Agenda

Ordinary Meeting of Council

Tuesday, 26 March 2019
6:30pm
Ordinary Meeting of Council
Tuesday, 26 March 2019 at 6:30PM
to be held at the Moonee Valley Civic Centre

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

Officers:  
Mr Bryan Lancaster  Chief Executive Officer
Mr Steven Lambert  Director City Services
Ms Kendrea Pope  Director Organisational Performance
Ms Natalie Reiter  Director Planning and Development
Mr Peter Gaffney  Acting Director Asset Planning and Strategic Projects
Mr Petrus Barry  Manager Statutory Planning
Ms Allison Watt  Manager Governance and Communications
Business:

1. Opening

2. Reconciliation Statement

3. Apologies and Leave of Absence

4. Confirmation of Minutes
   Ordinary Meeting of Council held on Tuesday, 12 March 2019.

5. Declarations of Conflict of Interest

6. Presentations

7. Petitions and Joint Letters
   7.1 Recommenement of the Park and Ride shuttle bus service ............... 5
   7.2 Paid parking along The Boulevard Moonee Ponds ............................ 6

8. Public Question Time

9. Reports from Special Committees
   Nil.

10. Reports
   10.1 1 St Leonards Road, Ascot Vale (Land in PC169257U) -
         Construction of four dwellings and reduction in car parking ............ 7
   10.2 8 Janet Street, Keilor East (Lot 116 on Plan of Subdivision
         052639) - Construction of three double storey dwellings .................. 24
   10.3 Flemington Community @Debneys Park - Draft Concept Options ....... 41
   10.4 Welcoming Cities Network and supporting Diversity Statement
       update .................................................................................................. 48
   10.5 2018/19 Capital Works Program Update ........................................... 54
   10.6 Response to NoM 2018/08 - Local Arts Display Trial ....................... 57
   10.7 Review of the Advocacy Strategy ...................................................... 61
   10.8 Independent Member Re-Appointment to Council's Audit
       Advisory Committee ............................................................................. 66
   10.9 Attendance at 2019 ALGA National General Assembly of Local
       Government ............................................................................................. 67
   10.10 Assemblies of Councillors ................................................................. 71
11. Notices of Motion
   11.1 Notice Of Motion No. 2019/07 - Advocacy for increased tree canopy on Department of Education and Training sites.........................76
   11.2 Notice Of Motion No. 2019/08 - Review of Secondary College zones ........................................................................................................79
   11.3 Notice Of Motion No. 2019/09 - Immediate halt to the installation of parking meters along The Boulevard, Moonee Ponds .......................82

12. Urgent Business

13. Delegates Reports

14. Confidential Reports
   14.1 East Keilor Leisure Centre redevelopment progress update...............83
   14.2 Riverside Netball ..................................................................................................................................................83
   14.3 Replacement of Community Strengthening's Client Management System ..............................................................................................83
   14.4 Tender Evaluation Report for Crown Street Stable Accessible Works............................................................................................83

15. Close of Meeting

BRYAN LANCASTER
Chief Executive Officer
PETITIONS AND JOINT LETTERS

7.1  Recommencement of the Park and Ride shuttle bus service

Author:  Emily Chiles - Governance Officer
Directorate:  Organisational Performance
Summary

Council has received a petition with 96 signatures, requesting Moonee Valley City Council to consider re-starting the Moonee Valley, Park and Ride shuttle bus service, for the following reasons:

The Moonee Valley Park and Ride shuttle bus service provided relief for workers in the area who relied on it given the dearth of legal, all-day parking options near the Moonee Ponds business precinct.

The security it provides to people in terms of keeping their cars parked safely for the day as well as their personal safety when returning to their cars after dark in winter is invaluable.

Recommendation
That Council resolves to:

1.  Receive and note the petition.
2.  Refer this matter to the Director City Services for investigation and reporting back to Council.
3.  Advise the petition organiser accordingly.

Attachments
Nil
7.2 Paid parking along The Boulevard Moonee Ponds

Author: Emily Chiles - Governance Officer
Directorate: Organisational Performance

Summary
Council has received a Change.org petition with 5,375 signatures, requesting the proposed paid parking spots along The Boulevard, and in particular from the intersection of Holmes Road along The Boulevard to the Orford Street intersection, be stopped.

The petition states that the decision to implement paid parking along The Boulevard, Moonee Ponds, will have significant implications for local football, cricket, soccer and athletics competitions.

Recommendation
That Council resolves to:

1. Receive and note the petition.
2. Refer this matter to the Director Planning and Development for investigation and reporting back to Council.
3. Advise the petition organiser accordingly.

Attachments
Nil
REPORTS

10.1 1 St Leonards Road, Ascot Vale (Land in PC169257U) - Construction of four dwellings and reduction in car parking

File No: FOL/18/2958
Author: Grant Michell Principal Statutory Planner
Directorate: Planning and Development

<table>
<thead>
<tr>
<th>Planning File No.</th>
<th>MV/520/2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proposal</td>
<td>Construction of four double storey dwellings and reduction in car parking</td>
</tr>
<tr>
<td>Applicant</td>
<td>G2 Urban Planning</td>
</tr>
<tr>
<td>Owner</td>
<td>Tropea Superannuation Fund and V &amp; P Tropea Superannuation Fund</td>
</tr>
<tr>
<td>Planning Scheme Controls</td>
<td>General Residential Zone</td>
</tr>
<tr>
<td>Planning Permit Requirement</td>
<td>Clause 32.08-6 – to construct two or more dwellings</td>
</tr>
</tbody>
</table>
| Car Parking Requirements (Clause 52.06) | Required: 8 car spaces  
Proposed: 7 car spaces |
| Bicycle Requirements | N/A |
| Restrictive Covenants | None |
| Easements | A 1.52 metre wide sewerage and drainage easement is located on the western boundary |
| Site Area | 707m² |
| Number Of Objections | 39 objections from 27 properties |
| Consultation Meeting | 21 November 2018 |

Executive Summary
- The application seeks approval for the construction of four double storey dwellings.
- The site area is approximately 707m², located on the southwest corner of St Leonards Road and The Crescent, Ascot Vale.
- The application was advertised and 39 objections from 27 properties were received. Concerns were raised in relation to over-development, neighbourhood character, scale, number of dwellings, impacts on traffic and parking and amenity impacts.
- A Consultation Meeting was held on 21 November 2018 and attended by Councillor Marshall, objectors, the permit applicant and Council’s Planning Officer. Discussion plans were provided following this meeting proposing the removal of the studio levels of Dwellings 3 and 4.
- The application was referred to 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 residential area proximate to public transport, commercial, community and public facilities. The architectural response is considered appropriate within the site context and presents a high level of articulation.
- The proposal achieves an acceptable level of compliance with the Standards of Clause 55, with two technical areas of non-compliance. The variations are associated with the rear setbacks of the garages and the first floor of Dwelling 1 and solar access to secluded private open space for Dwelling 3 and are considered appropriate. The proposed development depicts an appropriate built form that provides a high level of internal amenity, protects the amenity of the adjoining properties and responds to its site context.
- This report recommends Council issues a Notice of Decision to Grant a Permit, subject to conditions.
Recommendation

That Council issues a Notice of Decision to Grant a Permit in relation to Planning Permit Application No. MV/520/2018 for the construction of four dwellings at 1 St Leonards Road, Ascot Vale (Land in PC169257U), subject to the following conditions:

Endorsement Conditions

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

   a) Alterations in the built form in accordance with the Discussion Plans dated 14 December 2018, Revision C;

   b) The location of all street furniture and features within road reserve/s on all floor plans;

   c) A 1 metre by 1 metre splay to the northwest corner of the site at the intersection with the laneway and associated alteration to the location of the waste storage for Dwelling 4;

   d) The existing splay on Title on the north-eastern corner to The Crescent and St Leonards Road to be infilled with grasscrete pavers;

   e) Swept path diagrams, prepared by a suitably qualified person, that demonstrates that a B85 vehicle can enter and existing garages appropriately and exit the laneway in a forwards direction with no alteration in the rear setbacks;

   f) Setback dimensions on all floor plans from the relevant title boundary and all wall heights and maximum overall heights on all elevation plans;

   g) All overlooking screening measures and details of all first floor habitable room windows in accordance with Standard B22 of Clause 55.04-6 (Overlooking) of the Moonee Valley Planning Scheme, including a notation that all obscured glazed windows are fixed up to 1.7 metres above Finished Floor Level;

   h) All vehicle crossovers constructed in accordance with Council’s Vehicle Crossing Design Standards and Vehicle Crossing Policy;

   i) All BESS annotations and measures in accordance with Condition 4;

   j) All permeable and impermeable surfaces clearly noted and all Water Sensitive Urban Design (WSUD) treatment measures and associated annotations in accordance with the amended STORM report required by Condition 3; and

   k) An amended Landscape Plan in accordance with Condition 7;

When approved, these plans will be endorsed and will form part of this permit.
2. The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.

3. An amended STORM assessment report must be submitted simultaneously with the submission of amended plans in accordance with Condition 1. The STORM Assessment must obtain a minimum 100% to comply with Clause 22.03-4 (Stormwater Management) of the Moonee Valley Planning Scheme.

4. A published BESS report (or equivalent) must be submitted simultaneously with amended plans in accordance with Condition 1 and must comply with Clause 21.04-3 (Ecologically Sustainable Development) of the Moonee Valley Planning Scheme.

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

6. A maximum 30 days following completion of the development, a WSUD Maintenance Program must be submitted to and approved by the Responsible Authority which sets out future operational and maintenance arrangements for all WSUD measures. The program must include, but is not limited to:
   a) Inspection frequency;
   b) Cleanout procedures;
   c) As installed design details/diagrams including a sketch of how the system operates; and
   d) A report confirming completion and commissioning of all WSUD Response treatment measures written by the author of the WSUD Response and STORM or MUSIC model approved pursuant to this permit, or licensed installing/commissioning plumber, or similarly qualified person or company. This report must be to the satisfaction of the Responsible Authority and must confirm that all WSUD treatment measures specified in the WSUD Response and STORM or MUSIC model have been completed and implemented in accordance with the approved report.

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

7. 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 to and approved by the Responsible Authority. The amended landscape plan and schedule must be prepared by a person or firm with suitable qualifications to the satisfaction of the Responsible Authority, drawn to scale and in an electronic format. The amended landscape plan and schedule must be generally in accordance with the landscape plan submitted with the application but modified to show:
   a) Any changes in accordance with Condition 1 of this permit;
   b) The use of drought tolerant species;
c) Features such as paths, paving and accessways;

d) All Environmental Sustainable Design (ESD) design solutions in accordance with the successful STORM/BESS report/s;

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

f) An appropriate irrigation system.

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

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

8. A minimum 30 days prior to any building or works commencing, a Construction and Site Management Plan (CSMP) must be submitted to and be approved by the Responsible Authority detailing the construction activity proposed and the site and environmental management methods to be used. The CSMP must be in accordance with Moonee Valley City Council’s CSMP’s guideline and templates.

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

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

End Endorsement Conditions

Development Conditions

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

10. Before the buildings approved by this permit are occupied, the privacy screens and other measures to prevent overlooking as shown on the endorsed plans must be installed in accordance with Clause 55.04-6 (Overlooking objective) of the Moonee Valley Planning Scheme to the satisfaction of the Responsible Authority.

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

11. 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.

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

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

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

a) Constructed;

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

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

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

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

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

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

b) Not be used for any other purpose,

to the satisfaction of the Responsible Authority.

14. Before the building/s approved by this permit is/are occupied, a right of way is to be constructed for 24.7 metres in accordance with the Moonee Valley City Council Drawing No. 34/43 (Standard Reinforced Concrete Paving/Asphalt for Right of Ways). All costs associated with the survey, design and construction of the right of way must be borne by the permit holder.

Before the development starts, detailed engineering drawings to show the construction of the right of way are to be submitted to and approved by the Responsible Authority. The right of way is to be surveyed by a licensed surveyor and designed by a civil engineer with suitable qualifications to the satisfaction of the Responsible Authority. The plans are to indicate existing surface levels, proposed surface levels and construction of the right of way in accordance with Moonee Valley City Council Drawing No. 34/43.

Before the buildings approved by this permit are occupied, construction of the right of way as specified in this permit must be completed to the satisfaction of the Responsible Authority.

Following the completion of the right of way, and before the buildings approved by this permit are occupied, as constructed plans must be submitted to and approved by the Responsible Authority.
The right of way must be constructed and properly drained to the satisfaction of the Responsible Authority.

15. The existing street tree on St Leonards Road must not be removed or damaged as a result of the permitted development.

16. 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.

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

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

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

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

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

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

20. This permit will expire if:

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

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

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

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

- This is not a building permit under the Building Act. A separate building permit is required to be obtained for any demolition or building works.

- Before the development starts, the permit holder must contact Moonee Valley City Council on 9243 8888 regarding legal point of discharge, vehicular crossings, building over easements, asset protection, road consent/occupancy etc.

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

- All works undertaken within any existing road reserves must accord with the requirements of Moonee Valley City Council and be to the satisfaction of the Responsible Authority.

- Existing levels along the property line and easements must be maintained. All proposed levels must match to existing surface levels along the property boundary and/or easement. Council will not accept any modifications to existing levels within any road reserve or easement.

- The required on-site detention system must be designed to limit the rate of stormwater discharge from the property to pre-development levels in accordance with the following: \( C_w = 0.4, \ t_c = 10 \text{mins}, \ t_{so} = 5 \text{mins}, \ \text{ARI} \ 1 \text{ in } 5. \) An ARI of 1 in 10 shall be used for storage and the greater of post development \( C_w \) or \( C_w = 0.80. \)

- 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 CSMP’s are required to be made via Council’s online system at [http://www.mvcc.vic.gov.au/planning-and-building/planning/construction-site-management-plans.aspx](http://www.mvcc.vic.gov.au/planning-and-building/planning/construction-site-management-plans.aspx) or in person at 9 Kellaway Avenue, Moonee Ponds.

- An application under Section 106(c) of the *Transfer of Land Act 1958* should be made to extinguish the ‘Right’ over the land marked E-1 on Title Plan 457894Q.

1. **Introduction**

1.1 **Subject Site and Surrounds**

The subject property is located on the southwest corner of St Leonards Road and The Crescent, Ascot Vale. The site is located opposite Ascot Vale train station and 35 metres north of Rothwell Park.

The site is irregular in shape with a frontage of 18.28 metres to St Leonards Road and a frontage of 25.96 metres to The Crescent. The site area is 707 square metres.

