



City of
Moonee Valley

Planning & Citizens Meeting

Tuesday, 6 September 2011

Minutes

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The following reports were considered:

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Minutes of the Planning & Citizens Meeting

Tuesday, 6 September 2011 at 7:17pm
held at the Moonee Valley Civic Centre

PRESENT

Members: Cr John Sipek Mayor
Cr Shirley Cornish
Cr Jan Chantry
Cr Miriam Gillis
Cr Paul Giuliano
Cr James Rankin
Cr Narelle Sharpe

Officers: Mr Neville Smith Chief Executive
Mr Bryan Lancaster Director City Works & Development
Mr Anthony Smith Director Corporate Services
Mr Stuart Gillespie Executive Manager Citizen Services & Information Management
Mr Tony Ball Executive Manager Community Services
Mr Scott Widdicombe Executive Manager Environment & Lifestyle
Mr Henry Bezuidenhout Manager Strategic & Statutory Planning
Ms Yvonne Hansen Coordinator Governance

Opening

The Mayor, Cr Sipek, opened the meeting and welcomed all present to the Planning & Citizens Meeting of Tuesday, 6 September 2011.

1. Apologies

An apology for non-attendance was received for Cr Ange Kenos.

Cr Jim Cusack has Leave of Absence for this meeting.

Leave of Absence

Moved by Cr Giuliano, seconded by Cr Chantry that Leave of Absence from Council be granted to Cr John Sipek for the period 10 – 24 September 2011 inclusive.

CARRIED

2. Confirmation of Minutes

Moved by Cr Giuliano, seconded by Cr Rankin that the Minutes of the Planning and Citizens Meeting of Council held on Tuesday, 2 August 2011 be confirmed.

CARRIED

3. Declarations of Conflict of Interest

Cr Giuliano declared a Conflict of Interest in Report No. 6.2, on the basis that his brother is a partial owner.

4. Presentations

The Mayor, Cr Sipek made a presentation to outgoing Moonee Valley Leader reporter Baria Bol in recognition of her attendance and reporting of Council meetings.

5. Petitions and Joint Letters

Nil.

6. Reports

The Chairperson informed the meeting that Reports 6.2 and 6.3 will be considered first.

Cr Giuliano left the meeting here, as he had declared a Conflict of Interest in Council Report No. 6.2.

**6.2 32 Pattison Street, Moonee Ponds (Lot 13 PS 002100) -
Construction of three double storey dwellings**

File No: MV/229/2011
Author: Principal Town Planner
Directorate: City Works and Development
Ward: Myrnong
Minute No: PC2011/78

Committee Resolution

Moved by Cr Cornish, seconded by Cr Sharpe that Council issue a Notice of Decision to Grant a Permit in relation to Planning Permit Application No. MV/229/2011 for the construction of three double storey dwellings at 32 Pattison Street, Moonee Ponds (Lot 13 PS 002100), subject to the following conditions:

1. The layout of the site and the size, design and location of the buildings and works permitted must always accord with the endorsed plan and must not be altered or modified without the further written consent of the Responsible Authority.
2. Prior to the issue of a Certificate of Occupancy, all retaining walls and boundary walls must be constructed, cleaned and finished to the satisfaction of the Responsible Authority.
3. Floor levels shown on the endorsed plan(s) must not be altered or modified without written consent of the Responsible Authority.

4. The obscure glazing as shown on the endorsed plans must be installed prior to the occupation of the buildings.
5. All piping and ducting, excepting for gutters and rainwater downpipes, above the ground floor storey of the building must be concealed to the satisfaction of the Responsible Authority.
6. All drainage works undertaken must be in accordance with the requirements of Moonee Valley City Council's Engineering Services Department and to the satisfaction of the Responsible Authority.
7. An on-site stormwater detention drainage system must be installed on the subject land to the satisfaction of Melbourne Water and the Responsible Authority.
8. Paving abutting the adjacent property must be provided with 150mm high concrete kerb.
9. Stormwater runoff from impervious paving is to be directed to drain to an underground drainage system to the satisfaction of the Responsible Authority.
10. The area set aside for the parking of vehicles, together with the associated access lanes as delineated on the endorsed plan(s) must be to the satisfaction of the Responsible Authority:
 - a) Be provided and completed prior to the commencement of the development hereby permitted.
 - b) thereafter be maintained.
 - c) be made available for such use at all times and not used for any other purpose.
 - d) be properly formed to such levels that it can be used in accordance with the endorsed plan.
 - e) be drained and sealed with an all weather seal coat.
11. Standard concrete vehicular crossing(s) must be constructed to suit the proposed driveway(s) in accordance with the Responsible Authority's standard specification and any vehicle crossing(s) no longer required must be removed and the land, footpath and kerb and channel replaced all to the satisfaction of the Responsible Authority.
12. All vehicle access points must be located a minimum of 1.0 metre from any infrastructure and/or foliage canopy. 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. 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.

