Ordinary Meeting of Council
Tuesday, 28 January 2014 at 7.00pm
Ordinary Meeting of Council

Tuesday, 28 January 2014 at 7.00pm
to be held at the Moonee Valley Civic Centre

TO:

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 Carey Patterson  Acting 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 Yvonne Hansen  Manager Governance & Local Laws

Business:

1. Opening

2. Apologies
3. Confirmation of Minutes

Ordinary Meeting of Council held on Tuesday, 17 December 2014.

4. Declarations of Conflict of Interest

5. Presentations

6. Petitions and Joint Letters

7. Public Question Time

8. Reports by Mayor and Councillors

File No. FOL/12/1435

Written and verbal reports presented to the Council by the Mayor and Councillors

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Recommendation

That reports by the Mayor and Councillors be received.
9. Reports

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9.2 6-14 Young Street and 17-23 Puckle Street Moonee Ponds (Lot 1 on TP 319757Y, Lot 1 on TP 338734E, Lot 1 on TP 128317T, Lot 3 on PS 055118, Lot 4 on PS 026936, Lot 2 on PS 05118) - Partial demolition of existing buildings and development of the land for two mixed use, multi-level buildings, a reduction in carparking requirements and a reduction in loading bay requirements in a Heritage Overlay............35

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13. Close of Meeting

NEVILLE SMITH
Chief Executive
8. **REPORT BY MAYOR AND COUNCILLORS**

8.1 **Report by Mayor, Jan Chantry**

4 December 2013  
Chaired Consultation Briefing and Meeting in relation to 91 Glass Street, Essendon

5 December 2013  
Attended MAV Day for New and Returning Mayor’s Opened Community Grants Ceremony  
Attended Moonee Art Space Launch in Puckle Street, Moonee Ponds  
Opened “Being a Dad in 2013” Forum

6 December 2013  
Attended Rosehill Secondary College’s 2013 Art Exhibition  
Attended Christmas Break-up for Bill Shorten, Member for Maribyrnong

7 December 2013  
Chaired Strathmore Community Garden Meeting  
Attended International Day of People with a Disability documentary film launch

8 December 2013  
Attended Christmas Luncheon Hosted by Italian Club  
Opened Carols in Queens Park

9 December 2013  
Attended Meeting with Chief Executive and Member for Western Metropolitan Region Australian Greens Party Member Colleen Hartland MLC  
Attended Meeting with Manager Strategic and Statutory Planning for update on Residential Zones  
Chaired Chief Executive Performance Review Meeting

10 December 2013  
Opened Mirabel Foundation Fundraiser Morning Tea  
Attended Meeting with Director City Works and Development and resident regarding ongoing problems with Lionsville Project  
Attended Meeting with Executive Manager Environment and Lifestyle, Essendon Camera Club Representative, Hume City Council Design and Project Support Officer to discuss Photo Competition  
Attended Meeting with Manager Governance and Local Laws to go over Meeting Procedure for Councillor Briefing  
Attended Meeting with Executive Assistant to the Mayor and Councillors to discuss invitations and pending issues  
Attended Meeting with Chief Executive
Attended Meeting with Executive Manager Environment and Lifestyle regarding Moonee Valley Foundation Arts Grant

Attended catch up Meeting with Cr Cam Nation

Attended catch up Meeting with Deputy Mayor Nicole Marshall

Attended catch up Meeting with Cr Jim Cusack

Chaired Public Forum

Chaired Councillor Briefing and Workshop

11 December 2013

Attended MAV Department of Immigration and Border Protection Citizenship Ceremonies Forum

Attended 2013 Staff and Family Christmas Party

Opened Council's “Creating Sustainable Homes” Environment Forum

Attended Maribyrnong Sports Academy Annual Awards Ceremony

12 December 2013

Attended East West Protest Public Rally on Parliament House steps

13 December 2013

Attended Christmas Dinner with Councillors and Executive

16 December 2013

Attended Meeting with Chief Executive and Member for Wills Kelvin Thomson MP

Attended off site Meeting with resident in Walter St, Ascot Vale

Attended off site Meeting with resident in Forrester Street, Essendon

Attended off site Meeting with resident in Winifred Street, Essendon

Chaired Chief Executive Performance Review Meeting

17 December 2013

Attended Meeting with Chief Executive and State Member for Niddrie Ben Carroll MP

