88
282179	\$ 186,000	\$ 111.11	\$ 81.03	\$ 192.14
285697	\$ 696,000	\$ 111.11	\$ 303.22	\$ 414.33
282331	\$ 570,000	\$ 111.11	\$ 248.32	\$ 359.43
282257	\$ 1,310,000	\$ 111.11	\$ 570.71	\$ 681.82
282342	\$ 2,250,000	\$ 111.11	\$ 980.23	\$ 1,091.34
282139	\$ 1,662,000	\$ 111.11	\$ 724.06	\$ 835.17
283458	\$ 576,000	\$ 111.11	\$ 250.94	\$ 362.05
282190	\$ 460,000	\$ 111.11	\$ 200.40	\$ 311.51
282225	\$ 1,536,000	\$ 111.11	\$ 669.17	\$ 780.28
282208	\$ 760,000	\$ 111.11	\$ 331.10	\$ 442.21
282215	\$ 812,000	\$ 111.11	\$ 353.75	\$ 464.86
282147	\$ 976,000	\$ 111.11	\$ 425.20	\$ 536.31
282301	\$ 960,000	\$ 111.11	\$ 418.23	\$ 529.34
283464	\$ 360,000	\$ 111.11	\$ 156.84	\$ 267.95
285702	\$ 494,000	\$ 111.11	\$ 215.21	\$ 326.32
282294	\$ 1,010,000	\$ 111.11	\$ 440.01	\$ 551.12

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APPENDIX A – Schedule 2: Niddrie Property Owners liable to pay the Special Rate and Charge

Assessment Number	Capital Improved Value	20% Fixed	80% Special Variable Rate	TOTAL
282145	\$ 1,200,000	\$ 111.11	\$ 522.79	\$ 633.90
282226	\$ 5,000,000	\$ 111.11	\$ 2,178.29	\$ 2,289.40
282232	\$ 1,146,000	\$ 111.11	\$ 499.26	\$ 610.37
282334	\$ 320,000	\$ 111.11	\$ 139.41	\$ 250.52
282228	\$ 1,524,000	\$ 111.11	\$ 663.94	\$ 775.05
282303	\$ 1,238,000	\$ 111.11	\$ 539.34	\$ 650.45
282220	\$ 314,000	\$ 111.11	\$ 136.80	\$ 247.91
282144	\$ 538,000	\$ 111.11	\$ 234.38	\$ 345.49
282177	\$ 182,000	\$ 111.11	\$ 79.29	\$ 190.40
282255	\$ 216,000	\$ 111.11	\$ 94.10	\$ 205.21
282240	\$ 1,354,000	\$ 111.11	\$ 589.88	\$ 700.99
282324	\$ 120,000	\$ 111.11	\$ 52.28	\$ 163.39
282150	\$ 726,000	\$ 111.11	\$ 316.29	\$ 427.40
285710	\$ 1,100,000	\$ 111.11	\$ 479.22	\$ 590.33
282306	\$ 1,808,000	\$ 111.11	\$ 787.67	\$ 898.78
282203	\$ 1,000,000	\$ 111.11	\$ 435.66	\$ 546.77
282167	\$ 816,000	\$ 111.11	\$ 355.50	\$ 466.61
285696	\$ 536,000	\$ 111.11	\$ 233.51	\$ 344.62
285698	\$ 1,206,000	\$ 111.11	\$ 525.40	\$ 636.51
282340	\$ 608,000	\$ 111.11	\$ 264.88	\$ 375.99
282319	\$ 974,000	\$ 111.11	\$ 424.33	\$ 535.44
282320	\$ 844,000	\$ 111.11	\$ 367.70	\$ 478.81
282321	\$ 844,000	\$ 111.11	\$ 367.70	\$ 478.81
	\$ 229,538,000	\$ 25,000.00	\$ 100,000.00	\$ 125,000.00

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APPENDIX A – Schedule 2: Niddrie Property Owners liable to pay the Special Rate and Charge

