



City of  
**Moonee Valley**

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# **Ordinary Meeting of Council**

**Tuesday, 25 March 2014**

**Minutes**

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# Report Index

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The following reports were considered:

9.1	Draft Moonee Valley Heritage Gap Study - Stage 1.....	5
9.2	91 Glass Street, Essendon (Lot 1 on TP 903852y) - Construction of a Residential Building Comprising 14 Dwellings and a Reduction to the Car Parking Requirement .....	5
9.3	64 Teague Street, Niddrie (Lot 384 on LP10094) - Construction of Three Dwellings.....	6
9.4	20 Park Street, Moonee Ponds (Lot 2 on LP31368) - Construction of a Residential Building and Dwellings, Variation of an Easement and a Reduction to the Car Parking Requirement.....	10
9.5	2 Ayr Street, Ascot Vale (Lot 3 On TP 470557k) - Construction of Two Dwellings.....	11
9.6	146 - 148 Cooper Street, Essendon (Lots 1 and 2 on TP 530312l, Lot 1 on TP 530226d, Lot 1 on TP 857742k and Lot 1 on TP650189l) - Construction of a Multi-Level Residential Building. ....	14
9.7	9 Market Street, Essendon (Lot 138 PS 000888) - Construction of Two Dwellings.....	14
9.8	Update Craigieburn Rail Corridor Walking and Cycling Route From Essendon Station to Newmarket Station.....	18
9.9	Revised Road Asset Management Plan.....	19
9.10	2013-14 Capital Works Status Report (March 2014).....	20
9.11	Diversity, Access and Equity Policy .....	20
9.12	Disability Action Plan.....	20
9.13	Reconciliation Action Plan 2014.....	21
9.14	Priority of Access For Preschools .....	21
9.15	Draft Urban Ecology Strategy 2014.....	21
9.16	2013/14 Community Support Grants Program .....	22
9.17	Attendance of Council Representatives at Interstate Conferences .....	22
9.18	Report on Audit Committee .....	23
9.19	Report on Assemblies of Council .....	23
10.1	Notice of Motion No. 2014/4: Extension of Existing Alcohol Restrictions .....	24

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# Minutes of the Ordinary Meeting of Council

Tuesday, 25 March 2014 at 7:02pm  
held at the Moonee Valley Civic Centre

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## PRESENT

**Members** Cr Jan Chantry Mayor  
Cr Nicole Marshall  
Cr Shirley Cornish  
Cr Jim Cusack  
Cr Paul Giuliano  
Cr Cam Nation  
Cr Narelle Sharpe  
Cr John Sipek  
Cr Andrea Surace

**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 Henry Bezuidenhout Manager Strategic & Statutory Planning  
Ms Yvonne Hansen Manager Governance & Local Laws

### 1. Opening

The Mayor, Cr Chantry, opened the meeting and welcomed all present to the Council Meeting of Tuesday, 25 March 2014.

### 2. Apologies

Nil.

### 3. Confirmation of Minutes

Moved by Cr Sipek, seconded by Cr Nation that the Minutes of the Ordinary Meeting of Council held on Tuesday, 25 February 2014 be confirmed.

**CARRIED**

### 4. Declarations of Conflict of Interest

Nil.

### 5. Presentations

Nil.

**6. Petitions And Joint Letters**

**6.1 Traffic Concerns, Various Streets in Moonee Ponds**

**File No.** FOL/14/200

Cr Narelle Sharp tabled a joint letter signed by 67 individuals, regarding various matters concerning traffic, parking, line marking, pedestrian crossing and speeding in the vicinity of Park Crescent, Aberfeldie Street, Corio Street and Waverley Street, Moonee Ponds.

**6.2 Parking Permit Restrictions, Wisewould Street, Flemington**

**File No.** FOL/14/200

Cr Nicole Marshall tabled a petition signed by 31 individuals requesting that Council does not proceed with the proposal to initiate the Resident Only Parking Permit Restrictions (and Visitor Vouchers) in Wisewould Street.