Opened Morning Music Launch at the Clocktower

Attended Meeting with Chief Executive and Media and Communications Officer

Attended Meeting with Chief Executive and Liberal Party Member for Western Metropolitan Region Andrew Elsbury MLC

Attended Meeting with Chief Executive
Attended Meeting with Manager Governance and Local Laws to go over Meeting Procedure for Ordinary Meeting of Council

Attended Discussion Meeting regarding International Women’s Day Event with Deputy Mayor Cr Nicole Marshall, Cr Shirley Cornish and Cr Andrea Surace

Attended Meeting with Executive Manager Environment and Lifestyle, Coordinator of Sports and Recreation and representatives of Airport West Tennis Club regarding Airport West and St Peter’s Tennis Club

Chaired Ordinary Meeting of Council

18 December 2013
Attended Strathmore Heights Greek Senior Citizens Club Christmas Luncheon

Attended Meeting with Executive Manager Environment and Lifestyle, Manager Governance and Local Laws, Manager Arts and Culture, Coordinator Arts and Culture Develop and Coordinator Operations Clocktower regarding future events

Attended Meeting with Manager Aged and Disability and resident regarding Seniors Walking Group in Niddrie

21 December 2013
Attended on site meeting with Bradshaw Street, Essendon residents regarding objections to Heritage Overlay proposal

24 December 2013
Attended Depot Staff Christmas Luncheon

5 January 2014
Attended Staff Christmas Luncheon

Attended Lunar New Year 2014 Festival Event in St Albans

8.2 Report by Deputy Mayor, Councillor Marshall

4 December 2013
Attended Special Meeting Flemington Neighbourhood Renewal Board

7 December 2013
Attended International Day of People with a Disability documentary film launch

8 December 2013
Attended Carols in Queens Park

9 December 2013
Attended Chief Executive Performance Review Meeting

10 December 2013
Attended Disability Reference Group Meeting

Attended Public Forum

Attended Councillor Briefing and Workshop
<table>
<thead>
<tr>
<th>Date</th>
<th>Event Description</th>
</tr>
</thead>
</table>
| 11 December 2013 | Attended Myrnong Traffic and Parking Issues Meeting with Manager Infrastructure, Manager Technical Services, Traffic and Transport Engineers and fellow Myrnong Ward Councillors.  
Attended 2013 Staff and Family Christmas Party. |
| 13 December 2013 | Attended Christmas Dinner with Councillors and Executive Team.                                                                                     |
| 14 December 2013 | Attended Union Road Christmas Celebration.                                                                                                           |
| 17 December 2013 | Attended Discussion Meeting regarding International Women’s Day Event with Mayor Cr Jan Chantry, Cr Shirley Cornish and Cr Andrea Surace.  
Attended Meeting with resident and Manager Governance and Local Laws regarding parking infringement received.  
Attended Ordinary Meeting of Council. |
| 19 December 2013 | Attended Footy4all Foundation Ball Event at Ascot Vale Special School.                                                                                |
| 23 December 2013 | Attended Meeting with Director City Works and Development and resident regarding parking permits in Ascot Vale Road, Ascot Vale.                        |
| 5 January 2014  | Attended Lunar New Year 2014 Festival Event in St Albans.                                                                                           |
| 4 December 2013-7 January 2014 | Throughout this period, various attendances on resident activities.                                                                                           |

### 8.3 Report by Councillor Cornish

4 December 2013 – 7 January 2014  
Verbal Report

### 8.4 Report by Councillor Cusack

<table>
<thead>
<tr>
<th>Date</th>
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</tr>
</thead>
<tbody>
<tr>
<td>7 December 2013</td>
<td>Attended Union Road Traders Christmas Promotion.</td>
</tr>
<tr>
<td>9 December 2013</td>
<td>Attended Chief Executive Performance Review Meeting.</td>
</tr>
<tr>
<td>10 December 2013</td>
<td>Attended Public Forum.</td>
</tr>
<tr>
<td></td>
<td>Attended Councillor Briefing and Workshop.</td>
</tr>
</tbody>
</table>
| 11 December 2013 | Attended Myrnong Traffic and Parking Issues Meeting with Manager Infrastructure, Manager Technical Services, Traffic and Transport Engineers and fellow Myrnong Ward Councillors.  
Attended LeadWest Board Meeting for December 2013. |
12 December 2013  Delivered submission to LMA on East West Link  
Attended Moonee Valley Interfaith Network Social Gathering  
Attended resident meeting The Crescent Ascot Vale regarding park adjacent to rail line