14. Buildings or works must not be commenced (and trees or vegetation must not be removed) until a landscape plan prepared by a suitably qualified and experienced person or firm has been submitted to and approved by the Responsible Authority. Landscaping in accordance with this approved plan and schedule must be completed before the building is occupied. After completion of the landscaping it must be maintained in good order to the satisfaction of the Responsible Authority.
15. The garden areas shown on the endorsed plan and schedule must only be used as gardens and must be constructed, completed and maintained in a proper, tidy and healthy condition to the satisfaction of the Responsible Authority. Any tree or shrub damaged, removed or destroyed must be replaced by a tree or shrub of similar size and variety to the satisfaction of the Responsible Authority.
16. This permit will expire if:-
 - a) The development does not start within two (2) years of the date of issue of this permit, or
 - b) The development is not completed within four (4) years of the date of issue of this permit.
 - c) Before the permit expires or within three (3) months afterwards the owner or occupier of the land may in writing request 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
- A permit must be obtained from Council for all vehicular crossings.
- Before commencement of the development occurs, the applicant should contact the Moonee Valley City Council's Engineering Services Department regarding legal point of discharge, new crossings, building over easements etc.
- No on street parking permits will be provided to the occupiers of the subject site.

Division Called

A Division on the motion was called and voting was as follows:

For: Crs Sipek, Cornish and Sharpe.

Against: Crs Gillis, Chantry and Rankin.

CARRIED ON THE CASTING VOTE OF THE CHAIRPERSON

Cr Giuliano returned to the meeting here.

**6.3 21 Jackson Street, Niddrie (Lot 44 on PS 010094)
Construction of three dwellings**

File No: MV/21410/2010
Author: Town Planner
Directorate: City Works & Development
Ward: Buckley
Minute No: PC2011/79

Committee Resolution

Moved by Cr Sharpe, seconded by Cr Chantry that Council, in relation to Planning Permit Application MV/21410/2010 issue a Notice of Decision to Grant a Permit for the construction of two double storey dwellings and one single storey dwelling, at 21 Jackson Street, Niddrie, Lot 44 on Plan of Subdivision 010094, Volume 05273, Folio 562, subject to the following conditions:

1. Before the development starts, amended plans (three copies) must be submitted to and approved to the satisfaction of the Responsible Authority. The plans must be drawn to scale, with dimensions, and be generally in accordance with the plans submitted and assessed with the application but modified to show:
 - a) The south elevation of Dwellings 1 and 2 and the north elevation of Dwellings 2 and 3.
 - b) All first floor windows on the east and west elevations to have fixed obscured glazing to a sill height of 1.7 metres from finished floor level, or screening devices with a maximum transparency of 25% to a height of 1.7 metres from finished floor level, and notes placed on the elevation plans accordingly.
 - c) Provision of internal turning dimensions of 4 metres to enable vehicle entry and exit to and from the dwelling's garages.
 - d) The garage associated with Dwelling 3 is to be constructed using light weight materials for the section constructed over the easement and in accordance with condition 4.
 - e) The east, south and west boundary fencing to be constructed to a height of 1.8 metres and an annotation placed on the plans accordingly.
 - f) The proposed crossover is to be constructed as a double crossover with No.23 Jackson Street.
 - g) The elevation plans must specify natural ground level, finished ground level, finished floor level and total building heights measured relative to a level taken from a defined point on the footpath at the frontage of the site or in relation to Australian Height Datum (AHD).

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

2. The layout of the site and the size, design and location of the buildings and works permitted must always accord with the endorsed plan and must not be altered or modified without the further written consent of the Responsible Authority.
3. Before the issuing of an Occupancy Permit, all boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
4. Building or works must not be constructed over any easement without the written consent of the relevant authorities or agencies to the satisfaction of the Responsible Authority.
5. Before Occupation a fence of 1.8 metres in height must be erected along the east, south and west boundaries. The cost of such fencing must be met by the owner and carried out to the satisfaction of the Responsible Authority.
6. Floor levels shown on the endorsed plan(s) must not be altered or modified without written consent of the Responsible Authority.
7. Standard concrete vehicular crossing(s) must be constructed to suit the proposed driveway(s) in accordance with the Responsible Authority's standard specification and any vehicle crossing(s) no longer required must be removed and the land, footpath and kerb and channel replaced all to the satisfaction of the Responsible Authority, prior to the occupation of the dwellings hereby permitted.
8. All vehicle access points must be located a minimum of 1.0 metre from any infrastructure and/or foliage canopy. 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.
9. An on-site stormwater detention system (OSD) must be installed on the subject land to the satisfaction of the Responsible Authority. Prior to the commencement of buildings and works a drainage layout plan, together with computations and manufacturing specifications, must be prepared by a suitably qualified Civil Engineer and submitted to and approved by the Responsible Authority. Once approved by the Responsible Authority the plan must be carried out to the satisfaction of the Responsible Authority.
10. All piping and ducting, excepting for gutters and rainwater downpipes, above the ground floor storey of the building must be concealed to the satisfaction of the Responsible Authority.
11. The development must be provided with external lighting capable of illuminating access to each garage, car parking spaces 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.
12. Building or works must not be commenced (and no trees or vegetation shall be removed) until a landscape plan prepared by a suitably qualified and experienced person or firm has been submitted to and endorsed by the Responsible Authority. This plans when endorsed shall form part of this permit. This plan must show:

- A survey of all existing vegetation, abutting street trees, natural features and vegetation.
- Buildings, outbuildings and trees in neighbouring allotments that would affect the landscape design.
- Planting within and around the perimeter of the site comprising trees and shrubs capable of:
 - Providing a complete garden scheme
 - Softening the bulking bulk
 - Providing some upper canopy for landscape perspective.
 - Minimising the potential of any overlooking between habitable rooms of adjacent dwellings
- The proposed design features such as paths, paving, lawn and mulch.
- 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.
- The provision of two canopy trees within the front setback of Dwelling 1 capable of reaching a mature height of 4.0 metres.