*In tabling a petition/joint letter, the Appropriate Officer is required to undertake the necessary action and if necessary provide a further report to Council.*

**7. Public Question Time**

Nil.

**8. Reports By Mayor And Councillors**

**File No.** FOL/12/1435

**Minute No.** 2014/28

**Council Resolution**

Moved by Cr Sipek, seconded by Cr Surace that the reports by the Mayor and Councillors be received.

**CARRIED**

## 9. Reports

### 9.1 Draft Moonee Valley Heritage Gap Study - Stage 1

**File No:** FOL/13/768  
**Author:** Senior Strategic Planning Officer  
**Directorate:** City Works & Development  
**Ward:** Municipal  
**Minute No:** 2014/29

#### Council Resolution

Moved by Cr Marshall, seconded Cr Cusack that Council:

1. Receive and note the Moonee Valley Heritage Gap Study - Stage 1 Report.
2. Provide the Stage 1 Report as background information for the purposes of community consultation.
3. Undertake consultation with owners and/or occupiers of properties identified in the Stage 1 Report to determine their views on undertaking further work to examine the heritage value of their property.
4. Receive a report on the outcome of the consultation process as outlined in point 3 above.

**CARRIED**

Crs Nation and Sipek abstained from the vote.

Cr Sipek left the meeting at 7.42pm and returned at 7.47pm

### 9.2 91 Glass Street, Essendon (Lot 1 on TP 903852Y) - Construction of a residential building comprising 14 dwellings and a reduction to the car parking requirement

**File No:** MV/449/2013  
**Author:** Senior Town Planner  
**Directorate:** City Works & Development  
**Ward:** Buckley  
**Minute No:** 2014/30

#### Council Resolution

Moved by Cr Sharpe, seconded Cr Surace that Council issue a Refusal to Grant a Permit in relation to Planning Permit Application No. MV/449/2013 for 91 Glass Street, Essendon (Lot 1 on TP903852Y), for the 'construction of a residential building comprising 14 dwellings and a reduction to the car parking requirement' on the following grounds:

1. The development would present a visually dominant and unsympathetic built form character to the area contrary to Clause 55.02-1 (Neighbourhood Character) and Clause 21.05-3 (Objectives & Strategies – Urban Design) of the Moonee Valley Planning Scheme.
2. The proposal provides for unreasonable amenity impacts to adjoining properties.
3. The development is not site responsive and would represent an overdevelopment of the land.
4. The proposal provides inadequate car parking failing to satisfy Clause 52.06 of the Moonee Valley Planning Scheme.
5. The proposal fails to comply with the following objectives of Clause 55 of the Moonee Valley Planning Scheme:
  - i) Clause 55.03-1 (Street Setback).
  - ii) Clause 55.03-3 (Site Coverage).
  - iii) Clause 55.05-5 (Solar Access to Open Space).

**CARRIED**

**9.3                      64 Teague Street, Niddrie (Lot 384 on LP10094) - Construction of three dwellings.**

**File No:** MV/718/2013  
**Author:** Town Planner  
**Directorate:** City Works & Development  
**Ward:** Buckley  
**Minute No:** 2014/31

**Council Resolution**

Moved by Cr Sharpe, seconded Cr Giuliano that Council issue a Notice of Decision to Grant a Permit in relation to Planning Permit Application No. MV/718/2013 for the construction of three dwellings at 64 Teague Street, Niddrie (Lot 384 on LP10094), 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) Protrusion of eaves along the north facing first floor alignment of Dwelling 1.
  - b) Garage of Dwelling 3 setback 150mm from the northern title boundary.
  - c) Bedroom windows located along the eastern elevation of the First Floor Level to be fixed and obscure glazed up to 1.7m above floor level in accordance with Clause 55.04-6 (Overlooking objective) of the Moonee Valley Planning Scheme.