NIDDRIE BUSINESS PRECINCT

PROPOSED DECLARATION OF SPECIAL RATE AND CHARGE

1. Moonee Valley City Council (**Council**) proposes to declare a Special Rate and Charge (**Special Rate and Charge**) under section 163(1) of the *Local Government Act 1989 (Act)* for the purposes of defraying expenses to be incurred by Council in providing funds to the incorporated body known and operating as the Niddrie Traders' Association (**Traders' Association**), which funds, subject always to the approval, direction and control of Council, are to be used for the purposes of funding a part-time Shopping Centre Coordinator, promotional, advertising, marketing, business development and other incidental expenses as approved by Council and agreed to from time to time between Council and the Traders' Association, all of which are associated with the encouragement of commerce, retail and professional activity and employment in the Niddrie Business Precinct (**Business Precinct or Scheme**).
2. The criteria which form the basis of the proposed declaration of the Special Rate and Charge are the ownership and the capital improved value of rateable land used, or reasonably capable of being used, for commercial, retail or professional purposes, which rateable land is situated within the geographical area in which the properties described in paragraphs 6 and 7 of this proposed declaration are included.
3. In proposing the declaration of the Special Rate and Charge, Council is performing functions and exercising powers in relation to the peace, order and good government of the municipal district of the City of Moonee Valley, in particular the encouragement of commerce, retail activity and employment opportunities within the area for which the proposed Special Rate and Charge is to be declared.
4. The total cost of the performance of the function and the exercise of the power by Council (in relation to activities associated with the encouragement of commerce, retail activity and employment opportunities in the area for which the proposed Special Rate and Charge is to be declared) and also the total amount of the Special Rate and Charge to be levied by Council is referable to an amount of \$125,000, which it is proposed will be levied in first year of the Scheme, with such Special Rate and Charge amounts increasing by \$5,000 in each year of the Scheme and which in total will raise an amount of \$675,000 over the five year period of the Scheme.
5. The period for which the proposed Special Rate and Charge is to be declared and is to remain in force is a period of five years commencing on 1 July 2018 and ending 30 June 2023.

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APPENDIX B: the proposed declaration of Special Rate and Charge

6. The area for which the proposed Special Rate and Charge is to be declared is all of the land referred to as the Niddrie Business Precinct, as identified and shown on the plan set out in the schedule forming a part of this proposed declaration (being **Schedule 1**).
7. The land in relation to which the proposed Special Rate and Charge is to be declared is all that rateable land described in the listing of rateable properties set out in the schedule forming a part of this proposed declaration (being **Schedule 2**).
8. The proposed Special Rate and Charge will be declared and assessed in accordance with an ad valorem rate and a fixed charge component, to be applied to each property within the schedule forming a part of this proposed declaration (being **Schedule 2**), such amounts having respectively been assessed based on:
 - a. an 80 per cent Special Rate component calculated by multiplying the capital improved value of each property by a rate in the dollar (adjusted annually);
 - b. a 20 per cent fixed Special Charge component assessed as a flat charge of \$111.11 in the first year;
 - c. the Special Rate and Charge will be capped at a maximum amount of \$5,000 per rated property,

with the total amount of the Special Rate and Charge to be collected increasing by \$5,000 in each year of the Scheme for the remaining four years of the Scheme.

Council is required to revalue all properties within the Municipality every two years. On 1 July 2018 new values will be used to calculate the rate in the dollar for all properties within the Business Precinct. The new values merely redistribute the collection of the remaining 80 per cent of the Special Rate component. The values and the rate in the dollar will be listed on notice of levy for the Special Rate to be issued after 1 July 2018.

9. The proposed Special Rate and Charge will be levied by sending a notice of levy in the prescribed form annually to the person who is liable to pay the Special Rate and Charge, which will require that the Special Rate and Charge must be paid by two instalments, to be paid by the dates which are fixed by Council in the notice.
10. Council will consider cases of financial and other hardship and may reconsider other payment options for the Special Rate and Charge.
11. No incentives will be given for payment of the Special Rate and Charge before the due date for payment.
12. Council considers that there will be a special benefit to the persons required to pay the Special Rate and Charge because there will be a benefit to those persons that is over and above, or greater than, the benefit that is available to persons who are not subject to the proposed Special Rate and Charge, and directly and indirectly as a result

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APPENDIX B: the proposed declaration of Special Rate and Charge

of the expenditure proposed by the Special Rate and Charge the viability of the Business Precinct as a business, commercial and retail area, and the value and the use, occupation and enjoyment of the properties and the business included in the Scheme area will be maintained or enhanced through increased economic activity.

13. For the purposes of having determined the total amount of the Special Rate and Charge to be levied under the Scheme, Council further considers and formally determines for the purposes of sections 163(2)(a), (2A) and (2B) of the Act that the estimated proportion of the total benefits of the Scheme to which the performance of the function and the exercise of the power relates (including all special benefits and community benefits) that will accrue as special benefits to all of the persons who are liable to pay the Special Rate and Charge is in a ratio of 1:1 (or 100 per cent). This is on the basis that, in the opinion of Council, all of the services and activities to be provided from the expenditure of the proposed Special Rate and Charge are marketing, promotion and advertising related and will accordingly only benefit those properties and businesses included in the Scheme that are used, or reasonably capable of being used, for retail, commercial or professional purposes.