There are no covenants registered on title, however, there is a sewerage and drainage easement that extends into the site for 4.8 metres at its western boundary. It is noted that an application has been made with the Titles Office to remove this easement.

The subject site currently accommodates a single storey brick dwelling with a pitched roof.
The surrounding land is within a General Residential Zone. Residential developments proximate to the subject site are varied, with a mix of single dwellings on large allotments and multi-unit developments.

The character of the area can be described as transitional, with the provision of newer contemporary double storey dwellings. External materials are a mixture of brick, weatherboard and rendered finishes in differing colours. Building frontages vary from single to double frontages. Roof forms in the area are predominantly hipped with some examples of gabled-ended roof forms.

1.2 Proposal

The proposal seeks to construct four double storey dwellings. Each dwelling is provided with a frontage to St Leonards Road and a garage with access to the laneway to the rear. Dwellings 1-3 are three bedroom dwellings with a studio space over their respective garages. Dwelling 4 is a two bedroom dwelling with a studio over the garage (three bedrooms).

<table>
<thead>
<tr>
<th>Table 1</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>No of dwellings</td>
<td>4 double storey dwellings</td>
</tr>
<tr>
<td>No of car spaces</td>
<td>7 car spaces</td>
</tr>
<tr>
<td>Max Building Height&lt;br&gt;(Maximum height 11m)</td>
<td>8.1 metres</td>
</tr>
<tr>
<td>Site Coverage</td>
<td>59.16%</td>
</tr>
<tr>
<td>Permeability</td>
<td>40.83%</td>
</tr>
<tr>
<td>Garden Area&lt;br&gt;(Mandatory 30%)</td>
<td>35.66%</td>
</tr>
</tbody>
</table>
Refer Appendix B Advertised 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**

**Planning Policy Framework**

Clause 11.01-1R1 Settlement – Metropolitan Melbourne
Clause 11.02-1S Supply of Urban Land
Clause 15 Built Environment and Heritage
Clause 15.01-5S Neighbourhood Character
Clause 15.02 Sustainable development
Clause 16 Housing
Clause 19.03-3S Stormwater

**Local Planning Policy Framework**

Clause 21.01 Municipal Profile
Clause 21.02 Key Issues and Influences
Clause 21.03 Vision
Clause 21.04-7 Waste
Clause 21.05 Housing
Clause 21.06 Built Environment
Clause 22.03 Stormwater Management (Water Sensitive Urban Design)

**Zoning**

Clause 32.08 General Residential Zone

**Overlays**

None

**Particular and General Provisions**

Clause 52.06 Car Parking
Clause 53.18 Stormwater Management in Urban Development
Clause 55 Two or More Dwellings on a Lot and Residential Buildings
Clause 64 General Provisions for Use and Development of Land
Clause 65 Decision Guidelines
Clause 66.02 Use and Development Referrals
Clause 71.02-3  Integrated Decision Making

2.3 Referrals

No external referrals were undertaken.
The following internal referrals were undertaken:

Table 2

<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 annotations shown on plans.</td>
</tr>
<tr>
<td>Traffic and Transportation Unit</td>
<td>No objection subject to standard parking and crossover conditions.</td>
</tr>
<tr>
<td>Development Engineering (Drainage)</td>
<td>No objection subject to standard drainage conditions.</td>
</tr>
<tr>
<td>Subdivision Officer</td>
<td>The land marked E-1 on Title Plan 457894Q is a ‘Right’ created in favour of the City of Essendon and the Melbourne Metropolitan Board of Works for sewerage and drainage under Section 528(2)(e) of the Local Government Act 1958. This is not an easement, and does not trigger a permit under Clause 52.01 of the Moonee Valley Planning Scheme. This ‘Right’ will need to be removed in a separate application under Section 106(c) of the Transfer of Land Act 1958. This is completed directly with Land Registry Services Victoria and requires a Deed of Abandonment from Moonee Valley Council, Melbourne Water and City West Water.</td>
</tr>
</tbody>
</table>

2.4 Public Notification of the Application

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

As a result, 39 objections from 27 properties were received and identified within Appendix A of this report.

The objections are discussed at Section 3.5 of this report.

2.5 Consultation Meeting

A Consultation Meeting was held on 21 November 2018, which was attended by Councillor Marshall, Objectors, the Permit Applicant and Council’s Planning Officer. There was no resolution achieved.

Discussion plans were submitted following the Consultation Meeting, which amended the development to remove the studio levels from Dwellings 3 and 4. This resulted in Dwelling 4 being reduced to two bedrooms and negating the need for planning permission to reduce the number of car spaces provided.
Refer Appendix C Discussion Plans (separately circulated).

3. Discussion

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

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

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

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

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

3.2 Does the proposal accord with the preferred character of the area?

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

- The proposed built form is contemporary in style and reflective of the emerging character in the surrounding area, while still referencing architectural styles such as the adjoining terraces to the south. It is noted the porch areas have flat roofs, however, in this instance it is acceptable given the minimal width of these structures.

- The siting and massing of the development is consistent with the pattern of development which has occurred in the immediate and wider area and is responsive to its site context. It particular, the spacing of the dwellings are consistent with the adjoining properties to the south and the properties on the opposite side of St Leonards Road to the north.
The height of the development at two storeys (8.1 metres) is consistent with the surrounding built form and predominant height in the streetscapes.

The setbacks of the dwellings from both street frontages maintains the setback rhythm in the streetscape and maintains sufficient areas for landscaping to contribute to the garden character of the area.

The attached form of the development is appropriate in this instance as it maintains the existing built form pattern in this section of The Crescent and the wider area, which include numerous terraced forms. The sheer walls forms are acceptable given the style of dwellings and the limited amenity impacts to adjoining properties and streetscape.

The dwellings are designed with pitched roofs and eaves to maintain the surrounding pattern of development.

The double storey garage structures are acceptable and will not be directly viewed from the main street frontages due to their laneway abuttal. It is noted that discussion plans have been submitted that remove the studio level for Dwellings 3 and 4, which further reduce the visualisation of these structures from the streetscape.

The materials and finishes are consistent with the preferred character and incorporates earthy colours common in the surrounding area.

The proposed front fencing is consistent in design and height with the streetscape and maintains appropriate visualisation of the built form and landscaping. The side fence to Dwelling 4, while 1.8 metres in height is appropriate in this instance as it abuts the secluded private open space of this dwelling. Additionally, appropriate planting is provided behind the fence to provide a green edge to the development.

### 3.3 Does the proposal comply with Clause 52.06 (Car Parking)?

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

**Table 3**

<table>
<thead>
<tr>
<th>Proposed</th>
<th>Requirement</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Four x three bedroom dwellings</td>
<td>8</td>
<td>7</td>
</tr>
<tr>
<td><strong>Totals</strong></td>
<td>8</td>
<td>7</td>
</tr>
</tbody>
</table>

The development, as advertised, does not comply with the statutory parking requirements of Clause 52.06-5 of the Moonee Valley Planning Scheme and requires a reduction of one car space associated with Dwelling 4.

Discussion plans have been submitted which removes the studio levels of Dwellings 3 and 4. This results in the alteration of Dwelling 4 to a two bedroom dwelling.
On this basis, the proposed car parking provided on-site will comply with the parking requirements of Clause 52.06. A condition has been included to reference these plans.

The design of car spaces and accessways generally complies with the requirements of Clause 52.06-9.

The application was referred to Council’s Traffic and Transportation Unit who do not object to the proposal subject to conditions relating to the crossover construction and the provision of splays to both the laneway and the St Leonards Road and The Crescent intersection. Appropriate conditions have been included to address these matters with the exception of the splay to the St Leonards Road and The Crescent intersection. The proposed splay to the intersection of St Leonards Road and The Crescent is considered unnecessary and to address concerns with the current splay, there is proposed to be a requirement to remove the existing overgrown vegetation currently obscuring sightlines in the splay area with a condition to install an enduring mitigation solution.

The existing laneway along the western boundary is currently unmade and, given the intensification of the use of the laneway, it is appropriate to include a condition to require the laneway to be appropriately constructed and drained.

The proposed studios have been considered as bedrooms in considering car parking requirements for the site. In relation to the potential uses of this space, they may be used in any number of ways by future residents, including as a bedroom, ‘granny flat’, home office, or any similar use associated with the dwelling. It is noted that due to the layout of Dwellings 1 and 2 and the internal layout of the studios, these spaces cannot be uses as a separate dwelling.

### 3.4 Does the proposal comply with the requirements of Clause 55?

The proposal is considered to generally comply with the provisions of Clause 55 as set out in the assessment table (refer to Appendix D). The following points of exception are assessed below:

#### Table 4

<table>
<thead>
<tr>
<th>Discussion Plans</th>
<th>Requirement</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Three x three bedroom dwellings and One x two bedroom dwelling</td>
<td>7</td>
<td>7</td>
</tr>
<tr>
<td><strong>Totals</strong></td>
<td><strong>7</strong></td>
<td><strong>7</strong></td>
</tr>
</tbody>
</table>

On this basis, the proposed car parking provided on-site will comply with the parking requirements of Clause 52.06. A condition has been included to reference these plans.

The design of car spaces and accessways generally complies with the requirements of Clause 52.06-9.

The application was referred to Council’s Traffic and Transportation Unit who do not object to the proposal subject to conditions relating to the crossover construction and the provision of splays to both the laneway and the St Leonards Road and The Crescent intersection. Appropriate conditions have been included to address these matters with the exception of the splay to the St Leonards Road and The Crescent intersection. The proposed splay to the intersection of St Leonards Road and The Crescent is considered unnecessary and to address concerns with the current splay, there is proposed to be a requirement to remove the existing overgrown vegetation currently obscuring sightlines in the splay area with a condition to install an enduring mitigation solution.

The existing laneway along the western boundary is currently unmade and, given the intensification of the use of the laneway, it is appropriate to include a condition to require the laneway to be appropriately constructed and drained.

The proposed studios have been considered as bedrooms in considering car parking requirements for the site. In relation to the potential uses of this space, they may be used in any number of ways by future residents, including as a bedroom, ‘granny flat’, home office, or any similar use associated with the dwelling. It is noted that due to the layout of Dwellings 1 and 2 and the internal layout of the studios, these spaces cannot be uses as a separate dwelling.

### 3.4 Does the proposal comply with the requirements of Clause 55?

The proposal is considered to generally comply with the provisions of Clause 55 as set out in the assessment table (refer to Appendix D). The following points of exception are assessed below:

#### Table 4

<table>
<thead>
<tr>
<th>Res Code Standard</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clause 55.04-1 (Standard B17 - Side and Rear Setbacks)</td>
<td>The proposed setbacks of the ground and first floor studios of Dwellings 1-4 do not comply with the setback requirements of this Standard. It is considered the proposed 0.7 metre setback from the western boundary is acceptable in this instance as it abuts a laneway that provides sufficient separation from the adjoining property further to the west. Additionally, discussion plans have been submitted which remove the studios of</td>
</tr>
</tbody>
</table>
Dwellings 3 and 4, which will result in these areas complying at first floor level. The proposed first floor bedroom 2 and bathroom, setback 1.25 metres, does not comply with the setback requirement of this Standard. It is considered that the setback is appropriate as it abuts a double storey wall of the adjoining property to the south and is not directly opposite any sensitive area. It is noted that there is some additional overshadowing of the adjoining property, however, this is from 3pm and will not be unreasonable.

It is appropriate to include a condition requiring all first floor habitable room windows be screened in accordance with Clause 55.04-6 (Standard B22 Overlooking) of the Moonee Valley Planning Scheme.

The southern wall of Dwelling 4 is 5.8 metres in height. As such, the width of the secluded private open space area of Dwelling 3 should be 7.2 metres. The proposed width is 5.3 metres, which does not comply with this Standard. It is considered that the width is acceptable in this instance as the area impacted is 3 metres in length with the remainder of the secluded open space area being compliant with this Standard. Additionally, the site is well located to public open space to the south.

### 3.5 Objections (Discussion)

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

#### Table 5

<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.</td>
</tr>
<tr>
<td>Neighbourhood Character</td>
<td>Refer to Section 3.2 of this report for discussion.</td>
</tr>
<tr>
<td>Lack of Landscaping</td>
<td>The site includes sufficient areas within the front setbacks and rear areas of the development for an appropriate landscaping response consistent with the streetscapes.</td>
</tr>
<tr>
<td>Overdevelopment</td>
<td>The proposed density of the development is consistent with the site’s location within an established residential area and urban consolidation objectives of the State Planning Policy Framework.</td>
</tr>
<tr>
<td>Overlooking</td>
<td>Refer to Section 3.4 of this report for discussion.</td>
</tr>
<tr>
<td>Overshadowing</td>
<td>The proposed development complies with Clause 55.04-5</td>
</tr>
</tbody>
</table>
**Issue** | **Officer Response**
---|---
(Standard B21 Overshadowing) of the Moonee Valley Planning Scheme. | 
Visual Bulk | Refer to Section 3.2 of this report for discussion. 
Drainage | The proposal has been reviewed by Council’s Development Engineering (Drainage) Department who have no objection to the proposed development subject to conditions. Specifically, conditions have been included requiring an on-site detention system (condition 17) and the construction of the Right of Way along the western boundary in accordance with Council’s Standard Drawings, with all appropriate drainage infrastructure to Council’s satisfaction. It is considered that these conditions will address any potential drainage concerns. It is noted that the construction of the Right of Way only extends along the abutal with the title boundary with the remaining section to the south of the site being unmade, which is typical in these situations.

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. **Council Plan/Policy**

In presenting this report to Council, it is achieving its strategic objective to ensure there is clear direction for growth and proactive management of development in the city in accordance with MV2040 Strategic Direction 18: A City of High-quality Design.