- d) Accurate total private open space allocation for Dwelling 3.
- e) Fencing within front setbacks tapered down to 1.15m within 2m of the front property boundary.

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. Prior to the issue of an Occupancy Permit, all boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
- 4. Floor levels shown on the endorsed plan(s) must not be altered or modified without written consent of the Responsible Authority.
- 5. The fencing (boundary and internal) as shown on the endorsed plans must be installed prior to the occupation of the dwellings. The cost of such fencing must be met by the owner and carried out to the satisfaction of the Responsible Authority.
- 6. The privacy screens/obscured glazing as shown on the endorsed plans must be installed prior to the occupation of the building.
- 7. Prior to any building or works commencing, a Construction Management Plan must be submitted to and approved by the Responsible Authority detailing the construction activity proposed. The plan must include, but not be limited to:
  - a) Hours of construction.
  - b) Parking and traffic movement of all workers vehicles and construction vehicles.
  - c) Scaffolding and hoarding for the site.
  - d) Allocated areas for loading and unloading.
  - e) Site evacuation plan and procedure.
  - f) Occupational health and safety policy.
  - g) Hazard identification and control.
  - h) Environmental management and waste minimisation.
  - i) Protection of surrounding roads from site contamination and damage including rumble grid and or wash down bay facility.
  - j) On site stormwater contamination.
  - k) Chemical storage.
  - l) Noise and vibration.
  - m) Risk assessment.
  - n) Works timetable.
  - o) Number of workers expected of work on the site at any one time.

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

8. 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.
9. An on-site stormwater detention drainage system must be installed on the subject land to the satisfaction of the Responsible Authority. Prior to the commencement of building and works a drainage layout plan, together with computations and manufacturers 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. Before the development starts, or any trees or vegetation removed, a landscape plan (three copies) prepared by a suitably qualified person or firm shall 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 with the application but modified to show:
  - a) Plans to accord with 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 one canopy tree within the front setback of each dwelling which is able to achieve a minimum mature height of 4 metres.
  - e) Features such as paths, paving and accessways.

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

11. 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.
12. The car parking areas and access ways as shown on the endorsed plans must be formed to such levels so that they may be used in accordance with the plan, and must be properly constructed, surfaced, drained and line-marked (where applicable). The car park area and driveways must be maintained to the satisfaction of the Responsible Authority.
13. 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.

14. 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.
15. 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 commencement of the development occurs, the applicant should contact the Moonee Valley City Council's Technical Services Department regarding legal point of discharge, new crossings, building over easements etc.
- It is recommended that the required on-site detention system be designed to limit the rate of stormwater discharge from the property to pre-development levels in accordance with the following calculation;  $C=0.4$ ,  $+c=5$ mins, ARI 1 in 5. An ARI of 1 in 10 should be used for storage and the greater of post development C or  $C=80$ .
- All drainage works undertaken must be in accordance with the requirements of Stormwater Drainage Requirements for Development Works as prepared by the Moonee Valley City Council.
- All works undertaken within any existing road reserves must accord with the requirements of the Moonee Valley City Council's Technical Services Department and to the satisfaction of the Responsible Authority.
- No on street parking permits will be provided to the occupiers of the subject site.

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

**CARRIED**

Cr Surace left the meeting at 8.14pm.

**9.4                    20 Park Street, Moonee Ponds (Lot 2 on LP31368) - Construction of a residential building and dwellings, variation of an easement and a reduction to the car parking requirement**

**File No:**                MV/473/2013  
**Author:**                Senior Town Planner  
**Directorate:**        City Works & Development  
**Ward:**                    Myrnong  
**Minute No:**        2014/32

**Council Resolution**

Moved by Cr Marshall, seconded Cr Cusack that Council issue a Refusal to Grant a Permit in relation to Planning Permit Application No. MV/473/2013 for 20 Park Street, Moonee Ponds (Lot 2 on LP31368), for the ‘construction of a residential building and dwellings, variation of an easement and a reduction to the car parking requirement’ on the following grounds:

