Agenda

Ordinary Meeting of Council

Tuesday, 8 May 2018
6.30pm
Ordinary Meeting of Council
Tuesday, 8 May 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 Steven Lambert  Acting Chief Executive Officer
           Ms Natalie Reiter  Director Planning & Development
           Mr Petrus Barry  Acting Director Organisational Performance
           Mr Dino DeMelis  Acting Director City Services
           Mr Gil Richardson  Acting Director Asset Planning & Strategic Projects
           Ms Allison Watt  Manager Communications & Governance
           Ms Vera Mitrovic-Misic  Acting Manager Statutory Planning
Business:

1. Opening

2. Apologies

3. Confirmation of Minutes
   Ordinary Meeting of Council held on Tuesday, 24 April 2018.

4. Declarations of Conflict of Interest

5. Presentations

6. Petitions and Joint Letters

7. Public Question Time

8. Reports by Mayor and Councillors
  Nil.

9. Reports
   9.1 95 Buckley Street, Moonee Ponds (Lot 1 on TP371488E) - Construction of a multi-level building, use as a food and drink premises, reduction in car parking requirements, and alteration to access to a Road Zone, Category 1.................................................................5
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12. Confidential Reports
   12.1 17-23 Puckle Street and 6-14 Young Street, Moonee Ponds (Lot 1 on PS055118, Lot 2 on PS055118, Lot 3 on PS055118, Lot 4 on PS026936, Lot 1 on TP128317T, Lot 1 on TP338734E, and Lot 1 on TP319757Y) - Partial demolition of the existing buildings and development of the land for two mixed use, multi level buildings, a reduction in car parking requirements and a variation in loading bay requirements in a Heritage Overlay ..................................110
   12.2 Shareholding in Regional Kitchen and Community Chef .......................110

13. Close of Meeting

STEVE LAMBERT
Acting Chief Executive Officer
# REPORTS

## 9.1 95 Buckley Street, Moonee Ponds (Lot 1 on TP371488E) - Construction of a multi-level building, use as a food and drink premises, reduction in car parking requirements, and alteration to access to a Road Zone, Category 1

<table>
<thead>
<tr>
<th>Planning File No.</th>
<th>MV/278/2017</th>
</tr>
</thead>
<tbody>
<tr>
<td>Planning File No.</td>
<td>MV/278/2017</td>
</tr>
<tr>
<td>Proposal</td>
<td>Construction of a mixed use development comprising:</td>
</tr>
<tr>
<td></td>
<td>• Five storeys in height (16.2 metres);</td>
</tr>
<tr>
<td></td>
<td>• Three levels of basement carparking;</td>
</tr>
<tr>
<td></td>
<td>• 67 car spaces (60 x residential, 4 x residential visitor, and 3 commercial);</td>
</tr>
<tr>
<td></td>
<td>• 40 bicycle spaces;</td>
</tr>
<tr>
<td></td>
<td>• 37 apartments (27 x two bedroom and 10 x three bedroom);</td>
</tr>
<tr>
<td></td>
<td>• A food and drink premises with an area of 72m²; and</td>
</tr>
<tr>
<td></td>
<td>• Reduction of 3 residential visitor car spaces.</td>
</tr>
<tr>
<td>Applicant</td>
<td>John Demos Architects Pty Ltd</td>
</tr>
<tr>
<td>Owner</td>
<td>WM Moonee Ponds Pty Ltd</td>
</tr>
<tr>
<td>Planning Scheme Controls</td>
<td>General Residential Zone</td>
</tr>
<tr>
<td></td>
<td>Abutting Road Zone, Category 1</td>
</tr>
<tr>
<td>Planning Permit Requirement</td>
<td>• Clause 32.08-1 – to use the land as a food and drink premises;</td>
</tr>
<tr>
<td></td>
<td>• Clause 32.08-6 – to construct two or more dwellings on a lot;</td>
</tr>
<tr>
<td></td>
<td>• Clause 52.06-3 – to reduce the statutory car parking requirements; and</td>
</tr>
<tr>
<td></td>
<td>• Clause 52.29 – to alter or create access in a Road Zone, Category 1.</td>
</tr>
<tr>
<td>Car Parking Requirements</td>
<td>Required: 57 Car spaces</td>
</tr>
<tr>
<td>(Clause 52.06)</td>
<td>Proposed: 67 Car spaces</td>
</tr>
</tbody>
</table>
Bicycle Requirements

Required: 11 Bicycle spaces
Proposed: 40 bicycle spaces

Restrictive Covenants

None

Easements

None

Site Area

1212m²

Number Of Objections

4

Executive Summary

- The application seeks approval for the construction of a five storey mixed use development including three levels of basement carparking comprising of 67 carspaces, 37 apartment dwellings, one food and drink premises, and 40 bicycle spaces.
- The site of approximately 121 square metres in area is located on the southern side of Buckley Street, Moonee Ponds and currently comprises a single storey dwelling fronting Buckley Street.
- The application was advertised and four objections were received. Concerns were raised in relation to overdevelopment, building height, number of dwellings, impacts on traffic and parking, impacts to the adjoining heritage property and impacts to the operation of the adjoining church.
- 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 the Level Crossing Removal Authority 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 public transport, commercial, community and public facilities. The architectural response is considered to be appropriate within the site context and presents a high level of articulation.
- This assessment report finds the proposal demonstrates an adequate level of compliance with the relevant policies and provisions of the Moonee Valley Planning Scheme and recommends that a Notice of Decision to Grant a Permit be issued subject to conditions.
Recommendation

That Council issue a Notice of Decision to Grant a Permit in relation to Planning Permit Application No. MV/278/2017 for the construction of a multi-level building, use as a food and drink premises, reduction in car parking requirements and alterations to access to a Road Zone, Category 1 at 95 Buckley Street, Moonee Ponds (Lot 1 TP371488E), subject to the following conditions:

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted in an electronic format to and approved by the Responsible Authority. The amended plans must be drawn to scale with dimensions. 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 first and second floor balconies within the east and west elevations to be setback 1.5 metres from their respective boundaries, where the site abuts a residential zone;
   
   b) The third and fourth levels to be setback from the southern boundary in compliance with Clause 55.04-1 (Standard B17 Side and Rear Setbacks) of the Moonee Valley Planning Scheme;
   
   c) The fourth and fifth levels to be setback from the front boundary by 3 metres as measured from the edge of the balcony, with no reduction in the width of the balcony areas;
   
   d) The provision of seven residential visitor car spaces;
   
   e) The allocation of all car spaces and associated line-marking in accordance with the relevant Australian Standard;
   
   f) The areas for all balconies;
g) Line-marking within the accessway clearly showing left-in and left-out traffic movements into Buckley Street;

h) 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;

i) All car spaces to be line-marked and signed in accordance with the relevant Australian Standard;

j) The disabled car space to comply with the relevant Australian Standard;

k) The proposed crossover within the road reserve;

l) A notation that all services within street frontage impacted by the proposed crossover are to be relocated at least 1.0 metre from the crossover to the satisfaction of the relevant authority;

m) The provision of 37 storage cages within the basement levels;

n) All permeable surfaces clearly notated across the site;

o) An annotation for all screening measures for all habitable room windows and balconies to be fixed to a height of 1.7 meters above Finished Floor Level with a maximum of 25% transparency;

p) All windows habitable room windows to be double glazed;

q) All works as required by VicRoads in accordance with Conditions 20-23 of this permit;

r) A Landscape Plan in accordance with Condition 4 of this permit

s) Any alterations as required under the Waste Management Plan in accordance with Condition 8 of this permit; and

t) In accordance with Condition 3, 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. A published BESS report must be submitted simultaneously with the submission of amended plans and to be in accordance with Clause 21.04 (Sustainable Environment) of the Moonee Valley Planning Scheme.

4. Before the development starts, and before any trees or vegetation are removed, an amended landscape plan and schedule to the satisfaction of the Responsible Authority must be submitted in an electronic format 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 and show:
a) as any changes as required by Condition 1 of this permit.

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.

5. 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 or similar size and variety to the satisfaction of the Responsible Authority.

6. 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.

7. A minimum 30 days prior to any building or works commencing, a Construction and Site Management Plan (CSMP) must be submitted to and be approved by the Responsible Authority detailing the construction activity proposed and the site and environmental management methods to be used. The 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.

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:
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. 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.

17. 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.

18. 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.

19. 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

20. Prior to the commencement of the use of the proposed development hereby approved, vehicle access and associated works must be provided and available for use. It must provide for:

a) Left-in and left-out turning movements only.

b) The access must be formed to such levels and drained so that they can be used in accordance with the plan.

c) Treated with an all-weather seal or some other durable surface.
21. During construction, the development must be managed so as not to compromise the operation efficiency of Buckley Street, Moonee Ponds or public safety.

22. The crossover to Buckley Street, Moonee Ponds must be constructed to the satisfaction of the Roads Corporations and/or the Responsible Authority and at no cost to the Roads Corporation prior to the commencement of the occupation of the development hereby approved.

23. All disused or redundant vehicle crossings must be removed and the area reinstated to the satisfaction of and at no cost to the Roads Corporation prior to the commencement of the use of the development hereby approved.

**End VicRoads Conditions**

24. 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 and the use is not commenced 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.

In the event that car parking spaces or storage cages are separately titled, a condition will be imposed on any further subdivision permit requiring the permit holder to enter into a Section 173 Agreement to ensure the on-site car spaces and storage cages must not be subdivided, leased or sold separately to external parties that are not prime lot owners or tenants of the building or 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 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 Buckley Street. The site is regular in shape with a frontage to Buckley Street of 19.9 metres and a depth of 60.96 metres and a total site area of 1212m².

The site is relatively flat and there are no easements or covenants registered on the Certificate of Title.

The subject site is currently occupied by a single storey weatherboard dwelling. A laneway is located along the site’s western boundary with access to Carlyle Street.

Figure 2 – Subject Site (95 Buckley Street, Moonee Ponds)
The surrounding area is typically zoned either commercial or General Residential and used and developed for a mix of commercial and residential uses. The subject site is located within the Essendon Junction Activity Centre and directly abuts an arterial road (Buckley Street). The site is also located within close proximity to Essendon Train Station, a number 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 within the surrounding area. It is noted that the adjoining property to the east contains a heritage listed Ukrainian Orthodox Church.

1.2 Proposal

The proposal seeks to construct a five storey building comprising of a food and drink tenancy at ground level and 37 apartments above. Three basement levels are proposed with storage and service spaces and parking for 67 car spaces and 40 bicycle spaces. A mix of two and three bedroom apartments with varied internal layouts are proposed. Vehicular access is provided from Buckley Street along the eastern boundary.

The proposal can be summarised as follows:

Table 1

<table>
<thead>
<tr>
<th>Description</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>No of dwellings</td>
<td>37 apartments (27 x two bedroom and 10 x three bedroom)</td>
</tr>
<tr>
<td>Food and Drink Area</td>
<td>72m²</td>
</tr>
<tr>
<td>No of car spaces</td>
<td>67 car spaces (60 residential spaces, 4 residential visitor spaces and 3 food and drink spaces)</td>
</tr>
<tr>
<td>Max Building Height</td>
<td>16.2 metres (5 storeys)</td>
</tr>
<tr>
<td>Site Coverage</td>
<td>76%</td>
</tr>
<tr>
<td>Permeability</td>
<td>16%</td>
</tr>
</tbody>
</table>

Refer Appendix B Plans (separately circulated).

2. Background

2.1 Relevant Planning History

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

2.2 Planning Policies and Decision Guidelines

State Planning Policy Framework

<table>
<thead>
<tr>
<th>Clause</th>
<th>Policy</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clause 9</td>
<td>Plan Melbourne</td>
</tr>
<tr>
<td>Clause 10</td>
<td>Operation of the State Planning Policy Framework</td>
</tr>
<tr>
<td>Clause 11</td>
<td>Settlement</td>
</tr>
<tr>
<td>Clause 11.06</td>
<td>Metropolitan Melbourne</td>
</tr>
</tbody>
</table>
Clause 15  Built Environment and Heritage
Clause 16  Housing
Clause 17  Economic Development
Clause 18  Transport
Clause 19  Infrastructure

Local Planning Policy Framework
Clause 21.01  Municipal Profile
Clause 21.02  Key Issues and Influences
Clause 21.03  Vision
Clause 21.04  Sustainable Environment
Clause 21.05  Housing
Clause 21.06  Built Environment
Clause 21.07  Activity Centres
Clause 21.08  Economic Development
Clause 21.09  Transport
Clause 22.03  Stormwater Management (Water Sensitive Urban Design)

Zoning
Clause 32.08  General Residential Zone

Overlays
N/A

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

2.3 Relevant Planning Scheme Amendments

The application was lodged on the 26 March 2017, since this date the following Planning Scheme Amendments have been gazetted into the Moonee Valley Planning Scheme.

Planning Scheme Amendment VC110
Planning Scheme Amendment VC110 was gazetted into the Moonee Valley Planning Scheme on 27 March 2017. This amendment implemented the minimum garden area provision and maximum height provision in the General Residential Zone into the Moonee Valley Planning Scheme, as relevant:
This application was lodged on 26 March 2017, as such, the requirements of Clause 32.08-4 (Garden Area Requirement) and Clause 32.08-9 (Maximum Building Height) do not affect the proposed development.

Planning Scheme Amendment VC134

Planning Scheme Amendment VC134 was gazetted into the Moonee Valley Planning Scheme on 31 March 2017. This amendment requires the Responsible Authority to consider the updated Plan Melbourne 2017 in the assessment of development applications.

Planning Scheme Amendment VC136

Planning Scheme Amendment C136 was gazetted into the Moonee Valley Planning Scheme on 13 April 2017. This amendment implemented the new Clause 58 (Apartment Development) requirements and amended Clause 55 to include assessment criteria for apartment developments into the Moonee Valley Planning Scheme. This Amendment also deleted Clause 52.35 (Urban context report and design response for residential development of five or more storeys).

Pursuant to Clause 32.08-6 (General Residential Zone) states that the requirements of Clause 58 do not apply to “An application for a planning permit lodged before the approval date of Amendment VC136”.

This application was lodged on 26 March 2017, as such, the requirements of Clause 58 do not affect the proposed development.

Planning Scheme Amendment VC139

Planning Scheme Amendment C139 was gazetted into the Moonee Valley Planning Scheme on 29 August 2017. This introduced the Apartment Design Guidelines for Victoria 2017 and the Urban Design Guidelines for Victoria 2017 (the ‘UD Guidelines’).

Consequently, the Guidelines for Higher Density Residential Development (Department of Sustainability and Environment, 2005), Design Guidelines for Higher Density Residential Development (Department of Sustainability and Environment, 2004), Safer Design Guidelines for Victoria (Crime Prevention Victoria and Department of Sustainability and Environment, 2005), and Activity Centre Design Guidelines (Department of Sustainability and Environment, 2005), have been removed from the Moonee Valley Planning Scheme.

The main effect of amendment VC139 is that non-residential and residential development not covered by Clauses 54, 55 or 56 must have regard to the UD Guidelines and the new Clause 15.01-6. As such, an assessment of this application against the UD Guidelines, as relevant, is undertaken in Section 3.1 of this report.
2.4 Referrals

The following external referrals were undertaken:

Table 2

<table>
<thead>
<tr>
<th>Department/Officer</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>VicRoads</td>
<td>No objections 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>Environmental Sustainable Design (ESD)</td>
<td>Amended BESS and STORM Report required and all annotation on plans.</td>
</tr>
<tr>
<td>Development Engineering (Traffic)</td>
<td>Standard parking and crossover conditions.</td>
</tr>
<tr>
<td>Development Engineering (Drainage)</td>
<td>Standard drainage conditions.</td>
</tr>
<tr>
<td>Waste Management Department</td>
<td>No changes required to the submitted Waste Management Plan.</td>
</tr>
</tbody>
</table>

2.5 Public Notification of the Application

Pursuant to Section 52 of the Planning and Environment Act 1987, the application was advertised by mail to adjoining and surrounding properties, with two notices displayed on site for 14 consecutive days.

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

As a result of the subject site’s location within proximity to Essendon Station and the impact of the Buckley Street level crossing the application was sent to the Level Crossing Removal Authority for comment. The Level Crossing Removal Authority have no objection to the proposed development, however, do note that all access to the site will be required to be left in-left out due to the proposed works to the level crossing.

2.6 Consultation Meeting

A Consultation Meeting was not held as there were less than 10 objections received, which is in accordance with Council’s protocols.
3. Discussion

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

The subject site is located within the Essendon Junction Activity Centre, where it is State and Local Policy to develop the centre with a focus for business, shopping, working, leisure and community facilities as well as maximising the choices in services, employment and social interaction. It is considered that the proposed development is consistent with State and Local Planning Policy to develop activity centres as a focus for higher density living, business, shopping, working, leisure and community faculties.

It is a strategy of Clause 15.01-1 (Urban Design) to ensure new development to respond to its context in terms of urban character, cultural heritage, natural features, surrounding landscape and climate. It is considered the proposed development has appropriately considered its site context and proposes a built form that is consistent with the emerging built form within the centre and will provide appropriate internal amenity to future users of the site.

Clause 15.01-2 of the State Planning Policy Framework (Urban Design Principles) provides the main assessment tool for development proposals not covered by Clauses 54, 55 or 56 of the planning 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 while minimising detrimental impact on neighbouring properties.

Clause 21.06-4 (Urban Design) requires developments to have regards to the Guidelines for Higher Density Residential Development (Department of Sustainability and Environment 2004), and the City of Moonee Valley Design Guidelines for Multistorey Residential Buildings, December 2003. It is noted that the Guidelines for Higher Density Residential Development (Department of Sustainability and Environment 2004) are no longer included within the Moonee Valley Planning Scheme as a result of Amendment VC139 as discussed above. However, Amendment VC139 included the Urban Design Guidelines for Victoria 2017 into the Moonee Valley Planning Scheme as a reference document that must be considered when assessing application.

It is considered the proposed amendment development is consistent with the relevant design principles of the Urban Design Guidelines for Victoria 2017 and Clauses 15.01-2 and 21.06-4 and as discussed below:

Urban Design Guidelines for Victoria 2017 (as relevant)

Element 5 – Buildings

The proposed building scale and form as proposed are generally consistent with the built form outcomes within the Essendon Junction Structure Plan. The overall height of the development while not compliant with the preferred building heights, is appropriate given the site’s location and incorporates appropriate setbacks at the upper level. This is discussed in Section 3.3 of this report. It is
considered the building form and scale are consistent with the existing character of the area and with the future character for this location.

The proposed side setbacks when measured to the building walls are appropriate within its site context however, the proposed setbacks of the balconies at the first and second levels to both the east and west are inappropriate given they are setback between 0.9-1.3 metres from the boundaries. A condition on any permit issued should require these areas be setback to at least 1.5 metres where the building abuts a residential zone.

Due to the sites location on the southern side of Buckley Street, the development will not result in any overshadowing over Buckley Street throughout the day.

The proposed development includes a food and drink premises abutting the existing commercial uses to the east. It is considered that this is appropriate and will activate the development and contribute to the commercial aspects of the activity centre. Additionally, this arrangement provides a transition between the commercial areas to the east and residential areas to the west.

The development provides appropriate links to the surrounding pedestrian network by orienting the development to Buckley Street.

The proposed development provides an excess of bicycle parking spaces above that required under Clause 52.34. This is discussed in Section 3.6 of this report.

Vehicular access is provided to Buckley Street and is of sufficient width to provided two-way traffic movements. It is noted that due to the Buckley Street level crossing removal, the road in front of the site will become a one-way slip lane. As such, vehicles will enter and exit the site in a left-in left-out manner. Council’s Development Engineering (Traffic) Department and VicRoads have no objection to the proposed accessway.

The proposed façade treatments are considered appropriate for this form of development and present as a high quality contemporary form. The proposed materials and finishes are appropriate. The external presentation of the building will make a positive contribution to the activity centre and will present as a visually interesting design.

Site services are appropriately located and do not dominate the active Buckley Street frontages.

The proposed location of the residential apartment lobby is appropriate and will be readily visible to the streetscape.

Clauses 15.01-2 and 21.06-4

Context

The proposed development is considered to be generally appropriate given the location of the site within an Activity Area with good access to a range of services, including public transport. The proposed development is responsive to the strategic context of the land and the location has been highlighted within Plan Melbourne as an area for concentration of high density development. While the height of the development is not consistent with the Essendon
Junction structure plan as discussed in Section 3.3 of this report, the overall development is appropriate.