13 December 2013  Attended Wingate Christmas Dinner  
Attended Christmas Dinner with Councillors and Executive Team

16 December 2013  Attended Chief Executive Performance Review Meeting

17 December 2013  Attended Flemington Rotary Meeting regarding location issues  
Attended Ordinary Meeting of Council

19 December 2013  Attended Meeting with Executive Manager Citizen Services and Information Management for Briefing on “Tomorrow’s Library”

21 December 2013  Attended Meeting with residents to discuss outcomes of Moonee Valley Racing Club panel report

25 December 2013  Attended Ascot Vale Neighbourhood Centre to assist with Christmas Day food service deliveries within Moonee Valley

7 January 2014  Attended Portfolio catch up meeting with Manager Community Development

### 8.5 Report by Councillor Giuliano

4 December 2013 – 7 January 2014  Verbal Report

### 8.6 Report by Councillor Nation

4 December 2013 – 7 January 2014  Verbal Report

### 8.7 Report by Councillor Sharpe

4 December 2013  Attended Public Transport Providers Meeting  
Attended Briefing and Consultation Meeting in relation to 91 Glass Street, Essendon

5 December 2013  Attended Community Grants Ceremony  
Attended Cupcakes for Cancer Event
28 January 2014
AGENDA – ORDINARY COUNCIL MEETING

Attended VLGA End of Year Celebration
6 December 2013
Attended Meeting with Executive Manager Environment and Lifestyle, Coordinator Sports and Recreation and Buckley Park Tennis Club Representatives
9 December 2013
Attended Chief Executive Performance Review Meeting by telephone conference
10 December 2013
Attended on site meeting with resident
Attended Public Forum
Attended Councillor Briefing and Workshop
Attended Academic and Community Awards Night hosted by Ave Maria College
11 December 2013
Attended St John’s Friendship Group Christmas Luncheon
Opened Disability Action Plan Forum
Attended 2013 Staff and Family Christmas Party
13 December 2013
Attended Caroline Chisholm Christmas Luncheon
Attended Christmas Dinner with the Councillors and Executive Team
16 December 2013
Participated in Chief Executive Performance Review Meeting by tele-conference
17 December 2013
Attended Ordinary Meeting of Council
18 December 2013
Attended MAV’s Local Government Preventing Violence Against Women Forum

8.8 Report by Councillor Sipek
4 December 2013 – 7 January 2014
Verbal Report

8.9 Report by Councillor Surace
4 December 2013
Attended Metropolitan Transport Forum
6 December 2013
Attended “Fabula” 2013 Art Exhibition hosted by Rosehill Secondary College
7 December 2013
Attended International Day of People with a Disability Documentary Film Launch
9 December 2013
Attended Chief Executive Performance Review Meeting
10 December 2013
Attended Public Forum
Attended Councillor Briefing and Workshop
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</tr>
<tr>
<td>16 December 2013</td>
<td>Attended Chief Executive Performance Review Meeting</td>
</tr>
</tbody>
</table>
| 17 December 2013 | Attended Discussion Meeting regarding International Women’s Day Event with Mayor Cr Jan Chantry, Deputy Mayor Cr Nicole Marshall and Cr Shirley  
Attend Meeting with Executive Manager Environment and Lifestyle, Coordinator of Sports and Recreation and representatives of Airport West Tennis Club regarding Airport West and St Peter’s Tennis Club  
Attend Ordinary Meeting of Council |
| 5 January 2014  | Attended Lunar New Year 2014 Festival Event in St Albans             |
REPORTS

9.1 Moonee Valley Racecourse Proposal - Response to Advisory Committee Report

File No: FOL/11/404
Author: Coordinator Strategic Planning
Directorate: City Works & Development
Ward: Myrnong

Purpose
To provide Council with an initial response to the Advisory Committee report received in relation to the Moonee Valley Racecourse Master Plan and Amendments C120 and C124 to the Moonee Valley Planning Scheme, and to identify a way forward for Council.