Schedule 1 to the Proposed Declaration of Special Rate and Charge

PLAN OF SCHEME AREA

Schedule 2 to the Proposed Declaration of Special Rate and Charge

LISTING OF RATEABLE PROPERTIES AND AMOUNTS PAYABLE BY SPECIAL RATE
CONTRIBUTORS

Schedule 1 - PLAN OF SCHEME AREA



Schedule 2 - LISTING OF RATEABLE PROPERTIES AND AMOUNTS PAYABLE BY SPECIAL RATE CONTRIBUTORS

Assessment Number	Capital Improved Value	20% Fixed	80% Special Variable Rate	TOTAL
282159	\$ 620,000	\$ 111.11	\$ 270.11	\$ 381.22
282133	\$ 848,000	\$ 111.11	\$ 369.44	\$ 480.55
282200	\$ 374,000	\$ 111.11	\$ 162.94	\$ 274.05
282204	\$ 1,120,000	\$ 111.11	\$ 487.94	\$ 599.05
285691	\$ 538,000	\$ 111.11	\$ 234.38	\$ 345.49
282138	\$ 978,000	\$ 111.11	\$ 426.07	\$ 537.18
282307	\$ 990,000	\$ 111.11	\$ 431.30	\$ 542.41
282263	\$ 996,000	\$ 111.11	\$ 433.92	\$ 545.03
282290	\$ 960,000	\$ 111.11	\$ 418.23	\$ 529.34
282287	\$ 316,000	\$ 111.11	\$ 137.67	\$ 248.78
282268	\$ 684,000	\$ 111.11	\$ 297.99	\$ 409.10
282241	\$ 1,070,000	\$ 111.11	\$ 466.15	\$ 577.26
282239	\$ 1,152,000	\$ 111.11	\$ 501.88	\$ 612.99
282274	\$ 500,000	\$ 111.11	\$ 217.83	\$ 328.94
282271	\$ 538,000	\$ 111.11	\$ 234.38	\$ 345.49
282211	\$ 454,000	\$ 111.11	\$ 197.79	\$ 308.90
282189	\$ 434,000	\$ 111.11	\$ 189.08	\$ 300.19
285689	\$ 812,000	\$ 111.11	\$ 353.75	\$ 464.86
282142	\$ 1,080,000	\$ 111.11	\$ 470.51	\$ 581.62
282182	\$ 776,000	\$ 111.11	\$ 338.07	\$ 449.18
282196	\$ 638,000	\$ 111.11	\$ 277.95	\$ 389.06
282302	\$ 1,012,000	\$ 111.11	\$ 440.89	\$ 552.00
282198	\$ 282,000	\$ 111.11	\$ 122.86	\$ 233.97
282209	\$ 836,000	\$ 111.11	\$ 364.21	\$ 475.32
283457	\$ 388,000	\$ 111.11	\$ 169.04	\$ 280.15
282254	\$ 308,000	\$ 111.11	\$ 134.18	\$ 245.29
282193	\$ 996,000	\$ 111.11	\$ 433.92	\$ 545.03
282329	\$ 470,000	\$ 111.11	\$ 204.76	\$ 315.87
285693	\$ 1,256,000	\$ 111.11	\$ 547.19	\$ 658.30
282310	\$ 1,106,000	\$ 111.11	\$ 481.84	\$ 592.95
282332	\$ 662,000	\$ 111.11	\$ 288.41	\$ 399.52
282304	\$ 944,000	\$ 111.11	\$ 411.26	\$ 522.37
282156	\$ 420,000	\$ 111.11	\$ 182.98	\$ 294.09
285706	\$ 420,000	\$ 111.11	\$ 182.98	\$ 294.09
282231	\$ 1,284,000	\$ 111.11	\$ 559.38	\$ 670.49
285694	\$ 336,000	\$ 111.11	\$ 146.38	\$ 257.49
282132	\$ 3,304,000	\$ 111.11	\$ 1,439.41	\$ 1,550.52
282313	\$ 3,242,000	\$ 111.11	\$ 1,412.40	\$ 1,523.51
283456	\$ 1,096,000	\$ 111.11	\$ 477.48	\$ 588.59

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APPENDIX B: the proposed declaration of Special Rate and Charge