*The Public Realm*

The proposed development will make a positive contribution to the public realm through the activation of the street frontage through the food and drink premises.

*Safety*

Glazing at ground level and at the upper levels within the front facade provide for passive surveillance of the streetscape to increase public safety.

*Landmarks, Views and Vistas*

There are no significant monuments, landmarks or vistas in the vicinity of the site that have been identified within the Moonee Valley Planning Scheme as requiring specific protection that will be affected by this development.

*Pedestrian Spaces*

The proposed development has relocated the existing crossover currently abutting the commercial properties along the western boundary to the eastern boundary and located the proposed food and drink premises in this location. This results in the continuation of the commercial uses along the western boundary and activates the streetscape. This is an appropriate design response and provides a transition between the commercial use proposed and the residential uses to the east beyond the adjoining church.

*Heritage*

The subject site is not located within a Heritage Overlay.

However, the adjoining property to the east contains a heritage listed place of worship (Ukrainian Autocephalic Orthodox Church). The proposed development is sufficiently setback from the adjoining property to not overwhelm the heritage place. The upper two levels are appropriate setback to provide a transition in built form that is generally consistent with the Essendon Junction structure plan.

*Light and Shade*

Due to the sites location on the southern side of Buckley Street, the development will not result in any overshadowing over Buckley Street throughout the day.

*Energy and resource efficient*

The proposed development provides a built form that has been designed to maximise the use of natural daylight and ventilation to all dwellings. Council’s ESD Officer has reviewed the development and does not object to the amendments subject to additional conditions relating to the BESS report on any amended permit issued.
**Architectural quality**

It is considered the development provides a high level of architecture and urban design that is in keeping with the vision for the area in terms of building presentation. The overall height of the development at five storeys while non-compliant with the Essendon Junction structure plan is an appropriate design response given the site context as discussed in Section 3.3 of this report. The external presentation of the building will make a positive contribution to the streetscape and present as a visually interesting design.

The internal layout of the apartments is considered acceptable and an appropriate level of internal amenity will be achieved.

**Landscape Architecture**

Appropriate landscaping is provided throughout the site consistent with this form of development. It is noted that a condition will be required requiring the submission of an amended Landscape Plan that is consistent with the proposed ground floor layout.

Clause 21.07 (Activity Centres) is applicable in this instance and builds on the objectives and strategies of the State Planning Policies, in particular Clause 11 (Settlement). The subject site is located within the Essendon Junction Activity Centre and an Urban Renewal area under the current Plan Melbourne. The proposed mix of uses continues to promote commercial growth within this area. It is noted that a structure plan for Essendon Junction was prepared by Council and adopted on 24 November 2015, however, due to the works associated with the Buckley Street level crossing removal, this structure plan will be required to be amended prior to a formal Planning Scheme amendment being prepared. An assessment of the development against this structure plan is at Section 3.3 of this report.

With regard to Clause 21.08 (Economic Development), it is considered that the development will contribute to the Essendon Junction Activity Centre in terms of employment and business.

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. The subject site is well located to various alternative transport options such as Essendon Train Station to the west, the route 59 Tram to the east, bus services at Essendon Train Station and surrounding cycling network. Additionally, as discussed in Sections 3.4 and 3.6 of this report, the development provides an excess of car parking spaces on-site to cater for parking demand of the development and an excess of bicycle parking spaces on-site.

The proposal generally complies with the environmental sustainable design principals regarding BESS and STORM, subject to additional conditions on any permit issued.

The proposal accords with objectives of Clause 21.04-7 (Waste) as it relates to encouraging the use of recycling and achieving best practice in waste minimization. A waste management plan was submitted with the application.
which adequately addresses the provisions of this Clause. Council’s Waste Management Officer does not object to the proposed waste management plan.

**General Residential Zone Purpose**

The proposed development, as noted above, is consistent with the State and Local Planning Policy frameworks and is consistent with its site context within an activity centre. The proposed mix of uses is consistent with its location and will contribute to the economic generation within the area.

The proposed built form is generally consistent with the adopted Essendon Junction Activity Centre Structure Plan as discussed in Section 3.3 of this report.

### 3.2 Neighbourhood Character Guidelines

The subject site is located within the ‘Garden Suburban 1’ precinct under the Neighbourhood Character Guidelines 2012. While it is acknowledged that the subject site is located within this precinct, the developments scale, form, location within an Activity Centre, main road frontage and planning policy context encourage a built form that will be different from that envisaged by the Neighbourhood Character Guidelines 2012. As such, it is appropriate to undertake an assessment of the development in regards to its response to the State and Local Planning Policy Frameworks and its site context. This has been undertaken in Section 3.1 of this report.

### 3.3 Is the development consistent with the Essendon Junction Structure Plan 2015?

The subject site is located within Precinct 5 (South) within the Essendon Junction Structure Plan. It is noted that this is a Council adopted policy and no Planning Scheme amendment has been authorised by the Minister for Planning to date due to the impact of the Buckley Street level crossing removal. While there is little statutory weight that can be given to this policy and the content is likely to be amended, it is appropriate to have regard to the requirements within the structure plan as adopted by Council.

The preferred built form outcomes are provided within the table below.

**Table 4**

<table>
<thead>
<tr>
<th></th>
<th>Precinct 5</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Preferred maximum height</td>
<td>4 storeys</td>
<td>5 storeys</td>
</tr>
<tr>
<td>Front setback (3 storey street wall)</td>
<td>0 metres</td>
<td>0 metres</td>
</tr>
<tr>
<td>Front setback (above 3 storeys)</td>
<td>3 metres</td>
<td>3 – 3.8 metres</td>
</tr>
<tr>
<td>Rear setback (3 storey street wall)</td>
<td>4.5 metres</td>
<td>3.2 – 3.3 metres</td>
</tr>
<tr>
<td>Rear setback (above 3 storeys)</td>
<td>4th storey 7.79 metres</td>
<td>4th storey 6.3 – 6.4 metres</td>
</tr>
<tr>
<td></td>
<td>5th storey 10.73 metres</td>
<td>5th storey 6.3 – 6.4 metres</td>
</tr>
</tbody>
</table>
Discussion is provided below:

**Preferred Maximum Height**

The proposed development exceeds the 4 storey requirement of the overlay by proposing an overall height of five storeys and as discussed throughout the report, the upper level is considered to be appropriate and in keeping with the existing and preferred built form for the Essendon Junction Activity Centre due to its setback from the street and limited impacts on the adjoining properties.

**Setbacks**

*Front Setback*

The proposed street setbacks are consistent with the requirements of the structure plan. However, it is considered appropriate to include a condition to setback the fourth and fifth levels from the front boundary by 3 metres, as measured from the balcony edge to limit the dominance of the upper levels to the streetscape.

*Rear Setbacks*

As noted in the table above, the proposed rear setbacks do not comply with the structure plan requirements. It is considered that the proposed ground level setbacks up to the third level are appropriate in this instance as the adjoining properties to the rear have shed structures along the shared boundaries which will screen views of the development and limit visual bulk impacts.

However, it is appropriate to include a condition on any permit issued to increase the setbacks of the upper two levels to comply with Clause 55.04-1 (Standard B17 Side and Rear Setbacks) as required by the structure plan. This inclusion of this condition will limit views of the upper levels from the properties to the rear and result in a built form that presents as a three storey building.

### 3.4 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>Requires</th>
<th>Proposed</th>
<th>Difference</th>
</tr>
</thead>
<tbody>
<tr>
<td>2 Bedroom Dwellings (x27)</td>
<td>27</td>
<td>38</td>
<td>+11</td>
</tr>
<tr>
<td>3 Bedroom Dwellings (x10)</td>
<td>20</td>
<td>22</td>
<td>+2</td>
</tr>
<tr>
<td>Residential Visitor</td>
<td>7</td>
<td>4</td>
<td>-3</td>
</tr>
<tr>
<td>Food and Drink Premises (72sqm)</td>
<td>3</td>
<td>3</td>
<td>0</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>57</strong></td>
<td><strong>67</strong></td>
<td><strong>+10</strong></td>
</tr>
</tbody>
</table>

The proposed development provides an excess of 10 car spaces numerically above the number of car spaces required under Clause 52.06, however, it is proposed to provide less than the required number of residential visitor spaces and provide additional car spaces to the residential dwellings. It is considered that this is an inappropriate response and a condition is required to provide an additional three residential visitor spaces to comply with Clause 52.06. As a result of this condition the proposed development will fully comply with the car...
parking requirements of Clause 52.06 and have an excess of 7 additional spaces to be used by residents.

The visitor spaces to the upper level of the basement so as to be more convenient to visitors.

The application has been referred to Council’s Development Engineering (Traffic) Department who do not object to the development subject to conditions relating to the internal layout and design of the basement levels.

The application was referred to VicRoads, who do not object to the proposed development subject to conditions requiring left-in left-out only movements to Buckley Street, and that the crossover be constructed to their satisfaction.

Additionally, due to the works associated with the Buckley Street level crossing the application was referred to the Level Crossing Removal Authority for comment. The Level Crossing Removal Authority do not object to the proposed development and comment that due to the works proposed to Buckley Street, movements to and from the site will be required to be left-in left-out only. This is consistent with comments received from VicRoads.

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

A planning permit is required to create or alter access to a Road Zone, Category 1. As this planning application proposed to alter access to Buckley Street, 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 2.4 of this report, VicRoads has no objection to the proposed alteration to vehicular access to the site from Buckley Street, 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>
<thead>
<tr>
<th></th>
<th>Required</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>37 Dwellings</td>
<td>7</td>
<td>40</td>
</tr>
<tr>
<td>Residential Visitors</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>Food and Drink employees</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Food and Drink visitors</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>11</strong></td>
<td><strong>40</strong></td>
</tr>
</tbody>
</table>

The proposed development exceeds the requirements of Clause 52.34 of the Moonee Valley Planning Scheme. It is noted that the proposed bicycle spaces are to be used by residents, residential visitors and staff from the food and drink premises.
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, zoning, and other provisions as discussed within this report.
- It is considered the small food and drink premises 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 Objections

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

**Table 7**

<table>
<thead>
<tr>
<th>Issue</th>
<th>Officer Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Traffic and Parking</td>
<td>Refer to Section 3.4 of this report for discussion. The proposed development exceeds the required number of car spaces for the development.</td>
</tr>
<tr>
<td>Height of the Development</td>
<td>Refer to Section 3.1 and 3.3 of this report for discussion.</td>
</tr>
<tr>
<td>Number of Dwellings</td>
<td>The proposed number of dwellings is appropriate for the subject site given its location within an Activity Centre and proximity to public transport and services. Refer to Section 3.1 of this report for discussion.</td>
</tr>
<tr>
<td>Overdevelopment</td>
<td>Refer to Section 3.1 of this report for discussion.</td>
</tr>
<tr>
<td>Impacts on the operation of the Ukrainian Church due to parking and noise</td>
<td>As the proposed development exceeds the parking demand for the development it is considered that the proposed development will not impact unreasonably on the operation of the adjoining church to the east as a result of parking. A condition can be included on any permit issued requiring double glazing to all habitable room windows to limit impacts of the ringing of church bells when this occurs.</td>
</tr>
<tr>
<td>Impacts to the heritage significance of the Ukrainian Church</td>
<td>It is considered that the proposed development will not have any unreasonable impacts upon the heritage significance of the adjoining property due to the proposed setbacks.</td>
</tr>
</tbody>
</table>
Issue | Officer Response
--- | ---
Compliance with the Garden Area and Building Height controls in the General Residential Zone | As noted within Section 2.3 of this report, the mandatory building heights and garden area requirements under Clause 32.08 do not apply to this development as the application was lodged prior to the gazettal of Planning Scheme Amendment VC110.

Use as a Food and Drink premises | The proposed use as a food and drink premises is an allowable use under the General Residential Zone. The use is appropriate given its site context and will activate the frontage and contribute to the activity centre.

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. The application is supported as detailed above within the recommendation section.

Appendices
Appendix A: Objector Location
Appendix B: Development Plans (separately circulated)
**Objectors Location for MV/278/2017 at 95 Buckley Street, MOONEE PONDS**

<table>
<thead>
<tr>
<th>Objector’s Mailing Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>855 Mt Alexander Road, ESSENDON VIC 3040</td>
</tr>
<tr>
<td>5 Carlyle Street, MOONEE PONDS VIC 3039</td>
</tr>
<tr>
<td>91 Buckley St, ESSENDON VIC 3040</td>
</tr>
<tr>
<td>107 Buckley Street, ESSENDON VIC 3040</td>
</tr>
</tbody>
</table>
9.2 Financial Performance Report March 2018

File No: FOL/18/32
Author: Damian Hogan
Manager Finance
Directorate: Organisational Performance

Purpose
To receive a report on Council’s financial performance for the financial year to date, ending 31 March 2018.

Executive Summary
• This Report explains Council’s financial performance for the nine months to 31 March 2018 in the 2017-18 financial year – refer Appendix A (separately circulated).
• Includes a copy of the Grants Register Status Report as at March 2018 – refer Appendix B.
• Includes a copy of the Councillor Expenses Report – refer Appendix C.

Recommendation
That Council:
1. Receives and notes the Financial Performance Report for the period 1 July 2017 to 31 March 2018.
3. Receives and notes the Quarterly Councillor Expenses Report from 1 July 2017 to 31 March 2018.

Background
Council has a commitment to provide accountable and responsible government. The provision of regular reports to Council on its financial performance ensures that Council’s financial management and associated processes are accountable, transparent and responsible.

The attached financial report for the 2017-18 financial year for the period 1 July 2017 to 31 March 2018 (Appendix A – separately circulated) provides the following Financial Statements:
• Operating Statement;
• Balance Sheet;
• Cash Flow Statement; and
• Capital Expenditure.
Discussion

Summary of Financial Position

Operating Statement

- Revenue from operating activities for the nine months was $142.6M.
- Expenditure from operating activities for the nine months was $105.2M.

Forecast Position

The overall movement in the annual forecast position is a favourable $3.2M. The net forecast movement is a result of the following adjustments:

1. Revenue
   - Rates and Charges
     Favourable variance relates to higher than expected revenue primarily from supplementary rate income.
   - Statutory Fees and Fines
     Favourable variance relates to higher than expected revenue primarily from statutory planning fees.
   - User Fees
     Unfavourable variance relates to lower than expected revenue primarily from the Hopetoun Early Years Centre.
   - Grants Capital
     Unfavourable variance relates to the unsuccessful grant funding application for Shared Facilities Funding Program.

2. Expenses
   - Employee Benefits
     Favourable variance is due to closed and vacant positions although part of the variance is offset by the use of agency staff.

3. Capital Works
   The annual variance reflects a number of projects which are to be carried over to 2018/19 including Overland Reserve Pavilion ($2.9M), East Keilor Leisure Centre design ($0.8M), and Ormond Park Pavilion ($0.8M). In addition there is the cancellation of projects associated with the unsuccessful grant funding application for the Shared Facilities Funding Program ($3.7M).

4. Grants Register Status Report
   The Grant Register Status Report provides an update as to the progress of grant applications across Council (refer Appendix B).
5. Councillor Expenses Report

In accordance with the *Local Government Act 1989*, Councillors are entitled to be reimbursed in relation to expenses incurred in their capacity as a Councillor. Council has adopted the Resources, Facilities and Reimbursement of Expenses to Councillors Policy which outlines the resources/support to be provided to Councillors and expense that may be claimed in the performance of their duties as elected representatives of the community.

As part of Council's commitment to good governance and transparency, Appendix C, Council provides details of Councillor Expenses incurred for the period July 2017 to March 2018.

Once endorsed, the Councillor Expense report will be accessible on Council's website.

Consultation
Consultation with the Management Team has been undertaken in the preparation of this report.

Implications

1. Legislative
   
   Section 138 – Quarterly statements of the *Local Government Act 1989*, states “At least every 3 months, the Chief Executive Officer must ensure that a statement comparing the budgeted revenue and expenditure for the financial year with actual revenue and expenditure to date is presented to Council”.

2. Council Plan / Policy
   
   Council has set out its strategic direction and priorities through the Council Plan 2017-21 and the Budget 2017-18. Performance against the Council Plan and Budget are recorded at the end of the financial year in the Annual Report, with ongoing progress presented in Council progress reports.

3. Financial
   
   The $3.2M annual favourable variance is due to an increase in Statutory Fees & Fines ($1.1M) and Supplementary Rates and Charges ($1.8M). Childcare fees at long-day care centres ($2.5M) have been forecast down, as have Capital Grants and User Fees due to the unsuccessful grant funding application for the Shared Facilities Funding Program ($3.7M).
   
   Also contributing to the favourable variance is a decrease in Employee Benefits ($0.9M) due to a vacancies during the year and a number of positions being closed.

4. Environmental
   
   There are no environmental implications as a result of this report.

Conclusion

Council's overall financial position as at 31 March 2018 is a forecast annual surplus of $13.7M compared to the budgeted surplus of $10.5M, resulting in a favourable variance of $3.2M.
Appendices
Appendix B: Grant Register - 2017-18
Appendix C: Quarterly Declaration of Councillors - March 2018 Reporting - Q3 2018
<table>
<thead>
<tr>
<th>Item</th>
<th>Applicant Lead</th>
<th>Department</th>
<th>Staff Contact</th>
<th>Grant Source (Federal, State, Other)</th>
<th>Government Department (if applicable)</th>
<th>Grant Program</th>
<th>Application Summary (20 words): TRIM ref</th>
<th>Grant Value</th>
<th>Council Contribution</th>
<th>Total Project Cost</th>
<th>Status</th>
<th>Action (Proceeding, Successful, Unsuccessful)</th>
</tr>
</thead>
<tbody>
<tr>
<td>9.2</td>
<td>Family &amp; Children</td>
<td>Federal</td>
<td>Vicky Matthews</td>
<td>DET</td>
<td>Long Day Care Professional Development Programmes</td>
<td>To identify and address barriers for people with disability to enrol successfully</td>
<td>48,514</td>
<td>-</td>
<td>68,154</td>
<td>Aug-17</td>
<td>Dec-17 Unsuccessful</td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>Family &amp; Children</td>
<td>State</td>
<td>Vicky Matthews</td>
<td>DET</td>
<td>2017 Children's Week Grant</td>
<td>530</td>
<td>-</td>
<td>5,750</td>
<td>Jul-18</td>
<td>Aug-18 Unsuccessful</td>
<td></td>
<td></td>
</tr>
<tr>
<td>11</td>
<td>Community Strengthening</td>
<td>Federal</td>
<td>Merike Festa, Volunteer Officer, Community Strengthening</td>
<td>DET</td>
<td>Strong and Resilient Communities - Induslva Community Grant</td>
<td>17/07/2017 - To deliver training to users of the Induslva Community Grant</td>
<td>73,480</td>
<td>-</td>
<td>73,480</td>
<td>Dec-16</td>
<td>Dec-16 Unsuccessful</td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>Family &amp; Children</td>
<td>State</td>
<td>Vicky Matthews</td>
<td>DET</td>
<td>2017-18 Support for Child Health &amp; Wellbeing</td>
<td>742,330</td>
<td>-</td>
<td>742,330</td>
<td>Jan-17</td>
<td>Sep-17 Successful</td>
<td></td>
<td></td>
</tr>
<tr>
<td>13</td>
<td>Family &amp; Children</td>
<td>State</td>
<td>Vicky Matthews</td>
<td>DET</td>
<td>Child FIRST &amp; Integrated Family Services 2017-18 reporting to determine if Family Violence is an additional 12 months</td>
<td>52,618</td>
<td>-</td>
<td>52,618</td>
<td>Jan-17</td>
<td>Jan-17 Unsuccessful</td>
<td></td>
<td></td>
</tr>
<tr>
<td>14</td>
<td>Family &amp; Children</td>
<td>Federal</td>
<td>Vicky Matthews</td>
<td>DET</td>
<td>Community Children's Fund (CCF)</td>
<td>661,540</td>
<td>-</td>
<td>661,540</td>
<td>Nov-17</td>
<td>Apr-18 Unsuccessful</td>
<td></td>
<td></td>
</tr>
<tr>
<td>15</td>
<td>Family &amp; Children</td>
<td>State</td>
<td>Vicky Matthews</td>
<td>DET</td>
<td>Children's Capital Grants</td>
<td>874</td>
<td>-</td>
<td>874</td>
<td>Jan-17</td>
<td>Nov-17 Unsuccessful</td>
<td></td>
<td></td>
</tr>
<tr>
<td>16</td>
<td>City Design/Environment</td>
<td>State</td>
<td>Merike Festa</td>
<td>DET</td>
<td>2017 Melbourne Water Living Rivers Program - Woodend Park Stormwater Harvesting</td>
<td>800,000</td>
<td>-</td>
<td>800,000</td>
<td>Sep-17</td>
<td>Nov-17 Successful</td>
<td></td>
<td></td>
</tr>
<tr>
<td>17</td>
<td>City Design/Environment</td>
<td>State</td>
<td>Merike Festa</td>
<td>DET</td>
<td>Public Safety Infrastructure Fund Grants - Victorian Resilience Program</td>
<td>118,340</td>
<td>-</td>
<td>118,340</td>
<td>Dec-17</td>
<td>Dec-17 Successful</td>
<td></td>
<td></td>
</tr>
<tr>
<td>18</td>
<td>Community Planning</td>
<td>State</td>
<td>Carol Spathis</td>
<td>DET</td>
<td>2018-19 Melbourne Community Resilience Project</td>
<td>600,000</td>
<td>-</td>
<td>600,000</td>
<td>Sep-18</td>
<td>Jan-18 Successful</td>
<td></td>
<td></td>
</tr>
<tr>
<td>19</td>
<td>Technical Services</td>
<td>State</td>
<td>Bass Museum</td>
<td>DET</td>
<td>Walk to School in October</td>
<td>30,000</td>
<td>-</td>
<td>30,000</td>
<td>Apr-18</td>
<td>Jun-18 Pending</td>
<td></td>
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</tr>
<tr>
<td>20</td>
<td>Strategic Planning</td>
<td>State</td>
<td>Merike Festa/Unicosa9</td>
<td>DET</td>
<td>Living Rivers - Harcourt Creek</td>
<td>12,500</td>
<td>-</td>
<td>12,500</td>
<td>Mar-18</td>
<td>Apr-18 Successful</td>
<td></td>
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<tr>
<td>21</td>
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<td>DET</td>
<td>Living Rivers - Delamar Park</td>
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<td>-</td>
<td>15,000</td>
<td>Mar-18</td>
<td>Apr-18 Successful</td>
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<td>22</td>
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<td>Living Rivers - Buckleys Park</td>
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<td>-</td>
<td>15,000</td>
<td>Mar-18</td>
<td>Apr-18 Successful</td>
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<td>DET</td>
<td>Living Rivers - Overland Reserve</td>
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<td>15,000</td>
<td>Mar-18</td>
<td>Apr-18 Successful</td>
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</tr>
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</table>