Executive Summary
- The Moonee Valley Racing Club (MVRC) submitted a proposed Master Plan and request to rezone the racecourse site on 25 October 2011.
- Council requested the Minister for Planning to prepare an Amendment to apply a Heritage Overlay over part of the racecourse site on 10 April 2012.
- In response to a request to the Minister for Planning by the MVRC to intervene, the Minister for Planning established the Moonee Valley Racecourse Redevelopment Advisory Committee on 15 April 2013.
- The Moonee Valley Racecourse Redevelopment Advisory Committee was established to consider the proposed master plan, Amendment C120 (Activity Centre Zone (ACZ)) and Amendment C124 (Heritage Overlay (HO)).
- Council endorsed a submission to the Moonee Valley Racecourse Redevelopment Advisory Committee on 3 September 2013, which was submitted on 6 September 2013.
- The Advisory Committee held a Public Hearing to consider the proposal by the Moonee Valley Racing Club (MVRC), and to hear from all submitters and stakeholders, including Save Moonee Ponds, VicRoads and Public Transport Victoria.
- The Public Hearing was held over 15 days from 2 October to 24 October 2013. The Advisory Committee had eight weeks to provide its report to Council and the Minister for Planning. Council received the Advisory Committee’s report on 19 December 2013.
- Council officers released the report to the public the day after it was received from the Advisory Committee.
• The Advisory Committee’s report outlines a number of recommendations for Council, the MVRC and for some other authorities (i.e. transport agencies). Some of these recommendations can be acted upon in the short-term. Some will take longer to resolve.

• In summary, the Advisory Committee supports the realignment of the racetrack, the subsequent relocation of the grandstand to Wilson Street and redevelopment of the western and north-eastern portion of the site for residential and some commercial/community uses.

• The Advisory Committee has however recommended a number of changes be made to the master plan and planning scheme amendments, such as reducing the density and height of development, and retaining the majority of identified heritage features. Council officers have provided an initial response to these recommendations, taking into account the thorough airing of issues through the Advisory Committee process.

• This report recommends that Council continue to implement the heritage recommendations and progress Amendment C124 through to completion.

• This report also recommends that Council prepare a Memorandum of Understanding, to be entered into with the Moonee Valley Racing Club and transport agencies, that prescribes a way of working together to achieve an outcome.

Recommendation

That Council:

1. Prepare a Memorandum of Understanding to be entered into with the Moonee Valley Racing Club, Vic Roads and Public Transport Victoria, which outlines a process to consider and act on the Advisory Committee’s recommendations.

2. Notify the Advisory Committee of the draft Memorandum of Understanding, and request a meeting to discuss the process.

3. With respect to Amendment C120:
   a) Endorse the recommendations of the Advisory Committee with respect to the location of zones across the site, including:
      i) Apply the Activity Centre Zone (ACZ) to the land to be developed in the western part of the site.
      ii) Apply the Special Use Zone (SUZ) – Schedule 2 to the land to be retained for horse racing activities.
   b) Rather than apply a Mixed Use Zone to the north-east corner of the site, as recommended by the Advisory Committee, apply the General Residential Zone, as this will still allow for a small range of non-residential uses that could be appropriate for this location, including a convenience shop.
   c) Work with the Moonee Valley Racing Club and the Advisory Committee to determine the final versions of the ACZ, SUZ and Design and Development Overlay (DDO) schedules to apply to the land, taking into
account the recommendations of the Advisory Committee but with a number of changes.

d) Receive a further report to consider the final version of Amendment C120 following completion of the Conservation Management Plan and Incorporated Plan for consideration with Amendment C124, and finalisation of the amendment documentation.