1. The development would present a visually dominant and unsympathetic built form character to the area contrary to Clause 55.02-1 (Neighbourhood Character) and Clause 21.05-3 (Objectives & Strategies – Urban Design) of the Moonee Valley Planning Scheme.
2. The proposal provides for unreasonable amenity impacts to adjoining properties.
3. The development is not site responsive and would represent an overdevelopment of the land.
4. The access to the car parking from the laneway will detrimentally impact upon the safety of vehicles and pedestrians contrary to the purpose of Clause 52.06 of the Moonee Valley Planning Scheme.
5. The proposal fails to comply with the following objectives of Clause 55 of the Moonee Valley Planning Scheme:
  - i) Clause 55.03-1 (Street Setback).
  - ii) Clause 55.03-2 (Building Height).
  - iii) Clause 55.04-1 (Side and Rear Setbacks).
  - iv) Clause 55.05-5 (Solar Access to Open Space).

**CARRIED**

Cr Surace returned to the meeting at 8.16pm.

**9.5                    2 Ayr Street, Ascot Vale (Lot 3 on TP 470557K) - Construction of two dwellings.**

**File No:**                MV/427/2013  
**Author:**                Town Planner  
**Directorate:**        City Works & Development  
**Ward:**                    Myrnong  
**Minute No:**        2014/33

**Council Resolution**

Moved by Cr Cusack, seconded Cr Cornish that Council issue a Notice of Decision to Grant a Permit in relation to Planning Permit Application No. MV/427/2013 for the construction of two dwellings at 2 Ayr Street, Ascot Vale (Lot 3 on TP 470557K), 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) A schedule of all external materials and finishes. The schedule must show the material, colour (including colour samples) and finishes of all external walls, roof, fencing and paving.

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. Prior to the issue of an Occupancy Permit, all boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
4. Floor levels shown on the endorsed plan(s) must not be altered or modified without written consent of the Responsible Authority.
5. The fencing (boundary and internal) as shown on the endorsed plans must be installed prior to the occupation of the dwellings. The cost of such fencing must be met by the owner and carried out to the satisfaction of the Responsible Authority.
6. The privacy screens/obscured glazing as shown on the endorsed plans must be installed prior to the occupation of the building.
7. Prior to any building or works commencing, a Construction Management Plan must be submitted to and approved by the Responsible Authority detailing the construction activity proposed. The plan must include, but not be limited to
  - a) Hours of construction.
  - b) Parking and traffic movement of all workers vehicles and construction vehicles.

- c) Scaffolding and hoarding for the site.
- d) Allocated areas for loading and unloading.
- e) Site evacuation plan and procedure.
- f) Occupational health and safety policy.
- g) Hazard identification and control.
- h) Environmental management and waste minimisation.
- i) Protection of surrounding roads from site contamination and damage including rumble grid and or wash down bay facility.
- j) On site stormwater contamination.
- k) Chemical storage.
- l) Noise and vibration.
- m) Risk assessment.
- n) Works timetable.
- o) Number of workers expected of work on the site at any one time.

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

8. 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.
9. Before the development starts, any trees or vegetation removed, require a landscape plan (three copies) prepared by a suitably qualified person or firm shall 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 with the application but modified to show:
  - a) Plans to accord with 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 one canopy tree within the front setback of each dwelling which is able to achieve a minimum mature height of 4 metres.
  - e) Features such as paths, paving and accessways.

