Ordinary Meeting of Council
Tuesday, 27 March 2018 at 6.30pm

Agenda
Ordinary Meeting of Council

Tuesday, 27 March 2018 at 6.30pm

to be held at the Moonee Valley Civic Centre

TO:

Members:  
Cr John Sipek  Mayor
Cr Samantha Byrne
Cr Jim Cusack
Cr Rebecca Gauci Maurici
Cr Richard Lawrence
Cr Nicole Marshall
Cr Cam Nation
Cr Narelle Sharpe
Cr Andrea Surace

Officers:  
Mr Bryan Lancaster  Chief Executive Officer
Ms Kendrea Pope  Director Organisational Performance
Ms Natalie Reiter  Director Planning & Development
Mr Carey Patterson  A/Director City Services
Mr Gil Richardson  A/Director Asset Planning & Strategic Projects
Mr Petrus Barry  Manager Statutory Planning
Ms Allison Watt  Manager Communications & Governance
Business:

1. Opening

2. Apologies

3. Confirmation of Minutes
   Ordinary Meeting of Council held on Tuesday, 13 March 2018.

4. Declarations of Conflict of Interest

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6. Petitions and Joint Letters

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11. Urgent Business

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Nil.

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BRYAN LANCASTER
Chief Executive Officer
Recommendation
That reports by the Mayor and Councillors be received.

8.1 Report by Mayor, Councillor Sipek
1 February 2018 Participated in a Video Script for the New Pavilion at Fairbairn Park
Attended meeting with Community Planning Officers regarding a Grants enquiry
2 February 2018 Attended meeting with Manager Statutory Planning regarding a planning application
Attended Official Opening of “Blinkbonnie House” at Lowther Hall Anglican Grammar School, Essendon
5 February 2018 Attended Valley Lake 2A – Local Area Traffic Management meeting
6 February 2018 Attended Land Acquisition Committee meeting with Chief Financial Officer and Councillors held at Flemington Community Centre
Chair Strategic Briefing
7 February 2018 Attended meeting with resident
Attended briefing with Manager Leisure and Arts and Culture officers to discuss 2018 Spirit of Moonee Valley event and future Golf Event
8 February 2018 Officially Launched the Re-Opening of Riverside Park, Aberfeldie
10 February 2018 Attended meeting with Airport West resident
11 February 2018 Attended World X1 Cricket Test held at Overland Reserve, Keilor East
Attended East Keilor Cricket Club’s Multicultural Family Day Big Bash 2018
12 February 2018 Attended meeting with Cr Richard Lawrence, The Hon David Davis MP and representatives
Attended Councillor Workshop – Introduction to Budget Process 2018/19
13 February 2018 Chaired Ordinary Meeting of Council
14 February 2018 Attended Summer Reading Club Party held at Avondale Heights Library and Learning Centre
<table>
<thead>
<tr>
<th>Date</th>
<th>Event Details</th>
</tr>
</thead>
</table>
| 16 February 2018 | Attended Western Region Mayoral Lunch hosted by Brimbank Council held at St Albans Community Centre and Bowery Theatre, St Albans  
Attended meeting with Chief Financial Officer regarding Budget discussions  
Attended meeting with Transport and Major Projects Officers regarding Rosehill Local Area Traffic Management  
Attended meeting with Chief Executive Officer and Representative from Penleigh and Essendon Grammar School regarding speed signage near school |
| 17 February 2018 | Attended Chinese New Year Outdoor Cinema Event held in Pin Oak Crescent, Flemington |
| 19 February 2018 | Attended meeting with Director Organisational Development and Manager Governance and Communications to discuss format for Public Forum on the 20th of February |
| 20 February 2018 | Attended meeting with Chief Executive Officer and The Hon Jacinta Allan MP at Parliament House  
Chaired Strategic Briefing |
| 22 February 2018 | Participated in radio interview with 98.9 North West FM Studio  
Attended LGPRO Award for Excellence Dinner held at Melbourne Convention Centre |
| 23 February 2018 | Attended inspection of Council’s Bee Program with Councillor from Mornington Shire and Officers  
Attended Lunar New Year Luncheon hosted by Indochinese Elderly Refugees Association held in West Footscray  
Participated in video promotion for Moonee Valley Festival  
Participated in judging panel for “Fireworks” at the Incinerator Arts Complex, Moonee Ponds  
Attended meeting with Manager Leisure and Officers regarding to discuss the draft Sports Portfolio Advisory Committee agenda  
Participated in video filming at the Incinerator Gallery Arts Complex, Moonee Ponds  
Opened the “Fireworks Art and Design” Exhibition at the Incinerator Gallery |
Attended Ascot Vale Italian Pensioner Group meeting

25 February 2018
Attended Moonee Valley Festival held in Queen’s Park, Moonee Ponds

27 February 2018
Chaired Ordinary Meeting of Council

28 February 2018
Attended meeting with Manager Leisure and Arts & Culture Officer regarding Fairbairn Park Pavilion Launch

Chaired Sports and Community Portfolio Advisory Committee meeting

1 March 2018
Attended visit at Vocal Art Studios, Airport West

Attended on-site meeting with Airport West Football Club Committee Members

2 March 2018
Attended meeting with Council Officer regarding Trugo Club concerns

Attended meeting with Director City Services

Attended meeting with Stakeholders and Manager Statutory Planning regarding municipal issue

Attended meeting with Ben Carroll MP, State Member for Niddrie, Deputy regarding Municipal Issues

3 March 2018
Attended Discus Cage Opening at Aberfeldie

Attended Essendon Ladies Cricket Club Past Players and Sponsors Afternoon Tea event at Aberfeldie

Attended meeting with Airport West Football Club President and Committee Members

Opened March Outdoor Cinema event in Moonee Ponds

4 March 2018
Attended Community Garden Unveiling of Mosaic with Ben Carroll MP State Member for Niddrie in River Drive

6 March 2018
Chaired Strategic Briefing Session

8.2 Report by Councillor Byrne

5 February 2018
Chaired ANZAC Centenary Community Coordinating Committee meeting

6 February 2018
Participated in Tour of Flemington Estate

Attended Strategic Briefing

8 February 2018
Attended the Launch of the Re-Opening of Riverside Park, Aberfeldie
<table>
<thead>
<tr>
<th>Date</th>
<th>Event Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>12 February 2018</td>
<td>Attended Councillor Workshop – Introduction to Budget Process 2018/19</td>
</tr>
<tr>
<td>13 February 2018</td>
<td>Attended Ordinary Meeting of Council</td>
</tr>
<tr>
<td>14 February 2018</td>
<td>Attended 2018 Board Accelerator Group Coaching Program for Women</td>
</tr>
<tr>
<td></td>
<td>Attended February LeadWest Board meeting held at Melton Library and Learning Hub, Melton</td>
</tr>
<tr>
<td>19 February 2018</td>
<td>Attended meeting with Director Organisational Development and Manager Governance and Communications</td>
</tr>
<tr>
<td>20 February 2018</td>
<td>Attended Public Forum</td>
</tr>
<tr>
<td></td>
<td>Attended Strategic Briefing</td>
</tr>
<tr>
<td>22 February 2018</td>
<td>Participated in radio interview with 98.9 North West FM Studio</td>
</tr>
<tr>
<td></td>
<td>Attended meeting with Director City Services and Manager Community Strengthening</td>
</tr>
<tr>
<td></td>
<td>Participated in photo opportunity for The Leader Newspaper in Lincoln Park, Essendon</td>
</tr>
<tr>
<td>23 February 2018</td>
<td>Attended the “Fireworks Art and Design” Exhibition at the Incinerator Gallery</td>
</tr>
<tr>
<td>25 February 2018</td>
<td>Attended Moonee Valley Festival held in Queens Park, Moonee Ponds</td>
</tr>
<tr>
<td>26 February 2018</td>
<td>Hosted St Monica’s Primary School visit to Council Chambers to take part in the “Governance School Program”</td>
</tr>
<tr>
<td></td>
<td>Attended on site meeting with Avondale Heights Football (Soccer) Club representatives</td>
</tr>
<tr>
<td></td>
<td>Attended Audit Committee meeting</td>
</tr>
<tr>
<td>27 February 2018</td>
<td>Attended meeting with resident at Civic Centre</td>
</tr>
<tr>
<td></td>
<td>Attended Ordinary Meeting of Council</td>
</tr>
<tr>
<td>28 February 2018</td>
<td>Attended Health and Community Wellbeing in Melbourne’s West Meeting with Manager Community Planning and Officers</td>
</tr>
<tr>
<td></td>
<td>Attended Combined Portfolio Advisory Committee meeting – Leisure and Active Community and Sports and Community Organisation</td>
</tr>
<tr>
<td>2 March 2018</td>
<td>Attended meeting with Ben Carroll MP, State Member for Niddrie, Mayor, Cr John Sipek regarding Municipal Issues</td>
</tr>
</tbody>
</table>
3 March 2018  Attended Discus Cage Opening in Aberfeldie
               Attended Essendon Ladies Cricket Club Past Players, Sponsors Day and Afternoon Tea Event in Aberfeldie Park

4 March 2018  Attended Avondale Heights Garden Open Day

6 March 2018  Attended Meeting with Chief Executive Officer and Council Officer
               Attended meeting with Director City Services
               Attended Strategic Briefing Session

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

8.3  Report by Councillor Cusack

5 February 2018  Attended ANZAC Centenary Community Coordinating Committee Meeting

6 February 2018  Attended Tour of Flemington Estate with Councillors and Officers

13 February 2018  Attended Ordinary Meeting of Council

18 February 2018  Attended Ward meeting in Ascot Vale
               Attended Moonee Valley Bowls Club Fundraiser Event

20 February 2018  Attended Public Forum and Strategic Briefing Session

25 February 2018  Attended Moonee Valley Festival Event in Queens Park

27 February 2018  Attended Ordinary Meeting of Council

4 March 2018  Attended Community Garden Open Day in Avondale Heights

28 February – 6 March  Leave of Absence from Council

8.4  Report by Councillor Gauci Maurici

6 February 2018  Attended Tour of Wingate Avenue Estate with Councillors and Officers
               Attended Strategic Briefing Session

7 February 2018  Attended Consultation Briefing and Meeting regarding 15 Talbot Road, Strathmore planning application
               Attended Consultation Briefing and Meeting regarding 164 Mascoma Street, Strathmore planning application
<table>
<thead>
<tr>
<th>Date</th>
<th>Event Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>11 February 2018</td>
<td>Attended Open Day Hosted by Strathmore Tennis Club</td>
</tr>
<tr>
<td>12 February 2018</td>
<td>Attended Councillor Workshop – Introduction to Budget Process 2018/19</td>
</tr>
<tr>
<td>13 February 2018</td>
<td>Attended Photo opportunity at Baseball Pavilion Boeing Reserve</td>
</tr>
<tr>
<td>17 February 2018</td>
<td>Judged Essendon Lions Youth of the Year Awards</td>
</tr>
<tr>
<td>19 February 2018</td>
<td>Judged Essendon Lions Youth of the Year Awards Final</td>
</tr>
<tr>
<td>20 February 2018</td>
<td>Attended Budget Briefing Session</td>
</tr>
<tr>
<td>21 February 2018</td>
<td>Attended meeting with officer regarding Street Naming Proposal</td>
</tr>
<tr>
<td>25 February 2018</td>
<td>Attended Moonee Valley’s Festival in Queens Park</td>
</tr>
<tr>
<td>26 February 2018</td>
<td>Attended Audit Committee meeting</td>
</tr>
<tr>
<td>27 February 2018</td>
<td>Attended meeting with Cooper Street, Essendon resident and fellow Councillors and Officer</td>
</tr>
<tr>
<td>2 March 2018</td>
<td>Attended Valley Vibes Event in Lincoln Park, Essendon</td>
</tr>
<tr>
<td>6 March 2018</td>
<td>Attended Strategic Briefing Session</td>
</tr>
<tr>
<td></td>
<td>Throughout reporting period – Attendances at planning application sites and meetings with residents in relation to issues of concern</td>
</tr>
</tbody>
</table>

### 8.5 Report by Councillor Lawrence

<table>
<thead>
<tr>
<th>Date</th>
<th>Event Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>6 February 2018</td>
<td>Attended Tour of Wingate Avenue Estate</td>
</tr>
<tr>
<td>7 February 2018</td>
<td>Attended Airport Tour with Council Officers</td>
</tr>
<tr>
<td>8 February 2018</td>
<td>Attended Riverside Park Re-Opening Event</td>
</tr>
<tr>
<td>Date</td>
<td>Activity</td>
</tr>
<tr>
<td>--------------------</td>
<td>--------------------------------------------------------------------------</td>
</tr>
<tr>
<td>9 February 2018</td>
<td>Attended meeting with West of Melbourne Magazine Editor</td>
</tr>
<tr>
<td></td>
<td>Attended St Thomas Men’s Group BBQ</td>
</tr>
<tr>
<td>12 February 2018</td>
<td>Attended Councillor Workshop – Introduction to Budget Process 2018/19</td>
</tr>
<tr>
<td>13 February 2018</td>
<td>Attended Photo opportunity at Baseball Pavilion Boeing Reserve</td>
</tr>
<tr>
<td></td>
<td>Attended Ordinary Meeting of Council</td>
</tr>
<tr>
<td>20 February 2018</td>
<td>Attended meeting with Officer regarding Street Naming Proposal</td>
</tr>
<tr>
<td></td>
<td>Attended Public Forum and Strategic Briefing Session</td>
</tr>
<tr>
<td>23 February 2018</td>
<td>attended on-site meeting with Essendon North resident</td>
</tr>
<tr>
<td>25 February 2018</td>
<td>Attended Moonee Valley Festival in Queen’s Park</td>
</tr>
<tr>
<td>27 February 2018</td>
<td>Attended Rotary Club of Essendon Lunch meeting</td>
</tr>
<tr>
<td></td>
<td>Attended Ordinary Meeting of Council</td>
</tr>
<tr>
<td>28 February 2018</td>
<td>Opened Procurement Supplier Forum at Clocktower Centre, Moonee Ponds</td>
</tr>
<tr>
<td></td>
<td>Chaired Combined Leisure and Active Community and Sports and Community Organisation’s Committee Meeting</td>
</tr>
<tr>
<td>6 March 2018</td>
<td>Attended Strategic Briefing Session</td>
</tr>
</tbody>
</table>

8.6 **Report by Councillor Marshall**

<table>
<thead>
<tr>
<th>Date</th>
<th>Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>3 February 2018</td>
<td>Attended TET Festival</td>
</tr>
<tr>
<td>6 February 2018</td>
<td>Attended Land Acquisition Meeting</td>
</tr>
<tr>
<td></td>
<td>Attended Tour of Wingate Avenue Estate</td>
</tr>
<tr>
<td></td>
<td>Attended Strategic Briefing Session</td>
</tr>
<tr>
<td>7 February 2018</td>
<td>Chaired Consultation Briefing and Meeting regarding 454-470 Racecourse Road, Flemington planning application</td>
</tr>
<tr>
<td>11 February 2018</td>
<td>Attended on-site meeting in Maribyrnong Road</td>
</tr>
<tr>
<td>12 February 2018</td>
<td>Attended Councillor Workshop – Introduction to Budget Process 2018/19</td>
</tr>
<tr>
<td>13 February 2018</td>
<td>Attended Ordinary Meeting of Council</td>
</tr>
<tr>
<td>15 February 2018</td>
<td>Attended on-site meeting in Darling Street</td>
</tr>
<tr>
<td>19 February 2018</td>
<td>Chaired Environment Portfolio Advisory Committee Meeting</td>
</tr>
</tbody>
</table>
20 February 2018   Attended Strategic Briefing Session
21 February 2018   Attended meeting with Chief Executive Officer and Executive Officer
                      Chaired Consultation Briefing and Meeting regarding 49 Railway Place West, Flemington planning application
22 February 2018   Attended meeting with Officers regarding Proposed Notice of Motion
25 February 2018   Attended Moonee Valley Festival in Queen’s Park
27 February 2018   Meeting with Officers regarding Green Bins in Apartments
                      Attended Ordinary Meeting of Council
3 March 2018       Attended Discus Cage Opening
                      Attended Essendon Ladies Cricket Past Players, Supporters and Sponsors Afternoon Tea Event in Aberfeldie
4 March 2018       Attended Community Garden Open Day in Avondale Heights
                      Attended Moonee Ponds Primary School Fete
6 March 2018       Attended meeting with Director City Works regarding Competitive Neutrality at East Keilor Leisure Centre
                      Attended Strategic Briefing Session
Throughout reporting period – Attendances at planning application sites and meetings with residents in relation to issues of concern

8.7 Report by Councillor Nation
1 February – 6 March 2018   Verbal Report

8.8 Report by Councillor Sharpe
1 February – 6 March 2018   Verbal Report

8.9 Report by Councillor Surace
5 February 2018   Attended ANZAC Centenary Community coordinating Committee Meeting
                      Attended Valley Lake Local Area Traffic Management Group Meeting
6 February 2018   Attended Tour of Wingate Avenue Estate
                      Attended Strategic Briefing Session
<table>
<thead>
<tr>
<th>Date</th>
<th>Event Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>7 February 2018</td>
<td>Attended Melbourne Airport Tour&lt;br&gt;Attended Metropolitan Transport Forum Meeting at Melbourne Town Hall</td>
</tr>
<tr>
<td>8 February 2018</td>
<td>Attended Riverside Park Re-Opening Launch</td>
</tr>
<tr>
<td>12 February 2018</td>
<td>Attended Councillor Workshop: Introduction to Budget Process 2018/19</td>
</tr>
<tr>
<td>13 February 2018</td>
<td>Attended Ordinary Meeting of Council</td>
</tr>
<tr>
<td>14 February 2018</td>
<td>Attended meeting with Council Officer regarding Rosehill Local Area Traffic Management issues&lt;br&gt;Attended meeting with Council’s Chief Financial Officer regarding 2018/19 Budget issues</td>
</tr>
<tr>
<td>15 February 2018</td>
<td>Attended Metropolitan Transport Forum Meeting at Municipal Association of Victoria</td>
</tr>
<tr>
<td>19 February 2018</td>
<td>Attended on-site meeting with Moonee Pond resident</td>
</tr>
<tr>
<td>20 February 2018</td>
<td>Attended meeting with Officer regarding Freedom Of Information update&lt;br&gt;Attended Public Forum and Strategic Briefing Session</td>
</tr>
<tr>
<td>23 February 2018</td>
<td>Attended Exhibition Opening “Fireworks” at Incinerator Gallery</td>
</tr>
<tr>
<td>25 February 2018</td>
<td>Attended Moonee Valley Festival in Queen’s Park</td>
</tr>
<tr>
<td>26 February 2018</td>
<td>Attended St Monica’s Primary School visit to Council Chamber&lt;br&gt;Attended on-site meeting with Essendon Residents</td>
</tr>
<tr>
<td>27 February 2018</td>
<td>Attended meeting with Clarke Street resident and Council Officers&lt;br&gt;Attended Ordinary Meeting of Council</td>
</tr>
<tr>
<td>28 February 2018</td>
<td>Attended Anzac Centenary Community Sub-Committee meeting</td>
</tr>
<tr>
<td>1 March 2018</td>
<td>Attended meeting with The Hon David Davis in East Melbourne through Melbourne Transport Forum Executive</td>
</tr>
</tbody>
</table>
## Reports

### 9.1 164 Mascoma Street, Strathmore (Lot 117 on Plan of Subdivision 057622)

<table>
<thead>
<tr>
<th>Planning File No.</th>
<th>MV/716/2017</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proposal</td>
<td>Construction of two part double and triple storey attached dwellings</td>
</tr>
<tr>
<td>Applicant</td>
<td>ARCHSIGN P/L</td>
</tr>
<tr>
<td>Owner</td>
<td>M E Waixel</td>
</tr>
<tr>
<td>Planning Scheme Controls</td>
<td>General Residential Zone</td>
</tr>
<tr>
<td>Planning Permit Requirement</td>
<td>Clause 32.08-6 – Construct two or more dwellings on a lot</td>
</tr>
<tr>
<td>Car Parking Requirements</td>
<td>Required 4 car spaces</td>
</tr>
<tr>
<td>(Clause 52.06)</td>
<td>Proposed 4 car spaces</td>
</tr>
<tr>
<td>Bicycle Requirements</td>
<td>N/A</td>
</tr>
<tr>
<td>Restrictive Covenants</td>
<td>N/A</td>
</tr>
<tr>
<td>Easements</td>
<td>Yes, 2.44 metres wide drainage and sewerage easement along the north boundary</td>
</tr>
<tr>
<td>Site Area</td>
<td>534 square metres</td>
</tr>
<tr>
<td>Number Of Objections</td>
<td>10</td>
</tr>
<tr>
<td>Consultation Meeting</td>
<td>7 FEBRUARY 2018</td>
</tr>
</tbody>
</table>
Executive Summary

- This application seeks approval for the construction of two dwellings.
- The site is approximately 534 square metres in area and is located on the northern side of Mascoma Street, Strathmore.
- The application was advertised with 10 objections received. Concerns were raised in relation to the neighbourhood character, built form, overdevelopment, on-site and off-site amenity, non-compliance with Clause 55, traffic and parking impacts including negotiating with existing Bus Stop and loss of the Lily Pilly naturestrip street tree.
- A Consultation Meeting was held on 7 February 2018, which was attended by Councillors Gauci Maurici, Lawrence and Sharpe, Objectors, the Applicant and Council’s Planning Officer. While no resolution was achieved at the meeting, the applicant formally amended the application in accordance with Section 57A of the Planning and Environment Act 1987, in an effort to respond to the concerns raised by objectors (refer Appendix A).
- The application was internally referred to Council’s Development Engineering (Drainage) Unit, Development Engineering (Traffic) Unit and Environmental Sustainable Design (ESD) Officer. Conditional support to the application was provided.
- 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, which is close to public open space including a sporting and community facilities, primary and secondary schools and a small active mixed use zoned commercial strip with a supermarket, convenience shop and eateries.
- The proposal achieves a high level of compliance with the quantifiable standards of ResCode, with five technical non-compliance; character, street setback, overlooking, no landscaping plan provided and no provision for a minimum 6m3 external storage units for each dwelling. The areas of non-compliance will be addressed by way of conditions on any permit issued.
- The proposed development depicts an appropriate built form that provides a good 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 provisions of the Moonee Valley Planning Scheme. It is recommended a Notice of Decision to Grant a Permit be issued subject to conditions.
Recommendation

That Council issues a Notice of Decision to Grant a Permit in relation to Planning Permit Application No. MV/716/2017 for the Construction of two dwellings at 164 Mascoma Street, Strathmore (Lot 117 on Plan of Subdivision 057622), 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 plans submitted and assessed with the application but modified to show:
   a) Street setback to comply with Standard B6 of Clause 55-03-1 (Street setback objective) of the Moonee Valley Planning Scheme;
   b) The Dwelling 2 Master Bedroom east facing window to be in accordance with Standard B22 Clause 55.04-6 (Overlooking) of the Moonee Valley Planning Scheme;
   c) Balconies screening notation amended to be in accordance with Standard B22 Clause 55.04-6 (Overlooking) of the Moonee Valley Planning Scheme;
   d) An external storage unit provided and be dimensioned to comply with Standard B30 of Clause 55.05-6 (Storage) of the Moonee Valley Planning Scheme for each dwelling;
   e) Amended schedule of all external material and finishes. The schedule must show the material, colour (including colour samples) and finishes of all external walls, roof, fascias, windows frames, fences and paving, with the render [2] monument Dulux colour replaced with lighter/warmer colour tone.
   f) All Water Sensitive Urban Design treatments and associated notations consistent with Condition 3 Storm Rating Report/s;
   g) A cross-section of driveway permeable paving replacing the lower geotextile layer with an impervious linear;
   h) All permeable and non-permeable areas to be noted on the floor plans consistent with Storm Rating report/s;
   i) A prominent street tree protection notation on all relevant plans in accordance with Condition 16; and
   j) A Landscape plan in accordance with Condition 17.