6. **Conclusion**

The application has been assessed against the relevant provisions of the State Planning Policy Framework, Local Planning Policy Framework, zoning controls, the relevant Particular and General Provisions, and the decision guidelines at Clause 65 of the Moonee Valley Planning Scheme. Additionally, consideration has been given to the requirements of Section 60(1B) of the *Planning and Environment Act 1987* with respect to the number of objections received, and it is considered 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
A: Objector Location (separately circulated)
B: Advertised Plans (separately circulated)
C: Discussion Plans (separately circulated)
D: Clause 55 Table (separately circulated)
10.2 8 Janet Street, Keilor East (Lot 116 on Plan of Subdivision 052639) - Construction of three double storey dwellings

Author: Vi Neilsen - Senior Statutory Planner
Directorate: Planning and Development

<table>
<thead>
<tr>
<th>Planning File No.</th>
<th>MV/358/2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proposal</td>
<td>Construction of three dwellings</td>
</tr>
<tr>
<td></td>
<td>Three double-storey, three-bedroom dwellings</td>
</tr>
<tr>
<td></td>
<td>Dwelling 1 facing Janet Street with Dwellings 2 and 3 located at the rear</td>
</tr>
<tr>
<td>Applicant</td>
<td>Your Design Group</td>
</tr>
<tr>
<td>Owner</td>
<td>Ms E J Ross</td>
</tr>
<tr>
<td>Planning Scheme Controls</td>
<td>General Residential Zone</td>
</tr>
<tr>
<td>Planning Permit Requirement</td>
<td>Clause 32.06-8 – Construct two or more dwellings</td>
</tr>
<tr>
<td>Car Parking Requirements (Clause 52.06)</td>
<td>Required – 6 spaces</td>
</tr>
<tr>
<td></td>
<td>Proposed – 6 spaces</td>
</tr>
<tr>
<td>Bicycle Requirements</td>
<td>N/A</td>
</tr>
<tr>
<td>Restrictive Covenants</td>
<td>None</td>
</tr>
<tr>
<td>Easements</td>
<td>There is a 1.83 metre wide drainage and sewerage easement located along the eastern (rear) boundary of the allotment</td>
</tr>
<tr>
<td>Site Area</td>
<td>650.2 square metres</td>
</tr>
<tr>
<td>Number Of Objections</td>
<td>26</td>
</tr>
<tr>
<td>Consultation Meeting</td>
<td>3 December 2018</td>
</tr>
</tbody>
</table>

Executive Summary
- The application seeks planning permission for the construction of three double storey dwellings.
- The site which is located on the eastern side of Janet Street, Keilor East within an established residential area, is rectangular in shape with a site area of 650.2 square metres.
• The application was advertised with twenty six (26) objections received. Concerns were raised primarily in relation to neighbourhood character, traffic and car parking and off-site amenity impacts.

• A Consultation Meeting was held on 2 December 2018, which was attended by Councillors Sipek and Byrne, the permit applicant, objectors and Council’s planning officer.

• The development is consistent with the Garden Court 4 neighbourhood character precinct profile, subject to minor conditions.

• The proposal achieves a high level of compliance with the quantifiable standards of ResCode. Conditions are proposed to be imposed to improve the design details of the development and meet the standard requirements for daylight and overlooking. A variation is considered acceptable for a partial encroachment of Dwelling 2 into the required street setback to Janet Street and the provision of solar access to the secluded private open space of Dwelling 2.

• The proposal does not achieve the mandatory 35% Garden Area in accordance with Clause 32.08-4, General Residential Zone of the Moonee Valley Planning Scheme. The shortfall could be resolved by any condition of permit.

• Overall, this assessment report finds the proposal demonstrates sufficient compliance with the Garden Court 4 neighbourhood character precinct profile of the Moonee Valley Planning Scheme. It is recommended a Notice of Decision to Grant a Permit be issued subject to conditions.

Figure 1: Aerial photograph of subject site and surrounds
Recommendation

That Council issue a Notice of Decision to Grant a Permit in relation to Planning Permit Application No. MV/358/2018 for the construction of three dwellings at 8 Janet Street, Keilor East (Lot 116 on Plan of Subdivision 052639), subject to the following conditions:

Endorsement Conditions

1. Before the development starts, amended plans must be submitted to and approved to the satisfaction of the Responsible Authority. The amended plans must be drawn to scale and an electronic copy must be provided. The plans must be generally in accordance with the plans submitted and assessed with the application but modified to show:
   a) The number of bedrooms to Dwelling 1 corrected to be a three bedroom dwelling;
   b) The development set aside no less than 35% of the site for Garden Area with no reductions to the setbacks in accordance with Clause 32.08-4 (Minimum garden area requirement) of the Moonee Valley Planning Scheme;
   c) The first floor east facing, bedroom 2, ensuite and bathroom wall of Dwelling 3 setback 0.5 metres from the ground floor footprint with no changes to any other setback;
   d) The first floor internal facing, east and west walls of Dwelling 2 be constructed below the eave;
   e) A revised External Materials and Finishes Schedule to incorporate greater red, cream or brown tones to the main external wall cladding in accordance with the Garden Court 4 Precinct Profile;
   f) The ground floor garage wall and associated first floor of Dwelling 2 to be set back in accordance with the requirements of Standard B19 of Clause 55.04-3 (Daylight to Existing Windows) of the Moonee Valley Planning Scheme;
   g) The first floor, south facing bedroom 4 window of Dwelling 1 and the first floor, west facing master bedroom and east facing bedroom 2 window of Dwelling 3 be screened in accordance with Standard B22 of Clause 55.04-6 (Overlooking) of the Moonee Valley Planning Scheme;
   h) A head clearance of 2.1 metres to all garage doors in an open position;
   i) All BESS sustainable design initiatives and associated notations to be shown on the relevant plans as required by Condition 6; and
   j) Landscape Plan in accordance with Condition 7.

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

2. The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.

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

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

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

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

5. A maximum 30 days following completion of the development, a WSUD Maintenance Program must be submitted to and approved by the Responsible Authority which sets out future operational and maintenance arrangements for all WSUD measures. The program must include, but is not limited to:

a) inspection frequency;

b) cleanout procedures;

c) as installed design details/diagrams including a sketch of how the system operates; and

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

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

6. Before the development commences, an amended BESS Report that outlines proposed design initiatives must be submitted to and approved by the Responsible Authority. The amended BESS Report shall refer to the endorsed plans. Upon approval the BESS Report will be endorsed as part of this planning permit and the development must incorporate the sustainable design initiatives outlined in the endorsed BESS Report to the satisfaction of the Responsible Authority. The BESS Report must be generally in accordance with the BESS Report submitted with the application, but modified as follows:

a) Any changes as a result of Condition 1.

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

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

a) Any changes required by Condition 1 of this permit;
b) A planting schedule of all proposed vegetation (trees, shrubs and ground covers) which includes, botanical names, common names, pot size, mature size and total quantities of each plant;
c) The use of drought tolerant species;
d) The provision of two (2) canopy trees within the front setback which are able to achieve a minimum mature height of 4 metres;
e) The provision of one (1) canopy tree within the secluded private open space areas of Dwellings 1 and 3;
f) Features such as paths, paving and accessways;
g) All planting abutting the accessway(s) and land frontage to have a maximum mature height of no more than 900mm in accordance with Clause 52.06-8 (Design Standards for car parking) of the Moonee Valley Planning Scheme;
h) No tree planting within the rear easement; and
i) An appropriate irrigation system.

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

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

End of Endorsement Conditions

Development Conditions

8. Before the buildings approved by this permit are occupied, all boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority if the owner of the adjoining land allows access for the purpose.

9. Buildings or works must not be constructed over or adjacent to any easement or within one metre of an existing Council drainage asset without the prior written consent of Council (or of the authorities or agencies with an interest in the easement) to the satisfaction of the Responsible Authority.

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

11. All pipes, fixtures, fittings, ducts and vents servicing any building on the land, other than gutters above the ground floor storey of the building, must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.

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

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

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

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

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

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

15. Prior to the issue of an Occupancy Permit, all boundary fencing must be erected. The cost of such fencing must be met by the owner and carried out to the satisfaction of the Responsible Authority.

16. The development must be provided with external lighting capable of illuminating access to each garage, car parking space and pedestrian walkways. Lighting must be located, directed and shielded and of limited intensity so that no nuisance or loss of amenity is caused to any person within or beyond the site to the satisfaction of the Responsible Authority.

17. The following street tree protection measures must be undertaken:
   a) The street tree located within the Janet Street frontage of the land must be barricaded out using portable cyclone fencing for the duration of the development. Costs of such fencing must be borne by the developer and/or permit holder;
b) No pruning of the street tree located within the Janet Street frontage of the land is to be undertaken by any party other than Moonee Valley City Council; and

c) No building materials are to be stacked and/or dumped on any nature strip during construction.

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

19. This permit will expire if:

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

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

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

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

Permit Notes

- This is not a building permit under the Building Act. A separate building permit is required to be obtained for any demolition or building works.

- Before the development starts, the permit holder must contact Moonee Valley City Council 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 property to pre-development levels in accordance with the following: Cw=0.4, tc=10mins, tso=5mins, ARI 1 in 5. An ARI of 1 in 10 shall be used for storage and the greater of post development Cw or Cw=0.80.

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

- Existing levels along the property line and easements must be maintained. All proposed levels must match to existing surface levels along the property boundary and or easement. Council will not accept any modifications to existing levels within any road reserve or easement.

- No on-street parking permits will be provided to occupiers of the subject site.
1. Introduction

1.1 Subject Site and Surrounds

The subject property is located on the east side of Janet Street, Keilor East. The site is rectangular in shape with a width 15.24 metres and length of 42.67 metres with a total site area of 650.2 square metres. There is a 1.83 metre wide drainage and sewerage easement located along the eastern (rear) boundary of the site.

The subject site currently accommodates a single storey dwelling with the accessway, carport and garage located to the southern side of the site’s frontage.

The site is sparsely vegetated with an existing street tree located within the Janet Street, road reserve.

1.2 Proposal

Table 1

<table>
<thead>
<tr>
<th>Description</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>No of dwellings</td>
<td>3 double storey dwellings</td>
</tr>
<tr>
<td>No of car spaces</td>
<td>Six (6) car parking spaces</td>
</tr>
<tr>
<td>Max Building Height</td>
<td>7.49 metres</td>
</tr>
<tr>
<td>Site Coverage</td>
<td>40.4%</td>
</tr>
<tr>
<td>Permeability</td>
<td>32.1%</td>
</tr>
</tbody>
</table>

Residential development in proximity of the subject site is varied, with a mixture of single detached dwellings, some with first floor extensions as well as some multi-unit developments in the street and surrounds.
Refer **Appendix A** Plans (separately circulated).

2. **Background**

2.1 **Relevant Planning History**

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

2.2 **Planning Policies and Decision Guidelines**

**Planning Policy Framework**

- Clause 11 Settlement
- Clause 12 Environmental Landscape Values
- Clause 13 Environmental Risks and Amenity
- Clause 14 Natural Resource Management
- Clause 15 Built Environment and Heritage
- Clause 16 Housing
- Clause 18 Transport
- Clause 19 Infrastructure

**Local Planning Policy Framework**

- Clause 21.03 Vision
- Clause 21.04 Sustainable Environment
- Clause 21.05 Housing
- Clause 21.06 Built Environment
- Clause 21.09 Transport
- Clause 21.10 Social and Physical Infrastructure
- Clause 22.03 Stormwater Management (Water Sensitive Urban Design)

**Zoning**

- Clause 32.08 General Residential Zone

**Overlays**

- None

**Particular and General Provisions**

- Clause 52.06 Car Parking
- Clause 55 Two or More Dwellings on a Lot
- Clause 65 Decision Guidelines
- Clause 71.02-3 Integrated Decision Making

2.3 **Referrals**

**External Referrals**
AusNet Gas Services  
- No objection subject to standard conditions.

**Internal Referrals**

Engineering Services Unit  
- No objection subject to standard conditions.

Traffic and Transportation Unit  
- No objection subject to standard conditions.

Environmental Sustainable Design (ESD) Officer  
- No objection subject to standard conditions.

### 2.4 Public Notification of the Application

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

Notification attracted 26 objections from 26 properties detailed at **Appendix B** of this report. The objections are discussed at Section 3.6 of this report.

### 2.5 Consultation Meeting

A Consultation Meeting was held on 3 December 2018, which was attended by Councillors Sipek and Byrne, the permit applicant, objectors and Council’s planning officer. No resolution was reached at this meeting.

### 3. Discussion

#### 3.1 Planning Policy and Local Planning Policy Framework

The proposal is considered to comply with the relevant Planning Policy Framework and Local Planning Policies. Generally, these objectives seek to encourage urban consolidation in locations which take advantage of existing commercial and community services and public transport.

The site offers an opportunity for redevelopment considering its size and location in a residential area. The proposal represents an appropriate degree of housing intensification and contributes to the objective of housing diversity, providing a mix of dwelling sizes and styles that will cater for the increasingly diverse needs of future residents.

The proposal generally complies with the requirements of Clause 21.04-3 (Ecologically Sustainable Development), Clause 22.03 (Water Sensitive Urban Design) and Clause 53.18 (Stormwater Management in Urban Development) through the use of ecological sustainable design principles. The development incorporates the use of rain water tanks (connected to toilets) and enviiss pits to capture and reuse stormwater, demonstrating a commitment to design measures which will reduce the environmental impact of the development. An assessment against the STORM report is compliant, however an amended BESS Report and plan annotations will be required as a condition of any permit.
The proposal accords with the objectives of Clause 21.04-7 (Waste) as the development encourages the use of recycling and achieving best practice in waste minimisation.

The proposal accords with the objectives of Clause 21.05 (Housing) by increasing housing opportunities to meet growing population needs, providing diversity of housing choice in a well-established area with access to public transport options and local/community services.

The proposed development is considered to adequately respond to the key objectives and strategies of Clause 21.06 (Built Environment). The key concepts of this clause are assessed against the Neighbourhood Character Precinct Profile Guidelines within Section 3.3 of this report.

The proposal complies with the provisions of Clause 71.02-3 (Integrated Decision Making), subject to conditions. As discussed throughout this report, the proposal addresses aspects of economic, environmental and social well-being by balancing conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations.

3.2 Clause 32.08-4, Garden Area of the General Residential Zone

The proposal does not achieve a minimum garden area requirement of 35% prescribed by Clause 32.08-4 of the Moonee Valley Planning Scheme for a lot between 650+ square metres.

The proposal presents a total garden area of (approximately 221.3 square metres) 34%, therefore the proposal does not meet this mandatory requirement. This shortfall could easily be achieved through reducing the area of built form through any condition of permit.

The development sits well below the height (11 metres) and storeys (3 storeys) requirement of this Clause.

3.3 Neighbourhood Character Guidelines

The subject site is located within the Garden Court 4 neighbourhood character precinct. The precinct profile sets out the following preferred character statement:

‘New developments will enhance the predominant siting and finishes of this precinct, with well-maintained low garden settings. The use of brick with tiled rooftops will contribute to the dominant palette of materials. Consistent front and side setbacks will reinforce the garden setting, while low or permeable front fences will provide views to dwellings and front gardens’.
Architectural styles
The development has been designed to complement the existing building forms and siting of original dwellings in the street. The style and proportions of the development including roof form are reflective of the conventional dwellings.