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

10. 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.
11. The car parking areas and access ways as shown on the endorsed plans must be formed to such levels so that they may be used in accordance with the plan, and must be properly constructed, surfaced, drained and line-marked (where applicable). The car park area and driveways must be maintained to the satisfaction of the Responsible Authority.
12. 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.
13. This permit will expire if:
  - a) the development does not start within two (2) years of the date of issue of this permit.
  - 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 commencement of the development occurs, the applicant should contact the Moonee Valley City Council's Technical Services Department regarding legal point of discharge, new crossings, building over easements etc.
- All drainage works undertaken must be in accordance with the requirements of Stormwater Drainage Requirements for Development Works) as prepared by the Moonee Valley City Council.
- All works undertaken within any existing road reserves must accord with the requirements of the Moonee Valley City Council's Technical Services Department and to the satisfaction of the Responsible Authority.
- No on street parking permits will be provided to the occupiers of the subject site.
- Council will not accept any modifications to existing levels within the road reserve. Any change in levels to match existing surface levels along the property boundary line must be made within the property boundary.

**CARRIED**

Cr Marshall requested that her vote against the motion be recorded in the minutes.

**9.6**                    **146 - 148 Cooper Street, Essendon (Lots 1 and 2 on TP 530312L, Lot 1 on TP 530226D, Lot 1 on TP 857742K and Lot 1 on TP650189L) - Construction of a multi-level residential building.**

**File No:**                MV/622/2013  
**Author:**                Senior Town Planner  
**Directorate:**        City Works & Development  
**Ward:**                    Buckley  
**Minute No:**        2014/34

### **Council Resolution**

Moved by Cr Sharpe, seconded Cr Giuliano that Council issue a Refusal to Grant a Permit in relation to Planning Permit Application No. MV/622/2013 for 146-148 Cooper Street (Lots 1 and 2 on TP 530312L, Lot 1 on TP 530226D, Lot 1 on TP 857742K and Lot 1 on TP650189L) for the construction of a multi level residential building on the following grounds:

1. The development would present a visually dominant and unsympathetic built form character to the area contrary to Clauses 55.02-1 (Neighbourhood Character) and 21.05-3 (Objectives and Strategies – Urban Design) of the Moonee Valley Planning Scheme.
2. The overall height of the proposed development is inappropriate to the site and surrounding area, and fails to meet Clause 55.03-2 (Building Height Objective) of the Moonee Valley Planning Scheme.
3. The proposal will result in poor amenity outcomes for future residents as the proposal fails to comply with Clause 55.05-4 (Private Open Space) and Clause 55.05-5 (Solar Access to Open Space) of the Moonee Valley Planning Scheme.
4. The proposal provides for unreasonable amenity impacts to adjoining properties.
5. The development is not site responsive and would represent an overdevelopment of the land.

**CARRIED**

**9.7**                    **9 Market Street, Essendon (Lot 138 PS 000888) - Construction of two dwellings**

**File No:**                MV/584/2013  
**Author:**                Town Planner  
**Directorate:**        City Works & Development  
**Ward:**                    Buckley  
**Minute No:**        2014/35

### Council Resolution

Moved by Cr Giuliano, seconded Cr Cornish that That Council issue a Notice of Decision to Grant a Permit in relation to Planning Permit Application No. MV/584/2013 for the construction of two dwellings at No. 9 Market Street, Essendon (Lot 138 on PS000888), 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) Amended plans in accordance with plans submitted on the 22 January 2014.
  - b) The speed hump, including signs, must be relocated at the cost of the developer to ensure a 1.0 metre distance between both the crossovers and the speed hump. Alternatively the speed hump may instead be relocated to be in between both crossovers, provided there is a 1.0 metre clearance between the speed hump and crossovers on the north side of Market Street. The speed hump may also be relocated to be directly in line with the proposed crossover of Dwelling 2 to the satisfaction of the Responsible Authority.
  - c) The existing on-street parking line markings must be relocated within the centre of the existing and proposed crossovers.