Assessment Number	Capital Improved Value	20% Fixed	80% Special Variable Rate	TOTAL
282163	\$ 1,500,000	\$ 111.11	\$ 653.49	\$ 764.60
282285	\$ 708,000	\$ 111.11	\$ 308.45	\$ 419.56
282275	\$ 536,000	\$ 111.11	\$ 233.51	\$ 344.62
285701	\$ 1,200,000	\$ 111.11	\$ 522.79	\$ 633.90
282248	\$ 1,004,000	\$ 111.11	\$ 437.40	\$ 548.51
282197	\$ 668,000	\$ 111.11	\$ 291.02	\$ 402.13
282172	\$ 298,000	\$ 111.11	\$ 129.83	\$ 240.94
282253	\$ 244,000	\$ 111.11	\$ 106.30	\$ 217.41
282258	\$ 2,944,000	\$ 111.11	\$ 1,282.58	\$ 1,393.69
282309	\$ 1,692,000	\$ 111.11	\$ 737.13	\$ 848.24
285709	\$ 600,000	\$ 111.11	\$ 261.39	\$ 372.50
282281	\$ 2,422,000	\$ 111.11	\$ 1,055.16	\$ 1,166.27
282298	\$ 1,216,000	\$ 111.11	\$ 529.76	\$ 640.87
285703	\$ 366,000	\$ 111.11	\$ 159.45	\$ 270.56
282221	\$ 626,000	\$ 111.11	\$ 272.72	\$ 383.83
282299	\$ 894,000	\$ 111.11	\$ 389.48	\$ 500.59
282227	\$ 1,992,000	\$ 111.11	\$ 867.83	\$ 978.94
282234	\$ 1,920,000	\$ 111.11	\$ 836.46	\$ 947.57
282151	\$ 726,000	\$ 111.11	\$ 316.29	\$ 427.40
282166	\$ 1,192,000	\$ 111.11	\$ 519.30	\$ 630.41
282171	\$ 756,000	\$ 111.11	\$ 329.36	\$ 440.47
282322	\$ 2,180,000	\$ 111.11	\$ 949.73	\$ 1,060.84
282333	\$ 1,162,000	\$ 111.11	\$ 506.23	\$ 617.34
282224	\$ 584,000	\$ 111.11	\$ 254.42	\$ 365.53
282325	\$ 300,000	\$ 111.11	\$ 130.70	\$ 241.81
282199	\$ 276,000	\$ 111.11	\$ 120.24	\$ 231.35
282214	\$ 1,046,000	\$ 111.11	\$ 455.70	\$ 566.81
282336	\$ 832,000	\$ 111.11	\$ 362.47	\$ 473.58
282184	\$ 1,610,000	\$ 111.11	\$ 701.41	\$ 812.52
286835	\$ 430,000	\$ 111.11	\$ 187.33	\$ 298.44
282235	\$ 1,180,000	\$ 111.11	\$ 514.08	\$ 625.19
282137	\$ 986,000	\$ 111.11	\$ 429.56	\$ 540.67
282270	\$ 734,000	\$ 111.11	\$ 319.77	\$ 430.88
283461	\$ 308,000	\$ 111.11	\$ 134.18	\$ 245.29
282169	\$ 3,280,000	\$ 111.11	\$ 1,428.96	\$ 1,540.07
282246	\$ 1,394,000	\$ 111.11	\$ 607.31	\$ 718.42
283459	\$ 1,090,000	\$ 111.11	\$ 474.87	\$ 585.98
282149	\$ 726,000	\$ 111.11	\$ 316.29	\$ 427.40
282191	\$ 340,000	\$ 111.11	\$ 148.12	\$ 259.23
282140	\$ 1,036,000	\$ 111.11	\$ 451.34	\$ 562.45
283465	\$ 240,000	\$ 111.11	\$ 104.56	\$ 215.67
285708	\$ 376,000	\$ 111.11	\$ 163.81	\$ 274.92

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APPENDIX B: the proposed declaration of Special Rate and Charge

Assessment Number	Capital Improved Value	20% Fixed	80% Special Variable Rate	TOTAL
282212	\$ 876,000	\$ 111.11	\$ 381.64	\$ 492.75
282323	\$ 1,070,000	\$ 111.11	\$ 466.15	\$ 577.26
282297	\$ 1,384,000	\$ 111.11	\$ 602.95	\$ 714.06
282314	\$ 2,106,000	\$ 111.11	\$ 917.50	\$ 1,028.61
282164	\$ 7,420,000	\$ 111.11	\$ 3,232.58	\$ 3,343.69
282245	\$ 1,430,000	\$ 111.11	\$ 622.99	\$ 734.10
282264	\$ 1,224,000	\$ 111.11	\$ 533.25	\$ 644.36
285695	\$ 332,000	\$ 111.11	\$ 144.64	\$ 255.75
282276	\$ 1,728,000	\$ 111.11	\$ 752.82	\$ 863.93
282338	\$ 288,000	\$ 111.11	\$ 125.47	\$ 236.58
282213	\$ 804,000	\$ 111.11	\$ 350.27	\$ 461.38
285692	\$ 1,332,000	\$ 111.11	\$ 580.30	\$ 691.41
282205	\$ 1,002,000	\$ 111.11	\$ 436.53	\$ 547.64
282293	\$ 984,000	\$ 111.11	\$ 428.69	\$ 539.80
282210	\$ 630,000	\$ 111.11	\$ 274.46	\$ 385.57
282136	\$ 1,050,000	\$ 111.11	\$ 457.44	\$ 568.55
282260	\$ 532,000	\$ 111.11	\$ 231.77	\$ 342.88
282233	\$ 5,376,000	\$ 111.11	\$ 2,342.10	\$ 2,453.21
282160	\$ 530,000	\$ 111.11	\$ 230.90	\$ 342.01
285690	\$ 324,000	\$ 111.11	\$ 141.15	\$ 252.26
282185	\$ 1,350,000	\$ 111.11	\$ 588.14	\$ 699.25
282165	\$ 604,000	\$ 111.11	\$ 263.14	\$ 374.25
282153	\$ 3,692,000	\$ 111.11	\$ 1,608.45	\$ 1,719.56
282135	\$ 1,514,000	\$ 111.11	\$ 659.59	\$ 770.70
282230	\$ 1,198,000	\$ 111.11	\$ 521.92	\$ 633.03
283455	\$ 1,624,000	\$ 111.11	\$ 707.51	\$ 818.62
282186	\$ 1,114,000	\$ 111.11	\$ 485.32	\$ 596.43
282216	\$ 734,000	\$ 111.11	\$ 319.77	\$ 430.88
282335	\$ 876,000	\$ 111.11	\$ 381.64	\$ 492.75
282170	\$ 184,000	\$ 111.11	\$ 80.16	\$ 191.27
282256	\$ 754,000	\$ 111.11	\$ 328.49	\$ 439.60
282312	\$ 912,000	\$ 111.11	\$ 397.32	\$ 508.43
282337	\$ 400,000	\$ 111.11	\$ 174.26	\$ 285.37
282152	\$ 726,000	\$ 111.11	\$ 316.29	\$ 427.40
282305	\$ 884,000	\$ 111.11	\$ 385.12	\$ 496.23
285704	\$ 390,000	\$ 111.11	\$ 169.91	\$ 281.02
282192	\$ 230,000	\$ 111.11	\$ 100.20	\$ 211.31
282207	\$ 1,264,000	\$ 111.11	\$ 550.67	\$ 661.78
282236	\$ 1,228,000	\$ 111.11	\$ 534.99	\$ 646.10
282178	\$ 154,000	\$ 111.11	\$ 67.09	\$ 178.20
283463	\$ 576,000	\$ 111.11	\$ 250.94	\$ 362.05
282181	\$ 678,000	\$ 111.11	\$ 295.38	\$ 406.49