   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/s 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. 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.

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 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 Guide or a Building Maintenance Guide.

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

8. Before the 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.

9. 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.

10. 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.

11. Before the buildings approved by this permit are occupied, all boundary fencing must be erected as per the endorsed plans. The cost of such fencing must be met by the owner and carried out to the satisfaction of the Responsible Authority.

12. 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.

13. Before the building/s approved by this permit is/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.

14. 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(s) must be removed and the area reinstated to footpath, nature strip and kerb and channel to the satisfaction of the Responsible Authority.

   All vehicle access points must be located a minimum of 1.0 metre from any infrastructure including service pits. Alternatively, such assets may be
incorporated into the crossover with the prior written consent of the Responsible Authority and the relevant servicing authority/agency. Subsequent works and costs in association with relocation and/or amendment must be incurred at the owner’s cost, to the satisfaction of the relevant servicing authority/agency and the Responsible Authority.

15. Provision must be made for the drainage of the land including landscaped and pavement areas. The discharge of water from the land must be controlled around its limits to prevent any discharge onto any adjoining or adjacent property or streets other than by means of an underground pipe drain which is discharged to an approved legal point of discharge to the satisfaction of the Responsible Authority.

16. The following street tree/nature strip protection measures must be undertaken;
   a) The street tree located within the (Mascoma 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 street tree located within the (Mascoma 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.

17. Before the development starts, or any trees or vegetation removed, a landscape plan (an electronic copy) prepared by a suitably qualified person or firm shall be submitted to and approved to the satisfaction of the Responsible Authority. The landscape plan must be drawn to scale, with dimensions, and be generally in accordance with the plans submitted with the application but modified to show:
   a) Any changes required by Condition 1 of this permit;
   b) A planting schedule of all proposed vegetation (trees, shrubs and ground covers) which includes, botanical names, common names, pot size, mature size and total quantities of each plant;
   c) The planting of medium / large sized canopy trees (minimum of 4 metres in height) within the front setback area and a small tree within the SPOS area of each dwelling;
   d) The use of non-invasive plant species within any easements which will ensure that existing infrastructure assets are not damaged by root systems;
   e) The use of drought tolerant species;
   f) Features such as paths, paving and accessways shown on ground floor plan;
   g) All planting abutting the accessway(s) and land frontage to have a maximum mature height of no more than 900mm in accordance with Clause 52.06-9 (Design Standards for car parking) of the Moonee Valley Planning Scheme; and
   h) 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.

18. The garden areas shown on the endorsed plan and schedule must only be used as gardens and must be constructed, completed and maintained in a proper, tidy and healthy condition to the satisfaction of the Responsible Authority. Any tree or shrub damaged, removed or destroyed must be replaced by a tree or shrub of similar size and variety to the satisfaction of the Responsible Authority.

19. This permit will expire if:
   a) the development does not start within two (2) years of the date of issue of this permit, or
   b) the development is not completed within four (4) years of the date of issue of this permit.

Before the permit expires, or within six (6) months afterwards, the owner or occupier of the land may 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 commencement of the development occurs, the applicant should contact Moonee Valley City Council on 9243 8888 regarding legal point of discharge, new crossings, building over easements etc.
- 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.
- No on street parking permits will be provided to the occupiers of the land.
- All works undertaken within any existing road reserves must accord with the requirements of Moonee Valley City Council and to the satisfaction of the Responsible Authority.

1. Introduction

1.1 Subject Site and Surrounds

The site is located on the northern side of Mascoma Street. It is an irregular shape, with a width of 15.24 metres along the front, 12.06 metres along the rear, a depth of 36.20 metres and a total area of approximately 534 square metres. The topography of the site has a significant fall of approximately three metres to the northern (rear) boundary.

A single storey brick dwelling currently occupies the site with a single accessway and crossover adjoining the south-east boundary. A single
garage and a large private open space are situated at the rear of the dwelling.

Low to moderate levels of landscaping are found throughout the site and the street boundary is unfenced. A notable the lily pilly street tree which is adjacent to the existing crossover will remain as part of the proposal.

Figure 1 – Subject site (164 Mascoma Street)

Figure 2 – Subject site (164 Mascoma Street)
The property and surrounding land is within a General Residential Zone. The residential area provides a varied neighbourhood character where the built form is a mix of single and double storey, and the dwelling typology consists of single detached dwellings and recent unit development, mostly in a townhouse configuration laid out side-by-side. The opposing side of the subject site have elevated single and double storey dwellings on a higher slope comparative to subject site street side. The sites along subject site streetscape comprise predominately of single storey dwellings on land with a significant downward slope to the rear. The dwellings have common design detail features and colour schemes.

Furthermore, the subject site is located within a walking distance to a small active mixed use zoned commercial strip with a supermarket, convenience shop and eateries including Strathnaver Reserve.

1.2 Proposal

It is proposed to construct two (three storey) dwellings on the land, summarised as follows:

<table>
<thead>
<tr>
<th>Table 1</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>No of dwellings</td>
<td>2 dwellings</td>
</tr>
<tr>
<td>No of car spaces</td>
<td>4 car spaces</td>
</tr>
<tr>
<td>Max Building Height</td>
<td>7.59 metres</td>
</tr>
<tr>
<td>Site Coverage</td>
<td>48.9% (262 sqm)</td>
</tr>
<tr>
<td>Permeability</td>
<td>40%</td>
</tr>
<tr>
<td>Garden Area</td>
<td>38% - required 30%</td>
</tr>
</tbody>
</table>

Refer Appendix C Advertised Plans (separately circulated).

The application was amended pursuant to Section 57a of the Planning and Environment Act 1987 with the following changes:

Summary

- Increase rear setbacks
- Decrease side setbacks
- Decrease building height
- Decrease floor to ceiling height for first floor
- Variation to material and colour schedule
- Front façade detailing.

It is noted that re-advertising of the amended plan pursuant to Section 57B of the Planning and Environment Act 1987 was not required, as there would be no further material detriment caused by the amendments made after advertising that has otherwise already been expressed by Objectors, in particular by the immediate adjoining side neighbours. While the amended plans are to provide a response to the objections concerns, it is
considered unlikely objectors would withdraw as a result of the amended plans been re-advertised.

In addition, the proposal did not require additional referral comments from Council’s Traffic and Drainage Engineering department.

Refer Appendix D Amended Plans.

2. **Background**

2.1 **Relevant Planning History**

There are no historical planning applications for the site.

2.2 **Planning Policies and 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.

The following internal referrals were undertaken:
### Department/Officer

<table>
<thead>
<tr>
<th>Department/Officer</th>
<th>Comments/Conditions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Development Engineering (Traffic)</td>
<td>Review on the original set of plans. No objection subject to the following alterations:</td>
</tr>
<tr>
<td></td>
<td>1) Retain existing crossover</td>
</tr>
<tr>
<td></td>
<td>2) Update proposed crossovers in line with Council’s VCP</td>
</tr>
<tr>
<td></td>
<td>3) Minimum 5.4m between crossover splays along street.</td>
</tr>
<tr>
<td></td>
<td>4) Pedestrian visibility splays</td>
</tr>
<tr>
<td></td>
<td>5) Retaining walls to not encroach within easement.</td>
</tr>
<tr>
<td>Development Engineering (Drainage)</td>
<td>Standard drainage conditions and notes D1 and B3.</td>
</tr>
<tr>
<td>Environmental Sustainable Design (ESD)</td>
<td>Amended STORM Rating report/s and cross-section is required including details and notation to be shown on the plans</td>
</tr>
</tbody>
</table>

#### 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 1 notice displayed on site for 14 consecutive days.

A total of 10 objections were received from the properties contained 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 7 February 2018, which was attended by Councillors Gauci Maurici, Lawrence and Sharpe, objectors, the applicant and Council’s planning officer. While no resolution was achieved at the meeting, the applicant formally amended the application in accordance with Section 57A of the *Planning and Environment Act 1987*, which sought to respond to the concerns raised by objectors (refer **Appendix A**).

### 3. Discussion

#### 3.1 Does the proposal address the relevant State and Local Planning Policy Framework

The proposal is considered to comply with the relevant State and local 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. The subject site is located in reasonable proximity to commercial amenities, public reserves, education facilities and public transport options.

The proposal has the ability to comply with the environmental sustainable design principles regarding STORM Rating, subject to any conditions on permit.

The proposal accords with objectives of Clause 21.04-7 (Waste) of the Moonee Valley Planning Scheme and can be adequately catered for by Council’s waste collection service.

3.2 Does the proposal accord with Neighbourhood Character Guidelines?

The subject land is identified as being within character area ‘Garden Court 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 architectural theme of the development is contemporary, contributing to the diverse architectural styles within the precinct as sought by the preferred character statement.
- The proposal provides a modest building with contemporary flat roof form and a well-articulated front façade.
- The proposal provides a 1.43 metres setback from one property boundary to the east enabling some spacing between properties and achieves the preferred design response to provide a minimum of 1 metre off one boundary reference in Garden Court 3 profile.
- The building massing is overall responsive when viewed from the streetscape and the slope of the land with graduating building heights across the length of the site by using the mix of roof forms and detailing. The Section 57A amended plans improve the transition of heights towards the rear with a total building height reduction of 950mm for Dwelling 1 and 880mm for Dwelling 2 comparative to what was advertised. These figures, coupled with an increase to rear setbacks provide a building massing adequate for this site.
- The contemporary flat roof form with first floor cantilevering visible from the streetscape is respectful and modern interpretation of the prevailing hipped roof forms seen nearby, and serves to minimise the bulk and scale of the development across the sloping site. The first floor cantilevering creates an eave detail, adds depth within the front and further reducing car parking structure dominance.
- The materials, colour and finishes complement the surrounding built form and are consistent with this form of development, however there is room to improve the colour render [2] by replacing with a lighter/warmer tone.
- Car parking is appropriately located in this proposal, with the garages recessed behind the entry wall so that these are not the dominant feature of the façade.
- A 0.9 metre high front fence is proposed which is consistent with the streetscape. This form of low-scale fencing will maintain views to the dwelling entrance from the street.

3.3 Is adequate car parking and vehicle access provided? Clause 52.06 (Car Parking)

Table 2

<table>
<thead>
<tr>
<th>Requires</th>
<th>Provides</th>
</tr>
</thead>
<tbody>
<tr>
<td>Two four-bedroom dwellings</td>
<td>4</td>
</tr>
<tr>
<td>Total</td>
<td>4</td>
</tr>
</tbody>
</table>

The design of car spaces and accessways complies with the requirements of Clause 52.06. Pedestrian visibility splays have been noted on the plans and the correct number of car spaces has been provided.

The application has been referred to Council’s Development Engineering (Traffic) Unit who do not object to the development subject to the standard conditions.

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 B).

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

Table 3

<table>
<thead>
<tr>
<th>Res Code Standard</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clause 55.02-1 Neighbourhood Character Objectives (Standard 1)</td>
<td>The proposed colours and materials schedule is not responsive to the streetscape character. The use of dark greys across the facade should be replaced a light/warmer colours tone. A condition to replace Render [2] with a lighter/warmer colour tone.</td>
</tr>
<tr>
<td>Clause 55-03-1 Street setback objective (Standard 6)</td>
<td>Adjoining properties 7.7 metres + 10 metres % 2 = average 8.85 metres Proposed 8.0 metres (variation is 85cm).</td>
</tr>
<tr>
<td>Res Code Standard</td>
<td>Response</td>
</tr>
<tr>
<td>-------------------</td>
<td>----------</td>
</tr>
<tr>
<td></td>
<td>The site has no constraints substantiating this variation. The proposal affords full compliance with this standard. A condition to comply on any granted permit.</td>
</tr>
<tr>
<td>Clause 55.03-8 Landscaping Objectives (Standard 13)</td>
<td>A landscape plan has not been provided for this development. A condition on the permit will require the submission of a landscape plan to provide appropriate planting on site, to accord with the “Garden Court” character of the locality.</td>
</tr>
</tbody>
</table>
| Clause 55.04-6 Overlooking objective (Standard 22) | Recommending the balcony screening notation amended to comply with the standard. This requires the inclusion words “screened up to 1.7 metres above finished floor level" Master bedroom east-facing windows sill height does not meet with 1.65 metres above FFL oppose to a minimum 1.70 metres. A condition to comply on any granted permit. The north facing balconies and first floor master bedroom windows are non-compliant with the standard, however considered achieve the objective, and thus acceptable for the following reasons;  
  - The overlooking to chiefly concentrated to small portions at the corners of the private secluded open space areas of 162 and 166 Mascoma Street;  
  - The use of ‘regular’ windows will result in improved internal amenity, daylight access and passive surveillance;  
  - The proposed screening for each balcony adequately provides a balance between protecting external amenity for the neighbours, while providing an interrupted rear ‘outlook’, |
<table>
<thead>
<tr>
<th>Res Code Standard</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>increasing internal amenity, daylight access and passive surveillance within the</td>
<td>Furthermore, it should be noted that these north–facing balconies and windows are setback a minimum 10.25 metres from the habitable room windows at 19 Strathnaver Avenue (directly north of subject site), which complies with this Standard.</td>
</tr>
<tr>
<td>development.</td>
<td></td>
</tr>
<tr>
<td>Clause 55.05-6 Storage Objective (Standard 30)</td>
<td>Recommending a condition that each dwelling be provided with the prescribed external storage unit to comply with Standard B30.</td>
</tr>
</tbody>
</table>

3.5 Objections

Table 4 contains a response to the objection received

<table>
<thead>
<tr>
<th>Issue</th>
<th>Officer Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Neighbourhood Character</td>
<td>The development presents as a two storey form from the streetscape, with a third lower ground level situated at the end of the building, submerged below natural ground level.</td>
</tr>
<tr>
<td></td>
<td>The two storey built form may in isolation disrupt the rhythm of the single storey form, however has a built height referencing an average between immediate adjoining dwellings providing a smooth height transitions across the streetscape.</td>
</tr>
<tr>
<td></td>
<td>It is reasonable to expect a gradual height transition of an additional storey form one to two within a residential zoned area.</td>
</tr>
<tr>
<td></td>
<td>A revised material and colour schedule replaces the black and limits the grey for warmer tones, however it is considered to be more improvement required in the colour scheme to integrate within the immediate streetscape.</td>
</tr>
<tr>
<td>Site layout and Building massing – Over development Visual bulk impacts</td>
<td>The proposal has a high level compliance Clause 55 of the Moonee Valley Planning Scheme, including side and rear setbacks and building height.</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>Issue</td>
<td>Officer Response</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Site layout, building massing and visual bulk are improved as part of the Section 57A application. A reduction in building height was achieved by dropping the rear lower ground level, including additional steps to ground and first floor levels and reducing floor to ceiling heights to the first floor. In addition, an increase rear setbacks are proposed. The 57A application proposal is designed to minimise at best the visual bulk by methods outlined above in Section 3.3 of this report.</td>
<td></td>
</tr>
<tr>
<td>Non-compatible and dominates the topography of the area.</td>
<td>The amended Section 57A plans improve the transition of heights across the building and response to the topography of the land.</td>
</tr>
<tr>
<td>Non-compliance to Building Height</td>
<td>The proposal has full compliance with the relevant Zone provision.</td>
</tr>
<tr>
<td>Non-compliance to Garden Area provisions</td>
<td>The proposal has full compliance with the relevant Zone provision.</td>
</tr>
<tr>
<td>Non-compliance to Clause 55-03-1 Street setback objective (Standard 6)</td>
<td>The proposal has full compliance with the relevant Standard provisions.</td>
</tr>
<tr>
<td>Non-compliance to Clause 55.03-3 Site Coverage Objective (Standard 8)</td>
<td></td>
</tr>
<tr>
<td>Non-compliance Clause 55.03-9 Access Objectives (Standard 14)</td>
<td></td>
</tr>
<tr>
<td>Non-compliance to Clause 55.03-1 Side and Rear Setbacks (Standard 17)</td>
<td></td>
</tr>
<tr>
<td>Non-compliance to Clause 55.04-5 Overshadowing open space objective (Standard 21)</td>
<td></td>
</tr>
<tr>
<td>Off-site amenity impacts:</td>
<td>The proposal has objective compliance with overlooking requirements. It is recommended, the balcony screening notation be amended to include screening height of 1.7metres above finished floor level, and Master Bedroom east elevation window sill height raised to comply with the standard provision. The non-compliance to first floor north-facing windows and balcony screening extent have been addressed in</td>
</tr>
<tr>
<td>• Overlooking/Loss of privacy.</td>
<td></td>
</tr>
<tr>
<td>• Daylight to adjoining windows reduced.</td>
<td></td>
</tr>
<tr>
<td>• Noise impacts on more people moving to the area.</td>
<td></td>
</tr>
<tr>
<td>• Noise impacts to</td>
<td></td>
</tr>
<tr>
<td>Issue</td>
<td>Officer Response</td>
</tr>
<tr>
<td>-------</td>
<td>------------------</td>
</tr>
<tr>
<td>habitable rooms adjacent to proposed garage.</td>
<td>Section 3.4 of this report. The proposal complies with Clause 55.04-3 Daylight to existing windows (Standard 19). The proposal is for residential dwellings, within a residential zoned area and it consistent with the purpose of land. Any development proposal is unlikely to generate noise above what is typically expected within a residential zone. The proposed layout with garages adjacent to adjoining habitable rooms is not a planning consideration.</td>
</tr>
</tbody>
</table>

Car Parking/Traffic:
- Does not provide sufficient on-site parking.
- The proposal will lead to increased traffic within the area.
- The proposal will lead to insignificant on street parking availability for the commercial strip customer- placing pressure on the parking on the side streets (note: limited street parking is available on Mascoma Street).
- The proposal will place increased pressure on car parking availability within the street generally.
- Traffic safety with cars reversing out negotiating with the busy Woolart Street intersection and Bus Stop.

The proposal provides the minimum on-site car parking spaces requirements as required under Clause 52.06 of the Moonee Valley Planning Scheme. Council’s traffic engineers raised no concern regarding traffic congestion and safety issues. The objector is concerned with existing cross-over been relocated, jeopardising traffic safety to Wollart street intersection and bus stop located in front of east adjoining property. The proposal indicates the existing crossover is to remain unaltered. The proposed use of the existing crossover is indifferent to the existing condition; continuing to service a single dwelling.
### Issue | Officer Response
--- | ---
Removal the Lilly Pilly street tree | The Lilly Pilly street tree remains as part of this proposal. To ensure the tree’s ongoing health, it is recommended a condition to be placed on any permit granted that during construction phase a temporary fence is placed around the tree to avoid obstruction.

Pedestrian splays | The objector is concerned the proposed pedestrian splays would enforce their obligation to modify their existing shared boundary fence and vegetation on their lot to comply. The objector has been advised there is no obligation to modify the shared fence or existing vegetation along the boundary.

4. **Human Rights**

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

5. **Conclusion**

   The application has been assessed against the relevant provisions of the State Planning Policy Framework, Local Planning Policy Framework, zoning controls, the relevant Particular and General Provisions, and the decision guidelines at Clause 65 of the Moonee Valley Planning Scheme.

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

   It is considered the proposal demonstrates general compliance with the requirements of these provisions and policies.

   It is determined that the proposal would not have a significant social effect.

   The application should be supported as detailed in the recommendation section.

### Appendices

- Appendix A: List of Objectors
- Appendix B: Clause 55 Assessment
- Appendix C: Advertised Plans (separately circulated)
- Appendix D: Amended Plans.
164 Mascoma Street, Strathmore

List of Objectors

<table>
<thead>
<tr>
<th>Address</th>
<th>Suburb</th>
<th>Postcode</th>
</tr>
</thead>
<tbody>
<tr>
<td>152/154 Mascoma Street</td>
<td>STRATHMORE</td>
<td>VIC 3041</td>
</tr>
<tr>
<td>158 Mascoma Street</td>
<td>STRATHMORE</td>
<td>VIC 3041</td>
</tr>
<tr>
<td>160 Mascoma Street</td>
<td>STRATHMORE</td>
<td>VIC 3041</td>
</tr>
<tr>
<td>162 Mascoma Street</td>
<td>STRATHMORE</td>
<td>VIC 3041</td>
</tr>
<tr>
<td>166 Mascoma Street</td>
<td>STRATHMORE</td>
<td>VIC 3041</td>
</tr>
<tr>
<td>168 Mascoma Street</td>
<td>STRATHMORE</td>
<td>VIC 3041</td>
</tr>
<tr>
<td>201 Mascoma Street</td>
<td>STRATHMORE</td>
<td>VIC 3041</td>
</tr>
<tr>
<td>203 Mascoma Street</td>
<td>STRATHMORE</td>
<td>VIC 3041</td>
</tr>
<tr>
<td>205 Mascoma Street</td>
<td>STRATHMORE</td>
<td>VIC 3041</td>
</tr>
<tr>
<td>207 Mascoma Street</td>
<td>STRATHMORE</td>
<td>VIC 3041</td>
</tr>
</tbody>
</table>
164 Mascoma Street, Strathmore.

**APPENDIX B - Clause 55 of the Moonee Valley Planning Scheme**

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

Where there is non-compliance, see main report.