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. Prior to the issue of an Occupancy Permit, all boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
4. Floor levels shown on the endorsed plan(s) must not be altered or modified without written consent of the Responsible Authority.
5. The privacy screens and/or obscure glazing as shown on the endorsed plans must be installed prior to the occupation of the building.
6. The car parking areas and access ways as shown on the endorsed plans must be formed to such levels so that they may be used in accordance with the plan, and must be properly constructed, surfaced, drained and line-marked (where applicable). The car park area and driveways must be maintained to the satisfaction 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. 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.
8. 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.
9. Prior to the issue of an Occupancy Permit, all boundary fencing must be erected as per the endorsed plans. The cost of such fencing must be met by the owner and carried out to the satisfaction of the Responsible Authority.
10. 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.
11. Buildings or works must not commence 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 plans submitted for endorsement but modified to show:
  - a) Plans in accord with Condition 1 of this permit.
  - b) A survey of all existing vegetation, abutting street trees, natural features and vegetation.
  - c) Buildings, outbuildings and trees in neighbouring allotments that would affect the landscape design.
  - d) Planting on the land comprising trees and shrubs capable of:
    - i) Providing a complete garden scheme.
    - ii) Softening the building bulk.
    - iii) The provision of a canopy tree within the front setback of both dwellings. Selected canopy trees must be capable of reaching a mature minimum height of 4 metres.
    - iv) Minimising the potential of any overlooking between habitable rooms of adjacent dwellings.
  - e) The proposed design features such as paths, paving, lawn and mulch.



- f) Planting abutting the accessway must not exceed a height of 900mm.
- g) 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.
- h) The use of drought tolerant species.
- i) All trees on the land that are proposed to be removed or destroyed.

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.

- 12. 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.
- 13. This permit will expire if one of the following circumstances applies:
  - a) The development is not commenced within two (2) years from the date of issue of this permit; or
  - b) The development is not completed within four (4) years from the date of issue of this permit.

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

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

#### **Permit Notes**

- This is not a building permit under the Building Act. A separate building permit is required to be obtained for any demolition or building works.
- Before commencement of the development occurs, the applicant should contact the Moonee Valley City Council's Technical 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.
- The relocation of the speed hump must be carried out in accordance with Council's Technical Engineering Department's guidelines and approval process.
- An Asset Protection Permit must be obtained from Council prior to commencement of works to ensure that Council assets in the vicinity of the works are not damaged during construction.
- All drainage works undertaken must be in accordance with the requirements of Stormwater Drainage Requirements for Development Works as prepared by the Moonee Valley City Council.
- All works undertaken within any existing road reserves must accord with the requirements of the Moonee Valley City Council's Engineering Services Unit and to the satisfaction of the Responsible Authority.

- Paving abutting an adjacent property must be provided with 150mm high concrete kerb.
- Council will not accept any modifications to existing levels within the road reserve. Any change in levels to match existing surface levels along the property boundary line must be made within the property boundary.

**CARRIED**

Cr Sharpe requested that her vote against the motion be recorded in the minutes.

Cr Giuliano left the meeting at 8.40pm.

Cr Sipek left the meeting at 8.50pm and returned at 8.51pm.

Cr Sipek left the meeting at 8.54pm.

**9.8 Update Craigieburn Rail Corridor Walking and Cycling Route from Essendon Station to Newmarket Station**

**File No:** FOL/12/446  
**Author:** Sustainable Transport Officer  
**Directorate:** City Works & Development  
**Ward:** Municipal  
**Minute No:** 2014/36

**Council Resolution**

Moved by Cr Marshall, seconded Cr Nation that Council:

1. Note the feedback from the community, VicRoads, Sita Bus lines and Metro Trains received during further consultation.
2. Implement the revised Craigieburn Rail Corridor Walking & Cycling Route as shown in Appendix A (separately circulated), excluding:
  - a) The section of the corridor running from Holmes Road to Maribyrnong Road
  - b) The Pedestrian/Cyclist crossing & refuge at Ascot Vale Road
3. Utilise the remaining capital works 2013/14 allocation for this project with priority for the following works:
  - a) Kent Street crossing treatments.
  - b) Bicycle Parking at stations.
  - c) Queens Avenue one way bicycle lane.
  - d) Sherbourne Street bicycle lanes and sharrows.
4. Refer the remainder of works associated to this project to future capital works programs for budget consideration with priority as follows:
  - a) Maribyrnong Road Pedestrian operated signals.
  - b) Bicycle symbols on local roads.
  - c) Pram Ramps.