4. With respect to Amendment C124:
   a) Endorse the recommendation of the Advisory Committee including:
      iii) Apply the Heritage Overlay to the entire racecourse site, with the exception of the land in the north-east corner.
      iv) Prepare a Conservation Management Plan and Incorporated Plan for the Heritage features of the racecourse site.
   b) Continue to work with a heritage consultant to prepare a Conservation Management Plan and Incorporated Plan based on the Moonee Valley Racecourse Heritage Assessment prepared by David Helms Heritage Planning and Management.
   c) Liaise with the MVRC in relation to the final version of the Conservation Management Plan and Incorporated Plan.
   d) Receive a further report to consider the final version of Amendment C124 following completion of the Conservation Management Plan and Incorporated Plan.

5. With respect to the Moonee Ponds Activity Centre Structure Plan:
   a) Endorse in principle the recommendation of the Advisory Committee with respect to the Moonee Ponds Activity Centre Structure Plan. Prepare a final version of Precinct J of the Moonee Ponds Activity Centre Structure Plan, generally based on the recommendations of the Moonee Valley Racecourse Advisory Committee, and with further discussion with the Moonee Valley Racing Club.
   b) Receive a further report to consider the final version of Precinct J of the Moonee Ponds Activity Centre Structure Plan.

6. Write to the Minister for Planning seeking an update on Planning Scheme Amendment C100, which seeks to introduce the Activity Centre Zone – Schedule 1 to the Moonee Ponds Activity Centre, for which Amendment C120 is reliant upon.

Background

Below is a summary of the key dates and actions leading to this point:

- 13 September 2011 - Council engaged David Helms Heritage Planning and Management to undertake a heritage study of the Moonee Valley Racecourse.
- 25 October 2011 - MVRC submitted proposed master plan and rezoning request.
- 2 February 2012 - Council requested further information from the MVRC and raised a number of issues.
- 10 April 2012 – Council requested to the Minister for Planning’s authorisation to prepare a planning scheme amendment for Heritage Overlays for the site.
- 10 April 2012 – Council requested the Minister for Planning to approve interim Heritage Overlays for the site.
- May 2012 – the MVRC requested the Minister for Planning to intervene in the decision for the site.
- 21 May 2012 – The MVRC provided a response to Council’s further information request.
- 27 June 2012 – Council provided feedback to the MVRC in relation to their response to the further information request.
- 6 December 2012 – letter from Minister advising that he will be setting up an Advisory Committee to consider the matter.

Advisory Committee Process

In response to a request for intervention from the MVRC, the Minister for Planning appointed an Advisory Committee to consider the proposal. Council was able to provide comments on draft Terms of Reference in December 2012. The Minister for Planning formally appointed the Advisory Committee on 15 April 2013.

The Advisory Committee was also to consider Amendment C124, which involves applying a Heritage Overlay to parts of the racecourse site.

The MVRC revised their Master Plan and supporting reports, and provided copies to the Advisory Committee and Council on 22 May 2013. The Advisory Committee sought an initial response from Council and other stakeholders to the revised Master Plan by 14 June 2013.

Formal exhibition of the proposed Master Plan and planning scheme amendments (C120 for the Activity Centre Zone and C124 for the Heritage Overlay) was from 29 July 2013 to 6 September 2013.

Council’s submission, dated 6 September 2013, predominantly reiterated concerns already raised with the proposal in the previous submission to the Advisory Committee, and in feedback to the MVRC. This submission further expanded in some areas, and related to the now revised master plan. It provided the basis for Council’s presentation to the Advisory Committee hearing, which was augmented by additional expert evidence reports and legal representation.

The public hearing was held over 15 days from 2 October 2013 to 24 October 2013. During the Hearing Council was represented by Michelle Quigley S.C who was instructed by Maddocks Lawyers. Council called expert evidence at the Hearing from:

- Robert Milner, 10 Consulting Group – Planning.
- Christian Bode, AECOM - Traffic and Transport.
- Jo Thompson, Thompson Berrill Landscape Design – Open Space.
Discussion

The report from the Advisory Committee was received by Council on 19 December 2013. A copy of the report can be found at Appendix A (separately circulated).

Councillors have also previously been provided with a copy of the Advisory Committee’s report on 20 December 2013.