<table>
<thead>
<tr>
<th>Title and Objective</th>
<th>Complies with Standard</th>
<th>Complies with Objective</th>
</tr>
</thead>
<tbody>
<tr>
<td>B1 - Neighbourhood Character</td>
<td>subject to condition</td>
<td>subject to condition</td>
</tr>
<tr>
<td>B2 - Residential Policy</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>B3 - Dwelling Diversity</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>B4 - Infrastructure Objectives</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>B5 - Integration with the Street Objective</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>B6 - Street Setback Objective</td>
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<td>subject to condition</td>
</tr>
<tr>
<td>B7 - Building Height Objective</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>B8 - Site Coverage Objective</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>B9 - Permeability Objectives</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>B10 - Energy Efficiency Objectives</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>B11 - Open Space Objective</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>B12 - Safety Objective</td>
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<td>✓</td>
</tr>
<tr>
<td>B13 - Landscaping Objectives</td>
<td>subject to condition</td>
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</tr>
<tr>
<td>B14 - Access Objectives</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>B15 - Parking Location Objectives</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>B17 - Side and Rear Setbacks Objective</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>B18 - Walls on Boundaries Objective</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>B19 - Daylight to Existing Windows Objective</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Objective</td>
<td>Complies</td>
<td>Non-Compliance</td>
</tr>
<tr>
<td>---------------------------------------------------------------------------</td>
<td>----------</td>
<td>----------------</td>
</tr>
<tr>
<td>B 20 - North-facing Windows Objective</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>B 21 - Overshadowing Open Space Objective</td>
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</tr>
<tr>
<td>B 22 - Overlooking Objective</td>
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<td>B 25 - Accessibility Objective</td>
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<tr>
<td>B 26 - Dwelling Entry Objective</td>
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</tr>
<tr>
<td>B 27 - Daylight to New Windows Objective</td>
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<td>B 28 - Private Open Space Objective</td>
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<td>B 29 - Solar Access to Open Space Objective</td>
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<td>B 30 - Storage Objective</td>
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<td>B 31 - Design detail objective</td>
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<td>B 32 - Front Fences Objective</td>
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<td>B 33 - Common Property Objectives</td>
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<tr>
<td>B 34 - Site Services Objectives</td>
<td>✓</td>
<td></td>
</tr>
</tbody>
</table>

✓ - complies, ✗ - non-compliance, N/A - Not Applicable
9.2 261A, 261B & 261C Keilor Road Essendon (Lot 61 Block F on Plan of Subdivision 3151) - Construction of a five storey building with basement in a Design and Development Overlay (DDO7), reduction of car parking and alteration of access to a Road Zone Category 1

File No: FOL/18/32
Author: Jennifer Kemp
Statutory Planner
Directorate: Planning & Development

<table>
<thead>
<tr>
<th>Planning File No.</th>
<th>MV/552/2017</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proposal</td>
<td>Construction of a mixed use development comprising:</td>
</tr>
<tr>
<td></td>
<td>• Five storeys in height (19.7 metres);</td>
</tr>
<tr>
<td></td>
<td>• A basement level;</td>
</tr>
<tr>
<td></td>
<td>• One commercial tenancy (Shop) with a total area of 88.4sqm;</td>
</tr>
<tr>
<td></td>
<td>• 20 residential apartments (2x1 bedrooms, 18x2 bedrooms);</td>
</tr>
<tr>
<td></td>
<td>• Reduction in 5 car spaces; and</td>
</tr>
<tr>
<td></td>
<td>• Alterations to access in a Road Zone, Category 1.</td>
</tr>
</tbody>
</table>

| Applicant         | ARG Planning Pty Ltd |
| Owner             | Kyriakou and Achilles Arhillea Koutsogiorge |

| Planning Scheme Controls | Commercial 1 Zone (C1Z) |
|                          | Design and Development Overlay Schedule 7 (DDO7) |
|                          | Road Zone, Category 1 (abutting) (RDZ1) |

<table>
<thead>
<tr>
<th>Planning Permit Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clause 34.01-4 – to construct a building or construct or carry out works</td>
</tr>
<tr>
<td>Clause 43.02-2 – to construct a building or carry out works</td>
</tr>
<tr>
<td>Clause 52.06-3 – to reduce the number of car spaces required</td>
</tr>
<tr>
<td>Clause 52.29 – to alter access to a Category 1 road</td>
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</table>

<table>
<thead>
<tr>
<th>Car Parking Requirements (Clause 52.06)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Required – 27 car spaces</td>
</tr>
<tr>
<td>Provided – 22 car spaces</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Bicycle Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Required – 6 bicycle spaces</td>
</tr>
<tr>
<td>Provided – 10 bicycle spaces</td>
</tr>
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</table>

<table>
<thead>
<tr>
<th>Restrictive Covenants</th>
<th>None</th>
</tr>
</thead>
<tbody>
<tr>
<td>Easements</td>
<td>None</td>
</tr>
<tr>
<td>Site Area</td>
<td>650 square metres</td>
</tr>
<tr>
<td>Number Of Objections</td>
<td>4</td>
</tr>
</tbody>
</table>
Executive Summary

- The application seeks approval for the construction of a five storey mixed use development including a basement. The development comprises of 20 apartment dwellings, 1 shop, 22 car spaces and 10 bicycle spaces.

- The site of approximately 650 square metres in area is located on the southern side of Keilor Road, Essendon and currently comprises two commercial tenancies fronting Keilor Road and a dwelling to the rear of the site.

- The application was advertised and four objections were received. Concerns were raised in relation to overdevelopment, off-site amenity impacts, car parking, traffic and waste collection.

- Amended plans were submitted on 13 November 2017 pursuant to Section 57A of the Planning and Environment Act 1987. The amendment resulted in widening of the vehicle access and consequential reconfiguration of the ground floor level.

- In accordance with Council’s protocols, a Consultation Meeting was not held as less than 10 objections were received.

- The application was referred to Roads Corporation (VicRoads) and various internal departments who have not objected to the application subject to conditions on any issued planning permit.

- The proposal demonstrates an appropriate level of compliance with the relevant policies and provisions of the Moonee Valley Planning Scheme. It proposes intensification in a well-established area proximate to commercial, community and public facilities. The architectural response is considered to be appropriate within the site context and presents a high level of articulation.

- The proposal achieves an acceptable level of compliance with the Standards of Clause 58 (Apartment Developments), with some technical areas of non-compliance including the landscaping, building setback, noise, waste recycling, accessibility, storage and windows, which are considered appropriate subject to permit conditions. The proposed development demonstrates an appropriate built form response including a high level of internal amenity for future residents, protects the amenity of the adjoining properties and responds to its site context.
This assessment report finds that the proposal demonstrates an adequate level of compliance with the relevant policies and provisions of the Moonee Valley Planning Scheme and recommends that a Notice of Decision to Grant a Permit be issued subject to conditions.

Figure 1: Aerial photograph of subject site and surrounds

**Recommendation**

That Council issues a Notice of Decision to Grant a Permit in relation to Planning Permit Application No. MV/552/2017 for the construction of a five storey building with basement in a Design and Development Overlay (DDO7), reduction in car parking and alteration of access to a Road Zone, Category 1 at 261A, 261B and 261C Keilor Road, Essendon (Lot 61 on Plan of Subdivision 3151) 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 plans submitted to Council and assessed with the application, but modified to show:

   a) The residential entrance door to be recessed into the site by a minimum 1.5 metres from the front boundary and letterboxes brought forward of the door;

   b) The garage lift-up door to be recessed into the site by a minimum 1.5 metres from the north-eastern corner of the site;

   c) The box framing elements along the front elevation to provide a greater thickness to emphasise their architectural role;
d) A revised colour and material schedule to incorporate a more simplistic design response emphasising the framing elements, differentiating materials between the commercial and residential components and providing a lighter colour palate;

e) The plans to allocate one car space to the shop;

f) The plans to allocate one visitor car space for residential visitors only;

g) The 2 bicycle spaces (1 bicycle hoop) within the road reserve to be notated to be constructed to the satisfaction of the Responsible Authority in accordance with Condition 16;

h) The relocation of the street sign/s as a result of the crossover to the satisfaction of the Responsible Authority;

i) Notate the pits incorporated within the proposed crossover to be trafficable or relocated a minimum 1 metre from the crossover splay to the satisfaction of the Responsible Authority;

j) The provision of pedestrian visibility splays in accordance with the requirements of Clause 52.06-9 (Design Standards of Car Parking) of the Moonee Valley Planning Scheme or appropriate alternative measures such as convex mirror(s) or warning lights to the satisfaction of the Responsible Authority;

k) All permeable surfaces clearly notated across the site;

l) An annotation for all screening measures to be fixed to a height of 1.7 meters above finished floor level with a maximum of 25% transparency;

m) All windows facing Keilor Road to be double glazed for noise attenuation purposes;

n) The provision of at least one adaptable bathroom that meets all of the requirements of either Design A or Design B of Standard D17 of Clause 58.05-1 (Accessibility) of the Moonee Valley Planning Scheme;

o) Dimension the sill height of habitable room windows above Finished Floor Level;

p) External lighting capable of illuminating the residential entrance and vehicle entrance along Keilor Road;

q) A notation for the screening of air-conditioning units on balconies in accordance with Condition 9 of this permit;

r) Landscape Plan in accordance with Condition 3 of this permit; and

s) A prominent note on all plans and elevations stating: ‘Refer to endorsed Sustainable Design Assessment, and associated BESS Report, for all Environmental Sustainable Design commitments and requirements’.

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, 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 plans and schedule must be prepared by a person or firm with suitable qualifications to the satisfaction of the Responsible Authority, drawn to scale with dimensions.

When approved, the landscape plans 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.

At all times, the landscaping plan must be maintained in good order in accordance with the endorsed landscape plan and schedule and to the satisfaction of the Responsible Authority.

4. 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 trees 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.

5. A minimum 30 days prior to any buildings 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 Guidelines and Template.

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. 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 with suitable qualifications to the satisfaction of the Responsible Authority and must include:

   a) Details as to how the car stackers are to be regularly maintained and serviced;

   b) Details of timeframes and measures to be undertaken, to reinstate the car stackers back to working order, if the car stacker becomes non-operational;
c) Details of measures to be undertaken if the car stackers are not operational, so not to provide any additional on-street parking demand; and

d) The allocation of car spaces associated with dwellings within the building complex.

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.

8. 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 amended Waste Management Plan must be in accordance with the City of Moonee Valley’s ‘Waste Management Plans – Guidelines for Applicants’ and must be:

a) Modified in accordance with Condition 1 of this permit.

When approved, the amended 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.

9. 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 Building Maintenance Guide.

10. 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 this purpose.
11. 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.

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

13. 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 space 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.

14. Provision must be made for the drainage of the land including landscaped and pavement areas. The discharge of water from the land must be controlled around its limits to prevent any discharge onto any adjoining or adjacent property or streets other than by means of an underground pipe drain which is discharged to an approved legal point of discharge to the satisfaction of the Responsible Authority.

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

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

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

The on-site stormwater detention drainage system must be installed and the provisions, recommendations and requirements of the endorsed Drainage Layout Plan must otherwise be implemented and complied with to the satisfaction of the Responsible Authority.
16. Prior to the commencement of use, 1 bicycle hoop is to be provided within Keilor Road reserve to the west of the proposed crossover to the satisfaction of the Responsible Authority.

17. The plant area and equipment on the roof of the building must be screened in a manner to complement the appearance of the building to the satisfaction of the Responsible Authority.

18. The development must be provided with external lighting capable of illuminating access to the 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.

19. All waste 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.

20. All pipes, fixtures, fittings, ducts and vents servicing any building on the land, other than stormwater downpipes 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.

**Start VicRoads Conditions**

21. The vehicle crossing and passing area must be constructed to the satisfaction of the Roads Corporation (VicRoads) and/or the Responsible Authority and at no cost to the Roads Corporation, prior to the occupancy of any of the proposed dwellings.

22. The vehicle crossing and passing area must be maintained in a fit and proper state so as not to compromise the ability of vehicles to enter and exit the site in a safe manner or compromise operational efficiency of the road or public safety.

**End VicRoads Conditions**

23. This permit will expire if one of the following circumstances applies:

a) The development is not commenced within two (2) years from the date of issue of this permit, or

b) The development is not completed within four (4) years of the date of issues 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.

• 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 calculations: C=0.4, tc=5mins, ARI 1 in 5. An ARI of 1 in 10 should be used for storage and the greater of post development C or C=0.80.

• All drainage works undertaken must be in accordance with the requirements of Stormwater Drainage Requirements for Development Works as prepared by the Moonee Valley Planning Scheme.

• All works undertaken within any existing road reserves must accord with the requirements of Moonee Valley City Council’s Asset Permit and Protection Department and be to the satisfaction of the Responsible Authority.

• Council will not accept any modifications to the existing levels within the road reserve. Any changes in levels to match existing surface levels along property boundary lines must be made within the property boundary.

• 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.

• The development authorised by this permit will require the submission of a Construction and Site Management Plan (CSMP) prior to the commencement of any works. All CSMPs are required to be made via Council’s new online system at [http://www.mvcc.vic.gov.au/planning-and-building/planning/construction-site-management-plans.aspx](http://www.mvcc.vic.gov.au/planning-and-building/planning/construction-site-management-plans.aspx) or in person at 9 Kellaway Avenue, Moonee Ponds.

• A separate approval may be required under the Road Management Act for the construction of the vehicle crossing. Please contact VicRoads prior to commencing any works.

• No on street parking permits will be provided to the occupiers of the land.

1. Introduction

1.1 Subject Site and Surrounds

The subject site is located on the southern side of Keilor Road. The site is irregular in shape with a frontage of Keilor Road of approximately 16.01 metres. The site has a depth of approximately 42.67 metres and a total site area of approximately 650 square metres.

The site is relatively flat and there are no easements or covenants registered on the Certificate of Title for the parcel of land.
The subject site is currently occupied by two single storey shops with a frontage to Keilor Road and a single storey dwelling to the rear of the site. Vehicle access to the site is obtained along the eastern alignment from Keilor Road via a single width crossover.

**Figure 2 – Subject Site (261A, 261B & 261C Keilor Road, Essendon)**

The surrounding area is commercial and residential zoned land, used and developed for commercial and residential purposes. The subject site is located within the Keilor Road Activity Centre and directly abuts an arterial road (Keilor Road) and adjoins the No.59 tram route. The site is also located within proximity of bus routes, local businesses, schools and public reserves.

The built form within the vicinity is predominantly single and double storey, with numerous examples of multi-storey mixed use and residential developments evident. There is an eclectic mix of new and contemporary developments nearby.

**1.2 Proposal**

The proposal seeks to construct a five storey building comprising one shop tenancy at ground level and 20 apartments above. A basement level is proposed with storage and service spaces. A mix of one and two bedroom apartments with car parking at ground floor level with access to Keilor Road is proposed. The proposal can be summarised as follows:

**Table 1**

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Shop floor area</td>
<td>113.4</td>
</tr>
<tr>
<td></td>
<td>square metres</td>
</tr>
<tr>
<td>No. of dwellings</td>
<td>2 x one bedroom and 18 x 2 bedroom apartments</td>
</tr>
<tr>
<td>No. of car spaces</td>
<td>22 car spaces (20 residential, 1 commercial and 1 residential/commercial visitor space)</td>
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</tbody>
</table>
No. of bicycle spaces
Max. Building Height
Site coverage
Site Permeability

<table>
<thead>
<tr>
<th>Details</th>
<th>Information</th>
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</thead>
<tbody>
<tr>
<td>No. of bicycle spaces</td>
<td>12 (10 residential within basement and 2 commercial located within the road reserve)</td>
</tr>
<tr>
<td>Max. Building Height</td>
<td>19.7 metres (5 storeys)</td>
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<tr>
<td>Site coverage</td>
<td>94.6%</td>
</tr>
<tr>
<td>Site Permeability</td>
<td>5.3%</td>
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</tbody>
</table>

Refer Appendix B Plans (separately circulated).

The application was amended pursuant to Section 57a of the Planning and Environment Act 1987 including the following amendments:

- The provision of a passing bay within the site for vehicles;
- Widening of the proposed accessway and vehicle crossing to Keilor Road;
- The subsequent reduction in shop size presenting a total area of 88.4 square metres; and
- A reduction in the car spaces required for the shop from 4 to 3 car spaces.

The Section 57a Amendment Plans form the basis of the assessment and discussion through this report.

Refer Appendix C Amended Plans (separately circulated)

2. Background

2.1 Relevant Planning History

Planning Permit No. MV/85/2016 for the construction of a multi storey building with dwellings in a Design and Development Overlay (DDO7), reduction in the car parking requirements, waiver of the loading and unloading requirements and alteration of access to a Road Zone, Category 1 was refused by Council on 11 September 2017.

2.2 Planning Policies and Decision Guidelines

State Planning Policy Framework

Clause 9 Plan Melbourne
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
Clause 17 Economic Development
Clause 18 Transport
Clause 19 Infrastructure
Local Planning Policy Framework
Clause 21.01 Municipal Profile
Clause 21.02 Key Issues and Influences
Clause 21.03 Vision
Clause 21.04 Sustainable Environment
Clause 210.5 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 43.02 Design and Development Overlay Schedule 7

Particular and General Provisions
Clause 52.06 Car Parking
Clause 52.29 Land Adjacent to a Road Zone, Category 1
Clause 52.34 Bicycle Facilities
Clause 58 Apartment Developments
Clause 65 Decision Guidelines

2.3 Referrals
The following external referrals were undertaken:

Table 2

<table>
<thead>
<tr>
<th>Department/Officer</th>
<th>Conditions</th>
</tr>
</thead>
<tbody>
<tr>
<td>VicRoads</td>
<td>No objection, subject to conditions</td>
</tr>
</tbody>
</table>

The following internal referrals were undertaken:

Table 3

<table>
<thead>
<tr>
<th>Department/Officer</th>
<th>Conditions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Development Engineering</td>
<td>No objection, subject to conditions</td>
</tr>
<tr>
<td>Development (Traffic)</td>
<td></td>
</tr>
<tr>
<td>Development (Drainage)</td>
<td>No objection, subject to conditions</td>
</tr>
<tr>
<td>Urban Design</td>
<td>No objection, subject to conditions</td>
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</tbody>
</table>
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, four (4) objections were received and identified within Appendix A of this report. The objections are discussed at Section 3.10 of this report.

It is noted that re-advertising of the amended plan pursuant to Section 57B of the Planning and Environment Act 1987 was not required, as there would be no material detriment caused by the amendments made after advertising. The revised plans respond to referral comments from VicRoads relating to the access arrangements.

2.5 Consultation Meeting

In accordance with Council’s protocols, a Consultation Meeting was not held as there were less than 10 objections received.

3. Discussion

3.1 Does the proposal address the relevant State and Local Planning Policies and the Decision Guidelines of the Commercial 1 Zone?

The relevant State Planning Policy Framework clauses are considered to be met. State Planning objectives broadly seek to encourage urban consolidation in locations which take advantage of existing commercial and community services and public transport. The subject site is located within the Keilor Road Activity Centre under Plan Melbourne: Metropolitan Planning Strategy, directly abutting the No.59 tram route and numerous bus routes and proximate to local businesses, schools and public reserves. The location of the subject site is considered to lend support for more intensive forms of residential and commercial development.

Clause 15.01-1 (Urban Design) seeks to ensure new development responds to its context in terms of urban character, cultural heritage, natural features, surrounding landscape and climate. It is considered the proposed development appropriately considers its site context and proposes a built form that will be visually interesting to the street, adjoining properties and provides an appropriate level of internal amenity to future occupants of the site.

Clause 15.01-2 (Urban Design Principles) provides the main assessment tool for residential development of five or more storeys where development is not covered by Clause 54, 55 or 56 of the Scheme. The objective of Clause 15.01-2 is:

“To achieve architectural and urban design outcomes that contribute positively to local urban character and enhance the public realm which minimising detrimental impact on neighbouring properties.”

It is considered the proposal complies with the relevant design principles of Urban Design Guidelines of Victoria 2017, the Decision Guidelines of the Commercial 1 Zone and Clauses 15.01-2 and Clause 21.06-4 as discussed below:
Commercial 1 Zone
The retail and accommodation components of the development is an as of right use under the Zone. The proposed dwellings and shop are in accordance with the objectives of State and Local Planning Policies within the Moonee Valley Planning Scheme.

The proposed development requires a permit under Clause 34.04-1 (Buildings and Works). As discussed within Section 3.2 of this report, the development represents an appropriable architectural response against the DDO7 Design Objectives.

Urban Design Guidelines for Victoria 2017 (as relevant)

Element 2 – Movement Network
Glazing is provided at ground level and at the upper levels providing for passive surveillance to the street to provide an increase of public safety.

The scale of the built form is a human scale, proportioned by the awning above the pedestrian footpath.

Safety of pedestrians has been provided by the design response and convenient access to the site along a major road.

 Provision has been made for acceptable on-site parking.

Element 5 – Buildings
The proposed building scale and form as proposed is generally consistent with the built form guidelines of the DDO7. The overall height and setbacks of the development is discussed within Section 3.2 of this report. It is considered the built form and scale is consistent with the emerging and preferred character of the surrounding commercial precinct.

The orientation of the site will not result in overshadowing over Keilor Road.

The proposed development maintains a commercial premises and use of the site by providing a tenancy at ground level.

The proposal provides adequate bicycle parking as discussed within Section 3.6 of this report.

One vehicle access point is provided to Keilor Road, appropriate within the street context and affords the site off-street parking associated with the development.

The proposed façade treatments are considered minimal and should be improved as a condition on any issued planning permit. The external presentation of the building will be required to make a positive contribution to the streetscape and public realm.

The site services are appropriately located and require more advanced material treatments so as to not dominate the streetscape.

The proposed location of the residential entrance is appropriate and readily visible.
Clauses 15.01-2 and Clause 21.06-4

Context
The design response is considered appropriate given its size and location with good access to services. The proposed design is contemporary and responds well to the site’s location and context. While the built form is considered generally acceptable including height and setbacks, the overall material palette should be enhanced by way of a revised material and colour schedule as a condition on any issued planning permit. The degree of interest, particularly at ground level, and the quality of material should be enhanced to bring a higher level of architectural form to the area.

The Public Realm
The development will make a positive contribution to the streetscape of Keilor Road. The incorporation of a commercial premises at ground level will integrate the site within the commercial context. The extent of the ground level shop front is limited as a result of the required vehicle access, services and residential entrance. As such, it is considered these secondary elements should be recessed or provide clever materiality to reduce their dominance within the streetscape as further discussed within Section 3.4 of this report.