Total Project Cost: $3,018,067
Quarterly Declaration of Councillor Expenses
1 January - 31 March 2018

<table>
<thead>
<tr>
<th>Councillor</th>
<th>Carer Expenses</th>
<th>Communication</th>
<th>Conferences &amp; Training</th>
<th>Entertainment</th>
<th>Other Costs</th>
<th>Transportation</th>
<th>Total</th>
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</thead>
<tbody>
<tr>
<td>Cr John Sipek (Mayor)</td>
<td>-</td>
<td>286.09</td>
<td>1,136.36</td>
<td>-</td>
<td>23.53</td>
<td>1,068.08</td>
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<tr>
<td>Cr Samantha Byrne (Deputy Mayor)</td>
<td>-</td>
<td>204.54</td>
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<td>-</td>
<td>-</td>
<td>-</td>
<td>204.54</td>
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<tr>
<td>Cr Andrea Surace</td>
<td>-</td>
<td>514.56</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>558.77</td>
</tr>
<tr>
<td>Cr Cam Nation</td>
<td>-</td>
<td>-</td>
<td>-</td>
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<td>-</td>
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</tr>
<tr>
<td>Cr Jim Cusack</td>
<td>-</td>
<td>220.64</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>220.64</td>
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<tr>
<td>Cr Narelle Sharpe</td>
<td>-</td>
<td>269.02</td>
<td>-</td>
<td>-</td>
<td>597.73</td>
<td>-</td>
<td>866.75</td>
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<tr>
<td>Cr Nicole Marshall</td>
<td>-</td>
<td>68.13</td>
<td>-</td>
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<td>Cr Rebecca Gauci Maurici</td>
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<td>204.57</td>
</tr>
<tr>
<td>Cr Richard Lawrence</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
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<tr>
<td><strong>Total</strong></td>
<td>-</td>
<td>1,757.54</td>
<td>1,136.36</td>
<td>621.26</td>
<td>1,110.29</td>
<td>4,625.45</td>
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</tr>
</tbody>
</table>

- Indicates no expenses claimed this quarter

**Carer expenses** includes child care and care of frail aged and/or disabled individuals who reside in the Councillor’s household for whom the Councillor is the primary carer.

**Entertainment expenses** such as snacks, meals, beverages while performing duties as a Councillor (excluding where Council or Committee meetings are held at times which extend through normal meal times and where Council provide suitable meals and refreshments served on the premises).

**Transportation** includes taxi fares, public transport costs, car parking fees, toll fees and reimbursement for authorised use of private vehicles for kilometres travelled while conducting Council business within and outside the municipality. This category also includes the actual monthly vehicle repayments and reimbursements associated with vehicle registration, insurance, servicing, fuel and log of the Mayoral vehicle.

**Communication Costs** includes the monthly fees and usage costs associated with Councillor mobile phone and computer equipment. They do not include any costs associated for personal use which are to be reimbursed by Councillors.

**Conferences and Training – Local, Interstate or Overseas** includes any registration fees, travel and accommodation costs associated with attendance at conferences or seminars.

**Other Costs** includes professional memberships to recognised sector related bodies and other incidental expenditure incurred by Councillors in performing their Councillor role.
9.3 Reviewing Statutory Planning Protocols

File No: FOL/18/32
Author: Petrus Barry
Manager Statutory Planning
Directorate: Planning & Development

Purpose
To present a report that reviews Council’s Statutory Planning Protocols (Protocols) previously adopted in 2004 and amended in 2011.

Executive Summary
- Council’s Protocols were initially introduced in January 1997, updated in November 2004 and again in March 2011.
- The Department has benchmarked delegations and procedures with similar Councils and conducted a survey amongst 32 Victorian Councils.
- Improvements to the protocols, delegations and Development Assessment Panel (DAP) operations will assist in reducing time frames for finalising planning applications. This includes the way that objections are counted for purposes of triggers when to consider applications at an Ordinary Council Meeting.
- Provision is also made for cancellation of Consultation Meetings in certain instances.
- The proposed changes to the Protocols are required to streamline and improve the planning processes as undertaken by the Statutory Planning Department and it is recommended that hey be accepted.

Recommendation
That Council:
2. Reviews its Instruments of Delegation pursuant to the Planning and Environment Act 1987 provisions to ensure consistency with the updated Statutory Planning Protocols.
3. Through the Statutory Planning Department, prepares and implements a procedure to inform the planning community of the changes to the website as they relate to improved information regarding objections and the procedures following the lodgement of an objection.
Background
Council’s Statutory Planning Protocols were initially introduced in January 1997, updated approximately 7 years later in November 2004 and again in March 2011. It is now seven years since the last review.

A number of changes to the Protocols are required to streamline and improve the planning processes as undertaken by the Statutory Planning Department.

Discussion
Since the last update of the Protocols a number of changes have taken place in the field of Planning including the advent of the Garden Area Requirements and also changes to guidelines like the Better Apartment Guidelines. This, together with an assessment undertaken of the volume, type and complexity of planning applications lodged with the Department as well as the type and frequency of objections received, were used to propose ways of improving on the statutory time frames and Local Government Performance Reporting Framework (LGPRF) measures.

The Department also undertook a survey among 32 Victorian Councils to benchmark procedures and successes of Consultation Meetings. Additional information was gathered in relation to delegations to Council and Officers.

Increased pressure to meet targets
The Department has been forced to include many more assessment actions into its operations due to new policies and changes to the planning scheme and legislation, such as the new Garden Area requirements and Better Apartment Guidelines. There is thus increasing pressure to comply with legislated performance measures and applying rigour in questioning of assumptions, State and local best practice (including consideration of VCAT decisions) and thinking deeply about the application of the policy to the local area. Further, there must be evidence of consultation and how the views of the community have been taken into account.

Performance
The department has already increased its performance from achieving 54% of applications being completed within 60 days to a current rate of 60% for 2017-2018. This has been achieved through improved work practices and streamlining certain internal procedures, including switching to paperless applications early in 2017. The intention is to maintain these levels and continually increase the performance.

This becomes difficult where more time has to be spent on the 22% of the 1,173 applications received in the last financial year being Complex, triggering 2,150 objections. There has also been an increase in Major applications (from 35 to 42 to 47 in 2015 - 2016 - 2017). The Department managed 71 VCAT appeals in 2017 of which 19 out of 36 hearings were listed as a "win" with a substantial increase in Consent Orders from the previous year (i.e. not requiring a hearing). The Department has also calculated the cost of more than 100 appeals to be an average of $2,600 per appeal across all those appeals.

The Statutory Planning Department prepared and submitted 82 Council Reports for 2017 (71 normal and 11 confidential items); both iterations showing an increase from previous years.
Improved performance in assessment of applications and at VCAT can be achieved if delegations are streamlined and other aspects that delay the timelines are addressed. A number of options were considered to improve the performance and timelines.

**Objections and relevance to the planning applications**

An assessment of the number of objections received to applications shows that a third of all planning applications triggered submissions from the public (2,150 objections). There is also a large number of repeat objectors to applications. This has led to the notion that the number of objectors triggering a report to be referred to the Ordinary Council Meeting be realigned to better capture neighbours that are the most affected by a proposed residential development and excluding objections that aren't based on planning matters.

**Consultation meetings**

There is no legislated requirement for Consultation Meetings and the process generally adds about 4-8 weeks to the time frame of an application. In 2016/17, 24 consultation meetings were held with 1,600 invites being mailed, which is an expensive and time consuming exercise with less than 5% of these meetings leading to any positive change to the application.

The Department surveyed 32 Councils to ascertain their Consultation Meeting experiences. All Council’s experienced the meetings:

- Were seldom successful and created an extraordinary amount of work;
- Extended time frames;
- Gave high expectations with limited outcomes;
- Required extensive Officer time out of hours and the cost to the Department; and
- They are not decision making or mediation meetings.

The effort is thus generally not justified and not adding any value.

Observations from the Survey: Melton for example only conducts the meetings (during business hours) if it is felt an outcome could be achieved. Dandenong only holds them for residential applications and Hobsons Bay and Brimbank only conduct them by special invite. Only 5/11 inner-city Council Consultation Meetings were chaired by a Councillor. Kingston and Moreland sometimes have informal consultations to discuss the application with immediately impacted objectors. The effort is thus generally not justified and not adding any value.

In discussion with Councillors, the preference was that the Consultation Meetings still proceed as before but that improvements to attendance and limiting meetings were an outcome will be clearly unlikely.

**Delegations**

An assessment of the delegations employed by other Councils has also been undertaken and this has further advised the proposed changes to the delegations and the procedures captured in the Protocols. The main purpose of the amended delegations is to improve on the approval time frames but still maintaining enough
consultation to be certain that residents do not feel that their concerns are not properly heard and Councillor involvement is harnessed to the full.

In light of the discussion above, a number of changes are proposed to the Statutory Planning Protocols document. These include:

- Minor typographical corrections;
- Changes to reflect the current Statutory Planning Department and staffing structure; and
- Content changes to improve system efficiency and effectiveness, such as acknowledgment of the Instrument of Delegation and clarification of “Refusal” delegations.

Content changes to improve system efficiency and effectiveness are outlined in Table 1 below.

**Table 1**

<table>
<thead>
<tr>
<th>Statutory Planning Protocols: Summary Proposed Changes</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Section Number</strong></td>
</tr>
<tr>
<td>(of Protocols document)</td>
</tr>
<tr>
<td>4</td>
</tr>
<tr>
<td>5.1</td>
</tr>
<tr>
<td>5.2.1</td>
</tr>
<tr>
<td>Section Number (of Protocols document)</td>
</tr>
<tr>
<td>----------------------------------------</td>
</tr>
<tr>
<td>5.2.2</td>
</tr>
<tr>
<td>5.2.3</td>
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<td>5.3.1</td>
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</table>
# Statutory Planning Protocols: Summary Proposed Changes

<table>
<thead>
<tr>
<th>Section Number (of Protocols document)</th>
<th>Item</th>
<th>Proposed Change as at May 2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>5.3.2 a)</td>
<td>“Other Delegation Parameters. Major Projects”</td>
<td>Definition of major project applies if the value of the proposed development exceeds $10 million (instead of $5 million under existing Protocols – since 2011). The value of the proposed development has been increased to coincide with increased development costs and to reflect a more accurate definition of Major Developments as “defined” by the other triggers of major projects, which are still the same, i.e. at least one of: the number of dwellings (20), or number of storeys (4).</td>
</tr>
<tr>
<td>5.3.2</td>
<td>“Other Delegation Parameters. Major Projects”</td>
<td>Clarification Note added that: Applications that fit into the ‘Major Projects’ definition may be considered and refused under delegation, after consideration by DAP. (This has been applied all along but not clearly written into the Protocols)</td>
</tr>
<tr>
<td>5.3.2</td>
<td>“Other Delegation Parameters. Major Projects”</td>
<td>Note expanded to allow the majority of Ward Councillors to agree that Planning applications and/or determination of Council’s position for VCAT matters may be approved/receive direction under delegation when they have received 10 or more “eligible” objections as per 5.3.1 or fit into the ‘Major Projects’ definition but are not deemed to be controversial (as per section 5.3.3) and have a high degree of compliance. These applications may, however, only be assessed at Council’s Development Assessment Panel (DAP) and then considered under delegation by agreement of a majority of Ward Councillors. The current Protocols were silent on the aspect of these matters being referred to DAP if more than 10 objections had been received. The current Protocols also allowed officers to decide on Council’s position on VCAT matters (despite the size of development or number of objections), which was inconsistent with the fundamentals of the rest of the Protocols. (Refer to the changes to 5.2.1 above). The change rectifies this.</td>
</tr>
</tbody>
</table>
## Statutory Planning Protocols: Summary Proposed Changes

<table>
<thead>
<tr>
<th>Section Number (of Protocols document)</th>
<th>Item</th>
<th>Proposed Change as at May 2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>5.3.6</td>
<td>“Other Delegation Parameters. Refusal of Planning Permit Applications”</td>
<td>A further clarification to ensure that only Officers authorised by the Instrument of Delegations can refuse planning permit applications, provided the recommendation is considered and endorsed at the Development Assessment Panel.</td>
</tr>
</tbody>
</table>
| 5.3.7                                 | “Lack of a Quorum at an Ordinary Council Meeting”                                                                                      | NEW, in the light of a recent example where a quorum could not be achieved and the proposal to prevent the likelihood that it may happen again in future:  
“If a quorum at an Ordinary Council Meeting is known to be unachievable beforehand, a request be referred to all Councillors for majority support requesting the CEO to finalise relevant planning application/s under the Instrument of Delegations.” |
| 5.4.1                                 | “Councillors Weekly Status Report”                                                                                                     | Clarification in the fourth dot point by substituting the word ‘determined’ with ‘considered’ as DAP does not have delegations to determine/decide planning applications.                                                                                                                                                                                                                           |
| 6                                     | “DEVELOPMENT ASSESSMENT PANEL (DAP)”                                                                                                  | Clarification to the second dot point by substituting the word ‘decisions’ with ‘considerations’ as DAP does not have delegations to determine/decide planning applications.                                                                                                                                                                                                                     |
| APPENDIX 1                           | “Consultation Meetings Protocols and Procedures. iv ROLES”                                                                           | Re-wording of the fourth dot point under “Role of Planning Officer” to align with the second dot point in “Role of Councillors” that stipulates that the Ward Councillors decide amongst themselves who chairs the meeting.  
Clarification in dot point 9 under “Role of Planning Officer” to reflect the current practice where planners do not provide hard copies of documentation to attendees, in the spirit of saving paper and also given the convenience to rather direct an enquiry of this nature to the appropriate internet sites. |
<table>
<thead>
<tr>
<th>Section Number (of Protocols document)</th>
<th>Item</th>
<th>Proposed Change as at May 2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>APPENDIX 1</td>
<td>“Consultation Meetings Protocols and Procedures. v OPERATIONS”</td>
<td>Dot point two makes provision for Consultation Meetings to not take place where “the application is clearly unacceptable and is being refused”. This is being expanded to make provision for involvement of the Ward Councillors where the type of application and polarised views may inflame or entrench people’s views in a way that a Consultation Meeting is not likely to lead to a compromised outcome. In these scenarios, a Consultation Meeting will not generally be held.</td>
</tr>
</tbody>
</table>
| APPENDIX 1                           | “Consultation Meetings Protocols and Procedures. v OPERATIONS” | Addition of dot point four:  
  - “The applicant and all objectors will be sent an invite in the mail (via email if details are known) and requested to accept the meeting invite. If no objectors confirm attendance, the Manager Statutory Planning can decide to cancel the proposed Consultation Meeting.”  
  (This was mooted at the Councillor Planning Weekend)  
  The wording purposely does not make provision for cancellation on the non-response from the applicant as the applicant may regard it as an easy way to avoid the Consultation Meeting. |
| APPENDIX 1                           | “Consultation Meetings Protocols and Procedures. v OPERATIONS” | Addition of the last dot point under the DAP Operations to provide objectors with the opportunity to address Councillors in a public forum:  
  - “Where a consultation Meeting has been cancelled or not arranged despite the application receiving 10 or more ‘eligible’ objections, the applicant and objectors be given advice about the procedure to submit a question to Councillors or to present their concerns to a public forum.”  
  (This was mooted at the Councillor Planning Weekend) |
## Statutory Planning Protocols: Summary Proposed Changes

<table>
<thead>
<tr>
<th>Section Number (of Protocols document)</th>
<th>Item</th>
<th>Proposed Change as at May 2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>APPENDIX 1</td>
<td>“Consultation Meetings Protocols and Procedures. vi MEETING AGENDA TEMPLATE”</td>
<td>The meeting agenda template has been updated by adding a few additional notes to act as reminders about the procedures and dissemination of information. The agenda is a guide only as each chairperson has the ability and opportunity to govern the meeting within the set guidelines.</td>
</tr>
<tr>
<td>APPENDIX 2</td>
<td>“OFFICER DEVELOPMENT ASSESSMENT PANEL (DAP) - MEETING PROTOCOLS AND PROCEDURES. ii DAP MEMBERSHIP”</td>
<td>In an attempt to improve on Officer’s time taken up by DAP meetings and in view of changes to 5.3.1 above, the DAP operations will be split in two parts where the second part only requires attendance of the Statutory Planning Staff on the Panel:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>“Where applications before DAP relate to the following matters or objections, the Strategic Planning and Technical Services Staff need not be present, but a quorum of three must still be achieved:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• ResCode matters (solely);</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Low risk applications (building works, signage etc.);</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Objections to as-of-right components; or</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Objections with no planning grounds (e.g. devaluation of properties, construction noise, dust etc.)”</td>
</tr>
<tr>
<td>APPENDIX 3</td>
<td>“FORM FOR ASSEMBLY OF COUNCILLORS”</td>
<td>The latest template on EDNA has been included in the Protocols and now also provides guidance and legislative requirements for officers completing the forms, such as the classes of direct and indirect interests.</td>
</tr>
</tbody>
</table>

---

**APPENDIX 1**

"Consultation Meetings Protocols and Procedures. vi MEETING AGENDA TEMPLATE"

The meeting agenda template has been updated by adding a few additional notes to act as reminders about the procedures and dissemination of information. The agenda is a guide only as each chairperson has the ability and opportunity to govern the meeting within the set guidelines.

**APPENDIX 2**

"OFFICER DEVELOPMENT ASSESSMENT PANEL (DAP) - MEETING PROTOCOLS AND PROCEDURES. ii DAP MEMBERSHIP"

In an attempt to improve on Officer’s time taken up by DAP meetings and in view of changes to 5.3.1 above, the DAP operations will be split in two parts where the second part only requires attendance of the Statutory Planning Staff on the Panel:

"Where applications before DAP relate to the following matters or objections, the Strategic Planning and Technical Services Staff need not be present, but a quorum of three must still be achieved:

- ResCode matters (solely);
- Low risk applications (building works, signage etc.);
- Objections to as-of-right components; or
- Objections with no planning grounds (e.g. devaluation of properties, construction noise, dust etc.)"