- d) Wayfinding signs with distances to local destinations.
- 5. Continue discussions with relevant authorities in regards to providing a pedestrian/cyclist crossing along the relevant section of Ascot Vale Road with any such crossing not to impede the dual lane traffic flow in both directions or reduce the number of vehicle lanes.
- 6. Give further consideration to pedestrian and cycling movements between Holmes Road and Maribyrnong Road as part of the 2014/2015 Holmes Road Local Area Traffic Management Study.
- 7. Advise residents and owners of the outcome of this report.

**CARRIED**

Cr Marshall left the meeting at 8.59pm and returned at 9.01pm.

## **9.9 Revised Road Asset Management Plan**

**File No:** FOL/12/1261  
**Author:** Manager Infrastructure  
**Directorate:** City Works & Development  
**Ward:** Municipal  
**Minute No:** 2014/37

### **Council Resolution**

Moved by Cr Cusack, seconded Cr Surace that Council:

- 1. Adopt the “Revised Road Asset Management Plan 2014-17 Summary Document” attached as Appendix A - (separately circulated) for the purpose of community consultation in accordance with Appendix C.
- 2. Receive a further report following the completion of the community consultation process.
- 3. Approve the amendments the 2013-14 Road Renewal Budget in accordance with Appendix B.

**CARRIED**

Crs Giuliano and Sipek returned to the meeting at 9.02pm.

**9.10                    2013-14 Capital Works Status Report (March 2014)**

**File No:**                FOL/13/877  
**Author:**                Manager Infrastructure  
**Directorate:**        City Works & Development  
**Ward:**                    Municipal  
**Minute No:**        2014/38

**Council Resolution**

Moved by Cr Nation, seconded Cr Cornish that Council approve the 2013-14 Capital Works Program Revision – April 2014 as outlined in Appendix A.

**CARRIED**

Cr Nation left the meeting at 9.04pm and returned at 9.05pm.

**9.11                    Diversity, Access and Equity Policy**

**File No:**                FOL/13/1002  
**Author:**                Manager Community Development  
**Directorate:**        Citizen Services & Information Management  
**Ward:**                    Municipal  
**Minute No:**        2014/39

**Council Resolution**

Moved by Cr Surace, seconded Cr Cusack that Council adopt the Diversity, Access and Equity Policy provided as Appendix A (separately circulated).

**CARRIED**

**9.12                    Disability Action Plan**

**File No:**                FOL/13/1002  
**Author:**                Aged and Disability Policy Officer  
**Directorate:**        Community Services  
**Ward:**                    Municipal  
**Minute No:**        2014/40

### **Council Resolution**

Moved by Cr Cornish, seconded Cr Sharpe that Council endorse the Draft Disability Action Plan for public consultation from 26 March to 30 April 2014.

**CARRIED**

#### **9.13 Reconciliation Action Plan 2014**

**File No:** FOL/12/111  
**Author:** Manager Community Development  
**Directorate:** Citizen Services & Information Management  
**Ward:** Municipal  
**Minute No:** 2014/41

### **Council Resolution**

Moved by Cr Cusack, seconded Cr Cornish that Council adopt the final Reconciliation Action Plan 2014 provided as Appendix A (separately circulated).

**CARRIED**

#### **9.14 Priority of Access for Preschools**

**File No:** FOL/10/1102  
**Author:** Acting Coordinator, Early Learning  
**Directorate:** Community Services  
**Ward:** Municipal  
**Minute No:** 2014/42

### **Council Resolution**

Moved by Cr Sharpe, seconded Cr Surace that Council note the report on Priority of Access for Preschools.

**CARRIED**

Cr Surace left the meeting at 9.19pm and returned at 9.21pm.