Safety
The proposal will result in increased passive surveillance and activity on the site through the use of clear glazing at ground level and balconies facing Keilor Road at the upper levels.
The commercial and residential entrances to the building are prominent and identifiable from the street and provide separate and secure access.
The automated garage door provides security and convenient access to the site for residents and commercial users. An intercom system is located at the site entrance for visitor parking access.

Landmarks, Views and Vistas
The site is not considered to be a landmark site with key vantage points. The site is located mid-block with properties to either side that have the potential to be developed in the future. As such, the architectural style of the development is focused to the front façade.

Light and Shade
The site’s location along the southern side of Keilor Road will limit overshadowing of the public realm.

Energy and resource efficient
The proposal meets the required on-site stormwater treatment as demonstrated by achieving compliance under the STORM tool as discussed under Clause 22.03.
The design provides a built form designed to maximise environmental sustainability measures to all apartments, including natural light and ventilation to the residential levels through internal corridors and external aspects.
**Architectural quality**

The site is not within a Heritage Overlay therefore not considered for its heritage value.

The proposed built form has been considered within the surrounding site context and results in a development that responds to Keilor Road Activity Centre as discussed in Section 3.2.

The preferred building height in this commercial precinct is four storeys. The development proposes a fifth storey. The design is considered appropriate within this context as the uppermost level has been recessed sufficiently from residential properties and the public realm of Keilor Road. The recess of the uppermost level will minimise its visual impact upon adjoining properties and the public realm.

The car parking and service areas are obscured behind the building within the ground floor level. The garage door interface to Keilor Road is considered to present dominantly and requires recesses of a minimum 1.5 metres and a softer material palette as a condition on any issued planning permit.

The overall design of the development, subject to conditions, results in an architectural form that will enhance the streetscape of Keilor Road.

The design response is considered appropriate given the size and location of the site with good access to a range of services including public transport, community facilities and local businesses.

On-site and off-site amenity impacts are considered to be adequately addressed by the development and are assessed with Clause 58 (Apartment Development) within Section 3.5 of this report.

**Landscape Architecture**

Lanscaping has been provided along the southern building edge to provide a softer interface to residential properties to the south of the site.

With regard to Clause 16.01-3, the subject site is considered to be a ‘strategic redevelopment site’ as it is located within an Activity Centre, abuts a tram route that forms part of the Principal Public Transport Network (PPTN) and is able to provide more than 10 dwellings. The proposal contributes to the objectives 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 is consistent with the objectives of Clause 21.04 (Sustainable Environment) through the use of ecologically sustainable design principles, as highlighted within the submitted Sustainability Management Plan (SMP).

The proposal accords with the objectives of Clause 21.04-7 (Waste) as it integrates waste minimisation and recycling. The submitted waste management will be endorsed through conditions on any permit granted.

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. It is noted that
the subject site is located within an area of ‘medium to high substantial housing intensification’.

The site is located with Precinct 3 of the Keilor Road Activity Centre. As noted above, the proposed built form and use of the land is consistent with its site context and provides an acceptable level of intensity within the streetscape. The built form is discussed in further detail within Sections 3.2 and 3.4 of this report. Clause 21.07 (Activity Centres) is applicable in this instance and built on the objectives and strategies of the State Planning Policies, in particular Clause 11 (Settlement). The subject site is located within Keilor Road Activity Centre as identified in Plan Melbourne. The proposed mixed-use development continues to promote commercial and residential growth within this area. The Keilor Road Built Form Guidelines 2012 have been considered in the design and assessment of the proposed development, to which there is a high degree of compliance.

The proposed shop at ground floor level is considered to contribute to and enhance the commercial precinct in which the site is located. The shop will attract employment and business to the area in accordance with Clause 21.08 (Economic Development).

Clause 21.09 (Transport) seeks to reduce environmental impacts and improve access to sustainable modes of transport. It also seeks to provide choices for movement of people and goods whilst ensuring these choices provide sustainable outcomes. It is considered the proposal has achieved an appropriate balance with respect to the provision of residential on-site car parking, while reducing visitor parking on site as discussed within Section 3.5 of this report.

The proposal complies with Clause 22.03 Stormwater Management (Water Sensitive Urban Design) and generally meets the required on-site stormwater treatment as demonstrated by achieving at least 100% on the STORM Rating Report.

3.2 Does the proposal address the design objectives and requirements of the Design and Development Overlay Schedule 7?

The subject site is located within Keilor Road Activity Centre within Precinct 3 of the Design and Development Overlay Schedule 7.

The precinct seeks numerical requirements for consideration, including:

| Table 4 |
|-----------------|-----------------|-----------------|
| **Preferred maximum building height** | **DDO7 – Precinct 3** | **Proposed** |
| | 15 metres (4 storeys) | 19.7 metres (5 storeys) |
| **Front setback (up to three storeys in height)** | 0 metres | 0 metres |
| **Front setback (above three storeys in height)** | 3 metres | 3.14 – 5.86 metres (1.37 – 3.8 metres for balcony) |
The built form presents one level (4.7 metres) above the preferred height prescribed by the overlay. The recessing of the upper level from the front boundary (Keilor Road) and rear boundary (residential adjoining property) is considered unobtrusive when viewed from various vantage points. As discussed throughout the report, the upper level is considered to be appropriate and in keeping with the existing and preferred built form for this part of Keilor Road due to its setback from the street and limited impacts on the adjoining properties.

The setbacks above three storeys encroach into the preferred setback requirements of the overlay. In relation to the front setbacks, the built form presents adequate setbacks, however the balconies encroach into the setbacks. The balcony spaces are designed in an open and lightweight form that are not dominant and do not visually impact the streetscape presentation and are an appropriate design response for this form of development.

The setbacks to the rear are generally compliant, with the exception of the third level which presents an encroachment of 1 metre and a portion of the ground floor car stackers as they intrude within the 3 metre setback by 1.86 metres. The encroachment will be negligible when viewed from adjoining properties and will be incorporated within the silhouette of the entire built form. The balcony spaces are designed in an open and lightweight form therefore do not present dominantly or take away from the prescribed setback requirements and therefore are considered an appropriate encroachment.

The decision guidelines and Design Objectives of Clause 43.02 and Schedule 7 are considered to be met by the proposal due to the architectural style and built form proposed. The layout and appearance of the design including commercial, residential and car parking appropriately respond to the site context.

The design is considered to meet the design objectives as follows:

- Providing a consistent street rhythm by creating an interface to Keilor Road that matches the future character of the activity centre.
- Minimal impact on adjoining land uses in terms of appearance, amenity and streetscape presentation as assessed through Clause 58 of the Moonee Valley Planning Scheme.
- Achieve excellence and diversity with the incorporation of Environmental Sustainable Design, Water Sensitive Urban Design and Crime Prevention through Environmental Design initiatives.
- The site is well located, accessible, safe and provides car parking which does not dominate the streetscape, subject to a condition on any issued planning permit as discussed within Section 3.5 of this report.
The street frontage and pedestrian friendly environment is enhanced by the provision of an awning above the pedestrian naturestrip and an active commercial street frontage.

The site’s location within a commercial precinct asks for an active street frontage. Whilst a development of this size requires services at street level which present poorly at pedestrian level and challenge integration with Keilor Road, a high level material response should enhance the ground level appearance to the street. Furthermore, the shop frontage width is limited across the breath of the site. To allow the shop to be more prominent, the garage lift door and residential entrance door should be recessed 1.5 metres into the site. These requirements are recommended as a condition on any issued planning permit.

The plans indicate landscaping within the rear setback of the site, however the plans do not indicate a planting scheme or permeable areas. As such, a condition will be required as a condition on any issued planning permit.

The materiality of the development is considered to be limited and should be revised as a condition on any issued planning permit. The treatment of materials, particularly along the Keilor Road interface can be enhanced by the inclusion of a stronger material palette and emphasis of framing elements as a condition on any issued planning permit.

3.3 Compliance with Clause 52.06 (Car Parking)

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

Table 5

<table>
<thead>
<tr>
<th></th>
<th>Required</th>
<th>Proposed</th>
<th>Difference</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Bedroom Apartment (x2)</td>
<td>2</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>2 Bedroom Apartment (x18)</td>
<td>18</td>
<td>18</td>
<td>0</td>
</tr>
<tr>
<td>Residential Visitor</td>
<td>4</td>
<td>1</td>
<td>-3</td>
</tr>
<tr>
<td>Shop (88.4 square metres)</td>
<td>3</td>
<td>1</td>
<td>-2</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>27</strong></td>
<td><strong>21</strong></td>
<td><strong>-5</strong></td>
</tr>
</tbody>
</table>

The proposed development requires a car parking reduction of 5 car spaces, being 3 residential visitor spaces and 2 retail car spaces.

It is considered the proposed reduction is generally acceptable in this instance as:

- the site is located within an established commercial precinct area where more intense development is encouraged
- a tram line operates along Keilor Road
- there are on-street car parking opportunities within the area to cater for the parking demand of the development
- the proposed development provides for 12 bicycle spaces, which can be utilised by residents and visitors to the proposed development
• the application was referred to Council’s Development Engineering (Traffic) Department who considered the reduction sought by the application sufficient, subject to a condition on permit requiring the specific allocation of visitor car spaces.

The design layout of the proposal has been considered acceptable, subject to conditions on any issued planning permit. As such, the following referral advice is considered redundant for the development:

• the provision of pedestrian visibility splay is unable to be achieved due to the built form proposed. As such, a condition should be placed on any issued planning permit for a warning signal or convex mirror to be installed at the vehicle entrance, altering pedestrians of oncoming traffic.

3.4 Does the proposal comply with the requirements of Clause 58 (Apartment Development)?

The proposal is considered to generally comply with the provision of Clause 58 as set out in the assessment table (refer to Appendix D). The following points of exception are assessed below:

Table 6

<table>
<thead>
<tr>
<th>Res Code Standard</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clause 58.03-5 (Standard D10 – Landscaping)</td>
<td>A landscape plan has not been provided as part of this application therefore a condition will be placed on the issued permit stipulating that such a plan must be provided, which is prepared by a suitably qualified person or firm. It is considered that there a sufficient areas for planting to occur within the rear 3 metres of the site.</td>
</tr>
<tr>
<td>Clause 58.04-1 (Standard D14 – Building Setback)</td>
<td>The Section 57a Amended plans present screening along the eastern, southern and western boundaries to ensure views are limited to sensitive spaces of the adjoining properties. Limited notations have been provided on the plans and therefore a condition should be placed on any issued planning permit for screening to be annotated being fixed to a height of 1.7 metres above finished floor level with a maximum 25% transparency.</td>
</tr>
<tr>
<td>Clause 58.06-3 (Standard D23 – Waste and Recycling)</td>
<td>A Waste Management Plan formed part of the application submission that will be required to be conditioned on any issued planning permit.</td>
</tr>
</tbody>
</table>
Eight of the twenty apartments have been provided a clear path with a minimum width of 1.2 metres that connects the dwelling entrance to the main bedroom and living area. Whilst 50% of the dwellings do not achieve compliance with the standard, eight is a high proportion of apartment dwellings and considered an adequate number to accord with the objective of this clause.

None of the bathrooms are ‘adaptable bathrooms’ that meet all of the requirements of either Design A or Design B as specified in Table D4 of Standard D17 of Clause 58.05-1. This is to be required through conditions on any permit granted.

Some of the bedroom windows present a snorkel to provide outlook. The snorkels are not considered to be external walls of the building as they are enclosed on three sides. The plans exceed the standard requirements where by a secondary space should present a maximum depth of 1.5 metres by providing snorkel depths of 1.8 metres. It is considered that in this instance the design of the development is appropriate and internal amenity is maintained.

3.5 Does the proposal comply with Clause 52.29 (Land Adjacent to a Road Zone, Category 1)?

A planning permit is requires to create or alter access to a Road Zone, Category 1. As this planning application proposed to alter access to Keilor Road, which is a Category 1 Road Zone, the application was referred to Roads Corporation (VicRoads) under Section 55 of the Planning and Environment Act 1987. As discussed within Section 2.3 of this report, no objection to the proposed alteration to vehicular access and egress to the site along Keilor Road, subject to conditions on any issued planning permit.

3.6 Does the proposal comply with the requirements of Clause 52.34 (Bicycle Facilities)?

The proposal includes bicycle spaces, as set out in the table below:

**Table 7**

<table>
<thead>
<tr>
<th></th>
<th>Required</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>20 Dwellings</td>
<td>4</td>
<td>10</td>
</tr>
<tr>
<td>Residential Visitors</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Retail employees</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Retail visitors</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>6</strong></td>
<td><strong>12</strong></td>
</tr>
</tbody>
</table>
The proposed development complies with the requirements of Clause 52.34 of the Moonee Valley Planning Scheme. It is noted that visitor parking is provided within the naturestrip of Keilor Road reserve and will be required to be constructed prior to occupation of the building as a condition on any planning permit.

3.7 Does the proposal comply with the decision guidelines of Clause 65?
The development is considered to meet the decision guidelines of Clause 65 as follows:

- The State and Local Planning Policies, zone, overlay and other provisions are discussed within this report.
- It is considered the small retail shop will not require a loading/unloading bay on site due to its size. On-street delivery zones are adequate to service the site without any associated amenity, traffic flow or road safety impacts.
- The proposal incorporates sustainable design outcomes to improve the quality of stormwater.
- The site is not susceptible to flooding risk.
- There is no native vegetation impacted by the proposal.

3.8 Does the proposal address the issues raised in the previous application?
The previous application (MV/85/2016) was proposed for the construction of a multi storey building of dwellings in a Design and Development Overlay (DDO7), reduction in car parking requirements, waiver of loading and unloading requirements and alteration of access to a Road Zone, Category 1.

This application was refused by the Development Assessment Panel on 11 September 2017 on the grounds:

- The proposal failed to positively contribute to the local character;
- The design did not provide a safe pedestrian environment; and
- The design failed to provide for safety and security of residents or provide an adequate sense of address to the streetscape for the residential component of the development.

The current development is considered to be an improved outcome to the previous proposal and addresses the issues of local character, safety and security for residents through an improved design and will be further enhanced by way of conditions on any issued planning permit. The design ensures a dominance is provided to the commercial interface, provides a safe interface between pedestrian moveability along Keilor Road and within the site when interacting to the vehicle egress. Finally, the residential entrance is enhanced to provide a clear separation from the commercial premises and ensures safety for residents.
3.9 Objections

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

**Table 8**

<table>
<thead>
<tr>
<th>Issue</th>
<th>Officer Response</th>
</tr>
</thead>
</table>
| Overdevelopment        | The overall height of the development is discussed within Sections 3.2, 3.4 and 3.6 of this report.  
                         | The dwelling density is considered appropriate for a site within an Activity Centre earmarked for intensification as discussed within Section 3.1, 3.2 and 3.4.  
                         | The development presents a 0 metre setback from the front property boundary which is acceptable within a commercial zone and activity centre where intensification is encouraged.  
<pre><code>                     | The southern boundary setback has been discussed within Sections 3.2 and 3.4 of this report.                                                    |
</code></pre>
<p>| Overshadowing          | The objection raises concern with the impact of shadows cast onto kitchen, living and patio spaces at the property to the south. The shadow diagrams demonstrates shadows progress throughout the day and do not cause significant shadows cast onto adjoining properties within a commercial zone which is considered an acceptable design response within this context. |
| Overlooking            | Refer to Section 3.6 of this report.                                                                                                                                                                    |
| Stormwater treatment   | The development has been assessed by Council’s Development Engineering (Drainage) Unit who do not object to the proposal subject to drainage conditions issued on any issued planning permit. |
| Insufficient details on the plans | The development plans provide sufficient detail in order to make a decision on the development.                                                                                                           |
| Basement on western boundary | The development is fully contained within the property boundaries and must ensure the development does not compromise adjoining properties through engineering and building permits. |</p>
<table>
<thead>
<tr>
<th>Issue</th>
<th>Officer Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parking and Traffic</td>
<td>Council’s Development Engineering (Traffic) Unit give support to the waiver of car parking requirements as outlined within Section 2.3 of this report and do not raise concern with the parking pressures created by the development within this site context. The egress and pedestrian safety has been reviewed by the Roads Corporation (VicRoads) and Development Engineering (Traffic) Unit and considered satisfactory subject to additional conditions on any issued planning permit. The danger for pedestrians is mitigated by way of signal box alerting pedestrians, a recessed vehicle entrance door, external lighting and awning above the footpath to enhance the public realm. The use of car stackers is an appropriate and acceptable design response for a site of this size to condense the area required for parking facilities. The maintenance of the car stackers will be managed as per a condition on any issued planning permit.</td>
</tr>
<tr>
<td>Waste collection</td>
<td>A Waste Management Plan is conditional on any issued planning permit to mitigate noise, smell and rubbish associated with the site.</td>
</tr>
<tr>
<td>Insufficient advertising procedures</td>
<td>The application was advertised in accordance with the requirements of Section 52 of the Planning and Environment Act 1987.</td>
</tr>
<tr>
<td>Inaccurate written submission</td>
<td>Adequate information was provided for Council to assess the application in accordance with the Act and Planning Scheme requirements.</td>
</tr>
<tr>
<td>Consideration of Planning Permit MV/85/2016 when considering the application</td>
<td>The application is assessed against the relevant planning policy requirements of the day and do not require review of a previous application to make a decision on this proposal.</td>
</tr>
</tbody>
</table>

4. **Human Rights**

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

The application has been assessed against the relevant provisions of the State Planning Policy Framework, Local Planning Policy Framework, zoning and overlay controls, the relevant Particular and General Provisions, and the decision guidelines at Clause 65 of the Moonee Valley Planning Scheme.

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

It is considered the proposal demonstrates general compliance with the requirements of these provisions and policies. The application is supported as detailed above within the recommendation section.

Appendices

Appendix A: Objectors List
Appendix B: Advertised Plans (separately circulated)
Appendix C: Section 57a Plans (separately circulated)
Appendix D: Clause 58 Assessment.
Objectors List for MV/552/2017 at 261A, 261B & 261C Keilor Road, ESSENDON

**Objector's Mailing Address**

<table>
<thead>
<tr>
<th>Address</th>
<th>City</th>
<th>State</th>
<th>Postcode</th>
</tr>
</thead>
<tbody>
<tr>
<td>2/110 Bradshaw Street, ESSENDON VIC 3040</td>
<td>ESSENDON</td>
<td>VIC</td>
<td>3040</td>
</tr>
<tr>
<td>1 Graves Street, ESSENDON VIC 3040</td>
<td>ESSENDON</td>
<td>VIC</td>
<td>3040</td>
</tr>
<tr>
<td>1 Graves Street, ESSENDON VIC 3040</td>
<td>ESSENDON</td>
<td>VIC</td>
<td>3040</td>
</tr>
<tr>
<td>263a Keilor Road, NORTH ESSENDON VIC 3041</td>
<td>ESSENDON</td>
<td>VIC</td>
<td>3041</td>
</tr>
</tbody>
</table>
APPENDIX D

MV/552/2017– 261A Keilor Road, Essendon
Clause 58 (Apartment Developments) of the Moonee Valley Planning Scheme

Apartment Developments (Clause 58 and Schedule to the General Residential Zone).

Where there is non-compliance, see main report.

<table>
<thead>
<tr>
<th>Title and Objective</th>
<th>Complies with Standard</th>
<th>Complies with Objective</th>
</tr>
</thead>
<tbody>
<tr>
<td>D1 - Urban Context Objectives</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>D2 - Residential Policy Objectives</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>D3 - Dwelling Diversity Objective</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>D4 - Infrastructure Objectives</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>D5 - Integration with the Street Objective</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>D6 - Energy Efficiency Objectives</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>D7 - Communal Open Space Objective</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>D8 - Solar Access to Communal Outdoor Open Space Objective</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>D9 - Safety Objective</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>D10 - Landscaping Objectives</td>
<td>✓ subject to condition</td>
<td>✓ subject to condition</td>
</tr>
<tr>
<td>D11 - Access Objective</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>D12 - Parking Location Objectives</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>D13 - Integrated Water and Stormwater Management Objectives</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>D14 - Building Setback Objectives</td>
<td>✓ subject to condition</td>
<td>✓ subject to condition</td>
</tr>
<tr>
<td>D15 - Internal Views Objective</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>D16 - Noise Impacts Objectives</td>
<td>✓ subject to condition</td>
<td>✓ subject to condition</td>
</tr>
<tr>
<td>D17 - Accessibility Objective</td>
<td>✓ subject to condition</td>
<td>✓ subject to condition</td>
</tr>
<tr>
<td>D18 - Building Entry and Circulation Objectives</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Title and Objective</td>
<td>Complies with Standard</td>
<td>Complies with Objective</td>
</tr>
<tr>
<td>-------------------------------------------</td>
<td>------------------------</td>
<td>-------------------------</td>
</tr>
<tr>
<td>D19 - Private Open Space Objective</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>D20 - Storage Objective</td>
<td>✓ subject to condition</td>
<td>✓ subject to condition</td>
</tr>
<tr>
<td>D21 - Common Property Objectives</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>D22 - Site Services Objectives</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>D23 - Waste and Recycling Objectives</td>
<td>✓ subject to condition</td>
<td>✓ subject to condition</td>
</tr>
<tr>
<td>D24 - Functional Layout Objective</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>D25 - Room Depth Objective</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>D26 - Windows Objective</td>
<td>✓ subject to condition</td>
<td>✓ subject to condition</td>
</tr>
<tr>
<td>D27 - Natural Ventilation Objectives</td>
<td>✓</td>
<td>✓</td>
</tr>
</tbody>
</table>

✓ - Complies, X - Non-compliance, N/A - Not Applicable
9.3 Local Government Bill Exposure Draft - Moonee Valley City Council submission

File No: FOL/18/32
Author: Allison Watt
Manager Governance and Communications
Directorate: Organisational Performance

Purpose
This report seeks endorsement of Council’s submission to the Local Government Bill Exposure Draft.

Executive Summary
- In 2015, the State Government began the first comprehensive review of the Local Government Act 1989 (the Act) since its inception.
- The first stage of this reform comprised the release of a lengthy discussion paper inviting ideas on options to review all aspects of the Act, which attracted 348 submissions.
- In June 2016, the Government released a Directions Paper (Act for the Future) which outlined 157 potential reform directions, and attracted 333 submissions.
- Stage 3 comprised targeted consultation to inform the exposure draft, including seven technical working groups, meetings with peak ratepayer groups, key stakeholders on issue-specific reforms, council peak organisations and newly-elected councillors.
- The Exposure Draft Bill was released on 6 December 2017 for community comments and submissions and is the fourth and final stage of consultation before the Bill enters Parliament.
- Moonee Valley City Council’s submission focuses on a minimum of 10 hours of sector-specific training for councillors annually and a uniform Councillor Code of Conduct to apply to all councils.