File Number: 17/220306
APPENDIX B: the proposed declaration of Special Rate and Charge

Assessment Number	Capital Improved Value	20% Fixed	80% Special Variable Rate	TOTAL
282194	\$ 510,000	\$ 111.11	\$ 222.19	\$ 333.30
282330	\$ 546,000	\$ 111.11	\$ 237.87	\$ 348.98
282259	\$ 1,252,000	\$ 111.11	\$ 545.44	\$ 656.55
282288	\$ 286,000	\$ 111.11	\$ 124.60	\$ 235.71
282222	\$ 1,300,000	\$ 111.11	\$ 566.36	\$ 677.47
282311	\$ 912,000	\$ 111.11	\$ 397.32	\$ 508.43
282162	\$ 500,000	\$ 111.11	\$ 217.83	\$ 328.94
282146	\$ 2,080,000	\$ 111.11	\$ 906.17	\$ 1,017.28
285707	\$ 2,152,000	\$ 111.11	\$ 937.54	\$ 1,048.65
282148	\$ 2,124,000	\$ 111.11	\$ 925.34	\$ 1,036.45
282242	\$ 2,172,000	\$ 111.11	\$ 946.25	\$ 1,057.36
282272	\$ 292,000	\$ 111.11	\$ 127.21	\$ 238.32
283460	\$ 308,000	\$ 111.11	\$ 134.18	\$ 245.29
282326	\$ 300,000	\$ 111.11	\$ 130.70	\$ 241.81
282188	\$ 400,000	\$ 111.11	\$ 174.26	\$ 285.37
282141	\$ 766,000	\$ 111.11	\$ 333.71	\$ 444.82
282183	\$ 1,354,000	\$ 111.11	\$ 589.88	\$ 700.99
282238	\$ 1,272,000	\$ 111.11	\$ 554.16	\$ 665.27
282157	\$ 600,000	\$ 111.11	\$ 261.39	\$ 372.50
282229	\$ 1,096,000	\$ 111.11	\$ 477.48	\$ 588.59
282266	\$ 792,000	\$ 111.11	\$ 345.04	\$ 456.15
282327	\$ 430,000	\$ 111.11	\$ 187.33	\$ 298.44
282262	\$ 1,038,000	\$ 111.11	\$ 452.21	\$ 563.32
282218	\$ 416,000	\$ 111.11	\$ 181.23	\$ 292.34
282265	\$ 1,784,000	\$ 111.11	\$ 777.21	\$ 888.32
283454	\$ 2,824,000	\$ 111.11	\$ 1,230.30	\$ 1,341.41
282308	\$ 678,000	\$ 111.11	\$ 295.38	\$ 406.49
282300	\$ 936,000	\$ 111.11	\$ 407.78	\$ 518.89
282195	\$ 582,000	\$ 111.11	\$ 253.55	\$ 364.66
282158	\$ 460,000	\$ 111.11	\$ 200.40	\$ 311.51
282237	\$ 1,358,000	\$ 111.11	\$ 591.62	\$ 702.73
282273	\$ 574,000	\$ 111.11	\$ 250.07	\$ 361.18
282161	\$ 570,000	\$ 111.11	\$ 248.32	\$ 359.43
282223	\$ 578,000	\$ 111.11	\$ 251.81	\$ 362.92
282261	\$ 914,000	\$ 111.11	\$ 398.19	\$ 509.30
282286	\$ 348,000	\$ 111.11	\$ 151.61	\$ 262.72
285700	\$ 450,000	\$ 111.11	\$ 196.05	\$ 307.16
282247	\$ 2,062,000	\$ 111.11	\$ 898.33	\$ 1,009.44
282180	\$ 186,000	\$ 111.11	\$ 81.03	\$ 192.14
282244	\$ 1,270,000	\$ 111.11	\$ 553.29	\$ 664.40
283095	\$ 500,000	\$ 111.11	\$ 217.83	\$ 328.94
282202	\$ 1,050,000	\$ 111.11	\$ 457.44	\$ 568.55