Landscaping in accordance with this approved plan and schedule shall be completed prior to the occupation of the dwellings and thereafter maintained to the satisfaction of the Responsible Authority.

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

13. Prior to the occupation of the development hereby permitted, all landscaping (including trees, shrubs and lawn) must be completed in accordance with any approved landscape plan to the satisfaction of the Responsible Authority.
14. This permit will expire if:
 - a) The use and development does not start within two (2) years of the date of this permit; or
 - b) The use and development is not completed within four (4) years of the date of this permit.

Before the permit expires or within three (3) months afterwards the owner or occupier of the land may in writing request 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 commencement of the development occurs, the applicant should contact the Moonee Valley City Council's Engineering Services Department regarding legal point of discharge, new crossings, building over easements, etc.

- All works within the road reserve shall be in accordance with the requirements of the Moonee Valley City Council's Engineering Services Department.
- No on street parking permits will be provided to the occupiers of the subject site
- The OSD is to limit the rate of stormwater discharge from the property to pre-development levels (C=0.4, tc=5mins, ARI 1in5). An ARI of 1in10 shall be used for storage and the greater of post development C or C=0.80.

CARRIED

6.1 294-296 Keilor Road, North Essendon (Lots 329-331 PS8660) - Use and Development of a five storey building comprising four retail tenancies at ground level and 89 dwellings, reduction in the car parking requirements, waiver of the loading and unloading bay requirements and alteration of access to a Road Zone Category 1

File No: MV/186/2011
Author: Principal Town Planner
Directorate: City Works and Development
Ward: Buckley
Minute No: PC2011/80

Committee Resolution

Moved by Cr Giuliano, seconded by Cr Rankin that with respect to an Application for Review against Council's failure to decide the application within the prescribed time, Council resolves to advise the Victorian Civil and Administrative Tribunal (VCAT) and other parties to the application, that if Council were in a position to decide on the application, that the decision would have been to issue a Notice of Decision to Grant a Permit in relation to Planning Permit Application No. MV/186/2011 for the use and development of a four storey building comprising four retail tenancies and 74 dwellings, reduction in the car parking requirements, waiver of the loading and unloading bay requirements and alteration of access to a Road Zone Category 1 at 294-296 Keilor Road, North Essendon (Lots 329-331 PS8660) subject to the following conditions:

1. Before the use and development starts, amended plans (three copies) must be submitted and approved to the satisfaction of the Responsible Authority. The plans must be drawn to scale, with dimensions, and be generally in accordance with the plans submitted and assessed with the application but modified to show:
 - a) Deletion of the fifth level (level 4) along with internal modifications resulting in the net loss of 15 dwellings.
 - b) Any modifications as required by VicRoads conditions.

- c) Provision for a pedestrian splay associated with Retail Unit 1. The splay must be a minimum depth of 2.5 metres and a width of 2 metres.
- d) Balcony screens associated with levels 1-3 along the northern elevation to a height of no less than 1.8 metres consisting of obscure grey glass.
- e) Amended landscape plan in accordance with Condition 4.
- f) Provision for a 3 metre high acoustic fence along the northern boundary, to be maintained by the developer's Body Corporate for the duration and life of the building, to coincide with Condition 20.
- g) Provision for an additional 30 car spaces to be located within the basement level.
- h) The allocation of car spaces in accordance with Condition 9b) of this permit.

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

- 2. The layout of the site and the size, design and location of the buildings and works permitted must always accord with the endorsed plan and must not be altered or modified without the further written consent of the Responsible Authority.
- 3. Floor levels shown on the endorsed plan(s) must not be altered or modified without written consent of the Responsible Authority.
- 4. Building or works must not be commenced (and trees or vegetation must not be removed) until a landscape plan prepared by a suitably qualified and experienced person or firm has been submitted to and approved by the Responsible Authority. The landscape plan(s) must be generally in accordance with the landscape plan submitted for endorsement but modified to show:
 - a) A notation indicating that the *Pyrus calleryana* (Capital Pear) must be a minimum of 3 metres in height at the time of planting and a maximum of 6 metres, maintained by the Body Corporate for the duration of the life of the building.

Landscaping in accordance with this approved plan and schedule must be completed before the building is occupied. Once approved by the Responsible Authority these plans become part of the endorsed plans of this permit.

- 5. Prior to the commencement of any building and works a Construction Management Plan must be submitted to and must be approved by the Responsible Authority detailing the construction activity proposed. The plan must include, but not be limited to:
 - a) Hours of construction.
 - b) Dust management.
 - c) Parking and traffic movements of all worker's vehicles and construction vehicles.
 - d) Any impacts upon adjacent roads and pedestrian walkways and providing for adequate movement and circulation of vehicles and pedestrians adjacent to the land during the construction phase.