**APPENDIX 3**

"FORM FOR ASSEMBLY OF COUNCILLORS"

The latest template on EDNA has been included in the Protocols and now also provides guidance and legislative requirements for officers completing the forms, such as the classes of direct and indirect interests."
Consultation
A survey was conducted among a total of 32 outer and inner metropolitan Councils regarding the Planning Consultation meeting procedure, which identified a range of approaches in relation to Consultation Meetings. Other benchmark actions included discussions with other Councils regarding their delegations to Council and Officers.

The survey results and a number of other proposals were collated and presented to the Councillors at the Planning Weekend at the end of March 2018 and the proposed changes in the report follow from these discussions.

Implications

1. **Legislative**
   
   Legislated time frames for Statutory Planning are incumbent on Councils to meet. Protocols for the use of delegated authority is available to officers of Council’s Statutory Planning Department under the Planning and Environment Act 1987 and the Local Government Act 1989.

   The concept of major projects (major cases) was introduced within the Victorian Government’s Planning and Environment List (with VCAT) in May 2010. Sections 77, 79, 80, 82 and 87A of the Planning and Environment Act 1987 pertain to the Major Cases List.

2. **Council Plan / Policy**
   
   In presenting this report, Council is working to achieve its strategic objective to promote responsible and equitable decision-making across Council 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.

   The relevant Strategy as outlined in the Action Plans is “3.2.1.4, Deliver timely, high-quality statutory planning services to manage growth and development.”

3. **Financial**
   
   There are no specific, direct budgetary or funding considerations as a result of this report although overall savings will be achieved in the Planning Department as a result of the proposed improvements.

4. **Environmental**
   
   The report and consequences of the recommendations do not have a direct bearing on energy usage and greenhouse gas generation, water impacts, or biodiversity.

Conclusion
The Protocols adopted by Council in January 1997 have improved the quality and consistency of planning decision making. The Protocols have been updated twice since inception.

There is however, a need to reduce the number of applications in the system for 60 days or longer and continue improving Statutory Planning processes and
delegations. Whilst Council officers continue to identify and work on measures to reduce planning application processing times, it is anticipated that the proposed measures outlined in the report above will work to address this issue and further improve on the legislated timeframes.

Appendices
Appendix A: Statutory Planning Protocols (separately circulated)
9.4  Council Plan 2017-21 progress report for January-March 2018

File No:  FOL/18/32
Author:  Marianne McArthur
         Corporate Planning Officer
Directorate:  Organisational Performance

Purpose
To report back to Council and the community on our progress this year in implementing the Council Plan 2017-21 (Council Plan).

Executive Summary
This report reviews our progress in implementing the Council Plan in 2017/18, for the period 1 January to 31 March 2018.

Recommendation
That Council receives and notes the report on the progress of actions to be implemented for the Council Plan 2017/18.

Background
Council is implementing an extensive list of actions in 2017/18 to deliver on the Council Plan. This report provides an update on progress in implementing those actions in quarter three.

Discussion
Our progress for 2017/18 is reported in three appendices:

- **Appendix A** summarises the overall status of actions to deliver on the Council Plan in 2017/18. As at 31 March 2018, 80 per cent of actions were “on track”, 15 per cent were complete, 4 per cent were off track, and 1 per cent were not yet scheduled to start.

- **Appendix B** reviews the progress achieved with major initiatives to implement the Council Plan. Major initiatives are significant actions identified in the 2017/18 Annual Budget to implement the Council Plan.

- **Appendix C** reviews the progress achieved on other initiatives.

Some key achievements for the third quarter included the following:

- Opened the new multi-purpose sports pavilion at Fairbairn Park.
- Installed nearly 100kW of solar systems at Strathmore Children’s Centre, Bradshaw Hall, Hopetoun Children’s Centre and Lincolnville Kinder.
- Replaced the Fenton Street Hockey Synthetic Surface.
- Signed Memorandums of Understanding with schools participating in the ‘Thriving Minds’ pilot, the Young People’s Mental Health First Aid initiative
- Delivered the annual work program of outdoor play space improvements.
- Finalised the community funding program review.
- Constructed Rosehill Park Easement pathway to improve pedestrian access to open space.
- Commenced community consultation on the General Purposes Local Law
- Completed the draft Developer Contribution Plan.
- Undertook Stage 2 works for the Union Road streetscape upgrade and design work for Stage 3.

A full year report will be issued after the end of the financial year.

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

Implications

1. Legislative
The Local Government (Planning and Reporting) Regulations 2014 require Council to disclose in its Annual Report whether it has conducted Council Plan reporting at least every six months.

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
No financial implications.

4. Environmental
No environmental implications.

Conclusion
Council is making steady progress towards implementing its Council Plan commitments.

Appendices
Appendix A: Overall Status of Council Plan actions - Report to Council Q3 (separately circulated)
Appendix B: Major Initiatives Report to Council - Q3 2017-18 (separately circulated)
Appendix C: Progress on other initiatives - Report to Council - Q3 2017-18 (separately circulated)
9.5 Progress Report on Portfolio Advisory Committees 8 May 2018

File No: FOL/18/32
Author: Marianne Govic
Corporate Engagement Officer
Directorate: Organisational Performance

Purpose
To provide an update on the progress of the Portfolio Advisory Committees (PACs) and to present the minutes and Terms of Reference that have been received.

Executive Summary
- A total of 25 PAC meetings have occurred between August 2017 and April 2018 where community members have come together and workshoped ideas, contributed to recommendations and provided advice on strategies and policies.
- The minutes and final Terms of Reference that have been received to date are submitted for noting by Council.

Recommendation
That Council:
1. Receives and notes the following confirmed Portfolio Advisory Committee meeting minutes and Terms of Reference, where applicable (all separately circulated):
   a) Lifelong Learning PAC held on 26 March 2018 (Appendix A)
   b) Community Wellbeing PAC held on 13 November 2017 (Appendix B)
   c) Strategic Planning PAC held on 30 November 2017 (Appendices C and D)
   d) Environment PAC held on 11 December 2017 (Appendices E and F)
   e) Business Promotion PAC held on 2 December 2017 and 21 March 2018 (Appendices G and H)
   f) Integrated Transport PAC held on 11 December 2017 (Appendices I and J)
   g) Leisure and Active Communities and Sports and Community Organisations held on 28 February 2018 (Appendices K and L)
   h) Inclusion, Diversity, Equity and Access (IDEA) - Terms of Reference (Appendix M)
2. Receives a report on the first annual review and evaluation of the PACs at a future Ordinary Council Meeting.
Background
Since the last progress report presented to Council in November 2017, the PACs have provided significant input into strategy and policy development.

Discussion
A few examples of direct community input by the PACs include:

- A Procurement Supplier Forum was held at the Clocktower Centre on 28 February 2018, with more than 200 tickets sold within 24 hours of going on sale. The idea was introduced at the first Business Promotion PAC meeting and focused on new opportunities for emerging markets.

- The Environment PAC contributed to robust discussions and a written submission to inform the Draft Waste and Resource Recovery Plan. The Plan aims to improve recycling throughout the municipality and encourage ‘a city that rethinks waste’.

- Leisure and Active Communities and Sports and Community Organisations hosted a joint meeting with a shared agenda that explored multi-use community facilities including sporting pavilions. The committee suggested new initiatives including lighting infrastructure, new running tracks and good quality playing surfaces to promote active lifestyles across all ages and cultures in the municipality. These initiatives have informed the 2018/19 draft annual budget and Long Term Capital Works Program.

From the minutes, it is clear that a number of key projects have been discussed by the PACs, including:

- The East Keilor Leisure Centre redevelopment
- Netball and basketball infrastructure
- The Moonee Ponds Creek revitalisation
- Increased tree canopy
- Community hubs that include co-working spaces and recreational elements
- Neighbourhood place-based planning
- Moonee Ponds Junction and bus interchange
- National Disability Insurance Scheme transition
- Improve wi-fi accessibility to facilitate a technology ready city

It is anticipated that these priorities and many others identified will help to support the work of Council through the four-year Council Plan, MV2040 Strategy and the newly-adopted Advocacy Strategy 2018-21. The aim is to work together with all PACs, agencies and organisations to enable strong community input and help shape the future of our city.

It should be noted that the Community Wellbeing and Future Communities PACs are yet to finalise their Terms of Reference. It is expected that this will be completed at the next meeting.
The following PACs are yet to confirm minutes:

- Inclusion, Diversity, Equity and Access and Community Wellbeing joint meeting held on 19 April 2018
- Strategic Planning meeting held on 15 March 2018
- Future Communities meeting held on 30 April 2018

It is expected that this will be tabled at the next meeting.

Consultation
The Corporate Engagement Officer consulted with relevant business units in the finalisation and distribution of the attached PAC minutes and Terms of Reference.

Implications

1. Legislative
   There are no legislative implications resulting from the presentation of this Report.

2. Council Plan / Policy
   In presenting this report, Council is working to achieve its strategic objective to provide opportunities for civic participation and input to Council decision-making processes in accordance with Council Plan 2017-21 Theme 5: Resilient organisation - A resilient organisation that is sustainable, innovative, engaging and accountable - Our community is informed and has a say.

3. Financial
   There are no financial implications resulting from the presentation of this Report.

4. Environmental
   There are no environmental implications resulting from the presentation of this Report.

Conclusion
The Portfolio Advisory Committees continue to be a forum where community members can come together and provide advice on the challenges and opportunities to help build a more inclusive, vibrant and healthy city.

Appendices
Appendix A: Minutes - Lifelong Learning PAC (separately circulated)
Appendix B: Minutes - Community Wellbeing PAC (separately circulated)
Appendix C: Minutes - Strategic Planning PAC (separately circulated)
Appendix D: Terms of Reference - Strategic Planning PAC (separately circulated)
Appendix E: Minutes - Environment PAC (separately circulated)
Appendix F: Terms of Reference - Environment PAC (separately circulated)
Appendix G: Minutes - Business Promotion PAC 11 December 2017 (separately circulated)
Appendix H: Minutes - Business Promotion PAC 26 March 2018 (separately circulated)
Appendix I: Minutes - Integrated Transport PAC (separately circulated)
Appendix J: Terms of Reference - Integrated Transport PAC (separately circulated)
Appendix K: Leisure and Active Communities & Sport and Community Organisation - Minutes (separately circulated)
Appendix L: Terms of Reference - Sports and Community Organisations PAC (separately circulated)
Appendix M: Terms of Reference - IDEA PAC (separately circulated)
9.6 Response to NOM 2017/27 - Interim and Permanent Heritage Controls - 148 Ascot Vale Road, Flemington

File No: FOL/18/32
Author: Fiona McDougall
Senior Strategic Planner
Directorate: Planning & Development

Purpose
To seek authorisation from the Minister for Planning to prepare and exhibit Planning Scheme Amendment C192, which proposes to apply the Heritage Overlay HO79 to 148 Ascot Vale Road, Flemington.

To request that the Minister for Planning applies interim heritage controls over 148 Ascot Vale Road, Flemington, which is under threat of demolition.

Executive Summary
- On 16 March 2017, Council received planning permit application MV/164/2017 which sought permission to construct five dwellings at 148 Ascot Vale Road, Flemington.
- The permit application was refused on 12 December 2017.
- On 12 December 2017 a Notice of Motion (NOM) No. 2017/27, was carried to investigate the property’s heritage significance to determine if the application of the Heritage Overlay is warranted.
- This property was not identified in Council’s adopted Heritage Gap Study 2014.
- Council sought advice from Frontier Heritage who advised the dwelling is of local historic significance to the City of Moonee Valley.
- The advice and citation prepared indicates the site is contributory to the area and Heritage Overlay (HO79).
- This report recommends that Council progresses an amendment to apply permanent heritage controls to the property via amendment C192, and requests that the Minister for Planning applies interim heritage controls.
Recommendation

That Council:

1. Requests a Ministerial Amendment, Amendment C191, under section 20(4) of the Planning and Environment Act 1987 to apply an interim Heritage Overlay to 148 Ascot Vale Road, Flemington.

2. Requests the Minister for Planning to Authorise Amendment C192 to the Moonee Valley Planning Scheme to include 148 Ascot Vale Road, Flemington in the Heritage Overlay 79 (HO79) as a contributory heritage place, pursuant to section 8A(3) of the Planning and Environment Act 1987, and place it on Exhibition pursuant to section 19 of the Planning and Environment Act 1987.

3. Subject to obtaining authorisation from the Minister for Planning, exhibit Moonee Valley Planning Scheme Amendment C192 in accordance with Section 19 of the Planning and Environment Act 1987.

4. Refers unresolved submissions to Amendment C192, to an independent Planning Panel in accordance with Section 23(1)(b) of the Planning and Environment Act 1987.

5. Notifies the owner of 148 Ascot Vale Road, Flemington of the intention to pursue Interim and permanent heritage protection for the property.

Background

On 16 March 2017, Council received planning permit application MV/164/2017 which sought to construct five dwellings at 148 Ascot Vale Road, Flemington. If approved, this would have resulted in complete demolition of the existing dwelling.

On 12 December 2017, the permit application was refused. Subsequently the applicant has applied to the Victorian Civil and Administrative Tribunal (VCAT) to review the decision.

As the property is not identified in Moonee Valley’s Heritage Gap Study 2014, on 12 December 2017, a NOM was carried to prepare a report on the heritage significance of the property and investigate the potential for including the property in the Heritage Overlay of the Moonee Valley Planning Scheme.

Discussion

The report prepared by heritage consultants, Frontier Heritage, describes the dwelling at 148 Ascot Vale Road, Flemington as being “a relatively early example of the Bungalow Style which was a domestic building mode of the 1910s-1930s” and changes to the dwelling have “generally been minor and have had very little impact on the intactness and integrity of the place” Appendix A (separately circulated).

The Statement of Significance identifies the property as contributory to the neighbourhood and Heritage Overlay (HO79) based on its historical, aesthetic, rarity and representative significance Appendix B.

As the site is of local significance, it is now proposed to request the application of an interim Heritage Overlay (Amendment C191) to 148 Ascot Vale Road Flemington. The intention of interim controls is to protect the site with Council officers prepare and exhibits Amendment C192 to apply permanent heritage controls to the property. In
order to request interim heritage controls Council officers are required to request permanent controls concurrently.

The explanatory report for Amendment C192 can be found at Appendix C.

Consultation
Council will directly notify the property owners and occupiers of land affected by Planning Scheme Amendment C192, providing them with an opportunity to make a submission through the formal public Exhibition process.

Formal Amendment Exhibition will include:

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

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

Implications

1. Legislative

Planning Scheme Amendment C192 is consistent with the Ministerial Direction relating to the form and content of Planning Schemes under Section 7(5) of the Planning and Environment Act 1987. The preparation of the Amendment is also in accordance with Section 4 of the Planning and Environment Act 1987.

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

2. Council Plan / Policy

In presenting this report to Council, Council is achieving its Strategic Objective to ensure growth and development is well managed in accordance with Council Plan 2017-2021.

Theme 3: Sustainable Living – A connected, well-designed municipality, thriving neighbourhoods, accessible places and spaces includes one key strategies to protect local heritage:

- Identify and protect places of local heritage significance.

3. Financial

The Planning Scheme Amendment will require funding in the 2017/18 and 2018/19 financial years and be funded from Council’s Strategic Planning operational budget.
4. Environmental

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

Conclusion

Amendment C192 will assist Council in preserving a place of important historical significance in Moonee Valley.

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

It is recommended Council formally requests the Minister for Planning to apply interim heritage controls at 148 Ascot Vale Road, Flemington while the amendment process for the permanent controls is underway.

Appendices

Appendix A: Heritage Assessment (separately circulated)
Appendix B: Citation
Appendix C: Moonee Valley C192 Explanatory Report Authorisation
148 Ascot Vale Road Flemington

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**Significance Level** Contributory

**Recommended Heritage Protection**

**Architectural Style** Federation/Edwardian Period

(1902-c.1918) Bungalow

**History and Historical Context**

**Brief History of the Development of Flemington**

Flemington, an inner residential suburb of Melbourne, is situated between North Melbourne and Ascot Vale. Its eastern boundary is the Moonee Ponds Creek, with alluvial flats that were flood-prone until recent times, rising to the north-west towards Ascot Vale. To the south-west is the Flemington Racecourse, also situated on low alluvial flats, next to the Maribyrnong River.

The original crown allotments in Flemington consisted of large rectangular pastoral tracts ranging from 49 to 157 acres. These lots were sold during the period 1847-9 with the largest estate in the district consisting of Crown Allotments 14 and 15, Section 5 in the Parish of Douutta Galla, granted to Scottish immigrant James Watson in 1848. The estate, which he named 'Flemington', stretched from the Moonee Ponds Creek across Mt Alexander Road to Ascot Vale Road, is believed to be the origin for the naming of the suburb. Watson sold the property the following year to William Essey. The property was again sold in 1851 to Hugh Glass. Glass settled on the property two years later and erected a large home 'Flemington House' (later Travancore) which was completed in 1865.

During the 1850s, Flemington was an important location on the road from Melbourne to the goldfields of central Victoria providing one of the first camping grounds en route out of Melbourne. Services and facilities such as an unofficial post office, a boarding house, general store, tinsmith, and small pottery catered for the travellers. At the same time, industrial activity commenced in the area with the Moonee Ponds Creek attracting a brick works, flour mills, tanneries, soap and candle factories and a pottery and bone mill in operation by the mid1850s. In January 1854, Flemington was officially gazetted as a suburb.

In 1859 the western part of Flemington was used for stockyards and two years later abattoirs were opened nearby. The move coincided with the opening of the railway line from North Melbourne to Essendon, which ran near the stockyard at Newmarket, Flemington's commercial centre.

Despite the growth in services and industry in Flemington during the 1850s and 60s, the subdivision of town lots by Surveyor Bagot didn't occur until 1872. Previously, the premises were on land either leased or purchased in smaller allotments from Hugh Glass and other large land owners.
HERITAGE CITATION REPORT

The Melbourne Cup at Flemington Racecourse, first run in 1861, 'and racing in general has been indelibly steeped into the history of Flemington, its buildings and the people who have lived there'. Today, Flemington remains best known for the racetrace.

On 25 January 1862 Flemington was incorporated in the Borough of Essendon, an association which lasted until 17 March 1882, when the separate Flemington and Kensington borough was created. By the turn of the twentieth century, the borough had 2,500 dwellings and 12,000 people. The sewage system had been connected to most houses and electricity was introduced in the first decade of the century. In 1906 tramlines were opened along Mt Alexander Road and Racecourse Road (Newmarket), a year after the borough was united with Melbourne city.

In 1910 the Glass property was sold, having been vacant for some time. (When Glass died in 1871 his widow had remained on the property). The owner, John Madden bred horses for export to India, and he renamed the house Travancore, after the Indian state. In 1924 the property was subdivided, creating the Travancore Estate (with Indian street names), and space for the new Flemington primary school.

Early twentieth century residents of Flemington were predominantly skilled tradesmen of working class origin employed on the wharf, in the abattoirs, saleyards and tanneries nearby. The racing industry continued its significant contribution to the suburbs history and future with numerous stables and associated businesses in the area. It is within this context that the subject site was purchased, and the house built in 1915-6.

History of the Site

The subject site is on the western boundary of Crown Allotment 14, purchased by James Watson in 1848. The area has undergone several subdivisions since the 1872 Bagot Survey, when Ascot Vale Road was known as Mount Macedon Road.

Lots from the subdivision were sold progressively from the survey date through to the final lots being sold in 1881. When adjacent lots were auctioned in 1881, it was still known as Mount Macedon Road. However, by 1902 the name had been changed to Ascot Vale Road.

The earliest record of ownership of land on the east side of Ascot Vale Road (between Canterbury and Kent Streets) is in the Sands and MacDougall directory of 1910 with J Amphlett (grocer) listed at 106 Ascot Vale Road and J Lynch listed at 124 Ascot Vale Road.

The subject site was initially numbered 110 Ascot Vale Road and sometime between 1925 and 1930 the numbers were changed, and it became 148 Ascot Vale Road.