Recommendation
That Council endorses the submission to the Local Government Bill Exposure Draft as outlined in Appendix A.

Background
The State Government released the Exposure Draft of the Local Government Bill to the sector on 6 December 2017. The release of the draft is the fourth and final stage of public consultation on the Local Government Act Review before the Bill enters the Parliament.
Discussion

Councillor Training and Professional Development
Moonee Valley City Council proposes that the Act or Regulations should require councillors to undertake a minimum of 10 hours training annually.

Formal training on technical skills and knowledge necessary to a councillors’ role is provided through a variety of channels.

The Municipal Association of Victoria (MAV) and Victorian Local Governance Association (VLGA) both offer comprehensive professional development and training programs for councillors.

These councillor development programs are designed to provide the essential knowledge and skills to support councillors to perform their role as prescribed in the Local Government Act 1989.

Programs include:

- Decision-Making/Strategic Planning and Effective Meetings/Meeting Procedures
- Understanding Council Finances
- Public Speaking Workshop
- Land Use Planning/Building
- Negotiation and Influencing Capabilities
- Managing Communications
- Rapid Reading
- Building Leadership
- Conflict of Interest for Councillors
- Mayors Connect Boardroom Lunch series
- Leading the Agenda series
- Workshops for new Mayors and Deputy Mayors

Training should be seen as integral to the role of a councillor. The MAV offers a credits points system and these points can be used by any councillor who wishes to take part in any councillor professional development program.

Uniform Councillor Code of Conduct

The development and adoption of a Councillor Code of Conduct, which outlines the internal resolution process to be used in the event of a dispute between councillors, is a statutory requirement under the Act.

There is no consistent Councillor Code of Conduct across the sector.

The MAV produced a template to assist councils to develop their own codes. Some councils adopted the MAV template, some amended it while other councils have developed their own version. Anecdotal feedback received by the MAV suggested that some councillors were concerned that particular provisions of their council codes were too restrictive on councillors.
An alternative to the current arrangements would be for the Minister to prepare a Councillor Code of Conduct that would apply to all councils. Moonee Valley supports mandated, uniform Code of Conduct to be applied across the sector.

Consultation
The nature of this report does not require any consultation. Council officers have attended consultation sessions and workshop on the Exposure Draft run by Local Government Victoria, the MAV and Macquarie Lawyers.

Implications
1. Legislative
   This report seeks endorsement of Council’s submission on the Local Government Bill Exposure Draft – the first major change to the Local Government Act 1989 since its inception.

2. Council Plan / Policy
   In presenting this report, Council is working to achieve its strategic objective to foster a culture of accountability and transparency in accordance with Council Plan 2017-21 Theme 5: Resilient organisation - A resilient organisation that is sustainable, innovative, engaging and accountable - Good governance is everyone’s responsibility.

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

4. Environmental
   There are no environmental impacts or opportunities resulting from the matters presented in this report.

Conclusion
Moonee Valley City Council will make a submission to the State Government’s Local Government Bill Exposure Draft on a minimum annual requirement for training for councillors and a uniform Councillor Code of Conduct to apply to all councils.

Appendices
Appendix A: MVCC Submission_Exposure_Draft_Bill.
Submission Template

Local Government Bill – Exposure Draft

<table>
<thead>
<tr>
<th>Name</th>
<th>Allison Watt</th>
</tr>
</thead>
</table>

If you work in an organisation or council, please provide the following information:

<table>
<thead>
<tr>
<th>Organisation or council name</th>
<th>Moonee Valley City Council</th>
</tr>
</thead>
<tbody>
<tr>
<td>Position</td>
<td>Manager Governance and Communications</td>
</tr>
<tr>
<td>Are you providing this submission on behalf of the organisation or council?</td>
<td>Council</td>
</tr>
</tbody>
</table>

Key information about making a submission

What feedback should I provide on the exposure draft bill?
Following an extensive consultation process that considered the policy issues that underpin the Local Government Act, we are now seeking feedback on the Local Government Exposure Draft Bill to inform the final draft legislation before the Government reviews it to present to the Victorian Parliament. We strongly encourage you to read the explanatory document (A New Local Government Act for Victoria) to assist you to navigate the draft legislation.

What is the closing date for submissions?
The closing date for submissions is 5:00 pm, Friday 23 February 2018. Given that the draft bill is subject to parliamentary timeframes, submissions received after this date will be considered at the Government’s discretion.

How do I make a submission?
Submissions can be made in three ways:
- Online by uploading your submission to the www.yourcouncilyourcommunity.vic.gov.au website
- Emailing your submission to local.government@delwp.vic.gov.au
- Posting your submission to:
  Local Government Act Review Secretariat
  C/o Local Government Victoria,
  PO Box 500, Melbourne VIC 3002

How do I complete this template?
To complete this template:
1. Locate the part of the Draft Bill you wish to comment on.
2. Insert the clause number, your level of support for the clause, the proposed change and any other comments into the table.

Can I provide a submission in another format?
It is strongly preferred for submissions to be made by completing this template. However, if another format suits your needs or the requirements of your organisation you are welcome to use another format.

Will submissions be made publicly available?
Written submissions and the name of the author will be published on the www.yourcouncilyourcommunity.vic.gov.au website unless confidentiality is requested and the Executive Director of Local Government Victoria grants it, or if it is determined your submission should remain confidential. Submissions that are defamatory or offensive will not be published.

Please contact the Local Government Act Review Secretariat if you have any questions on (03) 9948 8518 or local.government@delwp.vic.gov.au
### Part 2: Councils

<table>
<thead>
<tr>
<th>Clause (No.)</th>
<th>Support / Do Not Support / Neutral</th>
<th>What changes do you propose and why?</th>
<th>Are there any other comments you would like to make on this clause?</th>
</tr>
</thead>
<tbody>
<tr>
<td>32 (Qualification to be a Councillor) 41 (Resources and facilities for the Mayor and Councillors)</td>
<td>Support</td>
<td>Moonee Valley City Council proposes that the Act or Regulations should stipulate that each Councillor should undertake a minimum of 10 hours of sector-specific training annually.</td>
<td></td>
</tr>
</tbody>
</table>

Press tab to insert additional rows (as needed)

---

**Do you have any overall comments on Part 2 of the Exposure Draft Bill?**

---

PAGE 76
## Part 7: Council integrity

<table>
<thead>
<tr>
<th>Clause (No.)</th>
<th>Support / Do Not Support / Neutral</th>
<th>What changes do you propose and why?</th>
<th>Are there any other comments you would like to make on this clause?</th>
</tr>
</thead>
<tbody>
<tr>
<td>179 (Councillor Code of Conduct)</td>
<td>Support</td>
<td>Moonee Valley City Council proposes that the Act or Regulations should stipulate that there be a mandated, uniform Councillor Code of Conduct that would apply to all councils.</td>
<td></td>
</tr>
</tbody>
</table>

Press tab to insert additional rows (as needed)

Do you have any overall comments on Part 7 of the Exposure Draft Bill?
9.4 Information Privacy Policy - Review 2018

File No: FOL/18/32

Author: Lee McSweeney
Coordinator Governance

Directorate: Organisational Performance

Purpose

To seek Council’s endorsement for the Moonee Valley Information Privacy Policy 2018. The purpose of this policy is to ensure that Moonee Valley City Council continues to comply with its obligations in the management and handling of personal and health information.

Executive Summary

- The Privacy and Data Protection Act 2014 requires all public sector organisations, including Councils, to comply with 10 information privacy principles that regulate the management and handling of personal information.
- Moonee Valley’s Information Privacy Policy was last reviewed by Council at its Ordinary Meeting held on 14 November 2017.
- The current review has resulted in an amendment to Clause 7.10 to reference a central ‘Name and Address Register’.

Recommendation

That Council adopts the revised Moonee Valley Information Privacy Policy 2018 (as provided in Appendix A).

Background

The Local Government sector is required to comply with Part 3 of the Privacy and Data Protection Act 2014 – Information Privacy – which provides for the responsible handling of personal information.

Discussion

To ensure good governance practice, it is important for Moonee Valley City Council to review its policies on a regular basis to ensure compliance with legislation and community expectations.

At its meeting on the 12 December 2017, Council endorse the IT Transformation Enterprise Resource Planning (ERP) Platform. ERP has a range of key objectives, including one to integrate Council’s core application systems into a central ‘Name and Address Register’ (NAR) database platform which will enable a digital interaction service to Moonee Valley residents and customers by providing a ‘Single Customer View’ Service.

The information that will be contained in this database comprises ‘personal information’ within the meaning of the Privacy and Data Protection Act 2014. As a result, Council must handle the information in the database in accordance with the Information Privacy Principles (IPPs) under the Privacy and Data Protection Act.
To ensure compliance with this obligation, Clause 7.10 of the Information Privacy Policy has been amended to reflect that Council maintains a NAR database. In addition to this policy amendment, Council has also reviewed and updated its Privacy Collection Statements.

Consultation
The nature of this report does not require any community consultation.

In reviewing Council’s Information Privacy Policy and Collection Statements to reference a central NAR, Council engaged Maddocks Lawyers and consulted with Wyndham City and Ballarat City Councils who are also implementing a ‘Single Customer View’ Service.

Implications

1. **Legislative**
   The *Privacy and Data Protection Act 2014* provides that all public sector organisations including Councils must comply with 10 Information Privacy Principles that regulate the handling of personal information.

2. **Council Plan / Policy**
   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 this report.

4. **Environmental**
   There are no environmental implications resulting from this report.

Conclusion
In order to ensure that Moonee Valley City Council continues to comply with its obligations in the management and handling of personal and health information, it is recommended that Council endorse the revised Information Privacy Policy provided as **Appendix A**.

Appendices
Appendix A: Information Privacy Policy 2018
1. Background

Council believes that the responsible handling of personal, sensitive and health information is a key aspect of good governance, and is essential to protecting an individual’s right to privacy.

Accordingly, Moonee Valley City Council (Council) is committed to full compliance with its obligations under the Privacy and Data Protection Act 2014 and Health Records Act 2001 in the management and handling of the personal and health information of individuals.

2. Purpose

This policy outlines how the Council will collect, hold, use and disclose the personal and health information of individuals; maintains a central customer database and how individuals can gain access to their information, correct inaccuracies and lodge complaints in relation to any possible breaches.

3. Scope

This policy extends to all Councillors, Council employees, contractors and agents. This policy covers all personal, sensitive and health information (known collectively as ‘information”) held by Council.

4. Definition

The following definitions are provided as per the Privacy and Data Protection Act 2014.

- Personal information
  Means information or opinion, whether true or not, and whether recorded in material form or not, about a living individual whose identity is apparent, or can reasonably be ascertained from the information or opinion.
• **Sensitive Information**
  Means information or opinion about an individual's ethnic origins, religious beliefs, political opinions or association, philosophical beliefs, membership of professional association or trade union, sexual preferences or practices and criminal record.

• **Health information**
  Means information or opinion about the physical, mental, psychological health of an individual, disability of an individual or a health service provided or to be provided to an individual, but does not include information about an individual who has been deceased for more than 30 years.

5. **Responsibility**

Council's appointed Privacy Officer has the responsibility to communicate and implement this policy and to ensure compliance with the relevant Acts.

6. **Legislation**

- *Privacy and Data Protection Act 2014 (Victoria)*
- *Health Records Act 2001 (Victoria)*
- *Charter of Human Rights and Responsibilities Act 2006 (Victoria)*
- *Freedom of Information Act 1982 (Victoria)*

7. **Policy**

7.1 **Personal Information**

As part of the services provided to the community, the Council may hold personal information that is necessary for its function and activities. For example:

- Name, address, property, bank account and other financial details of residents and ratepayers for undertaking its rating and valuation services, town planning and building statutory functions and other property related services and enforcement activities.
• Name, address and contact details of individuals who contact Council with respect to requests or complaints related to Council services.

• Age, occupation, physical disabilities, health related and other sensitive information of individuals receiving Council services related to Childcare, Maternal and Child Health, Pre-school, Youth, Family, Leisure, Aged Care and the like.

• Personal information of employees and contract service providers, relevant to their employment/contract with Council.

In some instances, personal information is contained on a public register (such as for planning and building permits, food premises and animal registration databases).

7.2 Sensitive Information

Council may also hold sensitive information. Sensitive information includes information or an opinion about an individual’s racial or ethnic origin, political opinions, trade union membership, philosophical or religious beliefs, gender, sexual preferences or criminal record.

7.3 Health Information

Under certain circumstances, Council is required to hold health information in relation to individuals. Health information includes information about the physical, mental or psychological health, or disability of an individual. It also includes information collected to provide a health service to an individual (such as a disability or aged care service, immunisation service or maternal health care service), including an individual’s expressed wishes about the future provision of health services.

7.4 Collection

Council will only collect personal, sensitive and health information that is necessary for its functions and activities. In some instances, Council is required by law to collect this information. Council will only collect sensitive information and health information where an individual has consented or it is permitted under the Acts.

If it is reasonable and practicable to do so, Council will collect personal, sensitive and health information about an individual directly from that individual. Council will also inform the individual about their rights/obligations.
under the Acts, including the purpose/s for which the information is being collected. If Council collects this information about an individual from someone else, it will take reasonable steps to make the individual concerned aware of these matters.

7.5 Use and disclosure

Council will only use the information that it collects within Council, or disclose it outside Council, for the purpose for which it was collected or in accordance with the Act, or where the use or disclosure is specifically authorised by any other Act or Regulation.

Council may use or disclose information for law enforcement purposes to assist in the investigation of an unlawful activity that has been committed, being committed or in reporting concerns of the unlawful activity to the relevant authority. Council may further use or disclose information where necessary to lessen or prevent a threat to the life, health, safety or welfare of an individual or group.

7.6 Data Quality and Security

Council will endeavour to maintain a secure system for storing information. A range of technological and operational policies and procedures are employed to protect information from misuse and loss and from unauthorised modification or disclosure.

Council will dispose of information where it is no longer necessary to fulfil the purposes for which the information was collected or as required by law.

7.7 Transborder Data Flows

Council will only transfer information outside of Victoria if that data transfer conforms to the reasons and conditions outlined within the Acts.

7.8 Openness

Council will make available its policies on the management of information. On request, Council will take reasonable steps to provide individuals with general information on the types of information it holds, for what purposes, and how it collects, holds, uses and discloses that information.
7.9 Access and Correction

Any person wishing to access their personal information details held by Council may contact Council's Privacy Officer. Access will be provided except in the circumstances outlined in the relevant Act, for example, where the information relates to legal proceedings or where the Freedom of Information Act 1982 applies.

If individuals believe that their information is inaccurate, incomplete or out of date, they may request Council to correct the information. All such requests will be dealt with in accordance with the relevant Acts.

7.10 Identifiers and Anonymity

Council maintains a central 'Name and Address Register' (NAR database) and assigns a unique NAR identifier to each individual to ensure that there is only one name record for each individual customer so as to maintain data integrity. This database may be used by Council to contact residents, ratepayers and customers in relation to Council functions and services.

If an individual’s contact details change, they are encouraged to contact Council so that the Database can be updated. Council conducts data matching periodically to ensure accurate name records are maintained on individual customers.

In some instances, Council may elect to de-identify information by assigning a number to an individual or group. This will only be done in those instances where it is reasonable for Council to do so, and where it is not likely to impact on Council’s ability to perform its duties and functions effectively.

Where lawful and practicable, Council will give individuals the option of not identifying themselves when supplying information or entering into transactions with Council.

7.11 Obligations as a Health Service Provider

All health information held by Council will be managed in accordance with the Health Records Act 2001.

Where Council is providing health services, it will meet its obligations in relation to making information available to other health service providers, and notifying the public of any closure or transfer of its practices.
7.12 External Contractors

While information is usually handled by Council staff, Council may outsource some of its functions to third parties. This may require the third party to collect, use or disclose certain information (e.g. garbage collection or health information). It is Council’s intention to require contractors to comply with the Acts in all respects.

7.13 Enquiries or Complaints

If an individual would like more information on this policy, or feels aggrieved by Council’s handling of their information, they can contact Council’s Privacy Officer. Depending on the nature of the enquiry or complaint, it will be responded to as soon as possible (but no later than 5 business days) and a written response will be provided.

Privacy Officer
Moonee Valley City Council
PO Box 126
MOONEE PONDS VIC 3039
T: 03 9243 8888
E: council@mvcc.vic.gov.au

Alternatively, the individual may make a complaint to the Office of the Victorian Information Commissioner (OVIC) in relation to personal and/or sensitive information, or the Health Services Commissioner in relation to health information. Please note that the Commissioners may decline to hear the complaint if the individual has not first made a complaint to Council.

Complaints to the OVIC must be made in writing and can be sent to:

Office of the Victorian Information Commissioner
Privacy and Data Protection
PO Box 24014
MELBOURNE VIC 3001
T: 1300 666 444
E: privacy@cpdp.vic.gov.au

8. Charter of Human Rights

This Policy has been assessed as being compatible with the Charter of Human Rights and Responsibilities Act 2006.
9. **Review**

This policy will be reviewed by February 2020. The Council, at its discretion, may determine an earlier review.

10. **Related Documents**

   - Appendix A – *Information Privacy Principles (IPP's)*
   - Appendix B – *Health Privacy Principles (HPP's)*
Appendix A: Information Privacy Principles (IPP’s)

Information Privacy Policy

Privacy and Data Protection Act 2014 (Victoria)

<table>
<thead>
<tr>
<th>No.</th>
<th>Subject</th>
<th>Key Principles</th>
</tr>
</thead>
</table>
| 1.  | Collection            | 1.1 An organisation (including a person) must not collect personal information about an individual unless the information is necessary for one or more of its functions or activities  
1.3 At or near the time of collection, the organisation must notify the individual of a range of prescribed matters including the identity of the organisation, the purpose, proposed use and disclosure, right to access etc. |
| 2.  | Use and disclosure    | 2.1 An organisation must not use or disclose personal information about an individual for a purpose (the secondary purpose) other than the primary purpose of collection unless a prescribed exception applies |
| 3.  | Data quality          | 3.1 An organisation must take reasonable steps to make sure that the personal information it collects, uses or discloses is accurate, complete and up to date |
| 4.  | Data security         | 4.1 An organisation must take reasonable steps to protect personal information it holds from misuse and loss and from unauthorised access, modification or disclosure. An organisation must take reasonable steps to destroy or permanently de-identify personal information if it is no longer needed for any purpose |
| 5.  | Openness              | 5.1 An organisation must set out in a document clearly expressed policies on its management of personal information. The organisation must make the document available to anyone who asks for it  
5.2 On request by a person, an organisation must take reasonable steps to let the person know, generally, what sort of personal information it holds, for what purposes, and how it collects, holds, uses and discloses that information |
| 6.  | Access and correction | 6.1 If an organisation holds personal information about an individual, it must provide the individual with access to the information on request by the individual, except to the extent that prescribed exceptions apply  
6.5 If an organisation holds personal information about an individual and the information is not accurate, complete or up to date, the organisation must take reasonable steps to correct the information so that it is accurate, complete and up to date |
| 7.  | Unique identifiers    | 7.1 An organisation must not assign unique identifiers to individuals unless the assignment of unique identifiers is necessary to enable the organisation to carry out any of its functions efficiently  
7.2 An organisation must not adopt as its own identifier of an individual a unique identifier of the individual that has been assigned by another organisation unless prescribed exceptions apply |
| 8.  | Anonymity             | 8.1 Wherever it is lawful and practicable, individuals must have the option of not identifying themselves when entering transactions with an organisation |
| 9.  | Transborder data flows| 9.1 An organisation may transfer personal information about an individual to someone (other than the organisation or the individual) who is outside Victoria only if prescribed conditions apply |
| 10. | Sensitive information | 10.1 An organisation must not collect sensitive information about an individual unless the individual has consented or prescribed exceptions apply |

Directorate: Organisational Performance
Responsible Manager: Governance & Communications
Document No: 18/5076
Approval Date: March 2018
Review Date: February 2020

Page 8 of 10
# Appendix B: Health Privacy Principles (HPP’s)

## Information Privacy Policy

**Health Records Act 2001 (Victoria)**

<table>
<thead>
<tr>
<th>No.</th>
<th>Subject</th>
<th>Key Principles</th>
</tr>
</thead>
</table>
| 1.  | Collection                                   | 1.1 An organisation (including a person) must not collect health information about an individual unless the information is necessary for one or more of its functions or activities and the individual has consented.  
|     |                                              | 1.4 At or near the time of collection, the organisation must notify the individual of a range of prescribed matters including the purpose, proposed use and disclosure, right to access etc.                                                                                                                             |
| 2.  | Use and disclosure                           | 2.1 An organisation may use health or personal information about an individual only for the primary purpose for which the information was collected.  
|     |                                              | 2.2 An organisation must not use or disclose health information about an individual for a purpose other than the primary purpose unless the individual has consented to the use or disclosure                                                                                                                     |
| 3.  | Data quality                                 | 3.1 An organisation must take reasonable steps to make sure that the health information it collects, uses or discloses is accurate, complete and up to date and relevant to its functions                                                                                                                                                  |
| 4.  | Data security and retention                  | 4.1 An organisation must take reasonable steps to protect the health information it holds from misuse and loss and from unauthorised access, modification or disclosure.  
|     |                                              | 4.2 A health service provider must not delete health information relating to an individual, even if it is later found or claimed to be inaccurate unless prescribed conditions apply                                                                                                                                         |
| 5.  | Openness                                     | 5.1 An organisation must set out in a document its health information management policies, and access rights, and must make the document available to anyone who asks for it  
|     |                                              | 5.2 On request by an individual, an organisation must take reasonable steps to advise the individual about whether it holds their health information, how and why it is held, and the process for seeking access                                                                                       |
| 6.  | Access and correction                        | 6.1 If an organisation holds health information about an individual, it must provide the individual with access to the information on request by the individual, unless prescribed conditions apply  
|     |                                              | 6.5 If an individual is able to establish that their information held by an organisation is inaccurate, incomplete, misleading or out of date, the organisation must take reasonable steps to correct the information                                                                                           |
| 7.  | Identifiers                                  | 7.1 An organisation may only assign identifiers to individuals if the assignment of identifiers is reasonably necessary to enable the organisation to carry out any of its functions efficiently  
|     |                                              | 7.2 A private sector organisation may not adopt as its own identifier of an individual an identifier that has been assigned to that person by a public sector organisation unless prescribed exceptions apply                                                                                                                  |
| 8.  | Anonymity                                    | 8.1 Wherever it is lawful and practicable, individuals must have the option of not identifying themselves when entering transactions with an organisation                                                                                                                                                                                                 |
| 9.  | Transborder data flows                       | 9.1 An organisation may transfer health information about an individual to someone (other than the organisation or the individual) who is outside Victoria only if prescribed conditions apply                                                                                                                                 |
| 10. | Transfer or closure of the practice of a health service provider | 10.1 If the practice or business of a health service provider is to be transferred or closed, the provider must comply with a prescribed set of procedures, including notification to former clients and the public |

<table>
<thead>
<tr>
<th>Directorate</th>
<th>Responsible Manager</th>
<th>Document No</th>
<th>Approval Date</th>
<th>Review Date</th>
</tr>
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<tr>
<td>Organisational Performance</td>
<td>Governance &amp; Communications</td>
<td>18/9076</td>
<td>March 2018</td>
<td>February 2020</td>
</tr>
</tbody>
</table>
### Appendix B: Health Privacy Principles (HPP’s)

*Information Privacy Policy*

<table>
<thead>
<tr>
<th>11.</th>
<th>Making information available to another provider</th>
</tr>
</thead>
<tbody>
<tr>
<td>11.1</td>
<td>If an individual requests a health service provider to make their health information available to another provider, the former must comply with the request</td>
</tr>
</tbody>
</table>
9.5 Grants Assessment Special Committee

File No: FOL/18/32
Author: Sarah Edwards
Coordinator Social Planning & Wellbeing
Directorate: Planning & Development

Purpose
To seek endorsement of the membership of the Section 86 Grants Assessment Special Committee (the Committee) and of the Committee Charter Appendix A and Instrument of Delegation Appendix B.