- e) Access routes for construction vehicles.
- f) Temporary fencing works.
- g) Number of workers expected to work on the site and any time.
- h) Methods for limiting the escape of dust and litter from the site.
- i) Details regarding the method by which the public can register complaints and the details for investigating, action taken and method of response to those complaints.
- j) The method by which the public will be informed about the progress of works associated with construction.
- k) A liaison officer for contact by residents and the Council in the event of relevant queries or problems experienced.
- l) Where stock piling or other material will be placed.
- m) Clean-up measures and corrective action for materials spilt off site specifying sweeping and or collection for disposal, but not hosing or sweeping of any materials down the stormwater drain system.

The Construction Management Plan must be to the satisfaction of the Responsible Authority. Once submitted and endorsed by Council the plan shall form part of this permit and must not be altered or modified without the further written consent of the Responsible Authority.

- 6. Prior to the commencement of the development, the applicant shall submit a Waste Management Plan to the Responsible Authority for approval. The Waste Management Plan shall be in accordance with the City of Moonee Valley's "Waste Management Plans – Guidelines for Applicants" and once approved shall be implemented to the satisfaction of the Responsible Authority.
- 7. The privacy screens as shown on the endorsed plans must be installed prior to the occupation of the building.
- 8. Any service units, including air conditioning units, must not be located on any of the balconies unless appropriately visually and acoustically screened to the satisfaction of the Responsible Authority.
- 9. Prior to the use commencing, a Car Parking Management Plan prepared by an appropriately qualified traffic consultant must be submitted to and approved by the Responsible Authority. The Car Parking Management Plan must include:
 - a) The car parking layout generally in accordance with the relevant requirements of the Australian Standards for Off-Street Car Parking AS/NZS 2890.1-2004 (including ramp grades and dimensions, column location, headroom clearance, etc).
 - b) The provision of 108 car spaces with these spaces allocated as follows:
 - 78 Resident car spaces
 - 12 shop (staff) car spaces (Unit 2 - shop 1 to have 3 car spaces, shop 2 to have 2 car spaces, shop 3 to have 3 car spaces and shop 4 to have 4 car spaces)
 - 18 visitor spaces

- c) The management of visitor parking spaces and security arrangements for occupants of the development, including the provision of an intercom system at the security entrances.
- d) Lighting of parking areas, entries and exits.
- e) Proposed signage to direct occupants and visitors to their designated spaces.

The Car Parking Management Plan must be to the satisfaction of the Responsible Authority. Once submitted and approved the plan must be carried out to the satisfaction of the Responsible Authority.

- 10. The use hereby permitted must not commence until not less than 29 bicycle parking spaces have been provided to the satisfaction of the Responsible Authority.
- 11. Car and bicycle spaces must not be used for any other purpose other than the parking of vehicles, to the satisfaction of the Responsible Authority.
- 12. The area set aside for the parking of vehicles, together with the associated access lanes as delineated on the endorsed plan(s) must be to the satisfaction of the Responsible Authority:
 - a) be provided and completed prior to the commencement of the use hereby permitted.
 - b) thereafter maintained.
 - c) be made available for such use at all times and not used for any other purpose.
 - d) be properly formed to such levels that it can be used in accordance with the endorsed plan.
 - e) be drained and sealed with an all weather seal coat.
- 13. The loading and unloading of goods from vehicles must not be conducted before 8am or after 6pm daily.
- 14. Provision must be made for the drainage of the land including landscaped and paved areas all to the satisfaction of the Responsible Authority.
- 15. All stormwater runoff from the proposed development is to be harvested via rainwater tanks(s) and reused for the building's facilities (toilets, irrigation etc). All stormwater overflow from the rainwater tank(s) is to drain via an underground drainage system and discharge to the Council barrel drain in Keilor Road.
- 16. All redundant vehicle crossovers to be removed. Where crossovers are redundant, nature strip and kerb and channel must be reinstated to the satisfaction of the Responsible Authority.
- 17. Paving abutting an adjacent property must be provided with 150mm high concrete kerb.
- 18. All works within the road reserve shall be in accordance with the requirements of the Moonee Valley City Council's Engineering Services Department.
- 19. Consent must be obtained from Council prior to the planting of any street trees.

20. Prior to occupation of the building, a 3 metre high acoustic screen fence must be erected along the northern boundary all at the cost of the owner and thereafter maintained all to the satisfaction of the Responsible Authority.

The fence must be constructed in accordance with a design and specifications (prepared by a suitably qualified person) submitted to and approved by the Responsible Authority, prior to the construction of the fence.