The proposal incorporates contemporary framed porches and parapet walls; these features appropriately fit the scale of the streetscape while providing a subtle difference between old and new housing stock as sought by this character element.

Building height, form and layout
The design of the dwellings’ front facades have been appropriately articulated through the use of setbacks, recesses, framed porches and large windows as sought by this character element.

It is acknowledged the development incorporates some sheer two storey walls. Particular reference is made to the first floor eastern wall of Dwelling 3 which faces the adjoining sensitive interfaces. To alleviate the appearance of sheer and linear two storey forms, a condition of permit will require the first floor east facing bedroom 2, Walk in Robe and bathroom of Dwelling 3 be setback at least 0.5 metres from the ground floor footprint.

It is acknowledged Dwelling 2 incorporates cantilevered overhang to parts of the southern wall, however it is well set back from the site’s frontage and side boundary and therefore will not appear imposing from the street or adjoining residential interfaces.

The first floor internal facing, east and west walls of Dwelling 2 are constructed above the dwelling eaves. These walls are obliquely visible and presents unarticulated, boxy and bulky forms which is discouraged by this character element. As such, a condition of any permit will require these walls be constructed below the eave of the dwelling.

Building materials, design and details
The development incorporates timber cladding around some windows frames and external walls. The use of this material articulates and contributes to natural tones common in the streetscape, however the remainder of the external walls’ cladding are predominately greys and whites. This is stark and uncharacteristic of the street. As such, a condition of any permit will require a revised External Materials and Finishes Schedule to incorporate greater red, cream or brown tones to the main external wall cladding.

Roof styles
The development appropriately incorporates hipped roof forms with prominent eaves. This appropriately complements the predominant roof styles of dwellings in the streetscape.
Siting and setbacks

The development maintains and reinforces the pattern of dwellings in the street. Through the appropriate front and side boundary setback to Dwelling 1 which reflects an appropriate transition to the adjoining properties and maintains the rhythm of boundary setbacks along Janet Street. Further, the tandem typology of the development appropriately retains the traditional appearance of a single dwelling from the street sought by this character.

Garages, carports and outbuildings

The garage to Dwelling 1 is set back behind the front wall with the remainder of the garages located towards the rear of the site.

Garden styles

Subject to a formal landscape plan as required by any condition of permit, there is sufficient area within the front setback, along the accessways and rear secluded private open spaces of Dwellings 1 and 2 for landscaping planting, including canopy trees to contribute and enhance the garden settings of dwellings as sought by this character element.

The proposed crossover is well setback from the existing street tree located within the Janet Street, road reserve and the retention of this tree provides an immediate landscape benefit to the street and surrounds.

Front fencing

No front fence is proposed, and it is not uncommon to see sites without front fencing along Janet Street, Keilor East. Subject to an appropriate landscaping response, the planting of trees and vegetation within the front setback will define the site’s front garden setting whilst maintaining clear views to the dwellings as sought by this character element.

3.4 Compliance with Clause 52.06 (Car Parking)

<table>
<thead>
<tr>
<th>Car parking</th>
<th>Requires</th>
<th>Provides</th>
</tr>
</thead>
<tbody>
<tr>
<td>Three x 3-bedroom dwellings</td>
<td>6</td>
<td>6</td>
</tr>
<tr>
<td>Total</td>
<td>6</td>
<td>6</td>
</tr>
</tbody>
</table>

The proposal provides the required car parking provision for each dwelling as set out in Clause 52.06 of the Moonee Valley Planning Scheme. Furthermore, Council’s Traffic and Transport Unit has assessed the design layout of the car parking and access arrangement as acceptable, subject to a condition of any permit requiring the headroom clearance of the garage doors be a minimum of 2.1 metres in an open position.

Swept paths for B85 vehicles have been provided demonstrating all cars are able to efficiently access and egress the site, including vehicles to Dwellings 2 and 3 are designed to exit the site in a forwards direction in accordance with Design Standard 1 (Accessways) of Clause 52.06, Car parking. While swept paths for B99 vehicles have not been provided, there
is sufficient area for vehicles to swing into the site from the Janet Street road reserve.

### 3.5 Does the proposal comply with the objectives and standards of ResCode?

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

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

### 3.6 Clause 55 / Compliance with the other provisions of the Planning Scheme

#### Table 3

<table>
<thead>
<tr>
<th>ResCode Standard</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clause 55.02-1</td>
<td>Refer to assessment in Section 3.3 of this report.</td>
</tr>
<tr>
<td>(Standard B1 – Neighbourhood character)</td>
<td></td>
</tr>
<tr>
<td>Clause 55.03-1</td>
<td>The dwelling requires a setback of 7.59 metres from the street. Dwelling 1 is setback 7.5 metres. The minor variation to the setback is appropriate given street setbacks along Janet Street range between 5.96 metres and 9.46 metres and will not result in the development standing out within the streetscape.</td>
</tr>
<tr>
<td>(Standard B6 – Street setback)</td>
<td></td>
</tr>
<tr>
<td>Clause 55.04-3</td>
<td>To ensure sufficient daylight is maintained to the adjoining dwelling at 10 Janet Street, Keilor East, a condition of any permit will require the ground floor garage wall and associated first floor of Dwelling 2 setbacks and height be clearly nominated on the plans and designed in accordance with this Standard.</td>
</tr>
<tr>
<td>(Standard B19 – Daylight to existing windows)</td>
<td></td>
</tr>
<tr>
<td>Clause 55.03-8</td>
<td>Refer to assessment in Section 3.3 of this report.</td>
</tr>
<tr>
<td>(Standard B13 - Landscaping)</td>
<td></td>
</tr>
<tr>
<td>Clause 55.04-6</td>
<td>To minimise unreasonable overlooking a condition of permit will require the following windows be screened in accordance with this Standard:</td>
</tr>
<tr>
<td>(Standard B22 – Overlooking)</td>
<td></td>
</tr>
<tr>
<td>Clause 55.05-5</td>
<td>Part of Dwelling 2 secluded private open space is</td>
</tr>
</tbody>
</table>
3.7 Objections

An officer’s response to the objections received is included in Table 4 below.

**Table 4**

<table>
<thead>
<tr>
<th>Issue</th>
<th>Officers Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Neighbourhood character</td>
<td>Refer to response in Sections 3.3 and 3.5 of this report.</td>
</tr>
<tr>
<td>Overdevelopment</td>
<td>The development accords with the site coverage, permeability, street setback, side and rear setback and building height requirements of Clause 55, ResCode of the Moonee Valley Planning Scheme, as such the proposal is not considered an overdevelopment of the site. The shortfall of the Garden Area requirement of Clause 32.08 is minor and can be achieved through a condition of any permit and without any significant change to the overall building footprint.</td>
</tr>
<tr>
<td>Overlooking</td>
<td>Conditionally, the development can be made to accord with Standard B22 (Overlooking) of Clause 55, ResCode as discussed in Section 3.5 of this report.</td>
</tr>
<tr>
<td>Overshadowing</td>
<td>Conditionally, the development can be made to accord with Standard B19 (Daylight to existing windows) of Clause 55, ResCode as discussed in Section 3.5 of this report.</td>
</tr>
<tr>
<td></td>
<td>The remainder of the development accords with Standard B20 (North facing windows) and Standard B21 (Overshadowing open space) of Clause 55, ResCode.</td>
</tr>
<tr>
<td>Residential noise</td>
<td>The proposed residential development is consistent with the purpose of the zone</td>
</tr>
<tr>
<td>Issue</td>
<td>Officers Response</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
<td>--------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>(Residential 1 Zone). Further, the proposed residential use is unlikely to generate substantial noise greater than expected in a typical residential area.</td>
<td></td>
</tr>
<tr>
<td>Increased traffic</td>
<td>Council’s Traffic and Transport Unit has assessed the proposal and raised no concern with regard traffic congestion and impact.</td>
</tr>
<tr>
<td>Lack of car parking provision</td>
<td>The development provides the required on-site car parking provision in accordance with Clause 52.06 (Car Parking) of the Moonee Valley Planning Scheme.</td>
</tr>
<tr>
<td>Vehicular hazards</td>
<td>The development provides the required vehicular sightline in accordance with Clause 52.06 (Car Parking) of the Moonee Valley Planning Scheme.</td>
</tr>
<tr>
<td>Precedent</td>
<td>This is not a planning consideration.</td>
</tr>
<tr>
<td>Loss of family and neighbourhood values</td>
<td>This is not a planning consideration. There is no evidence to suggest a correlation between multi-unit developments and the loss of family and neighbourhood values.</td>
</tr>
<tr>
<td>Compliance with relevant Legislation</td>
<td>The development density is consistent with relevant planning policy as discussed in Section 3.1 of this report.</td>
</tr>
<tr>
<td>Inappropriate size of the rain water tanks</td>
<td>Council’s ESD Officer has assessed the size of the rain water tanks and in relation to the proposed roof catchment area are considered acceptable.</td>
</tr>
</tbody>
</table>

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

5. Council Plan/Policy
In presenting this report to Council, the strategic objective to ensure there is clear direction for growth and proactive management of development in the city in accordance with MV2040 Strategic Direction 18: A city of high-quality design is supported.

6. Conclusion
The application has been assessed against the relevant provisions of the Planning Policy and Local Planning Policy Framework the relevant Particular and General Provisions of the Moonee Valley Planning Scheme. In light of the above, it is considered the proposal should be supported, subject to conditions.
Attachments

A: Plans (separately circulated)  📄
B: Objectors List (separately circulated)  📄
C: ResCode Table (separately circulated)  📄
10.3 Flemington Community @Debneys Park - Draft Concept Options

Author: Ruth Robles McCell - Major Community Facilities Program Manager

Directorate: Planning and Development

1. Purpose

1.1 To seek Council approval to release the draft design options for the development of Debneys Park and Flemington Community Hub for the purpose of community consultation.

2. Background

2.1 MV2040 identifies a new Flemington Community Hub as a neighbourhood infrastructure priority. Responding to MV2040 priorities and consultation findings, a new park vision and eight site ‘strategies’ guide the design options (outlined in confidential Attachment B).

2.2 On 26 June 2018, Council committed $40 million in its Long Term Capital Works Budget to develop the new community hub and improvements to Debneys Park.

2.3 The project is listed as a priority in Council’s Advocacy Strategy.

2.4 The hub element of the project is expected to be delivered over four years, including the concept planning component beginning in 2018/2019, through to final construction planned for 2021/2022.

2.5 The design options are based on policy directions, comprehensive site analysis and prior community consultation, as outlined in the confidential Attachment B.

3. Issues

3.1 The design options respond to a range of potential future short, medium and long term scenarios with supporting rationale for the concepts provided in Attachment C which include the following:

3.1.1 Reimagining the current Debney Meadows Primary School site, should the school operate outside of Debneys Park at any stage in the future. While these concepts have been discussed with the Department of Education and Training (DET), the Department has not endorsed these plans and has no plans to relocate Debney Meadows Primary School. Option 1 does not impact the school site, while Options 2 and 3 could be staged depending on the retention or otherwise of the school buildings in this location;

3.1.2 The Department of Health and Human Services’ development of the Flemington Housing Estate;

3.1.3 The potential reimagining of 220 Racecourse Road, Flemington (site of the Hopetoun Children’s Centre) which ideally may be a future green space ‘entrance’ to the precinct of Debneys Park,
inviting the community to wander down Holland Court to visit the new Hub and open space.

3.2 Each design option presents a differing precinct theme, structure and elements, which would provide distinct user experience. Consistent within each are the following provisions:

3.2.1 Fit for purpose community hub (including a community hall, multi-purpose meeting rooms, co-working spaces, a community kitchen and large foyer)

3.2.2 Two-court indoor highball facility (incorporating adaptable uses)

3.2.3 Community sports pavilion

3.2.4 Café and kitchen garden

3.2.5 Upgraded pedestrian and cycle paths

3.2.6 Play spaces and passive recreation facilities (barbecue, picnic areas)

3.2.7 Outdoor sports infrastructure

3.2.8 Wetlands and water features connecting with Moonee Ponds Creek

3.2.9 Opportunity to consolidate family and children’s service facilities (in options one and two only).

Recommendation

That Council resolves to approve the release of the three concept options for community consultation from 27 March 2019 for a period of six weeks, noting the $40 million budget available for the project is sufficient to cover only the Hub component of the broader, long-term plan.

Attachments

A: Impact assessment

B: Concept Options (separately circulated) (confidential)

C: Supporting Rationale for Concepts (separately circulated)
Impact assessment

1. Relationship to Council commitment MV2040 or Council Plan
   
   1.1 Council’s commitment to delivering community hubs are referenced in the following MV2040 themes, objectives and actions:

<table>
<thead>
<tr>
<th>Theme</th>
<th>Objective</th>
<th>Actions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fair - qente boordup</td>
<td>2.2 Provide an accessible network of community facilities</td>
<td>2.2.1</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2.2.2</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2.2.3</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2.2.4</td>
</tr>
<tr>
<td>Thriving – bandingith</td>
<td>6.3 Provide dynamic libraries as part of community hubs</td>
<td>6.3.1</td>
</tr>
<tr>
<td></td>
<td></td>
<td>6.3.3</td>
</tr>
<tr>
<td></td>
<td></td>
<td>6.3.4</td>
</tr>
<tr>
<td></td>
<td></td>
<td>6.3.5</td>
</tr>
<tr>
<td>8.3 Support and extend the reach of our arts sector</td>
<td>8.3.1</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>8.3.2</td>
</tr>
<tr>
<td>8.4 Support a network of leisure, recreation and sporting opportunities for all</td>
<td>8.4.2</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>8.4.4</td>
</tr>
<tr>
<td></td>
<td></td>
<td>8.4.5</td>
</tr>
<tr>
<td></td>
<td></td>
<td>8.4.6</td>
</tr>
</tbody>
</table>

   1.2 Delivering ‘a vibrant new community hub at Debeys Park that includes co-working spaces and recreational elements’ is an implementation initiative for the Flemington neighbourhood in MV2040 and the MV2040 Action Plan – Community Facilities.

2. Legislative obligations
   
   2.1 Council has legislative responsibilities under provisions of the Local Government Act 1889 (Vic):

   2.1.1 (1) (a) to promote the social, economic and environmental viability and sustainability of the municipal district;

   2.1.2 (1)(e) to ensure that services and facilities provided by the Council are accessible and equitable

3. Legal implications
   
   3.1 Legal advice is being sought with regards to Council land on which Debeys Meadows Primary School is built. Officers are seeking clarification on landowner and occupier rights & responsibilities.