The purpose of the Advisory Committee’s report is set out in the Terms of Reference for the Advisory Committee. It sets out a series of recommendations, taking into consideration:

- An assessment of submissions;
- An assessment of the Master Plan for Moonee Valley Racecourse and its redevelopment;
- An assessment of the heritage amendment;
- Recommendations in what form the project should proceed;
- Recommendations on the appropriate planning controls;
- Consideration of any other relevant matters raised in the course of the Advisory Committee hearing, and
- A list of persons who made submissions and those who were heard by the Advisory Committee.

The Advisory Committee’s report is set out under a number of key headings. A brief summary of the recommendations by the Advisory Committee, set out under the headings of their report is at Table 1 below.

It is recommended to read over the Advisory Committee’s Report in its entirety as the discussion within the report augments the recommendations. It should be noted that the numbered recommendations within the report primarily relate to the Planning Scheme Amendment documents. Whilst there are a number of other recommendations and discussions throughout the report, these may not all be highlighted specifically by the Advisory Committee, as they may not necessarily require direct translation into the amendment format.

Below is not an exhaustive list of recommendations by the Advisory Committee. Rather it is a summary of the key recommendations found within the report. A number of other recommendations are throughout the report, many of which are within the Advisory Committee’s recommended ACZ schedule at Appendix F to the Advisory Committee Report (which is at Appendix A to this report (separately circulated)).

The end result of the recommendations is that ultimately there is further work to be undertaken.

Some things may be progressed earlier (such as the heritage recommendations). These are primarily up to Council to implement. Council officers have already
commenced resolution of some of the heritage recommendations. A further report will be presented to Council shortly in relation to this.

Other matters require resolution prior to adoption of the amendment to rezone the land. In particular, there is further resolution of the traffic and transport matters that is largely the responsibility of the MVRC to progress, in conjunction with the various stakeholders.

Some of the more pertinent comments by the Advisory Committee in their report are:

1. On page 17 with regards to the overall hearing process:

   The key matters the Committee considers the Club seemed reluctant to address were the built form of the surplus land and the development of an urban environment that took into account the social and cultural heritage features of the site, the existing low scale surrounding urban development, and the opportunity to create a diverse and interesting built form.

2. In relation to the Principles of the development as provided by the MVRC, on page 32 the Advisory Committee states:

   The Committee notes that these Principles, while possibly inherent in the preparation of the earlier version of the Master Plan, were not included in that document and there is concern that the principles have been formulated as post-design justification of the urban design and site layout.

3. With regards to heritage, at page 58, the Committee states:

   The Master Plan fails to adequately consider heritage. The Committee is concerned with the process the Club has undertaken in preparing the Master Plan with regard to heritage. The Master Plan summarises the recommendations of the Lovell Chen Study however it does not provide any guidance for future conservation or management of heritage buildings and features, for example, how the Club Secretary’s house would be retained and incorporated into the development, or the approach to interpretation.

   There are greater opportunities to sensitively incorporate many of the identified features within redevelopment of the Racecourse.

4. In relation to height and massing response of the Master Plan, starting on page 67, the Advisory Committee states:

   There is inadequate information to explain how the particular heights have been determined. This is a shortcoming of the Master Plan.

   Moreover, the impacts of the consequent density and number of dwellings on road capacity, public transport, community services and achieving a high level of amenity within the surplus land area are not clearly spelled out, quantified and justified.

5. With regards to affordable housing the Committee agreed with Council’s position that a requirement should be included in the controls for the site, at page 134:

   The Committee does not consider addressing this issue via the planning scheme is a tokenistic response and believes that this matter should be
resolved now and embedded in the planning scheme and not left for another day to be negotiated, potentially leading to another stalemate.

The tables below set out the recommendations of the Advisory Committee in relation to the various issues considered and Council Officer’s initial assessment.
### TABLE 1 - HERITAGE