Executive Summary
- A number of recommendations for improving the biannual grants assessment process for Round Two, 2017-18 were presented at the Ordinary Council meeting on 12 December, 2017.
- Pursuant to Section 86 of the Local Government Act 1989, Council resolved to establish the Grants Assessment Special Committee with the purpose, membership, scope of activity and delegated authority as detailed in the updated Committee Charter provided as Appendix A.
- As per this recommendation, Council resolved to delegate to the Grants Assessment Special Committee the powers, duties and functions set out in the updated Instrument Delegation provided as Appendix B.
Recommendation
That Council:

1. Resolves to delegate to the Grants Assessment Special Committee those functions, powers and duties set out in the Instrument of Delegation Appendix B in accordance with Section 86 of the Local Government Act 1989.

2. Authorises the Common Seal of Moonee Valley City Council to be affixed to the Instrument of Delegation to the Grants Assessment Special Committee.

3. Endorses the revised Charter to the Grants Assessment Special Committee provided as Appendix A.

4. Resolves to appoint the following Councillors, Community Members and Council Officers as members of the Grants Assessment Special Committee for a 12 month term, effective from the date of this resolution:
   - Cr John Sipek
   - Cr Samantha Byrne
   - Cr Jim Cusack
   - Cr Rebecca Gauci Maurici
   - Cr Cam Nation
   - Cr Narelle Sharpe
   - Cr Nicole Marshall
   - Heather Watson, community member
   - Ibrahim Hajj, community member
   - Anita Sri-Ananda, community member
   - John Bonacci, community member
   - Tony Fisher, community member
   - Steven Lambert, Director City Services or his nominated Council officer representative (ex-officio)
   - Natalie Reiter, Director Planning and Development or her nominated Council officer representative (ex-officio)

5. Advertises the upcoming meetings of the Grants Assessment Special Committee pursuant to Section 89 of the Local Government Act 1989.

6. Appoints Mayor, Cr Sipek as Chair of the Grants Assessment Special Committee

Background
The Biannual Grants program is Council’s flagship funding stream with a committed annual operational budget of $397,196 in 2017/18 (including an additional amount of $8,861 as per Council resolution on 27 June, 2017 for an increase in Councillor and Mayoral Allowances to be redirected to the Program).
The Biannual Grants Program aims to support projects across the City to:

- increase community participation
- access information and services
- strengthen wellbeing
- strengthen economic growth

Previously, the grants assessment process has occurred via a Community Grants Assessment Panel, the Terms of Reference most recently endorsed by Council at its Ordinary Meeting of 14 March 2017. The Panel consisted of three Councillors, up to five community representatives and two Council staff (Directors or their nominees).

The Panel has provided a robust, transparent and representative process to assess applications and in addition to our Portfolio Advisory Committees, offered community members an opportunity to be involved in Council’s decision making process.

During 2017, Councillor and community panel member feedback noted a timing challenge in the grants process to consider funding recommendations due to the short timeframe between Panel recommendation and Council endorsement.

To address this issue, Council resolved to establish a Grants Assessment Special Committee (the Committee) at its Ordinary Meeting on 12 December, 2017 to make funding decisions on Biannual Grants for future rounds, in accordance with Section 86 of the Local Government Act 1989.

Discussion

Committee scope and purpose

The Committee provides a key avenue for community involvement in decision making process and opportunity to ‘empower’ community which is consistent with the International Association for Public Participation (IAP2) community engagement approach. The Committee also provides for:

- An efficient process with reduced delays for funding recommendation endorsement.
- Additional Councillor representation, with recommendations able to be endorsed as part of grants assessment committee meetings and then reported to Council for noting.

The Committee will assess Biannual Grants Round Two 2017-18 and Round One 2018-19 applications. They will also assess Social Support grant applications as a stream within the Biannual Grants program (and described in the annual ‘Community Funding Program 2017/18 Guidelines’). The Special Committee will not assess Responsive Grants which will continue to be assessed as per current arrangements.

Proposed Committee membership

Following the 12 December Council meeting, Councillors were invited to nominate their interest in membership of the Committee. As per the Charter, the Committee may comprise up to all Councillors as representatives, but with a minimum of four Councillors (provided all Wards are represented).
Seven Councillors nominated their interest in being Committee members:

- Cr John Sipek
- Cr Samantha Byrne
- Cr Jim Cusack
- Cr Rebecca Gauci Maurici
- Cr Cam Nation
- Cr Narelle Sharpe
- Cr Nicole Marshall

As per the Charter Appendix A, the Committee may comprise up to five community members. Community representatives were recruited through an Expression of Interest (EOI) process commenced in January 2018, with previous Grants Assessment Panel members and existing Portfolio Advisory Committee members engaged.

Five community members have nominated interest in being Committee members and have signed ‘Grants Assessment Special Committee Acceptance of Appointment’ forms:

- Heather Watson, community member
- Ibrahim Hajj, community member
- Anita Sri-Ananda, community member
- John Bonacci, community member
- Tony Fisher, community member

As per the Charter, the Committee comprises two staff representatives as ex-officio and not holding voting rights, and who may delegate to Managers (senior officers):

- Steven Lambert, Director City Services, and /or his senior officer delegate
- Natalie Reiter, Director Planning and Development, and /or her senior officer delegate

Following Council endorsement of the recommendations outlined in the report, all members will be notified via email of their appointment. Members will be sent details of meeting dates and times and copies of the Council endorsed the Committee Charter Appendix A and Instrument of Delegation Appendix B.

Consultation

Report recommendations are informed by feedback received from Councillors, community members (grant applicants and community assessment panel members) and Council officers throughout the Community Grants Program Evaluation undertaken in 2017.

Pursuant to Section 89 of the Local Government Act 1989, upcoming meetings of the Grants Assessment Special Committee must be advertised. Section 89(2)(h) of the Local Government Act 1989 allows provision for meetings of the Grants Assessment Committee to be closed to members of the public. The Committee Charter Appendix A notes that meetings of the Grants Assessment Committee will be closed to members of the public, due to the confidentiality of grant application material.
A report to Council for noting which summarises the decisions of the Special Committee will be provided to Council in a timely manner following each Bi-annual Grants Round.

**Implications**

1. **Legislative**
   
The Program 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.

   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 establishment of the Grants Assessment Special Committee is in accordance with Section 86 of the Local Government Act 1989.

2. **Council Plan / Policy**

   In presenting this report, Council is working to achieve its strategic objective to foster a culture of accountability and transparency in accordance with Council Plan 2017-2021 Theme 5: Resilient organisation - A resilient organisation that is sustainable, innovative, engaging and accountable - Good governance is everyone’s responsibility.

   The key Grants 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 the following Council Plan 2017-2021 objectives:

   - **Strategic Objective 1.1: Our community is socially inclusive and healthy**
     
     o Develop and implement community benefit assessment tool.

     o Continue to implement the Diversity, Access and Equity Policy and subsequent action plan.

   - **Strategic Objective 1.4: Our community is empowered to thrive**

     o Provide a range of community funding streams’ and key priority ‘deliver Council’s Community Funding Program. Measure, monitor and evaluate financial support provided.

     o 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 a total available Grants Program operational budget of $437,196. This includes an amount of $8,861 as per the Council resolution on 27 June, 2017 for an increase in Councillor and Mayoral Allowances to be redirected to the program.

Of this total budget, $397,196 this budget is allocated to Biannual Grants and $40,000 is allocated to Responsive Grants.

The first round of the 2017/18 Biannual Grants Program opened on 4 July and closed on 8 August, 2017. Round One received 58 eligible applications with $613,233 requested in funding.

Twenty five applications (43 per cent) of all eligible applications were recommended for funding, totalling $206,145. These funding recommendations were endorsed at the Ordinary Council Meeting on 24 October 2017.

A remaining operational budget of $191,051 is available for Round 2, 2017-18; due to open on 30 January, 2018.

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. The Biannual grants program also funds on average five or six sustainability related projects a year.

Conclusion

A number of recommendations for improving the grants assessment process for Round Two, 2017-18 were presented at the Ordinary Council meeting on 12 December, 2017.

Pursuant to Section 86 of the Local Government Act 1989, Council resolved to establish the Grants Assessment Special Committee. The purpose, membership, scope of activity and delegated authority is detailed in the Committee Charter, updated and provided as Appendix A.

As per this recommendation, Council resolved to delegate to the Grants Assessment Special Committee the powers, duties and functions set out in the Instrument of Delegation, updated and provided as Appendix B. This report seeks endorsement for the proposed membership of this Committee.

Appendices

Appendix A: Grants Assessment Special Committee Charter
Appendix B: Instrument of Delegation Grants Assessment Special Committee.
Grants Assessment Special Committee

Charter

1. PURPOSE
The Grants Assessment Special Committee is a special committee of Council established in accordance with Section 86 of the Local Government Act 1989. In accordance with good governance practice, Council has constituted a Grants Assessment Special Committee to assess applications and allocate funds to Biannual Grants applicants.

2. AUTHORITY
In accordance with its Instrument of Delegation, the Grants Assessment Special Committee has the authority to assess Biannual Grants applications and to allocate funds in line with Council’s Community Funding Guidelines, and adopted annual grants budget.

3. DEFINITIONS
- **Acting Chairperson** means an alternative Councillor/delegate, in the absence of the Chairperson.
- **Chairperson** means the Councillor appointed to chair the meetings.
- **Facilitator** means the independent person appointed by the responsible Council officer to support the Committee and in particular the Chairperson to facilitate discussion and decision making.
- **Committee** means any Council created Special Committee.
- **Council** means Moonee Valley City Council.
- **Councillor** means a Councillor of Moonee Valley City Council.
- **Community Member** is a member of the Special Committee who is not a Councillor or a Council officer.
- **Council officer** means an employee of Moonee Valley City Council.

4. MEMBERSHIP
4.1 The Grants Assessment Special Committee will consist of up to sixteen (16) members, and shall comprise:

<table>
<thead>
<tr>
<th>Directorate Planning &amp; Development</th>
<th>Responsible Manager Community Planning</th>
<th>Document No</th>
<th>Approval Date March 2018</th>
<th>Review Date</th>
</tr>
</thead>
</table>

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AGENDA – ORDINARY COUNCIL MEETING

ITEM 9.5 - APPENDIX A

Grants Assessment Committee

- Up to and including all Councillors. Any Councillor may decide not to be a member provided quorum requirements are met as per clause 5.1 below.
- Up to five (5) Community Members selected through either a public EOI process or from the membership of Council’s Portfolio Advisory Committees.
- Two (2) ex-officio/ non-voting Council officers being:
  - Director Planning and Development or their nominated Council officer representative and Director City Services or their nominated Council officer representative.

4.2 The total number of voting members will be up to fourteen (14).

4.3 The appointment of Councillor and Community members will be on an annual basis at an Ordinary Council Meeting. Community Members are selected on an annual basis and appointed for a 12 month period (i.e. two rounds of grants) as specified in the EOI.

4.4 Community Members may reapply through the EOI process.

5. CHAIRPERSON AND QUORUM

5.1 To achieve a quorum, a minimum of four (4) Councillors (with at least one Councillor from each ward, one Council Executive (or their nominee) and three (3) community members are required to be in attendance at each meeting.

5.2 Meetings will be chaired by the Mayor. If the Mayor is an apology or is not a member of the Special Committee, then the Deputy Mayor will be Chairperson. If the Deputy Mayor is an apology or is not a member of the Special Committee, then the Committee Members must appoint a Chairperson for each meeting.

5.3 Chairperson Duties and Discretions
   a) must not accept any motion, question or statement which is derogatory, or defamatory of any Councillor, Committee Member, Council officer, or member of the community; and
   b) must call to order any person who is disruptive or unruly during any meeting.
   c) will work with the independent Facilitator and Council officers to facilitate discussion and decision making and ensure the high volume of information is assessed in a timely and orderly manner.

6. MEETINGS

6.1 The Grants Assessment Special Committee will meet at least two (2) times a year, with the ability to convene additional meetings, as circumstances require.
Grants Assessment Committee

6.2 Grants Assessment Special Committee members will be required to undertake up to 2 days reading time, per grant round dependent on the number of applications they are required to assess.

6.3 Meetings of the Grants Assessment Special Committee will be closed to members of the public pursuant to Section 89(2)(h) of the Local Government Act 1989, due to the confidentiality of grant application material.

6.4 All Grants Assessment Special Committee members are expected to attend each meeting, in person or through teleconference or video conference (less preferably).

6.5 The Grants Assessment Special Committee may invite members of Council staff or external members to attend meetings and provide pertinent and specialist information and administrative support, as necessary.

6.6 Meeting agendas and related papers will be prepared and provided to members two (2) days in advance of meetings.

6.7 Applications will be assessed and scored against the criteria individually and privately by all Committee Members prior to Committee meetings.

6.8 A ranked list of applications based on individual assessment scores will be presented to the Committee to guide the assessment, funding allocations and associated decisions during Committee meetings.

6.9 Committee members will not publicly comment on behalf of the group. Neither will any members seek to advocate on the needs of any individuals or organisations.

7. CONFIDENTIALITY OF INFORMATION

7.1 The information considered by and presented to the Grants Assessment Special Committee is to remain confidential unless specified otherwise by Council and all Committee members are required to complete a Confidentiality Statement prior to assessing any grant applications.

7.2 Committee members must not directly or indirectly release or make available to any person any information relating to the work or discussions of the Grants Assessment Special Committee except in such terms stipulated by Council.

8. CONFLICT OF INTEREST

8.1 Members of the Grants Assessment Special Committee must be fully aware that Section 79 of the Local Government Act 1989 makes it mandatory for members of the Committee to disclose all conflicts of interest prior to the discussion of the matter for which the conflict of interest has arisen.

8.2 Members of the Grants Assessment Special Committee are required to complete a Conflict of Interest and Confidentiality Statement prior to assessing any grant applications.

9. RESPONSIBILITIES

<table>
<thead>
<tr>
<th>Directorate</th>
<th>Responsible Manager</th>
<th>Document No</th>
<th>Approval Date</th>
<th>Review Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Planning &amp; Development</td>
<td>Community Planning</td>
<td>March 2018</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
9.1 Members are required to:
   a) Understand and adhere to the principles of related Policy and Grants
guidelines and assessment criteria.
   b) Adhere to the Confidentiality and Disclosure Agreement.
   c) Treat information with sensitivity.
   d) Keep informed of current developments, issues and concerns in the
local community.
   e) Provide written comments to justify assessment scores.
   f) Prepare for and actively participate in meetings.
   g) Declare in advance any potential conflict of interest and to exit the
room during the deliberation of any application in which they have an
interest. Conflicts will be recorded in the minutes of the Committee
meeting.
   h) Act in a courteous manner, respecting others views and opinions. All
members should respect the decision of the consensus view as
adjudicated by the Chair and with support of the independent
Facilitator.

10. GOVERNANCE FRAMEWORK

10.1 The provisions of the Moonee Valley City Council Governance Local Law
2009 and Meetings Procedure Protocol shall apply to all meetings of the
Grants Assessment Committee.

10.2 A decision making framework has been developed to assist the Grants
Assessment Committee with decision making and to assist the Committee
to process the volumes of data contained within grant applications in any
one round. Refer Appendix One to this Charter.

11. REPORTING

11.1 Minutes of meetings will be kept and action items recorded and monitored.

11.2 In order to avoid canvassing, membership of the panel is to remain
anonymous, with only the structure, (number of Councillors, Council
Officers and Community members) to be made available to the general
public.

12. PUBLICLY AVAILABLE INFORMATION

12.1 Information regarding the Grants Assessment Committee and its operation
will be made publicly available.

12.2 The following information should be made publicly available on the Moonee
Valley City Council website in a clearly marked corporate governance
section:
   • The Grants Assessment Special Committee Charter
Grants Assessment Committee

- The Instrument of Delegation to the Grants Assessment Special Committee
- Description of the responsibilities of the Grants Assessment Special Committee
Appendix One: Grants Assessment Committee Decision Making Framework

Purpose
The Decision Making Framework outlines the process for deciding on the final list of funding allocations at the Grants Assessment Committee meeting.

Grants Assessment Committee meetings
- After individual assessments are completed by all Committee members (prior to the meeting), total scores will be calculated by Council Officers and collated into a ranked list of applications, presented at the first meeting of the Grants Assessment Committee meeting.
- The first Grants Assessment Committee meeting will consider funding amounts for the highest ranked applications, with consideration for the general mix of funding across the Funding Priority areas, funding levels and locations across the municipality.
- The second meeting of the Grants Assessment Committee will be held for funding recommendations to be adopted.

Principles to inform decision making
- A ranked list of applications in order from highest score will be presented at the Grants Assessment Committee meeting, based on individual assessments undertaken by the Committee Members prior to the Committee meeting.
- The Grants Assessment Committee will begin by considering applications with the highest score.
- Applications should be considered accordingly as follows:

<table>
<thead>
<tr>
<th>Applications that have scored:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Above 80% High quality</td>
<td>Priority consideration for funding</td>
</tr>
<tr>
<td>80% - 60% Moderate quality</td>
<td>May consider for funding, to ensure balanced allocation</td>
</tr>
<tr>
<td>Below 50% Poor quality</td>
<td>Do not consider, unless to ensure balanced allocation</td>
</tr>
</tbody>
</table>

- To ensure balanced allocation, the spread of funding across the following areas must also be considered:
  o Funding Priorities – the funding themes outlined in the Community Grants Program Guidelines published annually
  o Levels of funding – <$5,000, $5-$10,000 and $10-$20,000 (note maximum of $1500 may be allocated to Social Support grant applications)
  o Locations across the municipality – all areas are proportionally represented

- The Committee will come to an agreement on the following items for each application:
  o whether funded, and if so, in full or partially;
  o if partially, the partial amount;
  o whether any special conditions should be applied to the grant; and
  o a reason for not recommending a high/moderate scored application.

- Applications will be confirmed as allocated, by majority vote of Committee members.
Grants Assessment Committee Meeting:

<table>
<thead>
<tr>
<th>Process</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
</tr>
</thead>
<tbody>
<tr>
<td>Completed before meeting:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Eligibility checks</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>All applications screened against the eligibility criteria (by Council officers)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Individual assessments</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>All assessors read and score applications individually (by Committee Members)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ranked list</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total scores are collated and applications are ranked (calculated by Council officer using Committee Members individual assessments)</td>
<td></td>
<td></td>
<td></td>
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<td></td>
</tr>
</tbody>
</table>

Grants Assessment Committee Meeting:

<table>
<thead>
<tr>
<th>High quality applications</th>
<th>1</th>
<th>Review applications that sit &quot;above the line&quot; and consider for funding first</th>
</tr>
</thead>
<tbody>
<tr>
<td>Funding Priorities</td>
<td>2</td>
<td>Ensure balanced allocations across the key Funding Priority themes</td>
</tr>
<tr>
<td>Locations</td>
<td>3</td>
<td>Ensure balanced allocation across municipality</td>
</tr>
<tr>
<td>Funding levels</td>
<td>4</td>
<td>Ensure balanced allocation across the funding levels (&gt;$5,000, $5-10,000, $10-20,000)</td>
</tr>
<tr>
<td>Final list</td>
<td>5</td>
<td>Agree on a final list of allocations to present to Council</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Directorate &amp; Planning Development</th>
<th>Responsible Manager Community Planning</th>
<th>Document No</th>
<th>Approval Date March 2018</th>
<th>Review Date</th>
</tr>
</thead>
</table>
INSTRUMENT OF DELEGATION

Appointment of the Grants Assessment Special Committee

Pursuant to Section 86 of the Local Government Act 1989, Moonee Valley City Council delegates to the Special Committee established by resolution passed on 27 March 2018 and known as the “Grants Assessment Special Committee” (“the Special Committee”), the powers, duties and functions set out in the Schedule and declares that:

1. this Instrument of Delegation is authorised by a resolution of Council passed on 27 March 2018;
2. the delegation:
   2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
   2.2 remains in force until Council resolves to vary or revoke it; and
   2.3 is to be exercised in accordance with the guidelines or policies which Council from time to time adopts;

The COMMON SEAL of the MOONEE VALLEY CITY COUNCIL was hereto affixed in the presence of -

Councillor

______________________________

Chief Executive Officer

Date: ________________________
SCHEDULE

Powers and functions
To exercise Council's functions and powers to perform Council's duties in relation to Section 3E(1) (b) of the Local Government Act 1989 to plan for and provide services for the local community, and for those purposes:

1. to approve and enter into funding agreements for recommended grant applications up to a maximum value of $20,000 per application, and to incur expenditure for such requirements that have been endorsed and identified by Council policy;
2. to do all things necessary or convenient to be done for or in connection with the performance of those functions, duties and powers.