4. Risks
4.1 A risk workshop facilitated by the Project Team identified key risks associated with the life of this project. For this stage, the relevant risks identified are:

4.1.1 Community not happy/disengaged with concept options - the project team are working closely with the Flemington Neighbourhood Advisory Group and have tested the concept options via a rigorous internal stakeholder review process. The communications and engagement plan has been designed to gather views from a wide range of community groups and individuals and this feedback will inform a comprehensive review of the options leading to a preferred option which will come back to Council for endorsement later this year.

4.1.2 Project Scope - prolonged exploration of scope may lead to increased footprint or offerings which may not be sustainable. This is addressed by ensuring robust project governance, a clearly defined scope statement once a preferred option is finalised and approval by Project Board & Council at Key Decision Points.

4.1.3 Project dependencies on external parties – a number of external projects at varying stages of maturity are proposed for Flemington and surrounds which may impact on the way this project is delivered. The project team are working in partnership with Department of Education, and consulting with Department of Health & Human Services & City of Melbourne and other external stakeholders to ensure we are well informed and connected with what is happening around the project site.

To note: Option 1 does not impact the school site, while Options 2 and 3 could be staged depending on the retention or otherwise of the school buildings in this location.

5. Social impact assessment

5.1 Each design option presents improved facilities and park elements that respond to comprehensive needs analysis, delivering improved access to essential services, opportunities for social engagement and improved opportunities sport and recreation.

6. Economic impact assessment

6.1 The concept plan options include spaces for the creation of new social enterprises and micro-businesses to boost the local economy. Services delivered at the community hub will create lasting alternative employment pathways, particularly for young people.

6.2 The new community hub and enhanced Deboneys Park will be a catalyst for urban renewal and public realm improvements to the neighbourhood
and provide the people of Moonee Valley greater access to job opportunities.

7. Environmental impact assessment

7.1 Each option seeks to deliver optimal environmental performance through:

7.1.1 enhancing and expanding the provision of open space
7.1.2 integrating with the Moonee Ponds Creek (consistent with the Chain of Ponds: Moonee Ponds Creek Plan, Draft 2019)
7.1.3 achieving a 6 star Environmental Sustainable Design performance
7.1.4 achieving a 30 per cent canopy coverage and protecting significant trees
7.1.5 harvesting stormwater for sports field and open space irrigation
7.1.6 addressing soil contamination issues.

8. Reputational impact assessment

8.1 The communications and engagement plan has been designed to gather views from a wide range of community groups and individuals and to showcase Moonee Valley’s commitment to delivering MV2040 initiatives.

8.2 Successful delivery of the project will enhance Council’s reputation as an organisation capable delivering state of the art, innovative and vital major projects.

9. Financial implications

9.1 A total of $40 million has been allocated in Council’s capital works budget for delivery of the project. It is noted this is likely to only cover the Hub component of the overall project and the broader elements will need to be funded over time.

9.2 The project is anticipated to deliver financial benefits to the local economy by providing spaces for the creation of new social enterprises and micro-businesses; employment and education services.

9.3 The Flemington community centre and Debeens Park sports pavilion both have substantial building condition and functionality issues. Their ongoing operational and maintenance costs will be reduced in a well-designed and efficiently operated community hub.

9.4 Preliminary cost planning is underway with a view to ensuring the project prioritises the best and highest needs identified by research and the community during the next phase of engagement.
10. Sensitivity / scenario analysis

10.1 The design options respond to a range of future scenarios, including:

10.1.1 Reimagining the current Debney Meadows Primary School site, should the school operate outside of Debneys Park at any stage in the future. While these concepts have been discussed with the Department of Education and Training (DET), the Department has not endorsed these plans and has no plans to relocate Debney Meadows Primary School. Option 1 does not impact the school site, while Options 2 and 3 could be staged depending on the retention or otherwise of the school buildings in this location;

10.1.2 Department of Health & Human Services development of the Flemington Housing Estate

10.1.3 The potential reimagining of 220 Racecourse Road, Flemington (site of the Hopetoun Children’s Centre) which ideally may be a future green space ‘entrance’ to the precinct of Debneys Park, inviting the community to wander down Holland Court to visit the new Hub and open space.

10.2 Each scenario is addressed in the project risk register, project budget, consultation and advocacy programs.

11. Conflict of interest declaration

11.1 No officer involved in the preparation of this report has any direct or indirect interest in this matter or the decision.

12. Consultation undertaken or planned

12.1 This project involves many key supporters and stakeholders including facility users, community groups, Councillors and council officers, Government departments and agencies.

12.2 On 22 May 2018, Council noted that the project team would be undertaking community consultation for the planning of this project. Throughout June – December 2018, a coordinated series of activities, including targeted face to face meetings, project newsletters, drop-in sessions, and online surveys were completed. The three concepts presented are a direct result of what we have heard over that period.

12.3 The Flemington Neighbourhood Advisory Group (FNAG) consists of members of the community who meet regularly to provide input into projects relating to the whole Flemington neighbourhood. The project team has collaborated with and involved FNAG members throughout the past 6 months to review and feed into the project vision, opportunities and challenges paper and most recently the three concept designs.
12.4 The next step is to proceed to community consultation on the three options. This program is predominantly externally focused. It is separate to the internal engagement program that has been implemented as part of the refinement of concept design options in readiness for public release.

12.5 Advocacy activities are also subject to separate (but aligned) engagement.

12.6 The purpose of this stage is:

12.6.1 To present the three distinct concept design options.

12.6.2 To seek feedback on – what is most / least liked about each, which is preferred and why.

12.6.3 To consider the design character and seek feedback on the preferred character (how people want to feel when they use the park and hub).

12.6.4 To inform Council’s decision on a preferred design to progress into design development.

12.6.5 To review scope through prioritisation of infrastructure elements included in the concepts.

12.7 Our proposed consultation window is 27 March to 12 May 2019. The six week period is extended due to:

12.7.1 School holidays: Mon 8 April to Fri 19 April.

12.7.2 Public holidays: Good Friday 19 April, Easter Monday 22 April, Anzac Day 25 April.

12.7.3 Ramadan commences 4 May
10.4 Welcoming Cities Network and supporting Diversity Statement update

Author: Kate McCaughey - Manager Community Planning
Directorate: Planning and Development

1. Purpose
1.1 To seek Council endorsement to join the Welcoming Cities network and provide an update on recent initiatives celebrating cultural diversity in Moonee Valley.

2. Background
2.1 Over the past 12 months Council has considered and endorsed two key reports regarding cultural diversity, including:

   2.1.1 The Standing Together and Supporting Diversity Statement (27 March 2018 ordinary meeting) and
   2.1.2 The Joint Council Statement against changes to the Status Resolution Support Services (SRSS) program for people seeking asylum (11 September 2018 ordinary meeting).

2.2 These resolutions included a number of associated follow-up actions. A status update on these actions is provided in Attachment B.

2.3 At the Ordinary meeting of 11 September 2018, Council endorsed:

   2.3.1 The Joint Mayoral Taskforce campaign against changes to the Status Resolution Support Services. As a result Council has since provided $1,000 toward the campaign together with an in-kind contribution in the form of advocacy support. The campaign’s first stage took place in the lead-up to the State Election in November 2018 with a media event taking place at the VLGA, attended by Cr Cusack. In the lead-up to the federal election the campaign has now entered its second stage with members of the community encouraged to sign the petition against the cuts or write to their Federal MP voicing their concern. The campaign is run with support from the agency, Social Change Projects. Moonee Valley regularly attends taskforce meetings and continues to contribute in-kind advocacy support. Further information is available at http://backyourneighbour.com.au/

   2.3.2 An additional item “…that Moonee Valley City Council will explore joining the Welcoming Cities Network and provide a further update to Council in 2019.” On 20 November 2018, Bel Schenk of the Welcoming Cities organisation presented to Council regarding their work and opportunities for participating member Councils.

3. Issues
3.1 Moonee Valley is culturally rich and diverse. More than a quarter (28 per cent) of residents were born overseas; and a third (30 per cent) speak a language other than English at home (ABS Census 2016). In addition, 63
per cent of Moonee Valley residents value living in Moonee Valley because of its multiculturalism (Moonee Valley Community Survey 2017).

3.2 Approximately 135 municipalities around the world (including 29 in Australia) have become members of the Welcoming Cities Network. The Welcoming Cities movement has grown in recent years to support local councils and their communities become more welcoming and inclusive. “Welcoming” is about inclusion at all levels; and is a process by which local councils, businesses and communities can embrace and integrate migrant communities for greater social cohesion and economic success.

3.3 Joining the network requires Councils to “…join, and participate in, a network of cities and communities that are committed to becoming more welcoming and inclusive” (welcomingcities.org.au). A summary of issues and opportunities relating to membership of the Welcoming Cities network is outlined in Attachment C. Councils are required to sign a form to formalise its’ commitment as outlined in Attachment D.

3.4 Joining the Welcoming Cities network would:

3.4.1 Complement, showcase and enhance Council’s existing commitment and leadership to cultural diversity. Attachment B provides a summary of cultural diverse activities, programs and projects supported or delivered by council in the past 12 months. Council has delivered or supported (through funding or in-kind support) almost 50 projects fostering diversity in Moonee Valley over the past 12 months.

3.4.2 Inform and be a useful resource in the development of the MV2040 Fair Action which is in preparation.

3.4.3 Provide access to best practice cultural diversity and inclusion programs through knowledge sharing; partnership development; sector recognition and accreditation using the Australian Standard for Welcoming Cities (the Standard). The Standard allows Councils to: benchmark their cultural diversity and inclusion policies and practices across the organisation; identify where and how further efforts could be directed; and assess progress over time.

3.5 Whilst accreditation can bolster organisations’ on-going capacity and systems, it is possible to be an active member of the network without undergoing the accreditation process. That is, member Councils are able to remain as a ‘Committed’ member and participate in the network (access resources and best practice) without going through the formal accreditation process. A decision to undertake the accreditation will be considered (including resources required) as part of the development of the MV2040 FAIR Action Plan.

3.6 This report has been timed to coincide with Cultural Diversity Week, which is Victoria’s largest multicultural celebration. The Victorian Government (Victorian Multicultural Commission), local Councils and community groups deliver a program of festivals and events across metropolitan and regional areas during this week each year. The Week is held annually in March to
accord with the United Nations Day for the Elimination of Racial Discrimination and Harmony Day on 21 March. Cultural Diversity Week’s theme in 2019 is Proud to belong - Your Generation Your Stories. Joining the Welcoming Cities network at this time of year would represent a significant and timely gesture of support for multiculturalism in Moonee Valley.

3.7 The next Welcoming Cities Symposium is scheduled for the 2-4 April in Brisbane. The symposium invites practitioners, policy-makers, researchers, business innovators and civic leaders to discuss the challenges and opportunities of migration and settlement. There is an opportunity for the Mayor or their nominated representative to attend.

3.8 This report’s Impact Assessment is provided as Attachment A.

Recommendation

That Council resolves to:

a. Note the status of recent Council actions in support of cultural diversity as outlined in Attachment B.

b. Become a member of the Welcoming Cities network.

c. Write to the Welcoming Cities organisation advising them of this decision, including signing the commitment form outlined in Attachment C.

d. Approve the Mayor and/or their nominated representative/s to attend the 2019 Welcoming Cities Symposium in Brisbane, Australia.

Attachments

A: Impact assessment

B: Council resolution update table – Celebrating Diversity, SRSS and Welcoming Cities membership (separately circulated)

C: Welcoming Cities Network Background Information, March 2019 (separately circulated)

D: Welcoming Cities Membership Commitment Form for Councils Feb 2019 (separately circulated)
Attachment A - Impact assessment

1. Relationship to Council commitment MV2040 or Council Plan

   MV2040
   1.1 Theme 1: Fair Qeente Boordup
   1.2 MV2040 target: Moonee Valley is a ‘Welcome City’ where we celebrate diversity as one of our greatest strengths
   1.3 MV2040 Strategic Direction 1: A city that celebrates diversity.
      1.3.1 Provide leadership to address discrimination, violence and racism directed towards our diverse community through provision of programs which foster awareness and understanding of diversity in our community
      1.3.2 Embed Council’s access, inclusion and equity principles across service delivery and neighbourhoods
      1.3.3 Provide support and advocate on behalf of people seeking asylum and our newly arrived communities

   Council Plan (Year Two) key priorities
   1.4 Strengthen Council’s commitment as a Refugee Welcome Zone through promotion, active engagement with, and support for, refugees and asylum seekers by creating partnerships with key refugee advocacy organisations such as the Asylum Seeker Resource Centre (1.4.1.1.5)
   1.5 Actively promote and celebrate our multicultural community through the development of a Council policy statement, and provide opportunities for diverse communities to connect and contribute (1.4.1.1.5).

   Council resolutions
   1.6 Council’s 11 September 2018 ordinary meeting resolved:
   1.7 “…that Moonee Valley City Council will explore joining the Welcoming Cities Network and provide a further update to Council in 2019.”

2 Legislative obligations

   2.1 This report supports Council’s obligations outlined in:
      2.1.1 The ‘cultural rights’ section of the Victorian Charter of Human Rights and Responsibilities Act 2006 (section 19). “…People can have different family, religious or cultural backgrounds. They can enjoy their culture, declare and practice their religion and use their languages…” (https://humanrightscommission.vic.gov.au/human-rights/the-charter/rights-under-the-charter)
      2.1.2 The Local Government Act 1989 regarding the functions of a Council to promote “…the peace, order and good government of the municipal district.” (3E(1)n).

3 Legal implications
3.1 Councils are required to sign a form to formalise its commitment to becoming a Welcoming Cities network member (refer Attachment A).

4 Risks

4.1 There are no significant risks associated with this proposal. The operational obligations of membership are flexible to each organisation, and can easily adjusted as circumstances change (in terms of resourcing, strategic or operational priorities).

4.2 On a broader level, programs which actively seek to address social cohesion, community resilience and marginalisation of vulnerable communities can improve cross cultural understanding. This in turn can foster a greater sense of public safety and connection (as a minimum) and build partnerships to prevent extremism. The initiative is therefore an important preventative measure to address potential risks to civil unrest and perceptions of public safety. Social tensions in the wider community can also play out at the local level; as witnessed by the Kensington/Flemington race riot in December 2017.