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APPENDIX B: the proposed declaration of Special Rate and Charge

Assessment Number	Capital Improved Value	20% Fixed	80% Special Variable Rate	TOTAL
282284	\$ 916,000	\$ 111.11	\$ 399.06	\$ 510.17
282291	\$ 1,208,000	\$ 111.11	\$ 526.27	\$ 637.38
282134	\$ 658,000	\$ 111.11	\$ 286.66	\$ 397.77
282315	\$ 2,186,000	\$ 111.11	\$ 952.35	\$ 1,063.46
282155	\$ 430,000	\$ 111.11	\$ 187.33	\$ 298.44
282295	\$ 970,000	\$ 111.11	\$ 422.59	\$ 533.70
282289	\$ 250,000	\$ 111.11	\$ 108.91	\$ 220.02
282339	\$ 288,000	\$ 111.11	\$ 125.47	\$ 236.58
282243	\$ 1,222,000	\$ 111.11	\$ 532.37	\$ 643.48
282283	\$ 1,130,000	\$ 111.11	\$ 492.29	\$ 603.40
282296	\$ 1,266,000	\$ 111.11	\$ 551.54	\$ 662.65
282282	\$ 2,698,000	\$ 111.11	\$ 1,175.40	\$ 1,286.51
282168	\$ 1,584,000	\$ 111.11	\$ 690.08	\$ 801.19
285705	\$ 372,000	\$ 111.11	\$ 162.06	\$ 273.17
282328	\$ 514,000	\$ 111.11	\$ 223.93	\$ 335.04
282131	\$ 1,522,000	\$ 111.11	\$ 663.07	\$ 774.18
282201	\$ 1,488,000	\$ 111.11	\$ 648.26	\$ 759.37
282267	\$ 790,000	\$ 111.11	\$ 344.17	\$ 455.28
282217	\$ 1,118,000	\$ 111.11	\$ 487.07	\$ 598.18
282219	\$ 236,000	\$ 111.11	\$ 102.82	\$ 213.93
282206	\$ 1,076,000	\$ 111.11	\$ 468.77	\$ 579.88
282179	\$ 186,000	\$ 111.11	\$ 81.03	\$ 192.14
285697	\$ 696,000	\$ 111.11	\$ 303.22	\$ 414.33
282331	\$ 570,000	\$ 111.11	\$ 248.32	\$ 359.43
282257	\$ 1,310,000	\$ 111.11	\$ 570.71	\$ 681.82
282342	\$ 2,250,000	\$ 111.11	\$ 980.23	\$ 1,091.34
282139	\$ 1,662,000	\$ 111.11	\$ 724.06	\$ 835.17
283458	\$ 576,000	\$ 111.11	\$ 250.94	\$ 362.05
282190	\$ 460,000	\$ 111.11	\$ 200.40	\$ 311.51
282225	\$ 1,536,000	\$ 111.11	\$ 669.17	\$ 780.28
282208	\$ 760,000	\$ 111.11	\$ 331.10	\$ 442.21
282215	\$ 812,000	\$ 111.11	\$ 353.75	\$ 464.86
282147	\$ 976,000	\$ 111.11	\$ 425.20	\$ 536.31
282301	\$ 960,000	\$ 111.11	\$ 418.23	\$ 529.34
283464	\$ 360,000	\$ 111.11	\$ 156.84	\$ 267.95
285702	\$ 494,000	\$ 111.11	\$ 215.21	\$ 326.32
282294	\$ 1,010,000	\$ 111.11	\$ 440.01	\$ 551.12
282145	\$ 1,200,000	\$ 111.11	\$ 522.79	\$ 633.90
282226	\$ 5,000,000	\$ 111.11	\$ 2,178.29	\$ 2,289.40
282232	\$ 1,146,000	\$ 111.11	\$ 499.26	\$ 610.37
282334	\$ 320,000	\$ 111.11	\$ 139.41	\$ 250.52
282228	\$ 1,524,000	\$ 111.11	\$ 663.94	\$ 775.05

File Number: 17/220306
APPENDIX B: the proposed declaration of Special Rate and Charge