The precise date of purchase of the land known as 110 Ascot Vale Road, Flemington by Robert John Collins is not known. However, it was sometime between 1910 and 1915 when construction of the house began. The Collins family remained owners and occupiers until it was sold to Edwin and Joy Booth in September 1967. The Booth family remained owners and occupiers until they sold to the current owner in 2003.

History of the Building

The existing building was constructed in 1915/6 for Robert John Collins. It is understood that there was no building on the site prior to this date.

The single storey with attic, detached weatherboard house has two bedrooms, dining room and sitting room off the central hall with kitchen, bathroom, toilet and stair to attic room and lookout at the rear. A separate wash house (laundry) building was built at the rear.
HERITAGE CITATION REPORT

The building has remained substantially intact to the date of construction. There have been minor changes made at the rear of the building with the construction of an addition lean-to which enclosed the original external laundry. These alterations were undertaken by the Booth family in the 1970s.

There have been further minor changes to the building including the timber detailing of the entry porch, the front fence and the landscaping. Interestingly, the greatest changes made seem to be the front fence and the landscaping. The original drawings do not indicate any front fence. The earliest photographic record is the 1947 image which shows a decorative timber fence with top and bottom rails and posts.

By the mid-1960s the symmetrical, cylindrical flat top cypress trees either side of the entrance path had been removed, a new low level painted fence was constructed, and the building was painted white at a time when ‘folks were trying to modernise some of the old houses a bit’.

Not long after the ‘modernisation' by Collins, the Booth family purchased the property. Between 1968 and 1993 they made further changes with an extension at the rear and as Edwin Booth described ‘the front returned to how it was originally (or as near as possible)’.

A contemporary photograph was included in the 1993 correspondence between current and former owners, a copy of which is below. The changes noted to the facade include the timber porch posts and decorative timber frieze replaced, the terracotta finials had been removed from the gable ends and a contrasting two tone paint system applied to the timberwork.

It has been suggested that the subject house has significant connections with the racing industry, including associations with S P bookies. It is understood that Fred Tupper, a Melbourne radio personality and race caller, used the attic lookout at 148 Ascot Vale Road, Flemington to call races held at the pony track on the other side of Ascot Vale Road.

It has also been suggested that the subject building is referenced in the 1950 historical novel Power without Glory (Frank Hardy) as the site of SP bookies activities and related horse racing illegal activities.

Neither of these associations have been verified and further research and investigations would need to be undertaken to confirm them.

Description

Physical Description

The Site

The site is rectangular with a street frontage to Ascot Vale Road of 11.90m (39ft) and northern side boundary of 36.60m (120ft) fronting the bluestone paved Morton Lane. The area is approximately 435m². The site slopes gently from a high point at the rear (east) falling to the street frontage (west).

There are two buildings on the site. The original house with rear extension and the second building a modern shed/garage in the south east corner of the site. The house has a front set back 7.60m (25ft) and side setbacks of approximately 1m on the south and less than a metre on the northern side.

The perimeter fence is timber paling to the adjoining properties and the northern boundary (Morton Lane) with a timber picket fence with central pedestrian gate fronting Ascot Vale Road. The north east corner of the site has metal double
HERITAGE CITATION REPORT

gates cutting the corner providing vehicle access to the rear yard. There is no crossover.

At the front of the house there is a lawn area divided by a central concrete path leading to the entrance porch. The lawn areas are bordered by bushes, shrubs and vines, all of which are overgrown. The rear yard, which is larger than the front area, is screened by the paling fence but would appear to be similarly planted with bushes, shrubs and vines and paved areas.

Building Style

Domestic architecture in first few decades of the twentieth century in Australia was going through considerable change with the Federation/Edwardian style gradually losing popularity while interest in the Bungalow style was rising. Consequently, many houses of this time are considered transitional with stylistic characteristics from both periods.

The suburban house of the early twentieth century was typically a detached building in a garden setting with a landscaped front garden. This ideal was a reaction to the Victorian era, inner city, overcrowded terraces which had come to be considered slums. The house at 148 Ascot Vale Road, Flemington was constructed at this time and is a typical example of these ideals.

The house fits broadly within the Bungalow style which includes many variants such as Californian, Arts and Crafts, Craftsman, Indian and British, ‘these cozy looking houses combine Arts and Crafts concepts with the ideal of the simple house in a natural setting. More rustic than preceding styles, most are single storey with a simple plan centred on the hallway and are set well back from the street’.

Although the buildings are usually single storey, some have attics. Typically, they have exposed rafters under the verandah and wide eaves. Timber shingles or scalloped weatherboards were commonly employed in the gable ends and typical of the Californian bungalow there is structural carpentry employed.

Bay windows were a common feature as are casement windows. The upper part of windows was usually distinguished with smaller window panes or with some stained-glass decoration and lead lighting. This exact detail can be seen in the bay windows on the front facade of 148 Ascot Vale Road, Flemington.

The term bungalow developed in India during the British Raj. It was used to refer to single storey houses with commodious verandahs, however by the turn of the twentieth century it was being applied in the USA to various types of houses which were suited a casual style of living. As such the term bungalow has come to mean a certain type of house, the definition of which is broad, as well as an architectural style. The Arts and Crafts type are varied but Craftsman type is usually a single-ringed, gabled house with attic rooms.

Bungalow style includes key design elements that can be seen at 148 Ascot Vale Road, Flemington including gabled roofs of terracotta tiles, shingled gables, roughcast and weatherboard walls, bay shaped window projections at the front with casement windows and Art Nouveau or Arts and Crafts detailing such as the attic, porch and bay window hood ornate timber brackets and stained-glass entry door panels.

The Building

The main building is detached weatherboard Californian Bungalow. It is a simple rectangle in plan form with two bay windows and a projecting porch to the main facade (west elevation). It is a timber framed single storey with attic building with terracotta tile clad roof. The external cladding is generally weatherboard with roughcast detailing above a weatherboard dado to the main facade.

The symmetrical facade has a bay window with hood over and gable roof above either side of the central entrance porch.
HERITAGE CITATION REPORT

Above the central porch and entrance door is the strapped gable attic balcony with room behind. In comparing the original contract drawings with the current images of the building, it is noted how substantially intact the place is. Minor differences are evident including the turned timber posts and frieze of the front porch differing from that as originally constructed. Interestingly, it was initially constructed with double posts and an arched timber frieze yet the contract drawing indicates a simple single post form with timber bracket, not too dissimilar to what exists today. Other decorative timber details, including expressed rafter ends and decorative timber brackets remain intact.

Most of the stylistic elements of the facade remain intact. These include the weatherboard cladding to dado height with roughcast finish to the walls above dado; the scalloped boards in the gable ends and the strapped roughcast panels in the attic gable end. The original doors and windows remain intact with the two bay windows with timber framed casements and smaller fixed panes above. The entrance panel door with side and high lights remains intact. Two of the original brick chimneys with rendered capping remain but the third original chimney on the rear wall appears to have been demolished.

The attic with gable over the balcony also remains intact to the original form. It also retains original decorative elements including scalloped weatherboards, roughcast gable end and Arts and Crafts style chunky timber brackets and posts. The wide eave of the main roof form and the attic roof have exposed rafter ends with eaves gutter and terracotta roof tiles above.

The north elevation also remains substantially intact with the only changes being minor alterations to the windows and the addition of the lean-to at the rear.

The south elevation is not readily visible due to close proximity to the side fence and the location of the modern building adjacent. It is assumed to be largely intact to the original form similarly to the north elevation.

The current two-tone colour scheme of the building exterior is appropriate to the period although it is not known what the original colours were.

Comparative Analysis

The City of Moonee Valley is well represented in most residential architectural periods from the nineteenth century through to mid twentieth century. Key development phases are Victorian, Edwardian, and Inter-war of which there are many examples of residential buildings from these periods afforded heritage protection under the Moonee Valley Planning Scheme.

The subject building was constructed 1915-6 at a time when residential development abated considerably because of the outbreak of World War I (WWI). Consequently, buildings of this period are far less prolific, although no less significant, than the earlier and later periods.

The early bungalow buildings tend to be scattered throughout the local area, unlike the Victorian and Edwardian residential buildings, and Inter-war bungalows which are often grouped in precincts or areas.

The predominant bungalow style building in Moonee Valley is of brick. Timber bungalows, particularly of the inter war period can be found in the suburbs but few have attics and therefore direct comparisons with the subject building are rare.

Within the nearby Heritage Overlay precinct (HO79) there are bungalows interspersed within the more common Victorian and Edwardian style buildings. The bungalow at 8 Canterbury Street, Flemington has the canted or curved wall with bay window and tuck pointed red brick in contrast to the weatherboard one at 2 Canterbury Street, Flemington with
HERITAGE CITATION REPORT

its shingled and half-timbered gable, bay window and prominent entrance porch.

In the same street is another interesting bungalow style building at number 33. This large attic brick bungalow has a simple, but prominent half-timbered gable end infilled with roughcast render and shingles.

Also, within the Canterbury/Dover Street Heritage Precinct (H079) is a pair of identical brick bungalows at 8-10 Chatham Street, Flemington. They have shingled gables, canted bay windows and a columned porch. The bungalow at number 8 Chatham Street, Flemington has been altered by the rebuilding of the porch and modified windows.

Of the timber bungalows beyond H079, yet within the Moonee Valley City at 16 Leonard Crescent, Flemington is an interwar bungalow with a hipped tile roof and projecting twin gables on either side of a verandahcontinuous with the roof that is supported on chunky brick and render piers. The projecting gables have bow windows and half-timbering. There is a boxed pair of double-hung sash windows under the verandah and double entrance doors at one side.

In comparing the bungalow at 148 Ascot Vale Road, Flemington with these other bungalows there are similarities as well as significant differences. The subject bungalow is intact, has high integrity and is an early example of the style.

Statement of Significance

What is significant?

The building at 148 Ascot Vale Road, Flemington is a single storey, with attic, timber bungalow style house constructed in 1915/6. It is a detached building in a landscaped setting with substantial front setback. The key elements of the place that contribute to the significance include the setting and the original form, materials and detailing of the building such as the tiled roof, weatherboard and roughcast walls, half-timbered and scalloped board detailing to gable ends, bay windows with casement ashes, exposed timber rafter ends and decorative timber brackets and central timber entry porch. The building has a high degree of intactness to the early twentieth century date of construction.

How is it significant?

148 Ascot Vale Road, Flemington is of local historic and aesthetic significance to the City of Moonee Valley.

Why is it significant?

The place is historically significant as an example of a residential phases of development in the early twentieth century when building abated considerably with the outbreak of WW1. The high degree of integrity and intactness of the place as a detached house in a landscaped setting demonstrates the early twentieth century suburban ideal for family living which was in reaction to the Victorian era, inner city, overcrowded terraces which had come to be considered slums. (Criteria A, B & D)

The building at 148 Ascot Vale Road, Flemington is aesthetically significant as an example of a competently designed timber bungalow style suburban house of high integrity and intactness. The key stylistic elements that can be seen at 148 Ascot Vale Road, Flemington include the gabled roof of terracotta tiling, shingled gables, roughcast and weatherboard walls, bay shaped window projections at the front with casement windows and Art Nouveau or Arts and Crafts detailing such as the attic, porch and bay window hood ornate timber brackets and stained-glass entry door panels. (Criteria E).

Assessment Against Criteria

The methodology adopted in the assessment of the significance (or heritage values) of the site has been in accordance
HERITAGE CITATION REPORT

"Applying the Heritage Overlay - Planning Practice Note 1" (prepared by DELWP, July 2015) and the key themes outlined in the Moonee Valley Thematic Environmental History (adopted 18 September 2012) by Living Histories.

In addition, the process outlined in the Burra Charter (or The Australia ICOMOS Charter for the Conservation of Places of Cultural Significance) which includes key criteria for consideration such as aesthetic (or architectural), historic, scientific, social, and spiritual values have been followed. Where appropriate, the terminology used in the Burra Charter has been adopted.

Recommendations 2018

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This information is provided for guidance only and does not supersede official documents, particularly the planning scheme. Planning controls should be verified by checking the relevant municipal planning scheme.
Planning and Environment Act 1987

MOONEE VALLEY PLANNING SCHEME

AMENDMENT C192

EXPLANATORY REPORT

Who is the planning authority?

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

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

Land affected by the Amendment

The Amendment applies to 148 Ascot Vale Road, Flemington.

What the amendment does

The Amendment will extend Heritage Overlay 79 (HO79) to the subject site on a permanent basis. Specifically, the Amendment proposes to:

- Update the Schedule to the Heritage Overlay (Clause 43.01) of the Moonee Valley Planning Scheme by including the subject site.
- Amend Planning Scheme Map 15HO to include the subject land in the HO.
- Update incorporated document 'City of Moonee Valley Permit exemptions policy' to include the subject site.

Strategic assessment of the Amendment

Why is the Amendment required?

The amendment is required to provide heritage protection to 148 Ascot Vale Road, Flemington.

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

The Amendment will apply permanent heritage protection for a place of heritage value and significance in the municipality. This will ensure any future use, development or subdivision of the land is considered having regard to the purpose and decision guidelines of the Heritage Overlay and Council's local heritage policy contained at Clause 21.01 of the Moonee Valley Planning Scheme.

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

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

- 4(1)(a) to provide for the fair, orderly, economic and sustainable use, and development of land;
- 4(1)(d) to conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value;
- 4(1)(f) to facilitate development in accordance with the objectives set out in paragraph (d);
- 4(1)(g) to balance present and future interests of all Victorians.
These objectives are implemented by this amendment through identification of and protection of places in Moonee Valley City Council that have local aesthetic and historical significance.

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

*Environmental effects*

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

The amendment will also make a significant positive contribution to the built environment conserving a heritage place.

*Social effects*

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

*Economic effects*

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

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

**Does the Amendment address relevant bushfire risk?**

There is no bushfire risk arising from this amendment.

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

The amendment complies with the requirements of the Ministerial Direction on the Form and Content of Planning Schemes (section 7(5) of the Act).

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

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

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

- **Initiative 4.7.1- Value heritage when managing growth and change**

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

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

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

**How does the Amendment support or implement the State Planning Policy Framework and any adopted State policy?**
This amendment is consistent with the State Planning Policy Framework (SPPF), in particular Clause 15.03 (Built Environment and Heritage) and implements the policy by including a place which has been identified and assessed as having local heritage significance in the Schedule to Clause 43.01 to the Heritage Overlay.

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

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

The amendment is therefore consistent with and supports the SPPF in relation to heritage.

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

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

The addition of this place in the Schedule to the Heritage Overlay complies with this objective and will ensure any planning permit applications are assessed with respect to the heritage values of the property.

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

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

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

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

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

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

**Resource and administrative costs**

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

The amendment is not expected to have a substantial impact on the resources and administrative costs of the responsible authority.
9.7 Response to Urgent Business 24 April - FIFA World Cup

File No: FOL/18/32
Author: Veronica Cybulski
Coordinator Visual Arts, Festivals and Events Leisure
Directorate: City Services

Purpose
To respond to the item of Urgent Business from the Ordinary Meeting of Council on 24 April 2018, requesting a report be prepared outlining the creation of an event offering public screening of Australia’s first game of the 2018 FIFA World Cup.

Executive Summary
- Centreway Plaza, The Ascot Lot, Pridham Plaza and Avondale Heights Community Precinct Stadium and Windy Hill have been identified as potential locations for the public screening of Australia’s participation in the FIFA (Soccer) World Cup 2018.
- The event has been identified as an opportunity to activate open spaces or community facilities with a neighbourhood approach, contributing to the community’s social capital through facilitating connection with local trader precincts and community groups.
- Previous experience of holding an outdoor event at Centreway Plaza is the basis of the recommendation the first screening be held there.
- Required infrastructure, staffing and production costs have been a planned for an estimated spend of $17,700.
- The licence regulations outlined by the 2018 FIFA and the Australian Communications and Media Authority will have an impact of the delivery of the public screening, stating the broadcast must be played in full with no delays or replays, no alterations or modifications and no replacement of commercial elements.
Recommendation

That Council:

1. Endorses the public screening of Australia’s first game for the FIFA (Soccer) World Cup 2018, on Saturday, 16 June, 8pm.

2. Endorses the public screening at Centreway Plaza as a pilot project, for the purpose of assessing the event’s success, and identifying further opportunities for public broadcasts of events throughout the City, for example:
   - Thursday, 21 June, Denmark v. Australia, The Ascot Lot/ Pridham Plaza/Avondale Heights Community Precinct Stadium
   - Quarter Final (should Australia qualify), Windy Hill.

3. Endorses the spend of up to $17,700 for the first event and up to $17,700 for each of the two subsequent events should:
   a) the first event be considered successful
   b) Australia be playing in the match.

Background

At the Ordinary Meeting of Council on 24 April 2018, an item of Urgent Business was raised which requested a report to be prepared outlining the creation of an event that offered the public screening of the Australia’s first game of the 2018 FIFA World Cup.

On a national level, soccer sporting clubs across Australia have shown consistent growth in interest and participation rates. Results from a 2017 survey distributed by the Australian Sports Commission has shown that soccer is viewed as the most popular sport to play in Australia. In Moonee Valley, statistics from Football Federation Victoria over the last three years demonstrate consistent growth and participation within our local soccer clubs; further comparison reports indicate this growth is higher than the state average (Appendix A). Internationally, soccer is registered as the ‘Number One’ sport in the world, with FIFA attracting a global audience of approximately 3.2 billion on average.

The public screening has been identified as an opportunity to:

- Align to the proposed draft principles of the Events Review - planning and delivering our events with a neighbourhood approach
- Activate the City’s outdoor open spaces
- Enable people to become involved and feel part of the community
- Provide an avenue of increased economic stimulus for local traders in the area
- Promote local soccer clubs and encourage people to engage with sporting activities.

In response to this motion, the required logistics, infrastructure and costs associated to deliver a public screening of Australia’s first game in the World Cup are presented in this report.
Discussion

Australia’s first game (France vs. Australia) in the FIFA World Cup will be televised on Saturday, 16 June at 8pm.

This report provides a high level overview of the following logistics for the public screening:
- Broadcasting and Licencing requirements
- Potential locations for the public screening
- Engagement with local businesses, community groups and sporting clubs for the event
- Further identified factors for consideration.

Broadcasting and licencing requirements:

In accordance with FIFA’s regulations for public viewing events, as the ‘Exhibitor’ of the public screening Council will be required to submit for a formal license to conduct a non-commercial public viewing event (Appendix B).

The public screening will require the use of the signal of the FIFA nominated broadcaster of the World Cup, in this case SBS, for the public viewing. The expense, to this signal is still to be confirmed.

Other requirements of the public viewing in accordance to FIFA’s regulations include:
- No delays or replays - The competition must be exhibited on a live basis only. Delayed and repeat exhibitions of the broadcast are strictly prohibited.
- No alterations or modifications – the coverage must be exhibited in its entirety
- No replacement of commercial elements – the broadcast must be played in full with no elements, including commercials, obscured or otherwise replaced at any stage of the broadcast coverage. This includes pausing or silencing the broadcast for half-time entertainment.
- The public screening must commence coverage at least 10 minutes prior to kick-off until and at least 10 minutes after completion of the match.

The regulations outlined by the 2018 FIFA and the Australian Communications and Media Authority will have an impact on the delivery of the public screening.

Location

With a six week time frame between this report being presented to Council and Saturday, 16 June, it is recommended to hold the public screening of the World Cup in Centreway Plaza as we have knowledge and experience of site activation from the Mediterranean Fiesta.