5 Social impact assessment

5.1 Membership will support efforts to strengthen social inclusion and equity in Moonee Valley. Social cohesion refers to positive social relationships – it is the bond or ‘glue’ that binds people. A socially cohesive society is one which works towards the wellbeing of all its members, fights exclusion and marginalisation, creates a sense of belonging, promotes trust and offers its members the opportunity of upward mobility. (Australian Human Rights Commission, 2015)

5.2 Research demonstrates that socially cohesive communities lead to:

- A greater sense of belonging
- Increased levels of civic participation, and
- Improved wellbeing for whole communities


6 Economic impact assessment

6.1 Research demonstrates that socially cohesive communities lead to increased productivity through higher levels of education and employment.


6.2 The continued success of multiculturalism in Moonee Valley (and Australia more generally) will depend on our ability to foster social cohesion as our population and cultural diversity grows. Over the next 35 years, migration will drive economic and skills growth in Australia. Migrants will contribute $1,625 billion (1.6 trillion dollars) to Australia’s
GDP, and 10 per cent more to the economy than existing residents. 

6.3 Other findings regarding the positive economic impact of migrants is outlined in Attachment D (Figure Two).

7 Environmental impact assessment

7.1 There are no detrimental environmental impacts associated with this initiative.

8 Reputational impact assessment

8.1 Welcoming Cities Network membership will potentially contribute to Council’s reputation as Moonee Valley will have a national (and international) opportunity to showcase its own work in this area; and will also be eligible for awards and other recognition.

9 Financial implications

9.1 The premium membership fee is based on the population of a local government area, and paid on an annual basis. The membership model has been designed to effectively resource and advance participating members and the network in general. Moonee Valley’s annual Premium membership fee would be $3,000 pa based on its population size. This would be an annual fee. Additional short term resources would be required if accreditation was sought.

9.2 A three day Welcoming Cities Symposium is being held in early April 2019 in Brisbane and presents an opportunity for Councillor representation. The indicative cost for a Councillor to attend this conference is estimated at approximately $3000 (including flights, accommodation, registration fee etc).

10 Sensitivity / scenario analysis

10.1 None anticipated.

11 Conflict of interest declaration

11.1 No officer involved in the preparation of this report has any direct or indirect interest in this matter or the decision.

12 Consultation undertaken or planned

12.1 On 20 November 2018, Bel Schenk of the Welcoming Cities organisation presented to Council regarding their work and opportunities for participating member Councils.

12.2 Council has been in discussion with the Scanlon Foundation throughout 2018.
10.5 2018/19 Capital Works Program Update

Author: Nikhil Aggarwal - Coordinator Program Management Office
Directorate: Asset Planning and Strategic Projects

1. Purpose

1.1 To seek endorsement for known 2018/19 Capital Works Program (CWP) variations considered necessary to deliver the program and/or improved outcomes for the wider community

2. Background

2.1 Council adopted 2018/19 CWP of $54.82 million (including part 2017/18 CWP carryovers), which was revised to $68.20 million to include all 2017/18 CWP carryovers and 2018/19 CWP variations approved through various reports and/or delegations endorsed to 30 January 2019 (including 2018/19 CWP Update on 29 January 2019).

2.2 Council officers have identified necessary variations to the program that require Council authorisation to deliver the program and/or improved outcomes for the wider community. Details of these variations are as per Section A of Attachment B. Section B of Attachment B lists variations previously authorised through Tender reports, Capital Works Program Updates, Other Reports and CEO delegation (approvals up to +5 per cent of authorised project budget).

2.3 As of end of January 2019, $52.60 million (77%) of the program (by budget) is completed / under construction/ awarded or in procurement phase. The remainder of the program is in planning/design/ consultation phase. Additional unbudgeted grant income of $5.5 million has been approved for various projects.

3. Issues

3.1 Whilst 77 per cent of the program (by budget) is completed/under implementation/awarded or in procurement phase, the full delivery is reliant on a number of factors (some outside Council control) including design capacity, extensive consultation, external approvals (e.g. VicRoads, Melbourne Water, utility companies, cultural heritage) and contractor availability.

Recommendation

That Council resolves to authorise requested 2018/19 Capital Works Project variations as per Section A.1 of Attachment B.

Attachments

A: Impact Assessment
B: 2018/19 CWP Variation Register (separately circulated)
Impact assessment

1. Relationship to Council commitment MV2040 or Council Plan
   1.1 Theme 6: Resilient organisation (Balit Djerring-dha, which means resilient organisation in Woi wurrung language).
   1.2 The request for variation is subsequent to the variations endorsed through various reports and/or delegations endorsed to 30 January 2019, including 2018/19 CWP Update on 29 January 2019.

2. Legislative obligations
   2.1 There are no Legislative implications of this report except to the extent it relates to Council’s overall budget set in accordance with Section 127 of the Local Government Act 1989.

3. Legal implications
   3.1 There are no Legal implications of this report except to the extent that it relates to revision in Council’s budget.

4. Risks
   4.1 There are no risks arising out of this report.

5. Social impact assessment
   5.1 The report seeks endorsement for variations considered necessary to deliver improved outcomes for the wider community.

6. Economic impact assessment
   6.1 There are no economic impacts arising out of this report.

7. Environmental impact assessment
   7.1 There are no environmental issues associated with this report.

8. Reputational impact assessment
   8.1 There are no reputational impacts arising out of this report.

9. Financial implications
   9.1 This report details changes to Council’s funding commitments to 2018/19 CWP.
   9.2 The report seeks authorisation for budget variations in addition to the variations endorsed through various reports and/or delegations to 30 January 2019.
   9.2.1 Variations being endorsed are expected to have operational cost impact. In the absence of detailed whole of life project costing guidelines, it is estimated that operational costs for each project will be average 2% per annum calculated on the final project costs.
10. Sensitivity / scenario analysis
   10.1 There are no variables expected to impact outcomes of this report.

11. Conflict of interest declaration
   11.1 No officer involved in the preparation of this report has any direct or
        indirect interest in this matter or the decision.

12. Consultation undertaken or planned
   12.1 Detailed consultation has been undertaken with capital works project
        officers, and has been endorsed by Council’s Capital Works Review
        Committee and Executive Team.
10.6 Response to NoM 2018/08 - Local Arts Display Trial

Author: Patricia Keenan - Senior Coordinator Performing and Visual Arts
Directorate: Planning and Development

1. Purpose

1.1 To report back to Council on the progress and outcomes in response to Notice of Motion 2018/08 - Local Art Display Trial.

2. Background

2.1 In January 2018, Leisure’s visual arts team commenced a pilot exhibition program titled Crown St Stables and Beyond. The program delivered a series of community exhibitions and display of select works from Council’s art collection at Council facilities.

2.2 At the Ordinary meeting of Council on 27 March 2018, a Notice of Motion was raised to move that Council:

2.2.1 “Develop and trial a six month pilot ‘Local Arts Display’ program, giving local artists the opportunity to display their works of art at prominent Council buildings and facilities”.

2.3 The Notice of Motion requested that:

2.3.1 Exhibitors from the Fireworks exhibition and artists from the local community are contacted to display their works.

2.3.2 Plaques are installed to acknowledge the artists and provide details of the artwork and the artists contact details.

2.3.3 A report be presented back to Council reviewing: the pilot program; the potential for it be ongoing; and to investigate avenues for expansion to include outdoor works.

2.4 The Notice of Motion complemented the Crown Street Stables and Beyond pilot program, and provided an opportunity to broaden the neighbourhood exhibitions program.

3. Issues

3.1 In addition to the art exhibitions at the Incinerator Gallery, throughout 2018, 21 community art exhibitions were presented across six Council facilities. During this period a series of large format photographs were also exhibited at three outdoor locations as part of the Billboard Project. The works of 30 artists, of which 20 were local to Moonee Valley, were exhibited as a part of this program.

<table>
<thead>
<tr>
<th>Facility</th>
<th># Exhibitions</th>
<th># Artists</th>
<th># Local Artists</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clocktower Café Gallery</td>
<td>6</td>
<td>6</td>
<td>2</td>
</tr>
<tr>
<td>Flemington Library</td>
<td>4 (2 Council collection)</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Crown St Stables</td>
<td>4 (2 Council collection)</td>
<td>4</td>
<td>4</td>
</tr>
</tbody>
</table>
3.2 The art works were accompanied by plaques acknowledging the artists, providing context and contact details where appropriate.

3.3 The exhibition programs were promoted in the Incinerator Gallery annual printed program and online through the Council’s website.

3.4 Council’s public art program has three new mural projects in development. Murals at Strathmore and the Green Spine Linear Park are currently in the delivery stage and a mural on the external wall of the Clocktower Centre in the planning stage.

3.5 An exhibition of portraits by six young artists from the 2019 Fireworks exhibition is scheduled for display at the Ascot Vale Library throughout May 2019.

3.6 The 2019 Incinerator Gallery exhibition program includes offsite exhibitions occurring throughout Council facilities. The program will include and promote local and professional artists.

3.7 Councillor photographs previously exhibited in the Council chambers have been scanned and now form part of Council’s on-line library catalogue that is publicly accessible.

3.8 Exhibitions in the Council Chambers have been established to support civic recognition of artists and their creative endeavours. At the Ordinary Meeting of Council on 26 February 2019, Mayoral acknowledgement of the current exhibition, Because of Her We Can, took place during the live stream.

Recommendation

That Council resolves to:

a. Exhibit artworks by local artists at key Council facilities and expand the program to other Council owned facilities such as leisure and aquatic facilities and community centres.

b. Continue the exhibition program in the Council chambers and support civic recognition of artists and their work with Mayoral acknowledgement at the commencement of Ordinary meetings.

c. Exhibit a revised display of Councillor photographs within the Chamber including a compilation of Councillors photographs for each term.

Attachments

A: Impact assessment 📂 📚
### Impact assessment

1. **Relationship to Council commitment MV2040 or Council Plan**

<table>
<thead>
<tr>
<th>Thriving</th>
<th>Objective 8.3</th>
<th>Action 8.3.2</th>
<th>Cater for professional and community art exhibitions, performances and other activities in quality and adaptable facilities.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Objective 8.3</td>
<td>Action 8.3.4</td>
<td>Create opportunities for professional artists and local community groups by commissioning public art projects.</td>
<td></td>
</tr>
<tr>
<td><strong>Beautiful</strong></td>
<td>Objective 19.1</td>
<td>Action 19.1.1</td>
<td>Activate spaces through public art and other creative interventions.</td>
</tr>
</tbody>
</table>

2. **Legislative obligations**
   2.1 Nil

3. **Legal implications**
   3.1 Nil

4. **Risks**
   4.1 Nil

5. **Social impact assessment**
   5.1 The arts make a positive contribution to the wellbeing of communities from both a participatory and passive level. The provision of an expansive visual arts program across Councils neighbourhoods supports opportunities for social inclusion, education and expression of creativity. Supporting the creative endeavours of our community and providing access to professional and community arts is vital to developing a thriving and healthy community. The Local Arts Display trial has contributed to this.

6. **Economic impact assessment**
   6.1 Nil

7. **Environmental impact assessment**
   7.1 Nil

8. **Reputational impact assessment**
   8.1 The Local Arts Display trial reflects positively on Council and demonstrates its commitment to MV2040 by supporting local artists and activating neighbourhood’s precincts across the municipality.

9. **Financial implications**
9.1 The expansion of Council’s indoor exhibition program has been absorbed into the existing operational budget.

9.2 Expansion of the outdoor exhibition/public art program will seek additional new initiative resources on an as needs basis.

10. Sensitivity / scenario analysis

10.1 Nil.

11. Conflict of interest declaration

11.1 No officer involved in the preparation of this report has any direct or indirect conflict of interest in this matter or the decision.

12. Consultation undertaken or planned

12.1 This report is in response to a Councillor notice of motion.
10.7 Review of the Advocacy Strategy

Author: Meghan Hopper - Advocacy Coordinator
Directorate: Organisational Performance

1. Purpose
   1.1 The purpose of this report is to seek Council’s endorsement of the Advocacy Strategy 2018-21, which has been reviewed and updated in the lead up to the Federal Election in 2019.

2. Background
   2.1 Council adopted its Advocacy Strategy 2018-2021 in April 2018. It was developed to secure partnerships and support from other levels of government, agencies and organisations to obtain positive outcomes for Moonee Valley in the lead up to the State Election in November 2018.

   2.2 The projects identified in the strategy align with the themes and objectives of the Council Plan 2017-2021 and MV2040 which sets out the long term vision for the city. The Strategy will help leverage the support and investment required to achieve the actions and objectives of both these key documents.

   2.3 The following principles were used in identifying priority projects for inclusion in the Strategy:

   - The priorities have been identified in the Council Plan 2017-21, the draft MV2040 strategy, and other relevant policies, plans and strategies adopted by Council.
   - The priorities are realistic and attainable, in the short to medium term. Council will stage or breakdown larger and longer-term priority projects.
   - The priorities are have a clear community need and benefit and are backed up by evidence.
   - The priorities have broad community support.
   - The priorities align with those of State and Federal Government and Council will seek to work in partnership with other levels of government, as well as candidates for election to other levels of Government, to deliver these priorities.
   - Council has indicated the resources it will commit to these priorities as a partner.
   - Council will also work with other advocacy organisations and with local community groups where our interests align, to build community support for our priorities.

   2.4 As a result of applying the advocacy principles outlined above, the following priority projects were identified to form part of the original Strategy endorsed in April 2018:

   - Flemington Community Hub
• East Keilor Leisure Centre
• Riverside Golf and Tennis Centre Netball facilities
• Moonee Ponds junction and bus interchange
• Maribyrnong River bridge (Raleigh Road) pedestrian and cycling infrastructure
• Moonee Ponds Creek revitalisation
• Increased tree canopy

2.5 In the lead up to the State Election a number of these projects were successful in obtaining funding including the East Keilor Leisure Centre ($3 million, and a $10 million low-interest loan); Riverside Golf and Tennis Centre ($2 million); Moonee Ponds Junction and Bus Interchange ($100,000) and Raleigh Street bridge (announced in the State Budget).

2.6 A review of the Advocacy Strategy has been undertaken to identify new priority projects to replace those where we’ve had successes and to realign Council’s focus towards priorities within the Federal policy and funding space.

3. Issues

3.1 The priorities in the Advocacy Strategy have been aligned to MV2040 themes, allow for a balance of major projects and broad social and community outcomes and prioritise the Federal funding and policy space. A number of priorities have been tiered – a major ‘ask’ as well as complementary smaller outcomes.