Assessment Number	Capital Improved Value	20% Fixed	80% Special Variable Rate	TOTAL
282303	\$ 1,238,000	\$ 111.11	\$ 539.34	\$ 650.45
282220	\$ 314,000	\$ 111.11	\$ 136.80	\$ 247.91
282144	\$ 538,000	\$ 111.11	\$ 234.38	\$ 345.49
282177	\$ 182,000	\$ 111.11	\$ 79.29	\$ 190.40
282255	\$ 216,000	\$ 111.11	\$ 94.10	\$ 205.21
282240	\$ 1,354,000	\$ 111.11	\$ 589.88	\$ 700.99
282324	\$ 120,000	\$ 111.11	\$ 52.28	\$ 163.39
282150	\$ 726,000	\$ 111.11	\$ 316.29	\$ 427.40
285710	\$ 1,100,000	\$ 111.11	\$ 479.22	\$ 590.33
282306	\$ 1,808,000	\$ 111.11	\$ 787.67	\$ 898.78
282203	\$ 1,000,000	\$ 111.11	\$ 435.66	\$ 546.77
282167	\$ 816,000	\$ 111.11	\$ 355.50	\$ 466.61
285696	\$ 536,000	\$ 111.11	\$ 233.51	\$ 344.62
285698	\$ 1,206,000	\$ 111.11	\$ 525.40	\$ 636.51
282340	\$ 608,000	\$ 111.11	\$ 264.88	\$ 375.99
282319	\$ 974,000	\$ 111.11	\$ 424.33	\$ 535.44
282320	\$ 844,000	\$ 111.11	\$ 367.70	\$ 478.81
282321	\$ 844,000	\$ 111.11	\$ 367.70	\$ 478.81
	\$ 229,538,000	\$ 25,000.00	\$ 100,000.00	\$ 125,000.00

File Number: 17/220306
APPENDIX B: the proposed declaration of Special Rate and Charge

9.13 Notices of Motion Quarterly Report

File No: FOL/17/11

Author: Rosie Ferreira
Governance Officer

Directorate: Organisational Performance

Purpose

This report presents all Notices of Motion that have been endorsed within the current Council term for the period 10 November 2016 to 31 August 2017.

Executive Summary

- From 10 November 2016 to 31 August 2017, Councillors presented 27 Notices of Motion to Council, with all of these being endorsed. Of these 27 Notices of Motion, 15 have now been successfully completed (56 percent), whilst the other twelve remain ongoing.
- A report on these Notices of Motion for the current Council term is provided as **Appendix A** – separately circulated.
- Moving forward, this report is to be provided to Council on a quarterly basis.

Recommendation

That Council:

1. Receive and note the report on all endorsed Notices of Motion for the period 10 November 2016 to 31 August 2017.
2. Note that a report on Notices of Motion is to be presented to Council on a quarterly basis, with the next report to be provided in October 2017.

Background

Notices of Motion can be used by Councillors to request action in relation to a specific matter or issue. Notices of Motion must be moved, seconded and adopted in the same manner as other motions that are put up to Council to resolve.

As per Moonee Valley's current Meeting Procedure Protocol, it is a requirement for Notices of Motion to be lodged with the Chief Executive Officer at least five days prior to the meeting at which they are intended to be moved. In the event that a Councillor who has raised a particular Notice of Motion be absent from the meeting, it can be moved by any other Councillor in their absence.

Discussion

From 10 November 2016 to 31 August 2017, Councillors presented 27 Notices of Motion to Council, with all of these being endorsed. Of these 27 Notices of Motion, 15 have been successfully completed (56 percent), whilst the other twelve remain ongoing.

Appendix A – separately circulated, provides a report that outlines all of the Notices of Motion that were endorsed by Council between 10 November 2016 and 31 August 2017 and includes the current status of each.

Consultation

The nature of this report does not require any consultation.

1. Legislative

There are no legislative implications from the presentation of this report.

2. Council Plan / Policy

In presenting this report to council, council is achieving its Strategic Objective to Create a resilient organisation in accordance with Council Plan 2017-2021 Theme 5: A resilient organisation that is sustainable, innovative, engaging 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

By receiving and noting this report, Council is aware of the work that has been undertaken by officers in relation to all of the Notices of Motion that have been endorsed by Council between 10 November 2016 and 31 August 2017.

Appendices

Appendix A: Notices of Motion 2016-17 Council term (separately circulated).

9.14 Independent Member Appointment to the Audit and Advisory Committee

File No: FOL/17/11
Author: Damian Hogan
Manager Finance Operations
Directorate: Financial Services

Purpose

The purpose of this report is to allow Council to make an external re-appointment to its Audit Advisory Committee.

Executive Summary

- Council has an Audit Advisory Committee which operates under the Terms of Reference (Charter) approved on 24 November 2015.
- The term of one of the current independent members, Mr John Gavens, is due to expire on 30 September 2017.
- The Charter specifies that existing members can re-apply for a new term and be reappointed, through a resolution of Council, without the need to invite applications by public advertisement. This may occur only once for each external member.

Recommendation

That Council re-appoint Mr John Gavens as an independent member of the Audit Committee for a period of three years from 1 October 2017.

Background

The Audit Committee membership consists of three Councillors and four external independent members.

The appointment of external members is to be made on a rolling basis to ensure continuity of knowledge and experience in local Council issues. Of the three other independent members, their terms expire in September 2018, March 2019 and March 2020.

Discussion

The Charter specifies that existing members can re-apply for a new term and be reappointed, through a resolution of Council, without the need to invite applications by public advertisement. This may occur only once for each external member.