<table>
<thead>
<tr>
<th>Advisory Committee Recommendations</th>
<th>Way forward</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1)</strong> Include the whole of the Moonee Valley Racecourse site within the Heritage Overlay, with the exception of the proposed residential area (Wilson/Victoria Street area) to the north-east of the site.</td>
<td>Heritage Overlay map to be updated following confirmation from the MVRC as to the appropriate boundary.</td>
</tr>
<tr>
<td><strong>2)</strong> Prepare a Statement of Significance, based on the work undertaken through the Helms Heritage Assessment, to include references to the Racetrack.</td>
<td>Council to prepare the Conservation Management Plan, Statement of Significant and Incorporated Plan, and send to MVRC for review.</td>
</tr>
<tr>
<td><strong>4)</strong> Amend the Schedule to the Heritage Overlay with the following wording within the Tree Controls column “Yes – the Cape Chestnut (<em>Calodendron capense</em>), the Peppercorn (<em>Schinus molle</em>) and the Elms (<em>Ulmus species</em>) in proximity to the horse stalls and the trees within the front and rear gardens of the Club Secretary’s House”.</td>
<td>Council to amend HO schedule.</td>
</tr>
<tr>
<td><strong>5)</strong> Amend the Schedule to the Heritage Overlay to apply external paint controls to the Club Secretary’s House only.</td>
<td>Council to amend HO schedule.</td>
</tr>
<tr>
<td><strong>6)</strong> Facilitate the adoption and approval of Amendment C124 to the Moonee Valley Planning Scheme through a Ministerial Amendment process, using section 20(4) of the <em>Planning and Environment Act 1987</em>.</td>
<td>A further report to be presented to Council seeking adoption of C124, once the Conservation Management Plan and Incorporated Plan have been prepared.</td>
</tr>
<tr>
<td><strong>7)</strong> Retain the Moonee Valley Racecourse Redevelopment Advisory Committee to provide ongoing advice and/or mediation, until</td>
<td>Work with Advisory Committee on the final version of Amendment C124.</td>
</tr>
</tbody>
</table>
## TABLE 1 - HERITAGE

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<thead>
<tr>
<th>Advisory Committee Recommendations</th>
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<tbody>
<tr>
<td>Amendment C124 is finalised to gazettal stage if required.</td>
<td></td>
</tr>
</tbody>
</table>

## TABLE 2 - URBAN DESIGN

<table>
<thead>
<tr>
<th>Advisory Committee Recommendations</th>
<th>Way forward</th>
</tr>
</thead>
<tbody>
<tr>
<td>8) Retain and adaptively re-use the brick wall and gate, stables and the adjacent trees, and the Main Tote building.</td>
<td>Include recommendations as part of the Conservation Management Plan.</td>
</tr>
<tr>
<td>9) Modify the street and block pattern in order to incorporate the retention of areas of the brick wall and gate, stables and the adjacent trees, the Main Tote building, and areas of open space to enhance the extent of pedestrian-priority streets and thoroughfares.</td>
<td>Work with the MVRC to finalise the plan for the site, generally based on the plan recommended by the Advisory Committee.</td>
</tr>
<tr>
<td>10) Reduce the total number of dwellings on the ‘surplus land’ by about 20 per cent from the 2,500 proposed in the Master Plan.</td>
<td>Work with the MVRC to finalise the plan for the site, generally based on the plan recommended by the Advisory Committee. This would need to be subject to further work in relation to transport. We would also recommend specifying dwelling numbers in the planning controls.</td>
</tr>
<tr>
<td>11) Create a plaza at the entry to the tunnel to become a civic focus as well as a place of arrival and entry to the Racecourse.</td>
<td>Work with the MVRC to finalise the plan for the site, generally based on the plan recommended by the Advisory Committee.</td>
</tr>
<tr>
<td>12) Develop a program to use the surplus land vacated by the Club for temporary uses (to ensure it is not left idle awaiting development), in conjunction with the Council and the local community.</td>
<td>Work with the MVRC to determine how this could be managed. This should also include relevant existing facilities.</td>
</tr>
</tbody>
</table>
### OTHER RECOMMENDATIONS (THROUGHOUT THE REPORT)