3.2 The priorities are:
• A train station at Airport West
• A new community hub for Flemington at Debneys Park
• An expanded mental health service for young people
• A commitment to early years services
• A greener Moonee Ponds Creek
• Increased tree canopy
• A plan for a safer Essendon North intersection
• A transport plan for the Maribyrnong Defence Site
• A safer Moonee Ponds Junction
• Back Your Neighbour campaign against cuts to support services for asylum seekers in the community
• A better approach to housing
• An indoor netball/basketball facility for Keilor East
• Support for Local Government Aged Services
• A new plan for waste
• Activating the Maribyrnong River
Recommendation
That Council resolves to adopt the Advocacy Strategy 2019-2021 as detailed in Attachment B.

Attachments
A: Impact assessment - Advocacy Strategy  
B: Advocacy Strategy 2019-21
Impact assessment

1. Relationship to Council commitment MV2040 or Council Plan
   1.1 The Advocacy Strategy meets Council’s objectives under Resilient Organisation (Balit Djerring-Dha):
       - We are financially sustainable
       - We demonstrate leadership
   1.2 Council adopted the Advocacy Strategy 2018-2021 in April 2018.

2. Legislative obligations
   2.1 Section 1(4) of the Local Government Act 1989 states it is the role of the Council to provide governance and leadership for the local community through advocacy, decision making and action.
   2.2 Section 3D (2) (d) of the Act states that the role of a Council includes advocating the interests of the local community to other communities and governments.
   2.3 Section 3E (1)(a) of the Act states that the functions of a Council include advocating and promoting proposals which are in the best interests of the local community

3. Legal implications
   3.1 There are no legal implications that will result from this decision.

4. Risks
   4.1 There is a risk that Council will not be able to secure support for all of the objectives in the Advocacy Strategy and that this will impact on our ability to deliver these projects.

5. Social impact assessment
   5.1 There are no anticipated impacts on public health and safety or access and equity issues as result of this decision.

6. Economic impact assessment
   6.1 There are no economic implications that will result from this decision.

7. Environmental impact assessment
   7.1 The Advocacy Strategy seeks improvements to public transport and active transport infrastructure and this provides opportunities to reduce energy use and greenhouse gas generation. It also seeks enhancements to the City’s tree canopy coverage and the health of waterways which has a positive impact on biodiversity and conservation.
8. **Reputational impact assessment**

8.1 There is some potential risk when engaging with the political environment during an election campaign around public perception, due to lack of awareness of Council’s role as an agent of advocacy.

9. **Financial implications**

9.1 The development of the Advocacy Strategy occurred within existing budget resources. Communication and campaign material required to support the delivery of the strategy will come from existing budgets. Any additional financial requirements relating to specific activities will be subject to Council’s budget deliberations.

9.2 Council and the community will benefit from outcomes achieved as a result of the Advocacy Strategy.

9.3 All of the projects listed within the advocacy strategy are already included in Council’s budget and/or capital works plan. As such any funds obtained as a result of the promotion of the Advocacy Strategy will have a positive impact on Council’s budget as a result of mitigating our own costs to deliver priority projects.

9.3.1 Any funds obtained from external sources as a result of the Advocacy Strategy will positively impact Council’s Budget through mitigation of our own costs in delivering priority projects.

9.3.2 There is a small operational budget allocated to promote the Advocacy Strategy.

10. **Sensitivity / scenario analysis**

10.1 If Council is unable to secure funding support for projects outlined in the Advocacy Strategy, this will impact on our ability to deliver on these projects within our existing budget.

10.2 Depending on how long it takes to secure funding, the cost of delivering a project is likely to increase over time due to increased cost of materials and construction.

11. **Conflict of interest declaration**

11.1 No officer involved in the preparation of this report has any direct or indirect interest in this matter or the decision.

12. **Consultation undertaken or planned**

12.1 Consultation was undertaken with the community and internally with Councillors and officers to inform the review of the Advocacy Strategy.
10.8 Independent Member Re-Appointment to Council’s Audit Advisory Committee

Author: Damian Hogan - Manager Finance
Directorate: Organisational Performance

1. Purpose
   1.1 The purpose of this report is to allow Council to endorse the re-appointment of an independent member to its Audit Advisory Committee.

2. Background
   2.1 Council has an Audit Committee which operates under the Audit Committee Charter endorsed by Council on 24 November 2015. Membership consists of three Councillors and four independent members.
   2.2 The Charter states that existing independent members may be reappointed, through a resolution of Council, without the need to invite applications by public advertisement. This may occur only once for each external member.
   2.3 Independent members are appointed or re-appointed for two or three year terms on a staggered basis to ensure continuity of knowledge and experience in local council issues.
   2.4 Mr. Stephen Horne was first appointed to the Audit Committee for a two year term commencing on 1 April 2017.

3. Issues
   3.1 At the same time that Mr Horne was appointed, another independent member was appointed on a three year term. To ensure appointments remain on a staggered basis, the recommendation is to re-appoint Mr Horne for three years.
   3.2 Should an opening become available for an independent member position on the audit committee and as such requires applications by public advertisement, Council will seek to promote an increased female representation.

Recommendation

That Council resolves to re-appoints Mr Stephen Horne as an independent member of the Audit Advisory Committee for a period of three years from 1 April 2019.

Attachments

Nil
10.9 Attendance at 2019 ALGA National General Assembly of Local Government

Author: Allison Watt - Manager Governance and Communications
Directorate: Organisational Performance

1. Purpose

1.1 The purpose of this report is to seek endorsement for the attendance of Councillors at the Australian Local Government Association (ALGA) 2019 National General Assembly of Local Government to be held in Canberra on 16-19 June 2019.

2. Background

2.1 The National General Assembly of Local Government is convened by the Australian Local Government Association (ALGA) and will be held in Canberra on 16-19 June 2019.

2.2 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.

2.3 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.

3. Issues

3.1 Moonee Valley City Council has previously recognised the importance of this national local government forum and has resolved that the Mayor be authorised to attend such forums as Council's representative. However, should other Councillors wish to also attend, Council approval is required.

3.2 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.

3.3 This year the National General Assembly (NGA) celebrates 25 years and the theme – Future Focussed - acknowledges that the assembly will be held after a federal election and the need for local governments to come together as a sector to ensure their voice is heard by the incoming government to deliver in collaboration for our communities.

3.4 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.
3.5 The deadline for motions to this year’s NGA is Friday 29 March. Council has no motions to submit.

Recommendation

That Council resolves to:

a. Endorse the attendance of Councillors ________________________ at the Australian Local Government Association (ALGA) 2019 National General Assembly to be held in Canberra from 16-19 June 2019 in accordance with the Councillor Expenses and Reimbursement Policy.

b. Authorise the Mayor to seek and appoint an alternate Councillor/s in the event that any of the Councillors as appointed in a) above are unable to attend.

Attachments

A: Impact assessment - NGA 2019 📎 🎥
Impact assessment

1. Relationship to Council commitment MV2040 or Council Plan

   1.1 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 6: Resilient organisation (Balit Djerring-Dha) - A resilient organisation that is sustainable, innovative, engaging and accountable

   - Our community is informed and has a say
   - Good governance is everyone’s responsibility

2. Legislative obligations

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

3. Legal implications

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

4. Risks

   4.1 There are no risks that arise from the presentation of this report to Council.

5. Social impact assessment

   5.1 There are no social impacts that arise from the presentation of this report to Council.

6. Economic impact assessment

   6.1 There are no economic impacts that arise from the presentation of this report to Council.

7. Environmental impact assessment

   7.1 There are no environment impacts that arise from the presentation of this report to Council.

8. Reputational impact assessment

   8.1 The Local Government Act 1989 stipulates that it is the role of Council to provide governance and leadership for the local community through advocacy, decision making and action. While there is a cost to ratepayers for Councillors to attend this event, it is an opportunity for Councillors to advocate at a federal level on behalf of the community. This will be particularly important in the context of Council’s Advocacy Strategy and the fact that the NGA is being held after the Federal election.

9. Financial implications
9.1 The estimated cost per Councillor to attend the NGA including registration, airfares, accommodation and meals will be approximately $3054 including GST which can be met from the Mayor and Councillors 2018-2019 budget.

9.2 The estimated cost per Councillor includes the following:

<table>
<thead>
<tr>
<th>Description</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Registration Fees – Early bird (payment received by Friday 10 May 2019)</td>
<td>$989.00</td>
</tr>
<tr>
<td>Registration Fees – Standard (payment received on or before Friday 7 June 2019)</td>
<td>$1099.00</td>
</tr>
<tr>
<td>Registration Fees – Late (payment received on or after Friday 7 June 2019)</td>
<td>$1199.00</td>
</tr>
<tr>
<td>Airfares (approximate)</td>
<td>$600</td>
</tr>
<tr>
<td>Accommodation (three nights are $305 per night plus breakfast)</td>
<td>$1065</td>
</tr>
<tr>
<td>Networking dinner (Monday 17 June)</td>
<td>$110</td>
</tr>
<tr>
<td>General Assembly Dinner (Tuesday 19 June)</td>
<td>$140</td>
</tr>
<tr>
<td>Transfers</td>
<td>$150</td>
</tr>
</tbody>
</table>

10. Sensitivity / scenario analysis

10.1 There may be some variations to the financial implications outlined above, should other Councillors indicate that they wish to attend NGA 2019.

11. Conflict of interest declaration

11.1 No officer involved in the preparation of this report has any direct or indirect interest in this matter or the decision.

12. Consultation undertaken or planned

12.1 There was no consultation required for the preparation of this report.
10.10 **Assemblies of Councillors**

**Author:** Tracey Classon - Governance Officer  
**Directorate:** Organisational Performance

1. **Purpose**

1.1 The purpose of this report is to present to Council the written records of Assemblies of Councillors held in accordance with the provisions of Section 80A(2)(a) and (b) of the *Local Government Act 1989* (“the Act”).

2. **Background**

2.1 In accordance with Section 80A (1) and (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.

3. **Issues**

3.1 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.

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

   3.2.1 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.

3.3 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.
Recommendation
That Council resolves to receive the following records of Assemblies of Councillors in accordance with section 80A(2) of the Local Government Act 1989.

<table>
<thead>
<tr>
<th>Assembly</th>
<th>Public Forum held on Tuesday 19 February 2019 at 6.00pm. Council Chamber, Civic Centre</th>
</tr>
</thead>
</table>
| Matters considered| 1. Questions without notice from a resident regarding nature strip trees overhanging private property in Federation Street, Ascot Vale.
2. Questions without notice from a resident about the future of the Disco Inferno program for people with disabilities |

| Councillors present | Cr Narelle Sharpe (Mayor)  
|                    | Cr John Sipek (Deputy Mayor)  
|                    | Cr Samantha Byrne  
|                    | Cr Jim Cusack  
|                    | Cr Rebecca Gauci Maurici  
|                    | Cr Richard Lawrence  
|                    | Cr Nicole Marshall  
|                    | Cr Andrea Surace  
|                    | Cr Cam Nation  |

| Staff present      | Bryan Lancaster  
|                    | Natalie Reiter  
|                    | Kendrea Pope  
|                    | Steven Lambert  
|                    | Gil Richardson  

| Conflict of interest | Nil.  

<table>
<thead>
<tr>
<th>Assembly</th>
<th>Strategic Briefing held on Tuesday 19 February 2019 at 6.29pm. Committee Room, Civic Centre</th>
</tr>
</thead>
</table>
| Matters considered| 1. Moonee Ponds Activity Centre update  
|                    | 2. Christmas in Moonee Valley program debrief  
|                    | 3. Review of Advocacy Strategy  
|                    | 4. East Keilor Leisure Centre construction tender  
|                    | 5. Review of draft agenda for Ordinary Council Meeting on 26 February 2019  
|                    | 6. Chief Executive update  
|                    | 7. Other business  |

| Councillors present | Cr Narelle Sharpe (Mayor)  
|                    | Cr John Sipek (Deputy Mayor)  
|                    | Cr Andrea Surace  
|                    | Cr Cam Nation(6.35pm)  
|                    | Cr Samantha Byrne  
|                    | Cr Jim Cusack  
|                    | Cr Rebecca Gauci Maurici  
|                    | Cr Richard Lawrence  
|                    | Cr Nicole Marshall  
|                    | Allison Watt  
|                    | Malcolm Ward |
**AGENDA – ORDINARY COUNCIL MEETING**

<table>
<thead>
<tr>
<th>Staff present</th>
<th>Paul Bennett</th>
<th>Peter Gaffney</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bryan Lancaster</td>
<td>Natalie Reiter</td>
<td>Mel Lorback</td>
</tr>
<tr>
<td>Natalie Reiter</td>
<td>Kendrea Pope</td>
<td>Corina de Araujo</td>
</tr>
<tr>
<td>Kendrea Pope</td>
<td>Steven Lambert</td>
<td>Malcolm Ward</td>
</tr>
<tr>
<td>Steven Lambert</td>
<td>Gil Richardson</td>
<td>Meghan Hopper</td>
</tr>
<tr>
<td>Gil Richardson</td>
<td>Allison Watt</td>
<td>Damir Agic</td>
</tr>
<tr>
<td>Allison Watt</td>
<td>Peter Gaffney</td>
<td>Rui Seguchi-Vosy</td>
</tr>
<tr>
<td>Peter Gaffney</td>
<td>Jessie Keating</td>
<td></td>
</tr>
<tr>
<td>Jessie Keating</td>
<td></td>
<td></td>
</tr>
<tr>
<td>External</td>
<td>Leanne Hodyl (Hodyl and Co)</td>
<td></td>
</tr>
<tr>
<td>Conflict of interest</td>
<td>Cr Nation declared an indirect conflict of interest in item 1.4 East Keilor Leisure Centre due to conflicting duty.</td>
<td></td>
</tr>
</tbody>
</table>

**Assembly**

**Ordinary Council Meeting pre-meet held on Tuesday 26 February 2019 at 6.00pm.**  
Committee Room, Civic Centre

**Matters considered**

Ordinary Council Meeting agenda to be held 26 February 2019.

**Councillors present**

Cr Narelle Sharpe (Mayor)  
Cr John Sipek (Deputy Mayor)  
Cr Samantha Byrne  
Cr Rebecca Gauci Maurici  
Cr Richard Lawrence  
Cr Cam Nation  
Cr Nicole Marshall  

Apologies: Crs Jim Cusack and Andrea Surace

**Staff present**

Bryan Lancaster (CEO)  
Natalie Reiter  
Petrus Barry  
Allison Watt  

**Conflict of interest**

Cr Samantha Byrne declared an indirect conflict of interest in item 10.4, due to conflicting duty. This item was not discussed, Cr Byrne was not required to leave the meeting.