Director of Director of Public Transport Conditions

21. Before the development starts, or other time agreed in writing with the Responsible Authority, amended plans must be prepared and submitted to the satisfaction of the Responsible Authority and Director of Public Transport. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:
- a) Provision of a bus shelter (or alternative ie extended building canopy and seating) for the existing bus stop on the northern side of Keilor Road;
 - b) Provision of bus stop identification line marking (“X” marked box) to identify the bus stop on Keilor Road.
22. Before the commencement of the use, the bus stop line marking including all associated infrastructure, must:
- a) Be constructed at a cost born by the permit holder;
 - b) Deemed compliant with the Disability Discrimination Act – Disability standards for Accessible Public Transport 2002;
- to the satisfaction of the Director of Public Transport.
23. The permit holder must take all reasonable steps to ensure that disruption to bus operation along Keilor Road is kept to a minimum during the construction of the development. Foreseen disruptions to bus operations and mitigation measures must be communicated to the Director of Public Transport fourteen days (14) prior.
24. The permit holder must take all reasonable steps to ensure that disruption to tram operation along Keilor Road is kept to a minimum during the construction of the development. Foreseen disruptions to tram operations and mitigation measures must be communicated to Yarra Trams and the Director of Public Transport fourteen days (14) prior.
25. The permit holder must ensure that all track, tram and overhead infrastructure is not damaged. Any damage to public transport infrastructure must be rectified to the satisfaction of the Director of Public Transport at the full cost to the permit holder.

End of Director of Public Transport Conditions

VicRoads Conditions

26. Before the development starts amended plans must be submitted to and approved by VicRoads. When approved by VicRoads, the plans may be endorsed by the Responsible Authority and will then form part of the permit. The plans must be drawn to scale with dimensions and two copies must be provided. The plans must be generally in accordance with the plans dated 10 March 2011 and annotated as but modified to show:
 - a) Drawing no. TP02.02 and TP03.04 annotated to indicate all parts of the building (excluding the canopy) are located within the property boundary line;
 - b) The access way between the property boundary line and the first 6.0 metres into the car park at a gradient of 1 in 20 (5%) in accordance with AS/NZS 2890.1:2004 section 3 – Gradients of access driveways;
 - c) Right turn vehicular movements entering the property off Keilor Road shall be restricted. A traffic island should be constructed with appropriate signage to restrict right turn movements into the site;
 - d) No gates or obstructions to the movements of vehicles within the first 6.0 metres of the property boundary line;
 - e) Relocation of the visitor bicycle spaces provided from within the Keilor Road reserve to within the site;
 - f) Bus stop line marking at the existing bus stop at the frontage of the site.
27. All vehicular movements to and from Keilor Road must be able to be made in a forward manner;
28. To the satisfaction of the Responsible Authority and at no cost to VicRoads, the proposed crossover on Keilor Road must be constructed generally in accordance with the submitted plans, and there shall be 1.0 metre clearance from any fixed object.
29. Any redundant crossover to the development from Keilor Road shall be removed and the kerb, channel, footpath and nature strip reinstated to the satisfaction of the Responsible Authority and at no cost to VicRoads.
30. To the satisfaction of and at no cost to VicRoads and the Responsible Authority, the developer shall be responsible for the relocation and reinstatement of any trees, road furniture and any other services that may be required in this work.
31. A traffic management plan is to be submitted to VicRoads for its consideration at least 14 days prior to the commencement of works on-site. No traffic management devices are to be erected on Keilor Road until VicRoads issues authorisation for the erection of those devices in accordance with the traffic management plan.
32. Worksite traffic management is to be in accordance with “Road Management Act 2004 – Worksite Safety Traffic Management – Code of Practice” and AS 1742.3 – 2009 Part 3 Traffic control devices for works on roads. If traffic congestion becomes excessive at any time, the contractor must undertake measures to ease congestion.

33. Any works associated with the proposed development shall be performed at no cost to VicRoads.

End of VicRoads Conditions

34. This permit will expire if one of the following circumstances applies;
- a) The use and development is not commenced within two (2) years from the date of issue of this permit; or
 - b) The development is not completed and the use is not commenced within four (4) years from the date of issue of this permit.
 - c) Before the permit expires or within three (3) months afterwards the owner or occupier of the land may in writing request the Responsible Authority to extend the expiry date.

Permit Notes

- Before commencement of the development occurs, the applicant shall contact the Moonee Valley City Council's Engineering Services regarding legal point of discharge, new crossings, building over easements etc.
- A "Drainage Inspection Permit" is required for this development.
- A permit must be obtained from Council for all vehicular crossings.
- Council will not accept any modifications to existing levels within the road reserve or to any Right of Way. Any change in levels to match existing surface levels along the property boundary line must be made within the property.
- This is not a building permit. A separate building permit is required to be obtained for any demolition or building works.
- No on-street parking permits will be provided to the occupiers of the subject site.
- This permit relates only to the use and/or development of the land and does not comprise approval for the erection of any advertising signs. The location and details of any advertising signs to be erected on the land shall be the subject of a separate application.

Division Called

A Division on the motion was called and voting was as follows:

For: Crs Giuliano, Gillis, Sipek and Rankin.

Against: Crs Chantry, Cornish and Sharpe.