The following potential locations for the public viewing have been identified and are presented alongside opportunities and challenges for consideration.
<table>
<thead>
<tr>
<th>Screening</th>
<th>Potential Location</th>
<th>Opportunities</th>
<th>Challenges</th>
</tr>
</thead>
</table>
| France v. Australia | Centreway Plaza, East Keilor | Located in a highly residential environment with potential for local participation.  
Located within a trader precinct  
Dining options available on site.  
Logistics and requirements for site known through previous activation - ie; screen and generator location placed in front of rotunda. | Audiences are exposed to elements of inclement weather.  
Audio requirements to suit an evening broadcast within an outdoor space to be determined.  
Generator to run the screen will be required.  
Installation of mobile antenna required for viewing.  
Requires additional infrastructure – toilets etc.  
Located in a highly residential area - Impacts on locals residents in regards to noise and street parking. |
| Denmark v. Australia | The Ascot Lot            | Newly opened precinct located on Mount Alexander Road.  
Onsite screen – screens movies  
Food trucks on site  
Access to public transport (trams etc)  
Further infrastructure onsite (toilets, lighting etc) | Limited opportunities for local businesses to be engaged.  
Availability for Thursday 21 June, 10pm unknown.  
The lot is open to the public Friday – Sunday, impacts on trader permit unknown.  
Access to antenna to be determined.  
Access to power to be determined.  
Impacts on locals residents in regards to noise and street parking. |
| **Denmark v. Australia**  
**Thursday, 21 June 10pm** | **Pridham Plaza** | Located in a highly residential environment and provides greater potential for local participation.  
Located within a trader precinct  
Dining options available.  
Access to public transport. | Audiences are exposed to elements of inclement weather.  
No previous evening event activation.  
Will require a micro road closure of Pridham Street to Brock Way to allow for screen and generator location.  
Installation of mobile antenna which is required for viewing.  
Requires additional infrastructure – toilets, furniture, etc.  
Requires security.  
Impacts on locals residents in regards to noise and street parking. |
|---|---|---|---|
| **Denmark v. Australia**  
**Thursday, 21 June 10pm** | **Avondale Heights Community Precinct Stadium** | Indoor location.  
Located in a highly residential environment and provides greater potential for local participation.  
Further infrastructure onsite (toilets, lighting etc)  
Access to power | Requires furniture.  
No food allowed in the stadium – rubber surface.  
Audio requirements to combat acoustics to be determined.  
Access to antenna to be determined.  
Access to power to be determined.  
Impacts on locals residents in regards to noise and street parking. |
Qualifier (Round 16)
Held on either 1 or 2 July
Broadcast time to be announced by SBS

<table>
<thead>
<tr>
<th>Qualifier (Round 16)</th>
<th>Windy Hill</th>
<th>Availability of site unknown – club schedules.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Infrastructure in place for greater audience capacity.</td>
<td>Access to power to be determined.</td>
</tr>
<tr>
<td></td>
<td>Possible screen and generator location on the grounds facing a side of the stands</td>
<td>Access to antenna to be determined.</td>
</tr>
<tr>
<td></td>
<td>Clear access to public transport.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Car parking available.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Bistro onsite, several dining options available on Napier Street.</td>
<td></td>
</tr>
</tbody>
</table>

Community Engagement

The public screening presents an avenue and opportunity for local businesses, community groups and sporting clubs to participate in the event to encourage:

- Community connection
- Promotion of Leisure activities – performance and sporting activities
- Encouraging people to be active
- Encouraging people to shop local.

It should be noted that the FIFA Broadcasting regulations may have an impact on activities provided by community groups and sporting clubs.

Further identified factors considered

i) Time difference

Australia’s first game against France will be broadcast at 8pm.

Subsequent games are for potential additional public screenings are as follows:

- Thursday, 21 June, Denmark v Australia, 10pm kick off
- Qualifier game (should Australia progress), date and broadcast time TBC by SBS

Broadcast times will have an impact on event logistics, noise levels experienced for local residents and overall enjoyment for the audience.

Controls to reduce impact on residents can be put in place, however it should be noted these controls may present increased costs to the event.

ii) Inclement weather

Outdoor screenings held over winter may experience low attendance due to discomfort experienced in cold weather.
With respect to the public screening in Moonee Valley, measures can be put in place to encourage attendees wear warm clothing and bring a blanket.

It should be noted that a cancellation procedure will be required to be developed in line with other outdoor events held in Moonee Valley, and will be implemented in the event of inclement wet weather or continuous high winds.

**iii) Estimated Costings**

The cost of holding the public viewing at Centreway is estimated to be $17,700.

Overview of costs is as follows:

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>Estimate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contractors</td>
<td>First Aid</td>
<td>$600</td>
</tr>
<tr>
<td>Performers/Entertainment</td>
<td>(Community Groups/APRA &amp; FIFA Licence)</td>
<td>$1,200</td>
</tr>
<tr>
<td>Production/Infrastructure costs</td>
<td>Power, toilets, lighting, screen, seating, security, wardens etc</td>
<td>$14,000</td>
</tr>
<tr>
<td>Waste Management</td>
<td>Rubbish collection and disposal</td>
<td>$400</td>
</tr>
<tr>
<td>Marketing</td>
<td>Design for online promotion, additional advertising.</td>
<td>$1,500</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td></td>
<td><strong>$17,700</strong></td>
</tr>
</tbody>
</table>

These estimates do not include contingency.

**iv) Timelines for event delivery**

The six week lead time presents a short timeframe for the planning and delivery of the public screening. The timeline will impact on the coordination of event logistics, risk management and effective communications and promotional activity.

**v) Evaluating the success of the first screening**

The success of the first screening will be evaluated on the basis of audience attendance, engagement experienced from participating local groups and increase of foot traffic and sales from local traders.

**Consultation**

In considering this event, external consultation has included the following: FIFA in regards to licencing requirements; and external screen providers regarding screen requirements.

Internal consultation in preparation for this report has been undertaken with Council’s Leisure and Economic Development Departments.
Implications

1. Legislative

Whilst there are no legislative requirements, there are regulatory frameworks regarding the broadcasting licences including:

- 2018 FIFA World Cup Public Viewing Regulations
- Broadcasting licences issued by the Australian Communications and Media Authority.

Under the Australian Copyright Act 1968, permissions for a public screening of SBS live and unaltered broadcast of the 2018 FIFA World Cup Russia™ is not required.

SBS recommend referring to information on FIFA’s official public viewing licences and guidelines, available on FIFA’s website http://www.fifa.com/about-fifa/tv/public-viewing.html. To the extent that FIFA’s licences require obtaining permission from the Australian broadcaster, the communication MVCC received from SBS amounts to the granting of permission, subject to compliance with the terms and conditions set out in the relevant licence and communication.

Additional consideration in ensuring accessibility (closed captioning) of the screening is advised by the Australian Government’s Department of Communications and the Arts.

2. Council Plan / Policy

This report has been prepared in response to the following strategic directives:

- **Leisure Strategy 2013 – 2023**
  - Goal 1: Enhanced program and service delivery
  - Goal 3: Encourage leisure participation across the whole community

- **Council Plan 2017 – 2021 – Theme 4 – Vibrant and Diverse**
  - Objective 4.1 – People are connected to culture and community

- **Draft MV2040**
  - Theme – Thriving
  - Strategic direction 8: A city with things to see and do.

3. Financial

The cost of holding the public viewing at Centreway is estimated to be $17,700; this will be funded through Leisure’s Festivals and Events operational budget.

4. Environmental

The following environmental impacts have been identified:

- Impacts on transport with heavy reliance on cars
- Waste Generation on site
- Noise impacts to local residents.
Conclusion

This report has presented an overview of the required logistics, infrastructure and costs associated to deliver a public screening of Australia’s first game for the FIFA (Soccer) World Cup 2018, on Saturday, 16 June, 8pm.

Three locations were identified for the public screening. Centreway Plaza, The Ascot Lot, Pridham Plaza, Avondale Heights Community Precinct Stadium and Windy Hill were assessed on their potential to present the public screening. Based on previous experience of holding an outdoor event at Centreway Plaza, it is recommended the public screening of Australia’s first game is held there.

The cost of the event is estimated to be $17,700.

The public screening at Centreway Plaza would be a pilot project, and the success of the event evaluated to assess further opportunities for publicly screening games throughout the City.

Appendices

Appendix B: FIFA Commercial Public Viewing Exhibition Regulations
MOONEE VALLEY

CLUBS 5
PLAYERS 971

+93 (+10.6%) vs. 2013

Male 883 (90.9%)
Female 88 (9.1%)

343 MiniRoos (4 – 11)
321 Junior (12 – 18)
173 Senior (19 – 35)
46 Over 35’s (36+)

Number of Pitches 9
Players per Pitch 108
State Avg Players per Pitch 89

UNITY • PRIDE • INTEGRITY • RESPECT • OPENNESS • PERFORMANCE
Moonee Valley

**CLUBS**
7

**PLAYERS**
1,376

**2015 SUMMARY**

**Rank 20/67**
For total players.

**405 (29.4%) vs. 2014**

<table>
<thead>
<tr>
<th>Gender</th>
<th>Number</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Men</td>
<td>1,285</td>
<td>(93.4%)</td>
</tr>
<tr>
<td>Women</td>
<td>91</td>
<td>(6.6%)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Age Group</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>MiniRoos (4 – 11)</td>
<td>20</td>
</tr>
<tr>
<td>Junior (12 – 18)</td>
<td>38</td>
</tr>
<tr>
<td>Senior (19 – 35)</td>
<td>32</td>
</tr>
<tr>
<td>Over 35’s (36+)</td>
<td>1</td>
</tr>
</tbody>
</table>

**FFV Club Pitches**
9

**Players per Pitch**
152.9

**State Avg. Players per Pitch**
118

UNITY • PRIDE • INTEGRITY • RESPECT • OPENNESS • PERFORMANCE
# Avondale FC

## PLAYERS

<table>
<thead>
<tr>
<th>Category</th>
<th>Number</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td>210</td>
<td></td>
</tr>
<tr>
<td>MiniRoos</td>
<td>64</td>
<td>(4 = 11)</td>
</tr>
<tr>
<td>Junior</td>
<td>102</td>
<td>(12 = 18)</td>
</tr>
<tr>
<td>Senior</td>
<td>43</td>
<td>(19 = 35)</td>
</tr>
<tr>
<td>Over 35's</td>
<td>1</td>
<td></td>
</tr>
</tbody>
</table>

15.3% of players in Moonee Valley

## Average Cost per Player

<table>
<thead>
<tr>
<th>Category</th>
<th>Cost</th>
<th>State Avg.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Juniors MiniRoos</td>
<td>$1,018.98</td>
<td>$469.13</td>
</tr>
<tr>
<td>Senior</td>
<td>$127.91</td>
<td>$370.78</td>
</tr>
</tbody>
</table>

UNITY • PRIDE • INTEGRITY • RESPECT • OPENNESS • PERFORMANCE
Ascot Vale Vikings FC

**PLAYERS**

23

1.7% of players in Moonee Valley

<table>
<thead>
<tr>
<th></th>
<th>MiniRoos (4-11)</th>
<th>Junior (12-18)</th>
<th>Senior (19-35)</th>
<th>Over 35's (36+)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Players</td>
<td>23</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

**AVERAGE COST PER PLAYER**

- **Juniors**
  - MiniRoos: $275.00 (State Ave: $469.13)
  - Junior: $0.00 (State Ave: $370.78)

**State**

- Seniors Over 35's

UNITY • PRIDE • INTEGRITY • RESPECT • OPENNESS • PERFORMANCE
Moonee Valley Knights FC

**PLAYERS**

96

7.0% of players in Moonee Valley

- **MiniRoos**
  - (4–11)
  - 55

- **Junior**
  - (12–18)
  - 41

- **Senior**
  - (19–35)
  - 0

- **Over 35’s**
  - (36+)
  - 0

**AVERAGE COST PER PLAYER**

- **Juniors**
  - MiniRoos
  - $72.00
  - State Avg: $469.13

- **Seniors**
  - Over 35’s
  - State Avg: $370.78

**UNITY • PRIDE • INTEGRITY • RESPECT • OPENNESS • PERFORMANCE**
Newmarket Phoenix FC

**PLAYERS**

<table>
<thead>
<tr>
<th>Category</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>MiniRoos (4 - 11)</td>
<td>24</td>
</tr>
<tr>
<td>Junior (12 - 18)</td>
<td>42</td>
</tr>
<tr>
<td>Senior (19 - 35)</td>
<td>42</td>
</tr>
<tr>
<td>Over 35’s (36+)</td>
<td>1</td>
</tr>
</tbody>
</table>

7.9% of players in Moonee Valley

**AVERAGE COST PER PLAYER**

- **Juniors**:
  - MiniRoos: $300.00 (State Avg. $469.13)
  - Junior: $209.32 (State Avg. $370.78)

**UNITY • PRIDE • INTEGRITY • RESPECT • OPENNESS • PERFORMANCE**
Essendon United FC

**PLAYERS**

99

7.2% of players in Moonee Valley

<table>
<thead>
<tr>
<th>MiniRoos</th>
<th>Junior</th>
<th>Senior</th>
<th>Over 35's</th>
</tr>
</thead>
<tbody>
<tr>
<td>10</td>
<td>30</td>
<td>56</td>
<td>3</td>
</tr>
</tbody>
</table>

**AVERAGE COST PER PLAYER**

- **Juniors**
  - MiniRoos: $550.00
  - State Avg: $469.13

- **Seniors**
  - State Avg: $550.00
  - Over 35's: $370.78

UNITY • PRIDE • INTEGRITY • RESPECT • OPENNESS • PERFORMANCE
Essendon Royals SC

PLAYERS

610

44.3% of players in Moonee Valley

562

92.1%

48

7.9%

MiniRoos (4–11) 277

Junior (12–18) 249

Senior (19–35) 51

Over 35’s (36+) 33

AVERAGE COST PER PLAYER

Juniors MiniRoos $551.20

Juniors State Avg. $469.13

Senior State Avg. $390.00

Seniors Over 35’s $370.78

UNITY • PRIDE • INTEGRITY • RESPECT • OPENNESS • PERFORMANCE
FC Strathmore

**Players**

<table>
<thead>
<tr>
<th>Category</th>
<th>Male</th>
<th>Female</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>MiniRoos (4-11)</td>
<td>72</td>
<td></td>
<td>72</td>
</tr>
<tr>
<td>Junior (12-18)</td>
<td>59</td>
<td></td>
<td>59</td>
</tr>
<tr>
<td>Senior (19-35)</td>
<td>81</td>
<td></td>
<td>81</td>
</tr>
<tr>
<td>Over 35's (36+)</td>
<td>17</td>
<td></td>
<td>17</td>
</tr>
</tbody>
</table>

**Average Cost Per Player**

<table>
<thead>
<tr>
<th>Category</th>
<th>Amount</th>
<th>State Avg.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Juniors</td>
<td>$449.67</td>
<td>$469.13</td>
</tr>
<tr>
<td>MiniRoos</td>
<td>$469.13</td>
<td>$469.13</td>
</tr>
<tr>
<td>Seniors</td>
<td>$385.48</td>
<td>$370.78</td>
</tr>
<tr>
<td>Over 35's</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Rank**

96 / 331 for total players

**Unity • Pride • Integrity • Respect • Openness • Performance**
Moonee Valley

Key Stats and Highlights

<table>
<thead>
<tr>
<th>Key Statistic</th>
<th>LGA</th>
<th>State</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Players</td>
<td>1,492</td>
<td>66,194</td>
</tr>
<tr>
<td>Ranking of Total Players</td>
<td>20 of 66</td>
<td>-</td>
</tr>
<tr>
<td>Population Ranking</td>
<td>22 of 66</td>
<td>-</td>
</tr>
<tr>
<td>Player Growth (vs 2015)</td>
<td>10.8%</td>
<td>6.5%</td>
</tr>
<tr>
<td>Player Growth (vs 2014)</td>
<td>34.0%</td>
<td>13.4%</td>
</tr>
<tr>
<td>Player Churn</td>
<td>26.5%</td>
<td>31.5%</td>
</tr>
<tr>
<td>Est. Population</td>
<td>121,382</td>
<td>6.0 million</td>
</tr>
<tr>
<td>Est. Population aged 5-65</td>
<td>96,314</td>
<td>4.8 million</td>
</tr>
<tr>
<td>Est. Population Growth</td>
<td>1.4%</td>
<td>1.8%</td>
</tr>
</tbody>
</table>

Moonee Valley Locals Player Rates

- Live Hero, Play Where?
  - Moonee Valley: 641
  - Elsewhere: 847
  - Total Players: 1,488
- Play Here, Live Where?
  - Moonee Valley: 641
  - Elsewhere: 851
  - Total Playing within Moonee Valley: 1,492

Moonee Valley In/Out Ratio

- Residents Entering: 847
- Non-Residents Entering: 851
- LGA In/Out Ratio: 1.00

Pitch and Football Penetration Information

<table>
<thead>
<tr>
<th>Pitch Information</th>
<th>Moonee Valley</th>
<th>State Avg</th>
<th>State Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Football Venues</td>
<td>9</td>
<td>6</td>
<td>415</td>
</tr>
<tr>
<td>Senior Pitches</td>
<td>11</td>
<td>9</td>
<td>571</td>
</tr>
<tr>
<td>Players per Pitch</td>
<td>136</td>
<td>116</td>
<td>-</td>
</tr>
<tr>
<td>Total Pitches</td>
<td>18</td>
<td>15</td>
<td>1,292</td>
</tr>
<tr>
<td>Total Pitch m²</td>
<td>101,878</td>
<td>81,371</td>
<td>5,289,146</td>
</tr>
<tr>
<td>Players per Pitch</td>
<td>49 of 66</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

Moonee Valley Football Penetration

<table>
<thead>
<tr>
<th>Profile</th>
<th>Playing %</th>
<th>State Avg</th>
</tr>
</thead>
<tbody>
<tr>
<td>MiniRoos</td>
<td>4.8%</td>
<td>4.2%</td>
</tr>
<tr>
<td>Junior</td>
<td>7.2%</td>
<td>4.9%</td>
</tr>
<tr>
<td>Senior</td>
<td>0.8%</td>
<td>0.9%</td>
</tr>
<tr>
<td>Over 35s</td>
<td>0.08%</td>
<td>0.08%</td>
</tr>
</tbody>
</table>

Number of Pitches either 46 pitches available within LGA for FFV managed or non-FFV
**Player and Population Stats**

<table>
<thead>
<tr>
<th>Male</th>
<th>LGA Share</th>
<th>LGA</th>
<th>Profile</th>
<th>LGA Share</th>
<th>LGA</th>
<th>State</th>
<th>LGA Share</th>
<th>LGA</th>
<th>State</th>
<th>LGA Share</th>
<th>LGA</th>
<th>State</th>
<th>LGA Share</th>
<th>LGA</th>
<th>State</th>
<th>LGA Share</th>
<th>LGA</th>
<th>State</th>
<th>LGA Share</th>
<th>LGA</th>
<th>State</th>
</tr>
</thead>
<tbody>
<tr>
<td>500</td>
<td>35.5%</td>
<td>31.6%</td>
<td>MiniRoos</td>
<td>30</td>
<td>2.0%</td>
<td>5.9%</td>
<td>5,309</td>
<td>4.6%</td>
<td>5.0%</td>
<td>5,127</td>
<td>4.4%</td>
<td>4.8%</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>616</td>
<td>41.3%</td>
<td>31.4%</td>
<td>Junior</td>
<td>48</td>
<td>3.2%</td>
<td>8.2%</td>
<td>4,449</td>
<td>3.8%</td>
<td>4.5%</td>
<td>4,369</td>
<td>3.8%</td>
<td>4.3%</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>226</td>
<td>15.1%</td>
<td>15.4%</td>
<td>Senior</td>
<td>19</td>
<td>1.3%</td>
<td>3.8%</td>
<td>14,257</td>
<td>12.3%</td>
<td>12.1%</td>
<td>14,443</td>
<td>12.5%</td>
<td>12.2%</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>52</td>
<td>3.5%</td>
<td>3.3%</td>
<td>Over 35s</td>
<td>1</td>
<td>0.1%</td>
<td>0.4%</td>
<td>31,999</td>
<td>27.7%</td>
<td>27.4%</td>
<td>35,648</td>
<td>30.8%</td>
<td>29.7%</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1,994</td>
<td>93.4%</td>
<td>81.7%</td>
<td>TOTAL</td>
<td>98</td>
<td>6.6%</td>
<td>18.3%</td>
<td>56,014</td>
<td>48.5%</td>
<td>49.0%</td>
<td>59,587</td>
<td>51.5%</td>
<td>51.0%</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Player Growth by Gender and by Profile**

<table>
<thead>
<tr>
<th>Male</th>
<th>LGA</th>
<th>Profile</th>
<th>Male</th>
<th>LGA</th>
<th>Profile</th>
</tr>
</thead>
<tbody>
<tr>
<td>-0.6%</td>
<td>-0.6%</td>
<td>MiniRoos</td>
<td>50.0%</td>
<td>18.6%</td>
<td>MiniRoos</td>
</tr>
<tr>
<td>28.1%</td>
<td>28.1%</td>
<td>Junior</td>
<td>26.3%</td>
<td>9.8%</td>
<td>Junior</td>
</tr>
<tr>
<td>3.7%</td>
<td>3.7%</td>
<td>Senior</td>
<td>-40.6%</td>
<td>3.1%</td>
<td>Senior</td>
</tr>
<tr>
<td>-3.7%</td>
<td>-3.7%</td>
<td>Over 35s</td>
<td>0.0%</td>
<td>13.9%</td>
<td>Over 35s</td>
</tr>
</tbody>
</table>