**Assembly**

**Strategic Briefing held on Tuesday 5 March 2019 at 6.00pm. Cross Keys Reserve, Bridge Street Essendon**

**Matters considered**

1. Ascot Vale Leisure Centre  
2. Gender Equity Workshop  
3. 2017 Heritage Study – stage 3  
4. MPAC – Streetscapes and Transport  
5. Proposed on-call Hard Waste Collection  
6. 2019-20 draft Budget – Operating and Capital  
7. Review of the Draft Agenda for the Ordinary Meeting to be held 12 March 2019  
8. Chief Executive update

**Councillors present**

Cr Narelle Sharpe (Mayor)  
Cr Samantha Byrne  
Cr Jim Cusack  
Cr Rebecca Gauci Maurici
Cr Richard Lawrence  
Cr Nicole Marshall

Apologies: Crs Andrea Surace, John Sipek and Cam Nation

<table>
<thead>
<tr>
<th>Staff present</th>
<th>Crs present</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bryan Lancaster</td>
<td>Kate McCaughey</td>
</tr>
<tr>
<td>Natalie Reiter</td>
<td>Jessie Keating</td>
</tr>
<tr>
<td>Kendrea Pope</td>
<td>Damir Agic</td>
</tr>
<tr>
<td>Steven Lambert</td>
<td>Fiona McDougall</td>
</tr>
<tr>
<td>Gil Richardson</td>
<td>Corina de Araujo</td>
</tr>
<tr>
<td>Allison Watt</td>
<td>David Basil</td>
</tr>
<tr>
<td>Petrus Barry</td>
<td>Rui Seguchi-Vos</td>
</tr>
<tr>
<td>Jim Karabinis</td>
<td>Andrew Kelly</td>
</tr>
<tr>
<td>Dino De Milos</td>
<td>Nikhil Aggarwal</td>
</tr>
<tr>
<td>Damian Hogan</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>External</th>
<th>Ruth McGowan (consultant)</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Conflict of interest</th>
<th>Item 2.3 (MPAC) declared by Cr Gauci Maurici due to close association as family members live in the area.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Cr Marshall declared a conflict of interest in relation to item 2.1 on the Strategic Briefing Agenda/10.4 on the draft OCM Agenda (2017 Heritage) Study because of a direct interest, as declared to the CEO in writing.</td>
</tr>
<tr>
<td></td>
<td>Cr Marshall also declared a conflict of interest in relation to item 2.3 (MPAC) because of an indirect interest, as declared to the CEO in writing.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Assembly</th>
<th>Ordinary Council Meeting pre-meet held on Tuesday 12 March 2019 at 6.00pm. Committee Room, Civic Centre</th>
</tr>
</thead>
<tbody>
<tr>
<td>Matters considered</td>
<td>Ordinary Council Meeting agenda to be held 12 March 2019.</td>
</tr>
</tbody>
</table>

| Councillors present | Cr Narelle Sharpe (Mayor)  
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Cr John Sipek (Deputy Mayor)</td>
</tr>
<tr>
<td></td>
<td>Cr Samantha Byrne</td>
</tr>
<tr>
<td></td>
<td>Cr Rebecca Gauci Maurici</td>
</tr>
<tr>
<td></td>
<td>Cr Richard Lawrence</td>
</tr>
</tbody>
</table>
|                     | Cr Andrea Surace  
|                     | Cr Jim Cusack (6.05pm)  
|                     | Cr Nicole Marshall (6.08pm) |
| Apologies: | Cr Cam Nation |

<table>
<thead>
<tr>
<th>Staff present</th>
<th>Crs present</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bryan Lancaster</td>
<td>Natalie Reiter</td>
</tr>
<tr>
<td>Steven Lambert</td>
<td>Petrus Barry</td>
</tr>
<tr>
<td>Kendrea Pope</td>
<td>Allison Watt</td>
</tr>
<tr>
<td>Gil Richardson</td>
<td></td>
</tr>
</tbody>
</table>

| Conflict of interest | Cr Marshall declared a direct conflict of interest in Item 10.4 for reasons disclosed previously to the CEO. This item was not discussed, Cr Marshall was not required to leave the meeting. |
Assembly: Strategic Briefing held on Tuesday 19 March 2019 at 6.10pm. Council Chamber

Matters considered:
1. East Keilor Leisure Centre redevelopment update
2. Flemington Community at Debneys Park
3. Riverside Netball
4. Moonee Ponds Activity Centre – planning controls and informal consultation
5. Review of the draft agenda for the Ordinary Meeting to be held 26 March 2019
6. Other business / proposed Notices of Motion

Councillors present:
Cr Narelle Sharpe (Mayor)
Cr Samantha Byrne
Cr Jim Cusack
Cr Rebecca Gauci Maurici
Cr Richard Lawrence
Cr Nicole Marshall
Cr Cam Nation
Cr Andrea Surace (6.36pm-8.15pm)

Apology: Cr Sipek

Staff present:
Bryan Lancaster (CEO)
Natalie Reiter
Kendra Pope
Steven Lambert
Gil Richardson
Allison Watt
Jim Karabinis
Peter Gaffney
Melanie Lorback
Kate Heissenbuttel
Jim Karabinis
Frances Hoban
Ruth Robles McColl

Conflict of interest:
Cr Marshall declared an indirect conflict of interest due to close association in item 1.4 for reasons previously disclosed in writing to the CEO.
Cr Gauci Maurici declared an indirect conflict of interest due to close association in item 1.4 for reasons previously disclosed in writing to the CEO.
Cr Nation declared an indirect conflict of interest due to conflicting duty in tem 1.1 and arrived at briefings after the discussion on this item.

Attachments:
Nil
NOTICES OF MOTION

11.1 Notice Of Motion No. 2019/07 - Advocacy for increased tree canopy on Department of Education and Training sites

From: Councillor John Sipek

Take notice that at the Ordinary Meeting of Council to be held on 26 March 2019 it is my intention to move that Council;

Write to the Minister for Education, The Hon James Merlino MP, to advocate for an increase in the planting of trees on Department of Education and Training sites in Moonee Valley, in support of Council’s vision to increase the tree canopy across the city from 11 per cent to 30 per cent by 2040.

Officer Comments
This Notice of Motion is supported, as Council needs a significant contribution across all land tenures to achieve its MV2040 key target ‘we achieve 30 per cent canopy cover by 2040 through enhancing our urban forest’. In 2018/19, Council increased investment in its street tree planting program by 20%. A total of 6,823 streets trees were planted between 2016 and 2018 with annual increases. In total, we have approximately 100,000 trees in our streets, parks and open spaces. However, 70% of Moonee Valley’s canopy is within the private realm. As such we need the support of other land tenures to plant trees within the municipality to achieve our target.

Draft letter included below:
21 March 2019

The Hon James Merlino MP
Minister for Education
Level 3
1 Treasury Place
EAST MELBOURNE VIC 3002

Dear Minister,

advocate for an increase in planting trees on Department of Education and Training sites in Moonee Valley

Our cities face a series of future challenges such as climate change, increasing populations and urban development. A well planned and managed urban forest can help cities face these challenges by becoming healthier, more vibrant and resilient.

In June 2018, Moonee Valley City Council endorsed MV2040 – its long-term plan for improving the health, vibrancy and resilience of our city over the next two decades. A key target in MV2040 to adapt to climate change is ‘we achieve 30 per cent canopy cover by 2040 through enhancing our urban forest’.

Council has also designated an increase in tree canopy as one of its top priorities as part of its Advocacy Strategy 2018-21.

Enhancing our urban forest provides much needed shade and cooling and provides for a more pleasant place for people to live, shop and socialise, building a healthy city for our future generations.

Through MV2040, Council has made a significant investment of nearly $1 million a year to increase tree canopy and greening initiatives. In 2018/19 we increased investment in our street tree planting program by 20%. Tree planting has been increasing each year with a total of 6,823 streets trees planted between 2016 and 2018. In total we have approximately 100,000 trees in our streets, parks and open spaces. In recognition of our work in this space, Council is proud to be the only Australian local government honoured with being a finalist in the upcoming international Wellbeing City Award, under the Sustainable Environment category.

However, 70% of Moonee Valley’s canopy is within the private realm. As such, we need a significant contribution across all land tenures to achieve our target.

To support Council’s target to increase the tree canopy across the city from 11 per cent to 30 per cent by 2040, I seek your support to advocate to the Department of Education and Training to increase the number of trees planted on Department of Education and Training sites within the City of Moonee Valley.
If you would like any further information, please contact Sarah Wigley, Coordinator, Sustainability on swigley@mvcc.vic.gov.au.

Yours sincerely

Cr Narelle Sharpe
Mayor
11.2 Notice Of Motion No. 2019/08 - Review of Secondary College zones

From: Councillor Samantha Byrne

Take notice that at the Ordinary Meeting of Council to be held on 26 March 2019 it is my intention to move that the Mayor writes to the Minister for Education, the Hon James Merlino and the State Member for Niddrie, the Hon Ben Carroll requesting:

1. A review of the secondary college zones covering Avondale Heights;
2. That the review addresses the requirement for Avondale Heights residents travelling to Braybrook College or Sunshine College to travel through multiple suburbs and cross the Maribyrnong River; and
3. A formal response to Council indicating when and how the changing of the school zones can occur.

Officer Comments

The Notice of Motion is supported, noting our previous resolution regarding Primary School Zones was effective.

Also of note, is that Council does not have a role, and is not consulted on the rezoning of school boundaries. However, as Council works hard to achieve the best outcomes for children and young people in our community, and to support residents’ ability to access basic facilities and services using sustainable transport options such as walking and riding to school, we continue to advocate for superior outcomes.

The ability to access local services is aligned to the State Government’s metropolitan planning policy, Plan Melbourne’s ‘20-minute neighbourhood’ model; this model is the basis of Council’s adopted long term strategy: MV2040.

Draft letters from the Mayor to the elected representatives outlined are detailed below.
26 March 2019

The Hon. James Merlino MP
Deputy Premier
Minister for Education
Level 3, 1 Treasury Place
EAST MELBOURNE  VIC  3002

Dear Minister

REVIEW OF SECONDARY COLLEGE ZONES – AVONDALE HEIGHTS

At the Ordinary Council Meeting on 26 March 2019, Council resolved I write to you as well as the local member requesting:

1. A review of the secondary college zones covering Avondale Heights;

2. That the review addresses the requirement for Avondale Heights residents travelling to Braybrook College or Sunshine College to travel through multiple suburbs and cross the Maribyrnong River; and

3. A formal response to Council indicating when and how the changing of the school zones can occur.

While Council does not have a role in the establishment of school zoning boundaries, as Council works hard to achieve the best outcomes for children and young people in our community, and to support residents’ ability to access basic facilities and services using sustainable transport options such as walking and riding to school, we continue to advocate for superior access outcomes.

The ability to access local services is aligned to the State Government’s metropolitan planning policy, Plan Melbourne’s ‘20-minute neighbourhood’ model; and this model is the basis of Council’s adopted long term strategy: MV2040. Council seeks to ensure all residents within the school population have access to excellent schools proximate to their neighbourhood.

Should you require any further clarification or information on this matter, please contact Natalie Reiter, Director Planning and Development on 9243 1286. Thank you for your anticipated attention in this matter.

Yours sincerely

Cr Narelle Sharpe
Mayor
26 March 2019

Mr Ben Carroll MP
State Member for Niddrie
PO Box 554
NIDDRIE VIC 3042

Dear Mr Carroll

REVIEW OF SECONDARY COLLEGE ZONES – AVONDALE HEIGHTS

At the Ordinary Council Meeting on 26 March 2019, Council resolved I write to you as well as the local member requesting:

1. A review of the secondary college zones covering Avondale Heights;
2. That the review addresses the requirement for Avondale Heights residents travelling to Braybrook College or Sunshine College to travel through multiple suburbs and cross the Maribyrnong River; and
3. A formal response to Council indicating when and how the changing of the school zones can occur.

While Council does not have a role in the establishment of school zoning boundaries, as Council works hard to achieve the best outcomes for children and young people in our community, and to support residents’ ability to access basic facilities and services using sustainable transport options such as walking and riding to school, we continue to advocate for superior access outcomes.

The ability to access local services is aligned to the State Government’s metropolitan planning policy, Plan Melbourne’s ‘20-minute neighbourhood’ model; and this model is the basis of Council’s adopted long term strategy: MV2040. Council seeks to ensure all residents within the school population have access to excellent schools proximate to their neighbourhood.

Should you require any further clarification or information on this matter, please contact Natalie Reiter, Director Planning and Development on 9243 1286. Thank you for your anticipated attention in this matter.

Yours sincerely

Cr Narelle Sharpe
Mayor
11.3 Notice Of Motion No. 2019/09 - Immediate halt to the installation of parking meters along The Boulevard, Moonee Ponds

From: Councillor Cam Nation

Take notice that at the Ordinary Meeting of Council to be held on 26 March 2019 it is my intention to move that Council acknowledges the considerable concerns of local community organisations and community members and resolves not to proceed with the proposal to install parking meters in the Maribyrnong River precinct (including The Boulevard, Moonee Ponds).

Officer Comments

Officers have been implementing the standing resolution of Council regarding the implementation of paid parking, and if the Notice of Motion becomes a resolution of Council, will undertake the necessary consultation with stakeholders to make them aware of the change.

If the Notice of Motion becomes a resolution of Council, the financial impact in terms of loss of revenue will be in the order of approximately $143,000 per annum.
CONFIDENTIAL REPORTS

Closure of meeting to public

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

14.1 East Keilor Leisure Centre redevelopment progress update
   Item 14.1 is Confidential under section 89(2) of the Local Government Act 1989 as it contains information relating to: (d) contractual matters.

14.2 Riverside Netball
   Item 14.2 is Confidential under section 89(2) of the Local Government Act 1989 as it contains information relating to: (d) contractual matters.

14.3 Replacement of Community Strengthening's Client Management System
   Item 14.3 is Confidential under section 89(2) of the Local Government Act 1989 as it contains information relating to: (d) contractual matters.

14.4 Tender Evaluation Report for Crown Street Stable Accessible Works
   Item 14.4 is Confidential under section 89(2) of the Local Government Act 1989 as it contains information relating to: (d) contractual matters.