Exceptions, conditions and limitations
The Committee is not authorised by this Instrument to:

1. allocate monies outside of the allocated annual budget for community grants funding.
2. enter into a funding agreement and/or award a grant application which exceeds a value of $20,000.
3. exercise the powers which, by force Section 86 of the Act, cannot be delegated being the following:
   a. this power of delegation;
   b. to declare a rate or charge;
   c. to borrow money;
   d. to enter into contracts for an amount exceeding an amount previously determined by the Council;
   e. to incur any expenditure exceeding an amount previously determined by the Council;
   f. any prescribed power.
9.6 Standing Together and Supporting Diversity Statement

File No: FOL/18/32
Author: Kate McCaughey
Manager Community Planning
Directorate: Planning & Development

Purpose
To seek endorsement of a Standing Together and Supporting Diversity Statement in line with Council’s Diversity, Access and Equity Policy (2015); and outline proposed activities to promote this statement throughout 2018.

Executive Summary
- Council adopted a Diversity, Access and Equity Policy (Policy) in 2015 with the goal 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”.

- The Policy includes a commitment under Theme 1 to: “Acknowledge the value and contributions of our diverse communities and acknowledge and proactively address experiences of discrimination and violence by promoting positive messages and providing opportunities for impacted communities to share their experiences”. To build on this commitment and show support for our diverse community, Council has developed a Standing Together and Supporting Diversity Statement (Statement).

- Moonee Valley is culturally rich and diverse. More than a quarter of Moonee Valley residents were born overseas and a third speak a language other than English at home (2016 ABS Census).

- While Moonee Valley is generally considered a cohesive community, we also know that racism and discrimination are experienced by some people in Moonee Valley.

- Experiences of racism can have impacts on the health and wellbeing of individuals, families and communities effecting their ability to contribute socially and economically. To counter this, Council continues to provide and support programs to foster cohesion, build community capacity and nurture understanding between community members.

- Cultural Diversity Week is taking place 17 to 25 March 2018 and Council will be undertaking a number of activities to celebrate cultural diversity in Moonee Valley.
Recommendation

That Council:

1. Adopts a Standing Together and Supporting Diversity Statement Appendix A.
2. Writes to local community leaders and organisations advising them of this statement.
3. Notes the proposed activities outlined in Table 3 to promote this Statement throughout 2018.

Introduction

This briefing paper outlines Council’s approach to supporting diversity, access and equity in Moonee Valley, including the adoption of a Standing Together and Supporting Diversity Statement.

Background

Council adopted a Diversity, Access and Equity Policy in 2015 with the goal 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”.

This policy includes a commitment under Theme 1 Fostering respect and celebrating diversity to:

“Acknowledge the value and contributions of our diverse communities and acknowledge and proactively address experiences of discrimination and violence by promoting positive messages and providing opportunities for impacted communities to share their experiences”. (page 9)

To build on this commitment and show support to our diverse communities, Council has developed a Standing Together and Supporting Diversity Statement as outlined in Appendix A of this report. This is delivering on a key priority of the Council Plan 2017-21 to:

“Actively promote and celebrate our multicultural community through the development of a Council policy statement, and provide opportunities for diverse communities to connect and contribute.” (Objective 4.1, page 51)

In 2014, Council undertook a significant implementation initiative and was a partner of the Australian Human Rights Commission’s ‘Racism. It stops with me campaign’. The purpose of the campaign was to ensure more Australians recognise that racism is unacceptable in our community; and provide practical tools and resources for individuals and organisations to take action against racism. Council developed a short film on its YouTube channel with the message “We stand together”. The film was shot at various locations featuring Council staff and community members from all different backgrounds. Council’s 1 December 2014 media release included the following quotes:

“Racism is simply unacceptable and by partnering with the Racism. It stops with me campaign, we want to make it loud and clear that Council does not tolerate racism in any form….We are so proud of our city’s diversity – everyone, regardless of background, gives their own unique contribution to making Moonee Valley the great, culturally rich city it is today. Whether you were born here, or have come from oversees and made Moonee Valley your...”
home, it makes no difference. We all have a right to safety, dignity and respect.” (previous Mayor, Cr Narelle Sharpe)

Although started some years ago, the Australian Human Rights Commission’s ‘Racism. It stops with me campaign’ was ongoing in 2017.

Discussion

Moonee Valley community

Moonee Valley is culturally rich and diverse. Some key figures from the 2016 ABS Census regarding diversity in Moonee Valley’s population include:

- More than a quarter (28 per cent) of residents were born overseas
- A third (30 per cent) speak a language other than English at home
- The most common languages other than English spoken at home are Italian (7 per cent), Greek, (3 per cent) and Vietnamese (2 per cent)
- The most common countries of birth for Moonee Valley residents born overseas are Italy (4 per cent), India (2 per cent), the United Kingdom (2 per cent) and Vietnam (2 per cent).
- Of those who migrated to Moonee Valley from overseas between 2006 and the 2016 Census, the most common countries of birth were India (19 per cent), China (9 per cent) and New Zealand (6 per cent).
- Avondale Heights has the highest proportion of residents born overseas (38 per cent, 10 per cent above the state average of 28 percent), and those who speak a language other than English at home (48 per cent, compared to the state average of 26 per cent). Over 10 per cent of the Avondale Heights population speak Italian at home
- Other neighbourhoods with a high proportion of residents born overseas are Milleara (37 per cent) and Flemington (35 per cent)
- The proportion of Flemington Housing Estate residents born overseas is 51 percent, with 71 per cent of Estate residents speaking a language other than English at home. Similarly, on the Wingate Housing Estate 40 per cent of the Wingate Estate population was born overseas, with 60 per cent speaking a language other than English at home
- There are over 72 languages and dialects spoken in Moonee Valley
- 63 percent of Moonee Valley residents value living in Moonee Valley because of its multiculturalism (Moonee Valley Community Survey 2017)

Figure 1 Moonee Valley Resident Born Overseas illustrates distribution across the city, with more deeply blue shaded areas indicating higher levels of overseas born residents.
While Moonee Valley is generally considered a cohesive community, we also know that racism and discrimination are experienced by some people in Moonee Valley.

**Welcoming and inclusive cities**

The ‘Welcoming Cities’ movement has grown in recent years to support local councils and their communities become more welcoming and inclusive. Welcoming is about inclusion at all levels; and is a process by which local councils, businesses and communities can embrace and integrate migrant communities for greater social cohesion and economic success. Underlying principles of the movement note that:

- When people feel welcome they are more likely to participate in community life; and
- People’s sense of belonging and connectedness is improved through greater insight and understanding of different cultures living in a place.

**Immigration and economic development**

“*Welcoming is not just the right thing to do, it’s the smart thing to do*”. (Welcomingcities.org.au)

Research demonstrates that socially cohesive communities lead to:

- Increased productivity through higher levels of education and employment
- A greater sense of belonging
- Increased levels of civic participation, and
- Improved wellbeing for whole communities

The continued success of multiculturalism in Moonee Valley (and Australia more generally) will depend on our ability to foster social cohesion as our population and cultural diversity grows. Over the next 35 years, migration will drive economic and skills growth in Australia. Migrants will contribute $1,625 billion (1.6 trillion dollars) to Australia’s GDP, and 10 per cent more to the economy than existing residents. Migration will also lead to a 60 per cent increase in people with a university education (welcomingcities.org.au). Other significant global studies have identified the economic benefits of increased diversity, as summarised in Figure 2 below.

![Figure 2: Economic impact of migrants (McKinsey Global Institute 2016)](image-url)

**Draft MV2040 Strategy**

Council’s draft long term strategy, MV2040, proposes a neighbourhood approach to service and infrastructure delivery. It also includes five overarching strategies to address municipal wide issues under the themes of: Fair, Thriving, Connected, Green and Beautiful. Each theme has key strategic directions. Strategic Direction 1 is relevant to this report and is summarised in Table 1 below.

<table>
<thead>
<tr>
<th>MV2040 Theme</th>
<th>Strategic direction</th>
<th>Target</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fair</td>
<td>Strategic Direction 1 - A city that celebrates diversity</td>
<td>“70 per cent of Moonee Valley residents value living in Moonee Valley because of its multiculturalism”</td>
<td>Level of agreement with the statement “I value living in MV because of its multiculturalism”. Note target of 70 per cent by 2040 up from 63% in 2017. (Source: MV Community Survey)</td>
</tr>
</tbody>
</table>

Table 1: Draft MV2040 Strategic Direction 1 summary
Council’s role

In line with the current Council Plan, Diversity Access and Equity Policy and draft MV2040 Strategy, Council’s on-going programs aim to foster cohesion, build community capacity and nurture understanding between community members.

Typically Council’s role includes:

- **Connecting community and social inclusion initiatives** such as Welcome Dinners and the now annual youth Iftar dinner, leadership development programs and providing bi-annual community grants under the ‘Vibrant and Diverse’ theme

- **Supporting celebrations and events** throughout the year. Cultural Diversity Week, which this year commenced on 17 March, is an important opportunity to acknowledge and celebrate diversity in our community, and this year included:
  - Mediterranean Fiesta – held at the Centreway in East Keilor
  - Tea Garden and Cultural Market Place event – celebrating diverse communities tea ceremonies and sharing cultural stories from communities in the Flemington area
  - Harmony Day morning tea - showcasing short films and videos of culturally diverse communities
  - Freezer music event – lead by young people at the Flemington Community Centre to showcase local artistic talent and provide young people with voluntary work experiences to add to their CV.

- **Providing leadership, raising awareness and supporting advocacy** around diversity issues such as participation in the ‘Racism. It stops with me campaign’. This included a 2014 Human Rights Day event with the Victorian Race Discrimination Commissioner, Dr Tim Soutphommasane, as well as production of a short film with the message “We stand together”. The film was shot at various locations featuring Council staff and community members from different backgrounds.

- Council’s key **Dates of Recognition calendar (Table 2 below)** also provides opportunities throughout the year for Council to perform the roles outlined above and to increase awareness of a range issues, and /or celebrate diversity within the community.

<table>
<thead>
<tr>
<th>Month</th>
<th>Event</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>January</td>
<td>Australia Day</td>
<td>26 January</td>
</tr>
<tr>
<td>February</td>
<td>Lunar New Year (Chinese New Year)</td>
<td>16 Feb</td>
</tr>
<tr>
<td>March</td>
<td>International Women’s Day</td>
<td>8 March</td>
</tr>
<tr>
<td></td>
<td>Cultural Diversity Week</td>
<td>17 – 25 March</td>
</tr>
<tr>
<td></td>
<td>Harmony Day</td>
<td>21 March</td>
</tr>
<tr>
<td>April</td>
<td>Easter</td>
<td>1 April</td>
</tr>
<tr>
<td></td>
<td>Victorian Youth Week</td>
<td>13 – 22 April</td>
</tr>
</tbody>
</table>
Table 2: Moonee Valley Dates of Recognition calendar

<table>
<thead>
<tr>
<th>Month</th>
<th>Event</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>May</td>
<td>Ramadan (Iftar Dinner)</td>
<td>16 May – 15 June</td>
</tr>
<tr>
<td></td>
<td>International Day Against Homophobia, Transphobia and Biphobia (IDAHOBIT)</td>
<td>17 May</td>
</tr>
<tr>
<td></td>
<td>National Reconciliation Week</td>
<td>27 May – 3 June</td>
</tr>
<tr>
<td>June</td>
<td>World Environment Day</td>
<td>5 June</td>
</tr>
<tr>
<td>July</td>
<td>NAIDOC Week</td>
<td>8-15 July</td>
</tr>
<tr>
<td>August</td>
<td>Eid – Al – Adha</td>
<td>22 August</td>
</tr>
<tr>
<td>November</td>
<td>Diwali – Festival of Lights</td>
<td>17 November</td>
</tr>
<tr>
<td></td>
<td>International Day for the Elimination of Violence Against Women (White Ribbon Day)</td>
<td>25 November</td>
</tr>
<tr>
<td></td>
<td>16 Days of Activism</td>
<td>25 November – 10 December</td>
</tr>
<tr>
<td>December</td>
<td>Christmas</td>
<td>25 December</td>
</tr>
</tbody>
</table>

Experiences of discrimination

The Scanlon Foundation undertakes yearly surveys on social cohesion in Australia. The 2017 survey found 54 per cent of respondents with an African background had experienced discrimination in the past year, rising to 77 per cent of South Sudanese respondents experiencing discrimination during the same period.

Experiences of racism can have impacts on the health and wellbeing of individuals, families and communities. In turn this can affect people’s ability to contribute socially and economically.

Despite the on-going work of Council and many other local community groups and agencies, a number of incidents over the past four months have undermined social cohesion efforts. These include:

- Civil unrest and clashes following a speech delivered by the ultra-nationalist/conservative British commentator Milo Yiannopoulos at the Melbourne Pavilion in Racecourse Road, Kensington, which spilled onto the Flemington Housing Estate in early December 2017.
- A number of racist threats to Council staff from anonymous members of the public over the same period.

“Diversity is a reality. Inclusion is a choice” (Institute for Canadian Citizenship)

The above statement on the Institute for Canadian Citizenship website encapsulates the on-going challenge for policy-makers, civic leaders, governments, businesses
and communities. That is, that inclusive and socially cohesive communities require on-going work and commitment at all levels within the community, especially when tested by events that may undermine social cohesion such as the December 2017 civil unrest around the Milo Yiannopoulos demonstration, and pervasive negative media coverage regarding African Australian young people. These events have prompted Council to re-visit its efforts in “…promoting positive messages and providing opportunities for impacted communities to share their experiences” (MVCC Diversity, Access and Equity Policy, page 9).

Opportunities moving forward

“Those who tell stories rule the world” (Hopi Proverb)

Councillor feedback at a number of Strategic Briefing sessions over the past 12 months have identified opportunities for story telling as a means of fostering greater understanding within the community.

This is supported by research (https://www.asrc.org.au/resources/words-that-work) which identifies that current advocacy practices, particularly in regards to human rights, have been non-effective (best case) or counterproductive (worse case). New approaches focus on the use of powerful storytelling, rather than relying on evidence to gain traction and foster greater community connection, empathy and social change. The use of storytelling is relevant to many Council services including festivals and events (both community development and arts and culture), libraries, youth services, aged and disability services, early years, place making and economic development.

In order to address recent challenges, as well as build on constructive initiatives and programs, Council is now looking to undertake a number of initiatives outlined in Table 3 below.

<table>
<thead>
<tr>
<th>Initiative</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Standing Together and Supporting Diversity Statement</td>
<td>Endorse a statement that outlines a zero tolerance of racism and promotes the significant contributions of our multicultural communities as outlined in Appendix A.</td>
</tr>
<tr>
<td>“We stand together” video project</td>
<td>Build on Council’s short film “We stand together” as a yearlong video project capturing messages from community members and groups from different backgrounds (sporting teams, arts groups, students, business etc.). Prepare material to further promoting Council’s support of the Racism. It Stops with Me campaign and assist with engagement and build capacity for Council staff and community members and groups involved. Showcase and launch this project during 2019 Cultural Diversity Week.</td>
</tr>
</tbody>
</table>
Initiative | Description
--- | ---
Storytelling | Develop ‘story telling’ initiatives (potentially as part of other programs and projects) such as the: youth FREEZA program, cultural history projects associated with the Flemington and Wingate Housing Estate renewal; festivals and events emanating from the Dates of Recognition calendar; and Council’s festival and events review.
Showcase these stories and project outcomes through promotion of key events within the Dates of Recognition calendar.

Table 3: Key initiatives supporting diversity

Consultation
This report has been informed by:
- MV2040 consultation findings and the 2017 MV Community Survey
- Councillor feedback at a number of Strategic Briefing sessions over the past 12 months
- Community feedback stemming from civil unrest around the Milo Yiannopoulos demonstration, and pervasive negative media coverage regarding African Australian young people. This included a community initiated public meeting at the Flemington Community Centre in mid-December 2017.

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’.
   The statement responds to the principle of equality as outlined under the Charter of Human Rights and Responsibilities Act (2006). Specifically, this statement is promoting the right of protection from discrimination.

2. Council Plan / Policy
   In presenting this statement to Council, Council is achieving its Strategic Objectives in accordance with Council Plan 2017-2021 including:
   - Objective 1.1: Our community is socially inclusive and healthy.
     - Key Priority: Continue to implement the Diversity, Access and Equity Policy and subsequent action plan.
   - Objective 4.1: People are connected to culture and community.
Key Priority: Actively promote and celebrate our multicultural community through the development of a Council policy statement, and provide opportunities for diverse communities to connect and contribute.

Key Priority: Strengthen Council’s commitment as a Refugee Welcome Zone through promotion, active engagement with, and support for, refugees and asylum seekers by creating partnerships with key refugee advocacy organisations such as the Asylum Seeker Resource Centre.

3. **Financial**

   There are no financial implications as a result of this report. Any activities will be funded from existing operational budget allocations. There may also be opportunities to explore external grant funding to support roll-out of storytelling initiatives and Council’s Dates of Recognition calendar events.

4. **Environmental**

   Any material produced to promote the statement will use minimal waste or recycled products.

**Conclusion**

Cultural diversity and our history of migration have shaped Moonee Valley, physically and culturally. Our city’s cultural and religious infrastructure, our buildings and cultural precincts draw from a rich variety of artistic and architectural expressions. This heritage contributes to Moonee Valley’s identity, its liveability and its attractiveness as a destination for education and tourism. Community members speak over 72 languages and dialects. By harnessing the linguistic and cultural richness of our diverse communities, we foster neighbourhoods that are more engaged, welcoming and resilient.

**Appendices**

Appendix A: Draft MVCC Standing Together and Supporting Diversity Statement.
“Council acknowledges that Moonee Valley is home to people from all over the world. Communities of diverse cultural backgrounds, faiths, ethnicities and languages contribute to Moonee Valley as a thriving community.

We believe this diversity gives great strength and vibrancy to Moonee Valley.

Racism and discrimination undermine the health and wellbeing of individuals, families and communities; and prevents people from participating fully in everyday life.

We stand together against racism and discrimination and we ask our community to do the same.”
9.7 Response to Notice of Motion 2018/03 - Request for reintroduction of the Moonee Valley City Council Waste Calendar

File No: FOL/18/32
Author: Alana Stevens
Executive & Project Support Officer
Directorate: City Services

Purpose
To provide background on the decision to change the format of Council’s annual Waste and Recycling Calendar in 2018, details of the costs associated with the calendar, as well as a recommendation for the future of this publication.

Executive Summary
- Prior to 2018, Council designed, printed and distributed a 12-month annual Community Waste and Recycling Calendar to all households (over 50,000) in Moonee Valley at a cost of $84,540.
- In 2018, this publication was replaced by a more compact and cost-effective document, which included a simplified waste and recycling collections calendar and map.
- Many Victorian councils produce a waste and recycling calendar for their residents in a similar format and style as Council’s new-look calendar and many have ceased publication of such calendars opting to go down the path of using their web site.
- The decision to reduce the size of Council’s annual Waste and Recycling Calendar was made predominantly for environmental and financial reasons.

Recommendation
That Council:
1. Notes the rationale behind the change in format of Council’s annual Waste and Recycling Calendar in 2018.
2. Approves the continued production and distribution of an annual Waste and Recycling Calendar in the new environmentally-friendly and cost-effective format.

Background
Prior to 2018, Council designed, printed and distributed a 32 page annual Community Waste and Recycling Calendar to all households (over 50,000) in Moonee Valley. The calendar included dates for recycling, green waste, and renew collections, along with public holidays and a limited selection of Council events (those known at the
time of printing). The calendar also included a guide to waste services and a tear-off back page with condensed information on resident bin collection dates.

Council regularly reviews and adapts its various communications methods, seeking to deploy the most effective communications within the resources available. Part of each review is to consider and respond to trends in the community. Over recent years there has been an increase in people accessing online content via mobile devices, along with growing environmental awareness, creating expectations that organisations such as councils and government agencies reduce their use of print publications.

As part of broader efforts to reduce its environmental impact, and in response to community trends, Council officers reviewed the format of the waste calendar and investigated alternate options for providing waste collection information to residents.

This internal review found:

- the calendar had an unacceptably high environmental impact
- the existing format and distribution model was in direct conflict with the hierarchy of Council’s waste education messages, which highlight reduce as the leading option for sustainable waste management, followed by reuse and recycle
- many Victorian metropolitan councils have transitioned to more environmentally friendly options or ceased the paper publication in full
- the existing format was a costly and resource intensive publication to produce.

Upon reviewing this information, Council officers changed the format of the annual Waste and Recycling Calendar to a reduced size, compact document, similar to those produced by neighbouring councils. The new look 2018 calendar was distributed to residents in December 2017.

At the 27 February 2018 Ordinary Meeting of Council a Notice of Motion was carried, requesting that officers:

1. Bring a report back to Council regarding the costs associated with the printing and distribution of the MVCC Waste Calendar, with a view to re-implementing such publication for the 2019 year and beyond.


Discussion

Recent consultation on the Council Plan and MV2040 told us that residents want Council to be environmentally sustainable and responsible. In response to this feedback, and consistent with the sustainability objectives in Theme 5 of our Council Plan, we are working to decrease printing across Council.

In early 2017, Council officers across the Waste Management & Cleansing, Communications and Climate Change & Sustainability teams began a review of the waste calendar and exploring alternative options for providing waste collection information to residents.

The review included gathering information on the environmental, budget and resource impacts of the waste calendar, an evaluation of how other councils
communicate this information and how the calendar supports our waste education messages. The results of this review are summarised below.

**Environmental impact**
Producing and delivering a 32-page calendar to every household in Moonee Valley has considerable environmental impacts:

- around 5.4 tonnes of recycled paper, equivalent to felling around 20 trees
- around 8 megawatt hours (MWH) of energy use, which is enough to power an average home for a year and 800 kilometres driven during distribution, creating around 7 tonnes of carbon emissions
- around 6 megalitres (ML) of water used, which is enough to fill more than two Olympic sized swimming pools
- although the calendar can be recycled, paper fibres can typically be recycled no more than six times, ultimately creating around 0.9 tonnes of landfill waste.

**Budget and resources impact**
The 2017 Community Waste and Recycling Calendar cost $84,540 to design, print and distribute. Council officers spent approximately 200 hours on the production of this publication.

**How other councils communicate waste collections**
Council officers undertook an evaluation of how other Victorian metropolitan councils distribute information on waste collections. It was discovered that the vast majority of councils, including neighbouring councils to our north and west - Maribyrnong, Brimbank, Hobsons Bay, Hume and Wyndham - produce a compact (one to four pages) waste and recycling calendar. A number of councils, including Yarra, Darebin and Frankston, have ceased producing a hard copy waste collection calendar entirely, and instead distribute information via council websites, social media and municipal newsletters.

**How the calendar supports our waste education**
Sustainability and waste reduction experts agree, one of the most effective ways to help the environment is to reduce waste before it becomes rubbish. While reuse and recycling do minimise waste to landfill, they have much far less benefit than avoiding waste in the first place.