CARRIED

6.4 5 Afton Street, Aberfeldie - Construction of four double storey dwellings (Lot 1, PS 018983)

File No: MV/215/2011
Author: Town Planner
Directorate: City Works & Development
Ward: Buckley
Minute No: PC2011/81

Committee Resolution

Moved by Cr Chantry, seconded by Cr Giuliano that Council issue a Notice of Decision to Grant a Permit in relation to Planning Permit Application No. MV/215/2011 for the construction of four dwellings (two double storey in the front and two single storey towards the rear) at 5 Afton Street, Aberfeldie (Lot 1, PS 018983) subject to the following conditions:

1. Before the development starts, amended plans (three copies) must be submitted to and approved to the satisfaction of the Responsible Authority. The plans must be drawn to scale, with dimensions, and be generally in accordance with the plans submitted and assessed with the application but modified to show:
 - a) The reduction of Dwellings 3 and 4 to single storey dwellings. All required modifications must be undertaken so to ensure compliance with Clause 55 of the Moonee Valley Planning Scheme.
 - b) The deletion of the garden bed opposite the tandem car space of Dwelling 2.

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

2. Before the development starts, amended plans (three copies) must be submitted to and approved to the satisfaction of the Responsible Authority. The plans must be drawn to scale, with dimensions, and be generally in accordance with the plans submitted and assessed with the application but modified to show:
 - a) The layout of the site and the size, design and location of the buildings and works permitted must always accord with the endorsed plan and must not be altered or modified without further written consent of the Responsible Authority.
3. Prior to the issue of an Occupancy Permit, all retaining walls must be cleaned and finished to the satisfaction of the Responsible Authority.
4. Buildings and works must not be constructed over any easement without the written consent of the relevant authorities or agencies to the satisfaction of the Responsible Authority.
5. Floor levels shown on the endorsed plan(s) must not be altered or modified without the written consent of the Responsible Authority.

6. Standard concrete vehicular crossing(s) must be constructed to suit the proposed driveway(s) in accordance with the Responsible Authority's standard specification and any vehicle crossing(s) no longer required must be removed and the land, footpath and kerb and channel replaced all 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 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.
7. Provision must be made for the drainage of the land including landscaped and pavement areas all to the satisfaction of the Responsible Authority.
8. Paving abutting an adjacent property must be provided with a 150mm high concrete kerb.
9. All drainage works must be in accordance with the requirements of Moonee Valley City Council's Engineering Services Department and to the satisfaction of the Responsible Authority.
10. All piping and ducting, excepting for guttering and rainwater downpipes, above the ground floor storey of the building must be concealed to the satisfaction of the Responsible Authority.
11. Prior to the occupation of the development hereby permitted, all landscaping, including trees, shrubs and lawn, shall be planted to the satisfaction of the Responsible Authority.
12. This permit will expire if:-
 - a) The development does not start within two (2) years of the date of this permit, or
 - b) The development is not completed within four (4) years of the date of this permit

Permit Notes

- This is not a building permit under the Building Act. A separate building permit is required to be obtained for any demolition or building works.
- Before commencement of the development occurs, the applicant shall contact the Moonee Valley City Council's Services regarding legal point of discharge, new crossings, build over easements etc.
- No on street parking permits will be provided to the occupiers of the subject site.

CARRIED

6.5 Keilor Road Built Form Guidelines and review of Keilor Road and North Essendon Structure Plans.

File No: FOL/10/1808
Author: Strategic Research and Planning Officer
Directorate: City Works & Development
Ward: Buckley
Minute No: PC2011/82

Committee Resolution

Moved by Cr Sharpe, seconded by Cr Giuliano that Council:

1. Endorse the Keilor Road Activity Centre Structure Plan, North Essendon Activity Centre Structure Plan and Keilor Road Built Form Guidelines provided as Appendix A (separately circulated), with amendments to boundaries as outlined in Attachment 1 (separately circulated), for community consultation.
2. Receive a further report summarising the outcomes of the community consultation process once completed.

CARRIED

6.6 Planning Scheme Amendment C98 - Public Open Space Contribution

File No: FOL/10/264
Author: Strategic Research and Planning Officer
Directorate: City Works & Development
Ward: Municipal
Minute No: PC2011/83

Committee Resolution

Moved by Cr Chantry, seconded by Cr Rankin that Council:

1. Having complied with Part 3, Division 1 and 2 of the *Planning and Environment Act 1987*, and in accordance with Section 29(1), adopt Moonee Valley Planning Scheme Amendment C98. The revised adopted amendment to incorporate all changes recommended by the panel as per page 2 of the panel report provided at Appendix B (separately circulated).
2. Pursuant to Section 31(1) of the *Planning and Environment Act 1987*, submit Moonee Valley Planning Scheme Amendment C98 to the Minister for Planning for approval.

CARRIED

6.7 ESD Assessment in the Planning Process

File No: FOL/10/594
Author: Strategic Planner
Directorate: City Works & Development
Ward: Municipal
Minute No: PC2011/84

Committee Resolution

Moved by Cr Cornish, seconded by Cr Giuliano that Council defer consideration of the ESD Assessment in the Planning Process pending a further report from the Chief Executive on:

- a) the outcome of the State Government's current review of the Planning System;
- b) advice from the MAV in relation to any advantages and disadvantages that the processes provides;
- c) experiences from other Councils who have implemented this process; and
- d) further detailed costing on implementing this planning process.

CARRIED

6.8 Victorian Planning Systems Review - Council Submission

File No: FOL/09/1547
Author: Coordinator Strategic Planning
Directorate: City Works & Development
Ward: Municipal
Minute No: PC2011/85

Committee Resolution

Moved by Cr Giuliano, seconded by Cr Chantry that Council endorse the submission to the review of the Victorian Planning System – (provided as Appendix A) and forward to the Department of Planning and Community Development.