#### **9.15 Draft Urban Ecology Strategy 2014**

**File No:** FOL/13/615  
**Author:** Manager Economic Development & City Sustainability  
**Directorate:** Environment & Lifestyle  
**Ward:** Municipal  
**Minute No:** 2014/43

### Council Resolution

Moved by Cr Cornish, seconded Cr Cusack that Council endorse the Draft Urban Ecology Strategy 2014 for public consultation for a minimum period of 6 weeks commencing in April 2014.

**CARRIED**

#### **9.16                    2013/14 Community Support Grants Program**

**File No:**                13/167015  
**Author:**                Manager Finance  
**Directorate:**        Corporate Services  
**Ward:**                    Municipal  
**Minute No:**        2014/44

### Council Resolution

Moved by Cr Marshall, seconded Cr Sipek that Council:

1. Awards Community Support Grants to organisations and individuals for the specified amounts recommended by the Applications Committee in Appendix A.
2. Publishes on its corporate website the awarded organisations and individuals, including the value and purpose of the grant.
3. Invite applications for the 2013/14 Community Support Grants Program Round 2, commencing 1 April 2014 and closing 5pm 30 April 2014.
4. Receive recommendations from the Applications Committee regarding Round 2 applications
5. Request the Chief Executive to review the various grant programs in operation and provide advice on consolidation of these programs for 2014/15.

**CARRIED**

#### **9.17                    Attendance of Council Representatives at Interstate Conferences**

**File No:**                FOL/11/1534  
**Author:**                Manager Governance & Local Laws  
**Directorate:**        Corporate Services  
**Ward:**                    Municipal  
**Minute No:**        2014/45

### Council Resolution

Moved by Cr Sharpe, seconded Cr Marshall that Council:

1. Endorse the attendance of its Metropolitan Local Government Waste Forum representative, Cr Shirley Cornish, on the Waste Management Site Tour in Adelaide between 30 April and 2 May 2014.

2. Endorse the attendance of its Australian Mayoral Aviation Council representative, Cr John Sipek, to the AMAC Annual Conference 2014 to be held in Brisbane from 7 to 9 May 2014.

**CARRIED**

**9.18 Report on Audit Committee**

**File No:** FOL/09/1556  
**Author:** Manager Governance & Local Laws  
**Directorate:** Corporate Services  
**Ward:** Municipal  
**Minute No:** 2014/46

**Council Resolution**

Moved by Cr Sharpe, seconded Cr Marshall that Council receive the unconfirmed Minutes of the Audit Committee Meeting held on 24 February 2014.

**CARRIED**

**9.19 Report on Assemblies of Council**

**File No:** FOL/09/1245  
**Author:** Manager Governance & Local Laws  
**Directorate:** Corporate Services  
**Ward:** Municipal  
**Minute No:** 2014/47

**Council Resolution**

Moved by Cr Nation, seconded Cr Marshall that Council receive and note the written records of Assembly of Councillors, provided as Appendix A, received since the last report to Council in February 2014.

**CARRIED**

**10. Notices of Motion**

**10.1 Notice of Motion No. 2014/4**

**Title:** Extension of Existing Alcohol Restrictions

**From:** Cr Nicole Marshall

**Ward:** Myrnong

**File No:** FOL/09/1071

**Minute No:** 2014/48

**Council Resolution**

Moved by Cr Marshall, seconded Cr Cusack that the Chief Executive:

1. In response to a request from the Victoria Police and Flemington Traders Association, prepares a report investigating the possibility of further alcohol restrictions along Racecourse Road, Flemington.
2. Identify as part of the report relevant agencies who can work with those community members who are involved in drinking at locations along Racecourse Road.

**CARRIED**

**11. Urgent Business**

Nil.

**12. Confidential Report**

Nil.

The meeting concluded at 9.33pm.

**CONFIRMED**

**CR JAN CHANTRY  
CHAIRPERSON**