The *Reduce, Reuse, Recycle* educational message and hierarchy runs through-out Council’s waste and sustainability education and communications.

The waste calendar had two main purposes, to inform residents on when to put their bins out and to educate residents about how they can reduce, reuse and recycle waste in Moonee Valley.

**Outcome of the review**
Council officers considered that the previous format and distribution of the waste calendar was inconsistent with the waste messages being communicated.
While it is recognised that some publications still need to be printed, Council officers are working to decrease Council’s printing, and to limit our impact on the environment.

Following this review, Council officers changed the format of the of the annual Waste and Recycling Calendar to a reduced size, compact document, similar to those produced by neighbouring councils. The new look 2018 calendar was distributed to residents in December 2017.

In the revised model, residents received their waste information and key Council dates using the following channels:

- The 2018 condensed waste collection calendar, which includes a magnet so it can be placed on residents’ fridges.
- Council’s website includes the details of waste, recycling and green waste collection dates, along with information on Council events.
- The recently refreshed Valley View resident magazine now includes a ‘What’s on’ calendar. This provides residents with detailed information about events, which could previously not be included in the calendar due to it being produced so far in advance.
- A hard-copy and digital edition of Council’s waste services guide is available on Council’s website and at the Civic Centre.
- Special waste collection services are also communicated throughout the year via social media, Valley View and media alerts.

The revised publication format meets the key objectives of the calendar, while reducing the environmental impact and aligning with Council’s waste management education messages.

Council’s website statistics also support this transition, with spikes in web traffic to waste and recycling pages following waste related social media posts. These spikes indicate that many residents now rely on social media posts and online information to keep informed on waste collection dates and details.

The design, print and distribution of the 2018 calendar cost $26,798, just under a third of the price of the 2017 calendar. Staff spent significantly less time (50 hours in year one, expected to reduce to 30 hours in future years, compared to 200 hours in previous years) on the production of the new format calendar. Much of the environmental impact is associated with the paper use, so the new version has substantially reduced this impact.

The communications budget and resource savings have been partially reinvested into increased video production capabilities, creating an online news portal and social media campaigns to educate and inform residents about a range of topics, including waste reduction.

Consultation

This report has been compiled in consultation with officers across Council’s Waste Management & Cleansing, Communications and Climate Change & Sustainability teams.
Implications

1. Legislative
   There are no legislative implications relating to this report.

2. Council Plan / Policy
   In presenting this report, Council is working to achieve its strategic objective to improve productivity and efficiency through continuous improvement and innovation in accordance with Council Plan 2017-21 Theme 5: Resilient organisation - A resilient organisation that is sustainable, innovative, engaging and accountable - Innovation is central to the way we work.

3. Financial
   The design, print and distribution of the 2018 calendar cost $26,798, just under a third of the price of the 2017 calendar ($84,540), a cash saving of $57,742.

4. Environmental
   The revised format of the calendar supports Council’s efforts to:
   - Reduce energy usage and carbon emissions (including transport infrastructure)
   - Reduce water consumption
   - Reduce waste generation, disposal, recycling and littering

Conclusion
Council officers consider that the previous format and distribution of the waste calendar was inconsistent with the waste messages being communicated to the Moonee Valley Community. The revised format is in keeping with the sustainability objectives in Theme 5 of the Council Plan. In addition the revised format provides a substantial saving which can be used to fund other activities or capital projects. Given this, Council officers recommend continuing with the condensed format of the waste calendar for future years, including 2019.

Appendices
Nil.
9.8 Bee Friendly State - Motion to MAV State Council and National Assembly of Local Government

File No: FOL/18/32
Author: Allison Watt
Manager Governance and Communications
Directorate: Organisational Performance

Purpose
This report seeks Council endorsement of a Moonee Valley City Council motion to Municipal Association of Victoria (MAV) State Council on 18 May 2018 and the National Assembly of Local Government on 17-20 June 2018 to advocate to make Victoria a bee-friendly state – Victoria, The Place To Bee.

Executive Summary
- Moonee Valley City Council is the first local government in Victoria to establish and host bee hives on Council buildings
- Council has changed its bee management practises through sustainable relocations of European honey bee swarms found on Council land wherever possible into rooftop hives or to through a local apiarist, instead of extermination
- The local community has been actively engaged in this project and Council is also advocating to build residents’ connectivity with nature through education on Australian native bees and their role in pollination and agriculture
- Mornington Peninsula Shire Council has visited Moonee Valley to see the project and Council seeks the support of other Victorian Councils to help bring about a change in local government bee management practises in Victoria.

Recommendation
That Council:
1. Endorses motions to MAV State Council on 18 May 2018 and the National Assembly of Local Government on 17-20 June 2018 to advocate to make Victoria a bee-friendly state – Victoria, The Place To Bee as outlined in Appendix A.
2. Authorises Council Officers to submit the motion on Council’s behalf by the required deadlines.
Background

Moonee Valley City Council now rehomes European honey bee swarms found on Council land into Council-managed rooftop hives, with the first harvest of local honey selling out at the Moonee Valley Festival on 25 February 2018. The Moonee Valley Men’s Shed community group assembled the honey bee hives, and provided the community with pre-built bee hotels to support the native bees in our municipality.

This proactive bee management approach (as opposed to extermination) has been supported by Mornington Peninsula Shire Councillors who have visited Moonee Valley and supported the MVBees Program.

Officers have engaged the Department of Economic Development, Jobs, Transport and Resources (DEDJTR), the Municipal Association of Victoria (MAV) and the Victorian Apiarist’s Association to work collaboratively towards achieving our goal of making Victoria a ‘Bee Friendly’ State and support sustainable bee management across Victorian Local Government.

Council is seeking State Government funding to establish a project management model to provide a framework for other Victorian councils to manage their bees and work towards sustainable and ethical swarm relocations, and to roll out community programs for greater education in conjunction with the Victorian Apiarist’s Association, DEDTJER and MAV.

Discussion

The dramatic decline in global bee populations over the past decade has left Australia in an advantageous position of exporting healthy bees to the rest of the world. Council recognises the detrimental impact of exterminating bees, and has actively changed practices to focus on conservation and sustainable relocation of swarms found on Council land wherever possible.

This holistic approach to bee management, enables Council to produce greater social, local and environmental solutions through community education and engagement, and deliver on our Council Plan commitment to ‘Support residents and community groups to live sustainably and connect with nature’.

Australia is now the last remaining continent to have resisted contracting varroa or colony collapse disorder. Scientists and apiarists are encouraging all Australians to do their part to contribute towards keeping Australia’s biosecurity, native bee and honey bee populations strong.

The MVBees Program has received positive coverage in both traditional and social media, and has engaged the local community about the importance of bees in local eco-systems.

Community involvement has included:

- Ladies of the Knit and Knatter community group crocheted honeybees to distribute to local children during Children’s Week
• Volunteers at the Aberfeldie Men’s Shed assembled 18 brood boxes, 200 foundation frames, nine Flow Hive supers and five large native bee hotels

• 100 children enjoyed the ‘Build a Bee Hotel’ activity for Children’s Week

• 90 jars of honey from our bees were sold to residents at the Moonee Valley Festival

Mornington Peninsula Councillors Antonella Celi and David Gill visited Moonee Valley recently to look at the successful bee program and were impressed by the strength and innovation of the project. There has also been interest from local Rotary Clubs to work with Council on the hive management, and how Council is working towards its vision of making Victoria a ‘Bee-Friendly State’.

The Minister for Local Government Marlene Kairouz visited Moonee Valley on 15 March to learn about the success of MVBees.

It is proposed to submit the motion outlined in Appendix A to the MAV State Council Meeting on Friday 18 May 2018. Cr Narelle Sharpe is Council’s delegate to the MAV and will speak to the motion. The deadline for motions is 20 April.

It is also proposed to submit the motion to the National Assembly of Local Government being held in Canberra from 17-20 June 2018. The deadline for motions to the National Assembly of Local Government is 30 March. Convened annually by the Australian Local Government Association (ALGA), the National General Assembly (NGA) of Local Government is the peak annual event for Local Government, attracting in excess of 800 Mayors and Councillors each year.

This event provides a unique opportunity for Local Government to engage directly with the Federal Government, to develop national policy and to influence the future direction of councils and communities.

Consultation

The nature of this report does not require any consultation.

Implications

1. Legislative

The majority of Victorian Council bee management practises are unregulated and unknown, however it is believed that through collaboration, engagement and education changes to local government practices can be encouraged. This could be achieved through adopting education programs in pre-school and primary school programs, introduction to beekeeping courses, building bee hotels and bee hive workshops and using existing community groups and channels.

2. Council Plan / Policy

In presenting this report, Council is working to achieve its strategic objective to focus on an increase in biodiversity and habitat to support ecosystems in accordance with Council Plan 2017-21 Theme 2: Green, clean and beautiful - A healthy environment and enhanced amenity - Our natural environment is protected and enhanced.
3. Financial
The financial implications of this project are minimal. The total cost of this project to date has been less than $20,000.

4. Environmental
The decline of bees is a global problem. Honey bees contribute to the productivity of horticultural and seed crops; between $620 to $1,730M of Australian agricultural production per annum.

Australia is now the last remaining continent to have resisted contracting varroa or colony collapse disorder. Scientists and apiarists are encouraging all Australian’s to do their part to contribute towards keeping Australia’s biosecurity, native bee and honey bee populations strong.

Bees are essential to Australia’s agriculture sector, and said to contribute approximately $6 billion into the economy annually. Without bees the production of almonds, apples, avocados, lucerne, blueberries, cucumbers, pumpkin, rockmelon, broccoli, brussel sprouts, cabbage, canola seed, carrots, cauliflower, celery, clover, mustard or onions would completely disappear as they are completely reliant on bees for pollination.

Conclusion
The success of the MVBees Program has generated interest in the Local Government sector about the importance of responsible bee management.
Moonee Valley Council will seek support from other councils for its vision for Victoria to become a bee-friendly state.

Appendices
**MAV State Council Meeting – 18 May 2018**

To submit a motion for consideration by State Council on Friday, 18 May 2018, please complete this form and email to the State Council email address S2@mav.asn.au, no later than 20 April. Please note, motions received by 12 April (early motions) will be distributed to all MAV representatives on 13 April. Submitters may amend their own motions up to 5pm on 27 April.

<table>
<thead>
<tr>
<th>Motion</th>
<th>Victoria – the place to bee</th>
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<tbody>
<tr>
<td><strong>Submitted by:</strong></td>
<td>Moonee Valley City Council</td>
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</tbody>
</table>

**MOTION:**
That the MAV advocates for change in local government bee management practises and encourages other Victorian Councils to commit to making Victoria a bee-friendly state – Victoria, The Place to Bee by:

- Investigating opportunities for Shared Services or consultancy between Councils to embed policies around bee management and advocacy.
- Capitalising on momentum to-date and work with DEDJTR (Department of Economic Development, Jobs, Transport and Resources, Government of Victoria) and the Victorian Apiarists’s Association.
- Seeking funding through State Government Grants

**MAV Strategic Work Plan (SWP):**
Indicate whether or not the subject matter of your motion is included in the MAV SWP 2017-19.

<table>
<thead>
<tr>
<th>Is the subject matter of this motion included in the SWP?</th>
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</thead>
<tbody>
<tr>
<td>No</td>
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</tbody>
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<table>
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<tr>
<th>If yes, identify the following:</th>
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<tbody>
<tr>
<td>Objective No.</td>
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<tr>
<td>Priority No.</td>
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<tr>
<td>Item No.</td>
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</tbody>
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**RATIONALE:**
Moonee Valley City Council is the first local government in Victoria to establish and host bee hives on Council buildings.

Council seeks the support of other Victorian Councils to help bring about a change in local government bee management practises in Victoria.

Council has changed its bee management practises through sustainable relocations of European honey bee swarms found on council land wherever possible (as opposed to extermination) into rooftop hives or to through a local apiarist. We are also actively advocating to build our residents’ connectivity with nature through education on Australian native bees and their role in pollination and agriculture.

Australia is the last remaining continent to resist contracting the Varroa mite (main contributing factor of colony collapse disorder) and is reliant on exporting our healthy bees to the rest of the world.

The dramatic decline in global bee populations over the past decade has left Australia in an advantageous position where we are able to export our healthy bees to the rest of the world, and in fact many countries are already reliant on us. Honey bees contribute to the productivity of horticultural and seed crops; between $620 to $1,730M of Australian agricultural production per annum.
The majority of Victorian Council bee management policy is unregulated and unknown, however we believe through collaboration, engagement and education we can make changes to local government practices. By adopting education programs through pre-school and primary school programs, introduction to beekeeping courses, building bee hotels and bee hive workshops and utilising existing community groups and channels, that we can continue to roll out key messaging around the importance of our precious pollinators.

Officers have engaged the Department of Economic Development, Jobs, Transport and Resources (DEDJTR), the Municipal Association of Victoria (MAV) and the Victorian Apiarist’s Association to work collaboratively towards achieving our goal of making Victoria a ‘Bee Friendly’ State and support sustainable bee management across Victorian Local Government.

Council is seeking State Government funding to establish a project management model to provide a framework for other Victorian councils to manage their bees and work towards sustainable and ethical swarm relocations, and to roll out community programs for greater education in conjunction with the Victorian Apiarist’s Association, DEDTJER and MAV.
NOTICES OF MOTION

10.1 Notice Of Motion No. 2018/05 - Australia Day 26 January Confirmation

File No: FOL/18/32
From: Councillor Richard Lawrence

Take notice that at the Ordinary Meeting of Council to be held on 27 March 2018 it is my intention to move that:

1. Moonee Valley City Council confirms that the 26 of January be recognized as Australia Day; and
2. Moonee Valley City Council confirms its commitment to supporting the citizenship ceremonies each 26 January Australia Day.

Officer Comments
The Notice of Motion is not supported.

- The date that Australia Day is recognised is decided by the Federal Government.
- Council already conducts a citizenship ceremony on 26 January each year and does so in a way that also recognises our Aboriginal and Torres Strait Islander communities.
- Council has an endorsed Reconciliation Policy which includes a Statement of Commitment to promote reconciliation through respect, recognition and relationship-building with Aboriginal and Torres Strait Islander people and to encourage others in our community to do the same.
10.2 Notice of Motion No. 2018/06 - Plant and Tree Health

File No: FOL/18/32
From: Councillor Richard Lawrence

Take notice that at the Ordinary Meeting of Council to be held on 27 March 2018 it is my intention to move:

That Council requests a report on how trees and plants on Council land are faring in the current weather conditions, and the steps taken to ensure plants remain healthy from now until June 2018.

Officer Comments

The Notice of Motion is not supported and a response is provided below.

Many trees and plants within Council’s streets, garden beds and open space network can be adversely affected by dry conditions. As such, these are monitored by Council officers or contractors as part of cyclic proactive maintenance. Additional watering is carried out reactively if plants or trees are deemed to be in poor health due to prolonged dry weather.

Recent rainfall data from the Bureau of Meteorology (detailed below) highlights that other than an extremely dry February, overall summer period rainfall totals are higher than that of previous summer periods over the last five years:

<table>
<thead>
<tr>
<th></th>
<th>Nov</th>
<th>Dec</th>
<th>Jan</th>
<th>Feb</th>
<th>Mar</th>
<th>Summer period total</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012-13</td>
<td>38.7mm</td>
<td>26.7mm</td>
<td>3.1mm</td>
<td>58.2mm</td>
<td>42.8mm</td>
<td>169.5mm</td>
</tr>
<tr>
<td>2013-14</td>
<td>55.3mm</td>
<td>39.0mm</td>
<td>11.6mm</td>
<td>19.8mm</td>
<td>22.0mm</td>
<td>147.7mm</td>
</tr>
<tr>
<td>2014-15</td>
<td>53.2mm</td>
<td>32.8mm</td>
<td>35.9mm</td>
<td>28.0mm</td>
<td>19.6mm</td>
<td>169.5mm</td>
</tr>
<tr>
<td>2015-16</td>
<td>54.0mm</td>
<td>0.0mm</td>
<td>54.8mm</td>
<td>4.8mm</td>
<td>33.4mm</td>
<td>147.0mm</td>
</tr>
<tr>
<td>2016-17</td>
<td>36.4mm</td>
<td>26.6mm</td>
<td>26.5mm</td>
<td>45.2mm</td>
<td>26.9mm</td>
<td>161.6mm</td>
</tr>
<tr>
<td>2017-18</td>
<td>26.5mm</td>
<td>144.7mm</td>
<td>59.6mm</td>
<td>2.0mm</td>
<td>NA</td>
<td>232.8mm</td>
</tr>
</tbody>
</table>

Current monitoring of tree and plant health indicates that the majority of trees and plants remain in good health. As is standard practice, recently planted street trees and garden beds continue to be watered throughout the current dry conditions, with no significant increase in resources required.

To ensure trees and plants remain healthy, the following steps are taken:

**New plantings**

Council has a number of water trucks within its fleet, which are utilised specifically for the routine watering of new council plantings and those that are deemed to be vulnerable. Council contractors also carry out watering and establishment services for recently planted trees and garden beds.
The MV2040 visioning paper outlines plans to increase watering and establishment periods for newly planted trees from the current 12 months to a 24 month minimum. This is in line with industry best practice, and will increase the chances of healthy establishment and promote further resilience during prolonged dry periods. Further passive irrigation practices are also proposed to be increased as part of this work.

**Existing and established plantings**

Council's Tree Management Strategy 2013-17 (currently under review) provides guidance for dealing with new and existing trees:

>“Periods of extended drought place new and existing trees under increased stress. To improve soil moisture and establish trees well prior to dry periods, sustainable irrigation practices and water sensitive urban design measures are implemented as appropriate. During prolonged drought, standard street tree care practices may need to be reviewed and modified and this is done through increased watering, addition of wetting agents to the soil and through mulching of garden beds and around the base of trees.”
10.3 Notice of Motion No. 2018/07 - Park run course

File No: FOL/18/32
From: Councillor Samantha Byrne

Take notice that at the Ordinary Meeting of Council to be held on 27 March 2018 it is my intention to move that Council requests a report to the Ordinary Meeting of Council on 8 May 2018 investigating:

1. Suitable 5km walking / running paths within the municipality that would cater for small active events such as Park Run.
2. The costs associated with improving paths to increase accessibility for wheelchairs and prams and potential time frames to do this.

Officer Comments

The Notice of Motion is supported noting Council Plan commitments may delay bringing the report to Council.
10.4 Notice of Motion No. 2018/08 - Local Arts Display Trial

File No: FOL/18/32
From: Councillor Cam Nation

Take notice that at the Ordinary Meeting of Council to be held on 27 March 2018 it is my intention to move that Council:

1. Develop and trial a pilot six month ‘Local Arts Display’ program, giving local artists in all mediums the opportunity to display their works of art at prominent Council buildings and facilities including (but not limited to):
   a) The Civic Centre Customer Service Centre
   b) Council Chambers
   c) Council’s Libraries
   d) The Clocktower Centre.

2. The initial contact is made with the exhibitors from our Fireworks Showcase, and the opportunities are broadened to further local community.

3. That as part of the initial trial, include the display of temporary plaques and or signage acknowledging the artist, their background, their connection to Moonee Valley, and relevant contact information and or social media handles to further promote the artist.

4. At the conclusion of the trial, for a report to be brought back to Council reviewing the pilot program, and the potential for the establishment of an ongoing ‘Local Arts Display’ program, including any avenues for expansion to include outdoor artwork (such as the Billboard Project that has previously been undertaken by Moonee Valley City Council).

Officer Comments

The Notice of Motion is supported providing appropriate budget can be provided to cover any outgoings. Officers have commenced a program to display Council’s existing art collection across Council facilities including Libraries, Crown Street Stables, Clocktower and, where appropriate, Leisure Centres and as such, the Notice of Motion can be incorporated into core business.

A budget bid will be prepared for Council consideration.
10.5 Notice of Motion No. 2018/09 - Visual Tribute to Mrs Eliza Kellaway

File No: FOL/18/32
From: Councillor Cam Nation

Take notice that at the Ordinary Meeting of Council to be held on 27 March 2018 it is my intention to move that:

Through the means that it deems appropriate and fitting, establish a visual tribute in Kellaway Avenue to recognise Mrs Eliza Kellaway, who in 1956 was recognised for her work in Maternal Child & Health Services (then called Baby Health Services) with the renaming of St Thomas Street in Moonee Ponds, to Kellaway Avenue.

Officer Comments

The Notice of Motion is supported.

Moonee Valley City Council is committed to recognising individuals or groups who have shown an unwavering commitment to the Moonee Valley community in any field of endeavour. All requests for civic recognition are assessed in accordance with Council’s Civic Recognition Policy.
10.6 Notice Of Motion No. 2018/10 - Review of Informative Street Signs

File No: FOL/18/32
From: Councillor Cam Nation

Take notice that at the Ordinary Meeting of Council to be held on 27 March 2018 it is my intention to move:

That the Chief Executive Officer prepare a report to come before an Ordinary Meeting of Council, detailing:

a) A current list of informative street signs that are erected throughout the municipality, recognising individuals after whom streets have been named;

b) A recommendation if any of the existing signs require updating, a redesign, or replacement;

c) A list of suggestions of any additional signs that could be erected (following contact with local bodies such as the Essendon Historical Society and Wurundjeri Land Council), with a particular emphasis on new informative street signs that identify streets that have been named after prominent females, or after prominent elders or sites that recognise the area’s Indigenous history.

Officer Comments

The Notice of Motion is not supported.

In April 2016, in collaboration with the Anzac Community Coordinating Committee, Council unveiled a series of commemorative street signs at 12 locations in Ascot Vale and Essendon. Ten of the streets where the commemorative signs were installed were named after noted soldiers who served during World War I and II, with a further two – Churchill Avenue and Victory Parade, both in Ascot Vale – named in honour of Britain’s war time leader Winston Churchill and in recognition of the Allied victory in World War I.

This project involved working closely with representatives from Essendon Historical Society, to identify suitable locations and to thoroughly research the history of the street names, before designing and installing said signs. The process took 16 months from conception to completion.

Currently these Anzac street signs are the only commemorative street signs located within Moonee Valley. These were installed less than two years ago, and do not require replacement/updating.

According to Council’s Register of Public Roads (available online) there are almost 1,100 different road names across the municipality. A project to review these, identify names of historical significance and undertake thorough research into the person, place or event these street names commemorate will be a significant and resource intensive piece of work. There is currently no available resourcing (budget or staff) to undertake such a project.
11. Urgent Business

Nil.

12. Confidential Reports

Nil.

13. Close of Meeting.