**Moorooduc Player Profile Share vs. State Player Profile Share**

- MiniRoos
- Junior
- Senior
- Over 35s

**Moorooduc Gender Split vs. State Gender Split**

- Male
- Female

**UNITY ● PRIDE ● INTEGRITY ● RESPECT ● OPENNESS ● PERFORMANCE**
## 2016 IN DETAIL

### Moonee Valley Club Profile

<table>
<thead>
<tr>
<th>Clubs in Moonee Valley</th>
<th>Total Males</th>
<th>Total Females</th>
<th>Share of Males</th>
<th>Share of Females</th>
<th>Total Players</th>
<th>Club Share of LGA Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ascot Vale Vikings FC</td>
<td>35</td>
<td>3</td>
<td>92.1%</td>
<td>7.9%</td>
<td>38</td>
<td>2.5%</td>
</tr>
<tr>
<td>Avondale FC</td>
<td>199</td>
<td>0</td>
<td>100.0%</td>
<td>0.0%</td>
<td>199</td>
<td>13.2%</td>
</tr>
<tr>
<td>Essendon Royals SC</td>
<td>501</td>
<td>60</td>
<td>89.3%</td>
<td>10.7%</td>
<td>561</td>
<td>37.6%</td>
</tr>
<tr>
<td>Essendon United FC</td>
<td>208</td>
<td>1</td>
<td>99.5%</td>
<td>0.5%</td>
<td>209</td>
<td>13.4%</td>
</tr>
<tr>
<td>FC Strathmore</td>
<td>229</td>
<td>30</td>
<td>88.4%</td>
<td>11.6%</td>
<td>259</td>
<td>17.4%</td>
</tr>
<tr>
<td>Moonee Valley Knights FC</td>
<td>90</td>
<td>4</td>
<td>95.7%</td>
<td>4.3%</td>
<td>94</td>
<td>6.2%</td>
</tr>
<tr>
<td>Newmarket Phoenix FC</td>
<td>135</td>
<td>0</td>
<td>100.0%</td>
<td>0.0%</td>
<td>135</td>
<td>9.0%</td>
</tr>
</tbody>
</table>

### Moonee Valley Club Data

<table>
<thead>
<tr>
<th>Clubs in Moonee Valley</th>
<th>Male Miniroos</th>
<th>Female Miniroos</th>
<th>Male Juniors</th>
<th>Female Juniors</th>
<th>Male Seniors</th>
<th>Female Seniors</th>
<th>Male Over-35s</th>
<th>Female Over-35s</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ascot Vale Vikings FC</td>
<td>54</td>
<td>3</td>
<td>3</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Avondale FC</td>
<td>55</td>
<td>0</td>
<td>100</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Essendon Royals SC</td>
<td>175</td>
<td>14</td>
<td>241</td>
<td>41</td>
<td>14</td>
<td>2</td>
<td>29</td>
<td>0</td>
</tr>
<tr>
<td>Essendon United FC</td>
<td>89</td>
<td>1</td>
<td>73</td>
<td>0</td>
<td>41</td>
<td>1</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>FC Strathmore</td>
<td>83</td>
<td>19</td>
<td>63</td>
<td>5</td>
<td>64</td>
<td>14</td>
<td>19</td>
<td>0</td>
</tr>
<tr>
<td>Moonee Valley Knights FC</td>
<td>39</td>
<td>2</td>
<td>53</td>
<td>2</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Newmarket Phoenix FC</td>
<td>25</td>
<td>0</td>
<td>77</td>
<td>0</td>
<td>32</td>
<td>0</td>
<td>1</td>
<td>0</td>
</tr>
</tbody>
</table>
2018 FIFA World Cup™
FIFA REGULATIONS FOR PUBLIC VIEWING EVENTS

PLEASE NOTE THE FOLLOWING

If you are looking to host any form of public viewing event (or series of public viewing events) in any of Sweden, Norway, Denmark (including Greenland) or Faroe Islands, then these Regulations will not apply unless FIFA provides you with its express written confirmation to the contrary. In such circumstances, you must first contact FIFA for more information by way of the following email address: tv@fifa.org

1. Introduction

All Exhibitors of Public Viewing Events (as defined below) in relation to any matches of the 2018 FIFA World Cup™ (the “Competition”) need to comply with these FIFA Regulations for Public Viewing Events (the “Regulations”).

In addition, a formal licence is required to the extent that the Public Viewing Event is categorised (as per the definitions provided below) as either:

- a Commercial Public Viewing Event; or
- a Special Non-Commercial Public Viewing Event.

Public Viewing Event licences, when required, need to be obtained from Fédération Internationale de Football Association (FIFA), FIFA-Strasse 20, P.O. Box, 8044 Zurich, Switzerland (“FIFA”). Exhibitors of Commercial Public Viewing Events will have to pay a fee for the appropriate licence where, unless otherwise agreed with the party issuing the Commercial Public Viewing Event Licence, such fee shall be determined in accordance with the fee structure outlined in clause 33 hereof. FIFA intends to donate its share of all received licence fees that it collects from Commercial Public Viewing Event Licences to one of FIFA’s official charity projects. Despite the requirement for a licence, no fee will be charged for Special Non-Commercial Public Viewing Events.

Please note that Non-Commercial Public Viewing Events, despite not requiring a formal licence, are conditional upon the Exhibitor’s full compliance with these FIFA Regulations for Public Viewing Events.

2. Public Viewing Events

For the purpose of these Regulations, an event is considered a “Public Viewing Event” if at such event broadcast coverage of the Competition is made available for exhibition to, and viewing by, an audience (whether members of the general public or otherwise) in any place other than a private dwelling. By way of example, exhibitions in bars, restaurants, stadiums, open spaces, offices, construction sites, oil rigs, waterborne vessels, buses, trains, armed services establishments, educational establishments and hospitals are considered as Public Viewing Events. Public viewing exhibitions in theatres and cinemas are excluded from these Regulations and subject to differing guidelines and regulations. Should you wish to conduct a public viewing exhibition in a theatre or cinema, please contact tv@fifa.org for more information.
Public Viewing Events shall comprise: (a) Commercial Public Viewing Events; (b) Non-Commercial Public Viewing Events; and (c) Special Non-Commercial Public Viewing Events.

(a) A Public Viewing Event is considered a "Commercial Public Viewing Event" if the Exhibitor stages it for commercial purposes. An Exhibitor is considered to stage a Public Viewing Event for commercial purposes if, for example:

- a direct or indirect admission fee is charged for entry to the Public Viewing Event;
- sponsorship or other commercial rights of association are exploited in relation to the Public Viewing Event; and/or
- in any other way commercial benefit is gained from staging the Public Viewing Event.

(b) A Public Viewing Event is considered a "Non-Commercial Public Viewing Event" if the Exhibitor does not in any way gain commercial benefit from staging the Public Viewing Event. Without prejudice to the foregoing, Public Viewing Events in "commercial establishments", such as pubs, clubs and bars, are still considered Non-Commercial Public Viewing Events unless additional commercial activities (such as direct or indirect admission fees or sponsorship activities) take place in relation to the Public Viewing Event separate to those commercial activities that such an establishment is reasonably expected to operate in its ordinary course of business. As such, and provided that such events do not fall under the definition of a Special Non-Commercial Public Viewing Event, no licence is required, although these Regulations will still apply.

(c) A Public Viewing Event is considered a "Special Non-Commercial Public Viewing Event" if the Non-Commercial Public Viewing Event has a capacity of more than 50,000 spectators.

3. Access to broadcast coverage

Exhibitors shall be required to use the signal of the FIFA nominated broadcaster of the Competition in the respective territory for their Public Viewing Event. FIFA’s decision as to which nominated broadcaster’s signal an Exhibitor is required to use shall be final and binding. Exhibitors are solely responsible, at their own cost and expense, for obtaining access to this signal.

4. Exercise of Public Viewing Event rights

No delays or replays: Broadcast coverage of the Competition shall be exhibited on a live basis only. Delayed and repeat exhibitions of the broadcast coverage are strictly prohibited.

No alterations or modifications: Broadcast coverage of the Competition shall be exhibited in its entirety without any cuts, alterations, deletions, modifications, superimpositions, insertions of “crawler” messages, “squeezes”, on-screen identifications or any other alterations or modifications of whatsoever nature.

No replacement of commercial elements: Any broadcast sponsorship and/or commercial airtime elements contained in the broadcast coverage of the Competition used at a Public Viewing Event must not be obscured or otherwise replaced with any other commercial content by an Exhibitor at any stage of the broadcast coverage.

Match coverage: All Exhibitors shall be required:
(a) in the case of the opening and closing match, to commence coverage approximately twenty (20) minutes prior to kick-off to ensure coverage of the opening or closing ceremony (as applicable) until at least ten (10) minutes after the completion of the match; and for all other matches

(b) commence coverage at least ten (10) minutes prior to kick-off until at least ten (10) minutes after the completion of the match.

No political Public Viewing Events: Any association of the broadcast coverage of the Competition, or any element thereof, to any elective candidate and/or political party is strictly forbidden.

5. Ownership of rights

All copyright and other intellectual property rights subsisting in, and all goodwill associated with, the broadcast coverage of the Competition are exclusively owned by FIFA and protected by law.

6. No use of Competition Marks

All copyright and intellectual property rights subsisting in, and all goodwill associated with, the Competition Marks are exclusively owned by FIFA and protected by law. Except for use of the event title 2018 FIFA World Cup™ in a standard font for the sole purpose of informing members of the public of the time and place of a Public Viewing Event, an Exhibitor shall not use, nor authorise the use of, any Competition Marks (or any part thereof) or any symbol, emblem, logo, mark or designation which, in FIFA’s opinion, is similar to, or is a derivation or imitation of, any of the Competition Marks.

7. Licences / Permissions / Consents

An Exhibitor shall be responsible for obtaining, at its own cost and expense, any licences, permissions and/or consents required for a Public Viewing Event, including from:

- the official broadcaster of the Competition, to stage a Public Viewing Event (a list of all official broadcasters around the world will be made available on FIFA.com);
- the relevant collecting societies;
- local governmental or regulatory authorities (including in relation to security matters); and
- any other third parties whose consent, permission or licence may be required for staging a Public Viewing Event.

In addition, an Exhibitor shall maintain adequate general liability insurance in order to cover the proper performance and any damages in relation to the Public Viewing Event. For the avoidance of any doubt, FIFA may not be held responsible for any damages whatsoever related to a Public Viewing Event.

8. No rights of association

An Exhibitor shall not do, nor authorise to be done, anything which, in FIFA’s opinion, may give rise to the belief that an Exhibitor is in any way officially associated with FIFA and/or the Competition (for example, as a sponsor, supplier or similar).
9. Sponsorship rights (Commercial Public Viewing Events only)

Subject to the below, Exhibitors may grant sponsorship rights to a Commercial Public Viewing Event but only to the following entities:

- FIFA Commercial Affiliates; and
- locally based and operating third parties which are not competing with FIFA’s Marketing’s programme.

Such local sponsorship rights may only create an association with the Commercial Public Viewing Event itself. For the avoidance of doubt, the aforementioned local sponsorship rights may not, either directly or indirectly, create any form of association with either FIFA and/or the Competition (or any part thereof).

Prior to the grant of any local sponsorship rights, an Exhibitor shall be required to obtain FIFA’s prior written approval. Any and all such Exhibitor requests for FIFA’s approval shall include all relevant information on the proposed third party sponsor and the proposed sponsorship rights to be granted. FIFA retains the final decision as to whether a third party is considered “local” and/or “non-competitive” and whether the rights proposed to be granted are “local” rights relating to a Commercial Public Viewing Event. The local sponsorship rights may not in any way give rise to the belief that a local sponsor is in any way officially associated with FIFA and/or the Competition (or any part thereof). Any FIFA decision in this regard shall be made at FIFA’s sole discretion and shall not be capable of appeal.

For the avoidance of any doubt, no sponsorship rights whatsoever shall be granted to any Non-Commercial Public Viewing Event or to any Special Non-Commercial Public Viewing Event.

10. Sale of goods and services (Concessions)

Permitted sale: An Exhibitor may sell, or authorise the sale of, food, beverages or other goods or services by any third party at a Public Viewing Event. For the purpose of ensuring that such concession activities do not constitute any form of express or implied sponsorship of FIFA, the Competition or a Public Viewing Event, the sale of goods or services at a Public Viewing Event shall not be conducted in any manner which may give rise to the belief that such third party is in any way officially associated with FIFA, the Competition or a Public Viewing Event (including, for example, as a sponsor, supplier or similar). When applying for a Commercial Public Viewing Event or Special Non-Commercial Public Viewing Event licence, Exhibitors shall, at FIFA’s request, provide to FIFA full written details of the concession activities which are proposed to be conducted at a Commercial Public Viewing Event or Special Non-Commercial Public Viewing Event. Any FIFA approval in this regard shall be given at FIFA’s sole discretion.

11. Admission fee

An Exhibitor must obtain FIFA’s prior written approval to charge a direct or indirect admission fee for the exhibition of the broadcast coverage of the Competition at a Commercial Public Viewing Event. When applying for a Commercial Public Viewing Event Licence, an Exhibitor must indicate whether an admission is intended to be charged.
12. Miscellaneous

**Breaches of these Regulations:** Any breach of these Regulations by an Exhibitor may result in the termination of the licence to organise and/or stage a Commercial and/or Special Non-Commercial Public Viewing Event, and may subject an Exhibitor to prosecution under applicable laws. Exhibitors of Non-Commercial Public Viewing Events, despite not having a formal licence, shall also be subject to prosecution under applicable laws in the event the FIFA Regulations for Public Viewing Events are not strictly observed.

**Reporting:** An Exhibitor shall provide FIFA with written details of the date, place and time of a Commercial Public Viewing Event or a Special Non-Commercial Public Viewing Event, spectator capacity, manner of commercialisation and entrance fee.

**Prevailing language:** These Regulations have been drafted in English and subsequently translated into a variety of foreign languages. In the event of any discrepancy between the English language version(s), the English language version shall prevail.

**Anti-corruption:** The parties acknowledge that giving and taking bribes can lead to criminal proceedings in accordance with art. 4a of the Swiss Federal Law on Unfair Competition and art. 322<sup>civ</sup> and art. 322<sup>crim</sup> of the Swiss Criminal Code.

**Governing law and jurisdiction:** These Regulations are to be governed by, and interpreted in accordance with, the laws of Switzerland, to the exclusion of any choice of law principles and to the exclusion of the Vienna Convention on Contracts for the International Sale of Goods.

**Disputes:** All disputes in connection with these Regulations, including disputes as to their conclusion, binding effect, amendment and termination, are to be promptly settled between the parties by negotiation. If no solution can be reached, such disputes shall, to the exclusion of any court or other forum, be exclusively resolved by an arbitral tribunal consisting of one (1) arbitrator under the auspices of, and pursuant to, the Swiss Rules of International Arbitration of the Swiss Chambers’ Arbitration Institution. The seat of the arbitration shall be Zurich, Switzerland and the language of the proceedings shall be English. For the avoidance of any doubt, any determination made by the arbitral tribunal shall be final and binding on the parties.

13. Fee structure,

A Commercial Public Viewing Event Licence is valid for all matches of the Competition.

Unless otherwise regulated with the party issuing the Commercial Public Viewing Event Licence, the fee applicable to a Commercial Public Viewing Event Licence is calculated in accordance with the spectator capacity of the location where the Commercial Public Viewing Event is staged. Such fees are net of all taxes and withholdings and are as follows:

- Spectator capacity: up to 1,000 = USD 1,000
- Spectator capacity: 1,001 - 2,000 = USD 2,000
- Spectator capacity: 2,001 - 5,000 = USD 4,000
- Spectator capacity: 5,001 - 10,000 = USD 8,000
- Spectator capacity: 10,001 or more = USD 14,000
It is possible to request a single Commercial Public Viewing Event Licence that is valid for multiple locations. Where such occurs, the overall licence fee shall be calculated by aggregating the applicable cost per each separate location.

Unless otherwise regulated with the party issuing the Commercial Public Viewing Event Licence, the applicable fee(s) shall be due and payable immediately upon receipt of a request for payment which details the account to which payment of the applicable fee(s) shall be made by the Exhibitor and/or which contains details for payment of the applicable fee(s) by way of credit card.

FIFA intends to donate its share of all received licence fees that it collects from Commercial Public Viewing Event Licences to a charity of its choice. Accordingly, FIFA cannot waive the payment obligation of the applicable licence fee for Commercial Public Viewing Events that are run for charity.

14. Definitions

All capitalised expressions used herein shall have their respective meanings as set out below unless the context otherwise expressly requires, and any phrase introduced by the terms “including”, “include”, “in particular”, “for example”, “such as” or any similar expression shall be illustrative and shall not limit the sense of the words preceding or superseding those terms.

Commercial Public Viewing Event shall have the meaning ascribed to it in clause 2 of these Regulations.

Competition means the 2018 FIFA World Cup™ scheduled to take place between 14 June 2018 and 15 July 2018.

Competition Marks mean the official Competition emblem, title and logos (including the mascot and the trophy).

Exhibitor means a person or entity that organises and/or stages a Public Viewing Event.

FIFA Commercial Affiliate means any entity to which any sponsorship or other commercial rights have been, or may be, lawfully assigned, licensed, sublicense or subcontracted by, or on behalf of, FIFA in relation to the Competition (or any part thereof), including "FIFA Partners", "FIFA World Cup Sponsors" and "Regional Supporters". Details of the FIFA Commercial Affiliates of the Competition are available at [https://www.fifa.com/worldcup/organisation/partners]. Please note that by the time these Regulations are issued, FIFA is yet to appoint all of its sponsors for the Competition. Therefore, the list might not be exhaustive.

Non-Commercial Public Viewing Event shall have the meaning ascribed to it in clause 2 of these Regulations.

Public Viewing Event shall have the meaning ascribed to it in clause 2 of these Regulations.

Regulations mean these FIFA Regulations for Public Viewing Events in relation to any matches of the Competition.

Special Non-Commercial Public Viewing Event shall have the meaning ascribed to it in clause 2 of these Regulations.
9.8 Attendance at the 2018 ALGA National General Assembly of Local Government

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

Purpose

The purpose of this report is to seek endorsement for the attendance of Councillors at the Australian Local Government Association (ALGA) 2018 National General Assembly of Local Government to be held in Canberra on 17-20 June 2018.

Executive Summary

The National General Assembly of Local Government brings together several hundred delegates from councils across Australia to move and debate resolutions of concern to local government. Speakers include prominent local government leaders, national political leaders and leading Australian experts and academics from fields of interest and relevance to local government.

Recommendation

That Council:

1. Endorses the attendance of Councillors John Sipek, Andrea Surace and Richard Lawrence at the Australian Local Government Association (ALGA) 2018 National General Assembly of Local Government to be held in Canberra on 17-20 June 2018, in accordance with the Resources, Facilities and Reimbursement of Expenses to Councillors Policy.

2. In the event that any of the Councillors as appointed in 1 above are unable to attend, authorises the Mayor to seek and appoint an alternate Councillor/s.

Background

The National General Assembly of Local Government is convened by the Australian Local Government Association (ALGA) and will be held at the National Convention Centre in Canberra on 17-20 June 2018.

The theme of this year’s National General Assembly is ‘Australia’s future: make it local’.

The ALGA is the national voice of local government, representing 560 councils across the country. In structure, ALGA is a federation of state and territory local government associations.

ALGA was founded in 1947 and, in 1976, established a secretariat in Canberra reflecting growing links with the Australian Government and an awareness of local government's emerging national role.
The National General Assembly brings together several hundred delegates from councils across Australia to move and debate resolutions of concern to local government. Speakers include prominent local government leaders, national political leaders and leading Australian experts and academics from fields of interest and relevance to local government.

At the Ordinary Council Meeting on 27 March 2018, Council resolved to submit a motion to the National General Assembly calling for support for Moonee Valley’s MVBees program and Council’s vision for Victoria to become a bee-friendly state.