Mr John Gavens has contacted Council seeking re-appointment of his position as an independent member of the audit committee. As this will be his first application for re-

appointment on the audit committee, there is no requirement to invite applications by public advertisement.

By appointing Mr John Gavens for a period of three years to October 2020, it ensures continuity of the independent members on a rolling basis as prescribed in the Audit Committee Charter.

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 be advisory in nature.

2. Council Plan / Policy

In presenting this report to Council, Council is achieving its Strategic Objective to Demonstrate to ratepayers that Moonee Valley is financially sustainable in accordance with Council Plan 2017-2021 Theme 5: Resilient Organisation.

3. Financial

External members of the Audit Committee are remunerated at the following rates:

Chairperson: \$9,500 (\$2,375 per quarter)

Members: \$8,000 (\$2,000 per quarter).

4. Environmental

There are no environmental implications resulting from this report.

Conclusion

It is recommended that Council re-appoint Mr John Gavens to Council's Audit Advisory Committee for a period of three years, commencing 1 October 2017.

Appendices

Nil.

NOTICES OF MOTION

10.1 Notice Of Motion No. 2017/24 - Leisure Centre Management

File No: FOL/17/11

From: Councillor Nicole Marshall

Take notice that at the Ordinary Meeting of Council to be held on 26 September 2017 it is my intention to move that the CEO provide a report which details the third party arrangements entered into by Belgravia in relation to the use of the Ascot Vale Leisure Centre (AVLC) (other than the medical and allied health services) and the additional fee for service programming conducted by or on behalf of Belgravia including reviewing whether those arrangements:

1. Are consistent with contractual obligations and Council policies, including relating to the use of Council facilities;
2. With those third party and/or fee for service arrangements, are limiting the ability of members and community users to have appropriate access to and use of the AVLC, including during peak times; and
3. Provide an opportunity to work with Belgravia to improve access to the facilities.

Officer Comments

The Notice of Motion is supported.

Council Officers are currently auditing all three contracted leisure services:

1. Ascot Vale Leisure Centre;
2. East Keilor Leisure Centre and Queens Park Pool; and
3. Riverside Golf and Tennis

to proactively manage the provision of community leisure services.

The audits conduct a performance review against KPIs and identify social value indicators to proactively address the health and wellbeing commitments within the Council Plan. Officers have also confirmed a commitment by Belgravia Leisure to undertake program planning in response to community need to ensure priority of access is provided to those in need, including issues of affordability, fees and membership structure.

10.2 Notice Of Motion No. 2017/25 - Reinstatement of Roads

File No: FOL/17/11

From: Councillor Nicole Marshall

Take notice that at the Ordinary Meeting of Council to be held on 26 September 2017 it is my intention to move that:

1. In light of Council continually facing issues with the delayed and below standard reinstatement of roads under its management due to works undertaken by relevant service authorities, the CEO write to the Minister for Roads and Local State Members of Parliament requesting amendments to the Road Management Act 2004 to enable the reinstatement works to be transferred to Council, at the cost of the relevant authority or alternatively that controls are put in place to require service authorities to undertake reinstatement works in a timely manner and to Council's local road service level standard.
2. A report be brought back to Council by an ordinary council meeting by December 2017 setting out whether there is any opportunity to recoup the costs for the reinstatement of roads to the local road service level standard required by Council from planning permit applicants where the requirement for those reinstatement works can be directly attributed to the particular development in question.
3. Council write to the service authorities requesting they work together to better understand the timing of works proposed by service authorities to enable appropriate coordination of the respective works of Council and the service authority.

Officer Comments

The Notice of Motion is supported.

The *Road Management Act 2004* (the Act) and its regulations requires utilities, providers of public transport and road authorities to work together cooperatively to facilitate the installation, maintenance and operation of road and non-road infrastructure within road reserves. This cooperation in turn decreases disruption to the public (road and footpath users and traders) and will provide for a lower overall cost of the maintenance of infrastructure to the community. It is Moonee Valley's experience that cooperation from utilities is not as the Act envisaged. It is Moonee Valley's experience that utilities are primarily interested in the preservation of their infrastructure and they treat preservation of our road and footpath infrastructure with minor consideration and are acting in a self-interested approach.

Reinstatement works were once undertaken by Council at the cost of the utility. However, now under powers of the Act, utilities using sub-contractors are undertaking their own reinstatement works. It is in the interest of the utility to minimise pavement reinstatement cost. This has resulted in a diminished local road service level standard.

A change that would provide for utilities maintaining their infrastructure and Council's reinstating the road infrastructure, at the cost of the utility, would see utilities and road authorities acting in the best interests of the citizens that they serve. The transfer of this responsibility would require an amendment to the Road Management Act 2004 and is a highly desirable outcome.

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 Major Community Facility Projects (EKLC, Niddrie Library & Highball Stadium)

Item 12.1 is Confidential under the terms section 89(2) of the Local Government Act 1989 as it contains information relating to: (e) proposed developments.