CARRIED

6.9 Planning Issues for Moonee Valley

File No: FOL/10/285
Author: Strategic Research and Planning Officer
Directorate: City Works & Development
Ward: Municipal
Minute No: PC2011/86

Committee Resolution

Moved by Cr Chantry, seconded by Cr Giuliano that Council:

1. Receive and note the contents of the Planning Issues for Moonee Valley Report.
2. Refer the following items to the 2012/2013 budget:
 - a) Neighbourhood and smaller activity centre strategy
 - b) Planning scheme review
 - c) Thematic history of Moonee Valley.

CARRIED

6.10 Licensed Premises Policy - Draft Background Paper

File No: FOL/11/349
Author: Strategic Planner
Directorate: City Works & Development
Ward: Municipal
Minute No: PC2011/87

Committee Resolution

Moved by Cr Rankin, seconded by Cr Gillis that Council:

1. Endorse the Licensed Premises Policy - Draft Background Paper (Appendix A – separately circulated) for the purposes of public consultation.
2. Receive a further report following consultation on the Licensed Premises Policy – Draft Background Paper.

CARRIED

6.11 Review of Councillor Initiated Urgent / Emergency Capital Works and General Ward Allocations

File No: 19/004/003
Author: Manager Finance
Directorate: Corporate Services
Ward: Municipal
Minute No: PC2011/88

Committee Resolution

Moved by Cr Giuliano, seconded by Cr Cornish that Council endorse the Councillor Initiated Urgent / Emergency Capital Works and General Ward Allocations policy subject to the following changes:

1. Removal of reference to Capital Works throughout the policy, to be replaced with Urgent / Emergency Works.
2. The annual ward allocation, may at the discretion of the ward Councillors, be allocated on an individual Councillor basis.
3. Removal of “the project must have a minimum \$10,000 in estimated value”.

CARRIED

6.12 2010-11 Annual Financial Report

File No: 19/004/003 & 19/004/002
Author: Manager Finance
Directorate: Corporate Services
Minute No: PC2011/89

Committee Resolution

Moved by Cr Rankin, seconded by Cr Giuliano that Council:

1. Give its approval in principle to the 2010-2011 Annual Financial Report
2. Authorise Councillors Rankin and Cornish to certify (on behalf of Council) the Annual Financial Report, including the Standard Statements, in its final form after any changes recommended, or agreed to, by the Auditor-General have been made, provided that such changes are not material and do not materially change the outcome for the year, or the financial position of Council.

CARRIED

6.13 2010-11 Performance Statement

File No: 19/004/002
Author: Manager Finance
Directorate: Corporate Services
Minute No: PC2011/87

Committee Resolution

Moved by Cr Rankin, seconded by Cr Cornish that Council:

1. Adopt in principle the 2010-2011 Annual Performance Statement; and
2. Authorise Councillors Rankin and Cornish to certify (on behalf of Council) the Annual Performance Statement.

CARRIED

7. Notices of Motion

Nil.

8. Urgent Business

Moved by Cr Chantry, seconded by Cr Gillis that the item from Cr Giuliano regarding traffic and parking issues in streets adjacent to Keilor Road be considered as Urgent Business.

CARRIED UNANIMOUSLY

8.1 Options available to address traffic and parking issues in streets adjacent to Keilor Road, North Essendon

File No: 19/004/002
Minute No: PC2011/88

Committee Resolution

Moved by Cr Giuliano, seconded by Cr Cornish that Council request the Chief Executive to prepare a report on options available to address traffic and parking issues in streets adjacent to Keilor Road, North Essendon, including Dudley, Birdwood and Ross Streets, and in particular pedestrian and vehicular movements to and from intersecting streets.

CARRIED

9. Confidential Report

Nil.

The meeting concluded at 8.44pm.

CONFIRMED

**CR JOHN SIPEK
CHAIRPERSON**

ATTACHMENT 1

North Essendon Activity Centre Properties to be removed from the Activity Centre boundary

Street	Numbers
Winifred Street – east	2-30
Glass Street	114-118
Carnarvon Road	1-17
Woodland Street	143-151
Bulla Road	16 and 15-31
Queen Street	1-29
Lincoln Road	117-125
Richardson Street	62-82
Thorn Street	3
Lincoln Park	-

Keilor Road Activity Centre Properties to be removed from the Activity Centre boundary

Street	Numbers
Hedderwick Street	145
Roberts Street	150-152
Birdwood Street	1A-1C
Dudley Street	1-27 and 22-26
Treadwell Road	10-18 and 5-13
Ross Street	2A-14 and 1-23

Map 1 – North Essendon



LEGEND

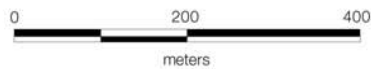
- Activity Centre boundary
- Public open space/ road reserve
- P Existing car park
- Tram line
- / / / / / Existing heritage overlay
- Sensitive residential interface
- Key gateway locations