The motion was submitted to the National Assembly of Local Government by the 30 March deadline.

Discussion

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

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

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

The ALGA 2018 Assembly theme, ‘Australia’s future: make it local’ reflects the wide scope and importance of Local Government, as well as its ability to influence and affect fundamental change and improvement at the community level. The 2018 theme also hints at the strong possibility a federal election being called later this year or early next year. That being the case, local Councillors will need to be ready and able to speak up on behalf of its constituents.

Attendance at the National General Assembly will provide the opportunity to influence the national agenda, engage with federal politicians, shape policy and priorities and represent Council and the community.

Consultation

The nature of this report does not require any consultation.

Implications

1. Legislative

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

   There are no Human Rights implications resulting from this report.
2. **Council Plan / Policy**

   In presenting this report, Council is working to achieve its strategic objective to lobby on the community’s behalf on emerging issues in accordance with Council Plan 2017-21 Theme 5: Resilient organisation - A resilient organisation that is sustainable, innovative, engaging and accountable - Our community is informed and has a say and Council lobbies on the community’s behalf on emerging issues.

3. **Financial**

   The estimated total cost per Councillor to attend the ALGA National General Assembly, including registration, airfares, accommodation, and meals will be in the order of $3094 including GST which can be met from the Mayor and Councillors 2017-18 budget.

   To take advantage of the early bird discount which closed on 4 May, Crs Sipek, Surace and Lawrence have been registered at this rate.

   The estimated per Councillor cost includes the following:

   - **General Assembly Registration Fee (Early Bird)** $969
   - **General Assembly Registration Fee (Standard)** $1290
   - **Airfares (approximate)** $700
   - **Accommodation (3 nights at $305 per night) plus breakfast** $1065
   - **Women’s Association Breakfast (Monday 18 June)** $80
   - **Networking Dinner (Monday 18 June)** $100
   - **General Assembly Dinner (Tuesday 19 June)** $130
   - **Transfers** $50

4. **Environmental**

   There are no environmental implications resulting from this report.

**Conclusion**

As this is an important forum for Local Government, it is recommended that Council endorses the attendance of Councillors at the 2018 National General Assembly of Local Government.

**Appendices**

Nil.
9.9 MAV State Council motions - 18 May 2018

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

Purpose
This report seeks Council’s endorsement of the proposed support or non-support of early motions received from councils for the (Municipal Association of Victoria) MAV State Council Meeting on Friday 18 May 2018.

Executive Summary
- State Council is the MAV’s governing body made up of representatives from each member council. Moonee Valley City Council’s MAV delegate is Cr Narelle Sharpe.
- State Council meets twice a year, the next meeting is Friday 18 May 2018. Members can submit business to be considered by the State Council in accordance with the MAV rules.
- The deadline for motions to State Council was 20 April. Some 49 early motions received by 12 April were distributed to councils on 13 April.
- The MAV rules state that if present, a council delegate must vote on every matter under consideration by the State Council, in accordance with either the resolution of his or her council or the view of the majority of the Councillors where known, unless prohibited from doing so.
- Council officers have provided advice as to whether each motion is supported or not supported as well as a short rationale for that advice.

Recommendation
That Council endorses the recommended voting and rationale for early motions for MAV State Council on Friday 18 May 2018 as detailed in Appendix A.

Background
Early motions for MAV State Council on Friday 18 May were received by Council on 16 April.

Early motions include Moonee Valley City Council’s own motion Victoria – the Place to Bee which was endorsed by Council at the Ordinary Council Meeting on 27 March 2018.

The MAV rules state that if present, a council delegate must vote on every matter under consideration by the State Council, in accordance with either the resolution of
his or her council or the view of the majority of the Councillors where known, unless prohibited from doing so.

**Discussion**

Early motions for MAV State Council are detailed in Appendix A. They include motions on issues including waste and recycling; middle years funding; graffiti, Neighbourhood House funding, river protection, affordable housing and funding for sporting facilities.

Council officers have provided advice as to whether each motion is supported or not supported as well as a short rationale for that advice to assist the MAV delegate in voting within the MAV rules.

**Consultation**

The nature of this report does not require any consultation.

**Implications**

1. **Legislative**
   
   The nature of this report, in itself, does not have any legislative implications.

2. **Council Plan / Policy**
   
   In presenting this report, Council is working to achieve its strategic objective to promote responsible and equitable decision-making across Council 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 considerations as a result of this report.

**Conclusion**

Some 49 early motions have been received from member councils for consideration at MAV State Council on Friday 18 May 2018. Council officers have provided advice as to whether each motion is supported or not supported, as well as a short rationale for that advice.

**Appendices**

Appendix A: MAV State Council early motions (separately circulated)
9.10 Local Area Traffic Management (LATM) Plans - Study and Consultation Process

File No: FOL/18/32
Author: Leanne Wilson
Manager Technical Services
Directorate: Planning & Development

Purpose
The purpose of this report is to update Council on the development of the Local Area Traffic Management Precinct Plans, together with a revised method for undertaking this program of works more efficiently and in a timely manner.

Executive Summary
- The implementation of the LATM program is an important function of the Traffic and Transport Department and there is a need to amend the process of how these LATM’s are undertaken to improve efficiencies.
- The revised process will retain community consultation which is an important aspect of the development and implementation of improvements within precinct areas.

Recommendation
That Council adopts the revised consultation process in advancing the Local Area Traffic Management Precinct Plans.

Background
Council officers reported to Council May 2012, outlining the process for undertaking the study and consultation to develop Local Area Traffic Management (LATM) plans. These LATM plans allow Council to implement specific safety improvements to facilitate the movement of vehicles and pedestrians within the municipality.

Discussion
The planning and development of a LATM precinct plans currently involves extensive study group committee meetings and community consultation. Detailed data collection, study group committee meeting, circulars and questionnaires are typically used to identify traffic and parking issues and to recommend traffic management solutions for a local area.

Currently, the study and consultation process is undertaken in the following manner.
The Study Group Committee Meetings are considered to be an inefficient use of time and resources. Currently in undertaking the LATM precinct plans, the existing schedule spans 393 days, with officer time equating to 160 hours.

In revising the process for undertaking the LATM’s, and removing the requirement to undertake Study Group Committee Meetings and the tasks relating to this component (including, but not limited to the development of a draft LATM Council report, multiple accompanied site visits, phone calls, meetings and bus tours), the LATM’s can be processed within 316 days (20% reduction in length) with a total officer time of between 75-97 hours.
The recommendation is to retain the two community consultation questionnaires within the LATM projects to gain important community feedback on potential traffic and pedestrian improvements. Officers are seeking to gain this feedback through online surveys with hard copy questionnaires mailed to those who do not have access to a computer / internet. It is anticipated this form of feedback will also decrease resource requirements as the surveys will be automatically collated rather than requiring manual entry. This form of feedback is also considered to be more efficient for community users given the electronic nature of the systems available.

The revised consultation process is therefore proposed to be as follows:

**LOCAL AREA TRAFFIC MANAGEMENT PRECINCT:**

**Study and Consultation Process**

1. **Familiarisation**
   - Site inspection
   - Review Council files

2. **Initial Community Questionnaire Circular**
   - Review community responses and identifies key issues and opportunities

3. **Data Collection**
   - Accident Data
   - Traffic & parking surveys
   - Existing conditions

4. **Development of Draft Local Area Traffic Management Plan**
   - Establish objectives of the draft LATM plan
   - Consider range of possible solutions
   - Formulate draft LATM plan

5. **Draft LATM Community Circular**
   - Distribute circular to community outlining draft LATM plan. Seek community feedback on proposals within the plan.

6. **Review & Consider Responses**
   - Amend LATM plan, if appropriate

7. **Report to Council**
   - Make recommendation to Council on final LATM plan

8. **Advise Community of LATM Study Outcomes**
   - Distribution of circular advising community of adopted final LATM plan

**Community Input**
The revised process maintains the milestones associated with the development and implementation of the LATMs including community consultation. It is envisaged officers will be able to efficiently and effective improve the management of this important body of work through the incorporation of the revised methodology and, in turn, improve the delivery of the capital projects associated with the implementation of the LATM's.

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

Implications

1. Legislative
   There is no legislative considerations arising from this report.

2. Council Plan / Policy
   In presenting this report, Council is working to achieve its strategic objective to continue implementation of Council's Local Area Traffic Management Studies capital works initiatives in accordance with Council Plan 2017-21 Theme 3: Sustainable living - Connected, well designed municipality, thriving neighbourhoods, accessible places and spaces - Getting around is easy, safe and sustainable.

3. Financial
   Indicative costings for LATM's is estimated between $80,000 - $90,000 and each LATM precinct will also generate a requirement for Capital expenditure in the order of $150,000 (average) depending on the extent of improvements proposed.

4. Environmental
   There are no environmental implications associated with this report.

Conclusion
It is recommended that Council adopts the revised process in advancing the delivery of the Local Area Traffic Management precinct plans to improve the efficiency in identifying and facilitating vehicle and pedestrian movements within the municipality.

Appendices
Nil.
9.11 Notices of Motion Quarterly Report

File No: FOL/18/32
Author: Rosie Ferreira
Governance Officer
Directorate: Organisational Performance

Purpose

This report provides an update on the status of Notices of Motion that have been endorsed by Council since the first Council meeting of the year, held on 13 February, up to and including 27 March 2018.

This report also presents correspondence sent to and received from Members of Parliament and Federal and State Government agencies that has resulted from a Notice of Motion for the period 13 February to 27 March 2018.

Executive Summary

- From 10 November 2016 to 27 March 2018, Council endorsed 41 Notices of Motion presented by Councillors. Of these 41 Notices of Motion, 23 have now been successfully completed (56 per cent), while 18 remain ongoing.
- A report on these Notices of Motion for the current Council term is provided as Appendix A.
- From 13 February to 27 March 2018, there have been no Notices of Motion requesting Council to writes to a Member of Parliament or government agency.

Recommendation

That Council:
1. Receives and notes the report on the progress of all endorsed Notices of Motion for the period 10 November 2016 to 27 March 2018 as Appendix A.
2. Notes that there have been no Notices of Motion for the period 13 February to 27 March 2018 requesting Council to writes to a Member of Parliament or Government agency.

Background

Notices of Motion can be used by Councillors to request action in relation to a specific matter or issue. Notices of Motion must be moved, seconded and adopted in the same manner as other motions that are presented to Council for resolution. Pursuant to Council's Meeting Procedure Protocol, it is a requirement for Notices of Motion to be lodged with the Chief Executive Officer at least five days prior to the meeting at which they are intended to be moved. In the event that a Councillor who has raised a particular Notice of Motion is absent from the meeting, it can be moved by any other Councillor.
Discussion
From 10 November 2016 to 27 March 2018, Council endorsed 41 Notices of Motion presented by Councillors. Of these 41 Notices of Motion, 23 have been successfully completed (56 per cent), while 18 remain ongoing.

Appendix A provides detail of all Notices of Motion that were endorsed by Council between 10 November 2016 and 27 March 2018 and includes the current status of each.

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

Implications
1. Legislative
   There are no legislative implications from the presentation of this report.

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 financial implications resulting from the presentation of this report.

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

Conclusion
This report provides Council with an update on the status of 41 Notices of Motion that it has endorsed during the period 10 November 2016 and 27 March 2018.

Appendices
Appendix A: Notice of Motion Report - 13 February to 27 March 2018 (separately circulated)
9.12 Report on Assemblies of Councillors - March to April 2018

File No: FOL/18/32
Author: Kate Evans
Governance Officer
Directorate: Organisational Performance

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

Executive Summary
It is a requirement of the Act that a written record of any assembly of Councillors is prepared.

Recommendation
That Council, in accordance with section 80A(2) of the Local Government Act 1989, receives the records of the following assemblies of Councillors:

<table>
<thead>
<tr>
<th>Assembly (Name, Date, Time, Venue)</th>
<th>Matters considered</th>
</tr>
</thead>
</table>
| Portfolio Advisory Committee – Lifelong Learning, Monday 26 March 2018, Sam Merrifield Library (Form 18/120716) | • Neighbourhood Planning  
• Service Review of Library Programs  
• Festival and Events Review  
• Items of a general nature raised by Councillors and |

<table>
<thead>
<tr>
<th>Councillors present</th>
<th>Staff present</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cr Sharpe</td>
<td>J. Karabinis, R. Serratore</td>
</tr>
</tbody>
</table>

Conflict of interest (Type and Nature of interest) None declared.
### Assembly (Name, Date, Time, Venue)

<table>
<thead>
<tr>
<th>Matters considered</th>
<th>Councillors present</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>Cr Lawrence</td>
</tr>
<tr>
<td></td>
<td>M. Ward</td>
</tr>
</tbody>
</table>

| Conflict of interest (Type and Nature of interest) | None declared. |

### Assembly (Name, Date, Time, Venue)

<table>
<thead>
<tr>
<th>Matters considered</th>
<th>Councillors present</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Crs Sipek, Byrne, Cusack, Lawrence, Gauci Maurici, Marshall, Nation, Sharpe, Surace</td>
</tr>
<tr>
<td></td>
<td>K. Pope, C. Patterson, P. Barry, N. Reiter, G. Richardson, A. Watt, D. Hogan, N. Aggarwal</td>
</tr>
</tbody>
</table>

| Conflict of interest (Type and Nature of interest) | Cr Nation declared an indirect conflict of interest in Item 9.7 of the OCM Agenda - East Keilor Leisure Centre redevelopment - schematic design due to a conflicting duty (s.78B) |
**TUESDAY 8 MAY 2018**

**AGENDA – ORDINARY COUNCIL MEETING**

<table>
<thead>
<tr>
<th>Assembly (Name, Date, Time, Venue)</th>
<th>OCM Pre Meet, 10 April 2018 at 5.55pm Committee Room, Civic Centre (Form 18/111419)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Matters considered</td>
<td>• OCM Agenda&lt;br&gt;• Public Questions&lt;br&gt;• Update on meeting with Australian Services Union regarding Aged Care Services.</td>
</tr>
<tr>
<td>Councillors present</td>
<td>Crs Sipek, Byrne, Cusack, Lawrence, Gauci Maurici, Marshall, Sharpe, Surace. Apologies: Cr Nation.</td>
</tr>
<tr>
<td>Conflict of interest (Type and Nature of interest)</td>
<td>Cr Byrne declared an indirect conflict of interest in Item 9.4 of the OCM Agenda - Valley Lake (Area 2A) Local Traffic Management Study, due to residential amenity (s.78E)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Assembly (Name, Date, Time, Venue)</th>
<th>Public Forum 17 April 2018 at 6.00pm Council Chamber, Civic Centre (Form 18/111859)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Matters considered</td>
<td>• Presentation - MV Young People’s Award&lt;br&gt;• 2 x questions without notice from the public (Buckley Street Level Crossing Removal works)</td>
</tr>
<tr>
<td>Councillors present</td>
<td>Crs Sipek, Byrne, Cusack, Gauci Maurici, Marshall, Nation, Sharpe, Surace. Apologies: Cr Lawrence.</td>
</tr>
<tr>
<td>Staff present</td>
<td>S. Lambert, P. Barry, D. De Melis, N. Reiter, G. Richardson, E. Elliott, V. Mitrovic-Misic, J. Keating, A. Watt, C. Harris.</td>
</tr>
<tr>
<td>Conflict of interest (Type and Nature of interest)</td>
<td>None declared.</td>
</tr>
</tbody>
</table>
### Assembly (Name, Date, Time, Venue)

Strategic Briefing 17 April 2018 at 6.29pm
Council Chamber, Civic Centre (Form 18/112083)

### Matters considered

- MV2040 draft strategy
- MV2040 Green Action Plans – carbon, water and urban forest
- Aged care review
- Update on external projects including Flemington Housing Estate
- Advocacy Strategy
- Recycling update
- OCM draft agenda for 24 April

### Councillors present

Crs Sipek, Byrne, Cusack, Gauci Maurici, Marshall, Nation, Sharpe, Surace. Apologies: Cr Lawrence.

### Staff present


### Conflict of interest

None declared.

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### Assembly (Name, Date, Time, Venue)

Portfolio Advisory Committee – Community Wellbeing & Inclusion, Diversity, Equity and Access (IDEA),
Thursday 19 April 2018
Council Chamber, Civic Centre (Form 18/120716)

### Matters considered

- Neighbourhood Planning
- Pilot Neighbourhood Profiles
- Diversity Statement and Advocacy campaign
- Items of a general nature raised by Councillors and Officers

### Councillors present

Cr Cusack, Cr Nation

### Staff present

N. Reiter, K. McCaughey, M. Weiss, S. Edwards, M. Ensink, W. Lai, R. McQueen

### Conflict of interest

None declared.
## Assembly (Name, Date, Time, Venue)  
OCM Pre Meet, 24 April 2018 at 6.00pm  
Committee Room, Civic Centre (Form 18/120727)

<table>
<thead>
<tr>
<th>Matters considered</th>
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<tbody>
<tr>
<td></td>
<td>OCM Agenda</td>
</tr>
<tr>
<td></td>
<td>Urgent Business – FIFA World Cup public screening</td>
</tr>
<tr>
<td></td>
<td>Items of a general nature raised by Councillors and Officers.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Councillors present</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>J. Sipek, S. Byrne, J. Cusack, R. Gauci Maurici, R. Lawrence, N. Marshall, N. Sharpe</td>
<td></td>
</tr>
<tr>
<td>Leave of Absence: Crs Nation and Surace</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Staff present</th>
<th></th>
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<table>
<thead>
<tr>
<th>Conflict of interest (Type and Nature of interest)</th>
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</thead>
<tbody>
<tr>
<td>None declared.</td>
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</tbody>
</table>

### Background

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

### Discussion

Section 3(1) of the Act defines an assembly of Councillors as a meeting of an Advisory Committee of the Council, if at least one Councillor is present, or a planned or scheduled meeting of at least half of the Councillors and one member of Council staff which considers matters that are intended or likely to be:

a) the subject of a decision of the Council; or

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

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

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

2. The Chief Executive Officer must ensure that the written record of an assembly of Councillors is, as soon as practicable —
   a) reported at an Ordinary Meeting of the Council; and
   b) incorporated in the minutes of that Council meeting.

Records of assemblies of Councillors, held since the last report to Council in December 2017, are provided as Appendix A.

Consultation

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

Implications

1. Legislative

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

2. Council Plan / Policy

   In presenting this report to Council, Council is achieving its Council Plan Objective 5.2: ‘Good governance is everyone’s responsibility’ and ‘is fostering a culture of accountability and transparency.’

3. Financial

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

4. Environmental

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

Conclusion

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

Appendices

Nil.
10.1 Notice of Motion 2018/11 - Improved signage and line marking to the English Street Bridge

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

Take notice that at the Ordinary Meeting of Council to be held on 8 May 2018 it is my intention to move that:

As part of the CityLink/Tullamarine Freeway widening and English Street bridge upgrade, Council requests the CEO to write to the Minister for Roads, the Hon Luke Donnellan, the Member for Niddrie, the Hon Ben Carroll and the Member for Essendon, Mr Danny Pearson, requesting improved overhead signage and line-marking to the English Street bridge from both the Airport West and Essendon Fields directions. Council also requests updated signage on Bulla Road and the Bulla Road bridge for the entrance to the DFO and an investigation into the new traffic light sequence to allow priority for vehicles on Bulla Road entering onto the Tullamarine Freeway.

Officer Comments
The Notice of Motion is supported.
CONFIDENTIAL REPORTS

Closure of meeting to public

Recommendation

That Council resolve to close the meeting to the public pursuant to Section 89(2) of the Local Government Act 1989 to discuss the following matters:

12.1 17-23 Puckle Street and 6-14 Young Street, Moonee Ponds (Lot 1 on PS055118, Lot 2 on PS055118, Lot 3 on PS055118, Lot 4 on PS026936, Lot 1 on TP128317T, Lot 1 on TP338734E, and Lot 1 on TP319757Y) - Partial demolition of the existing buildings and development of the land for two mixed use, multi level buildings, a reduction in car parking requirements and a variation in loading bay requirements in a Heritage Overlay

Item 12.1 is Confidential under the terms section 89(2) of the Local Government Act 1989 as it contains information relating to: (h) other matter.

12.2 Shareholding in Regional Kitchen and Community Chef

Item 12.2 is Confidential under the terms section 89(2) of the Local Government Act 1989 as it contains information relating to: (d) contractual matters.