Built Form Controls

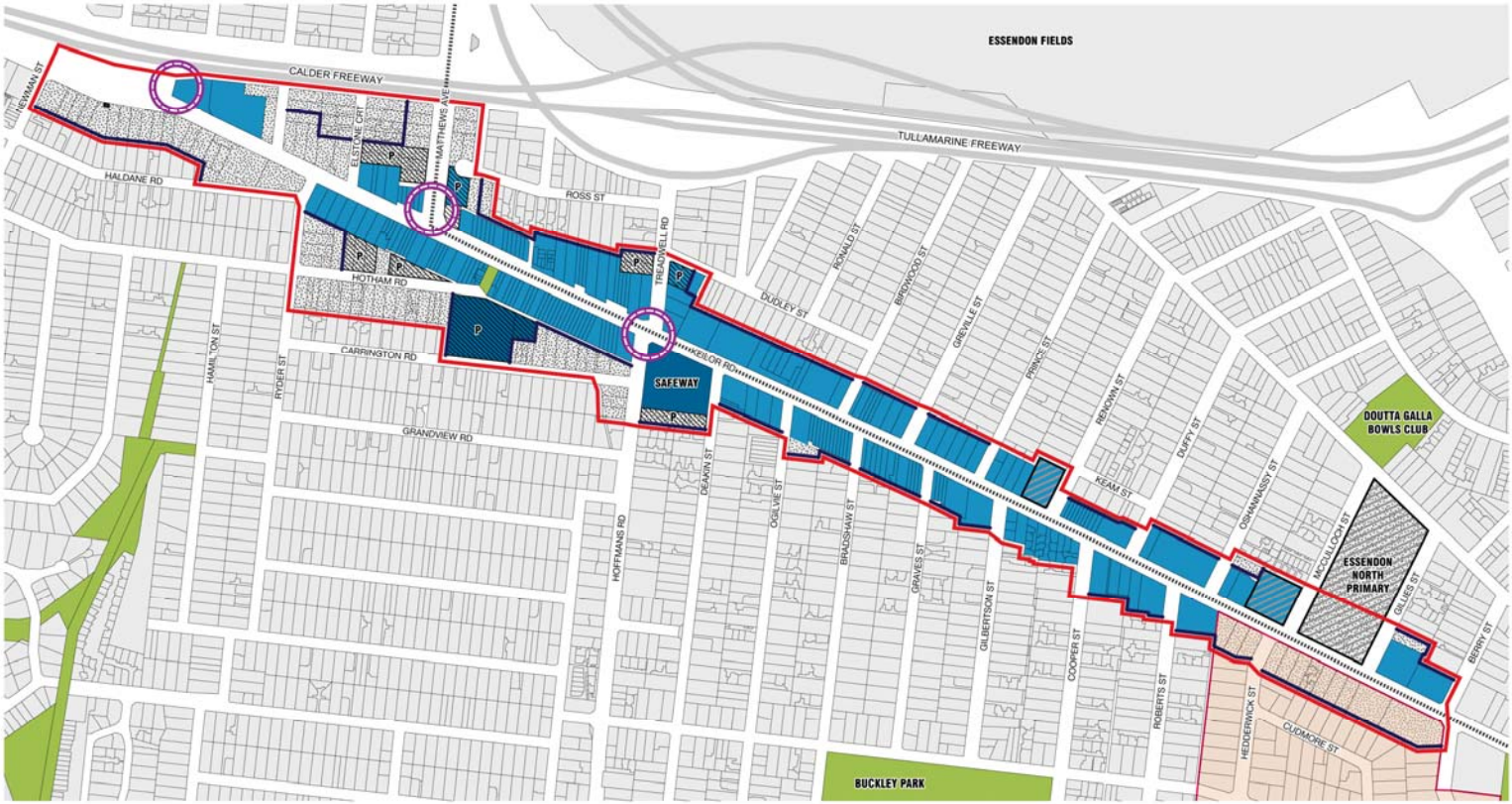
- Up to 3 storeys (9-10m) ResCode
- Up to 3 storeys (9-10m) ResCode with additional built form guidelines
- Up to 4 storeys (15m)
- Up to 5 storeys (18m)

Note: Potential for up to 6 storeys (21m) on 'key sites' subject to successfully meeting the 'key sites' criteria
 (Refer to *Keilor Road Activity Centre Built Form Guidelines* and the *Mt Alexander Road Corridor Urban Design Guidelines* for more detail)

BUILT FORM
 NORTH ESSENDON ACTIVITY CENTRE STRUCTURE PLAN



Map 2 – Keilor Road



LEGEND

- Activity Centre boundary
- Public open space
- Existing car park
- Tram line
- Existing heritage overlay
- Single dwelling covenant
- Sensitive residential interface
- Key gateway locations

Built Form Controls

- Up to 3 storeys (9-10m) ResCode
- Up to 3 storeys (9-10m) ResCode with additional built form guidelines
- Up to 4 storeys (15m)
- Up to 5 storeys (18m)

BUILT FORM
KEILOR ROAD ACTIVITY CENTRE STRUCTURE PLAN

0 200 400
 meters

N

Note: Potential for up to 6 storeys (21m) on 'key development sites' subject to successfully meeting the 'key development sites' criteria
 (Refer to *Keilor Road Activity Centre Built Form Guidelines* for more detail)