<table>
<thead>
<tr>
<th>Recommendation</th>
<th>Details</th>
</tr>
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<tbody>
<tr>
<td>Maximum preferred building height of 20 storeys, with preference for lower heights outlined in the ACZ.</td>
<td>This would need to be finalised in the ACZ schedule, subject to working with the MVRC. The way the Committee has drafted the ACZ schedule is to specify the lower height in metres (i.e. whilst they have stated a maximum of 20 storeys they prefer 16). This allows for an application to be considered over 16 storey however.</td>
</tr>
<tr>
<td>Supports development in the north-east corner of the site of around four, six and nine storeys.</td>
<td>This would need to be determined in a final version of a Design and Development Overlay. We consider that, given the more remote location, heights in this area should be lower, and not exceed six storeys. Although Council accepts this outcome we feel strongly that more work needs to be done by the Racecourse to ensure any potential amenity impacts of the grandstand are addressed and minimised. This should be resolved through detailed event management plans and conditions on the planning permits.</td>
</tr>
<tr>
<td>Recommendations relating to built form, and therefore resident population, should be reviewed by Council every five years to ensure that it is delivering a good quality development and whether there are any impacts on the community or occupants of the site.</td>
<td>Council needs to determine a mechanism to manage this.</td>
</tr>
<tr>
<td>Accepts the position of the grandstand, not only in terms of its location with regard to the track and the finishing straight and winning post, but also in terms of its setback from Wilson Street.</td>
<td>To be finalised in the SUZ schedule. Council to ensure there are adequate requirements within the schedule to assess amenity impacts, and to prevent access to the grandstand from Wilson Street.</td>
</tr>
</tbody>
</table>
This matter was discussed at length during the hearing and all the issues were debated. The Committee has accepted that the development hinges on the grandstand location. However, it is important to note that the management of this space still needs to be resolved to minimise impacts on amenity. This will be resolved through detailed event management plans and conditions on planning permits.

**TABLE 3 - TRAFFIC, TRANSPORT AND PARKING**

<table>
<thead>
<tr>
<th>Advisory Committee Recommendations</th>
<th>Way forward</th>
</tr>
</thead>
<tbody>
<tr>
<td>13) Change the proposed grandstand pedestrian access from Wilson Street to Thomas Street for use at all race meetings and other events and functions.</td>
<td>The exact location for this secondary entry point will need to be determined. Work with the MVRC to finalise the plan for the site, generally based on the plan recommended by the Advisory Committee. A secondary pedestrian entry point into the racecourse is preferred. This will assist in filtering pedestrian movements.</td>
</tr>
</tbody>
</table>

**OTHER RECOMMENDATIONS (THROUGHOUT THE REPORT)**

| The Committee agrees with Council, the transport agencies and their experts that re-modeling with agreed parameters is essential, with a view to reaching agreement on an appropriate development outcome on the surplus land. | Work with the MVRC and the transport agencies to finalise traffic modeling and agree on parameters. |
| The Club and other key stakeholders should continue to work collaboratively and productively on further assessments of impacts (and an Integrated Transport Plan) to minimise delays to the Club’s plans. | Council will work with the MVRC and transport agencies to develop a process to move forward. This is likely to also involve the Advisory Committee. This may involve a Local Area Traffic Management process, as well as consideration of the impacts of the proposed East-West link. |
### TABLE 3 - TRAFFIC, TRANSPORT AND PARKING

<table>
<thead>
<tr>
<th>Advisory Committee Recommendations</th>
<th>Way forward</th>
</tr>
</thead>
<tbody>
<tr>
<td>Further work should include a detailed assessment of the impacts and potential mitigation measures on each public transport route, and clear links to staging plans for the Club’s proposals.</td>
<td>To be addressed as part of the Transport Assessment and Management Plan and/or Integrated Transport Plan.</td>
</tr>
<tr>
<td>There should be improved pedestrian and cycling links between Wilson Street and Moonee Ponds Creek Trail. The Club and other stakeholders need to undertake further work on pedestrian and bicycle provisions, desirably as part of the next collaborative stages leading to an Integrated Transport Plan.</td>
<td>To be addressed as part of the Transport Assessment and Management Plan and/or Integrated Transport Plan.</td>
</tr>
<tr>
<td>It would be premature to be too definitive about parking provisions now, and instead it would be better to rely on policy objectives and a suitably-worded Integrated Transport Plan to retain flexibility to respond to changes in what might be deliverable and achievable. The Committee recognises there is likely to be a need for suitable parking controls stemming from the increased demand (i.e. possible Parking Overlay).</td>
<td>Any parking controls in the future would need to be in accordance with the Municipal Parking Strategy tools and processes. It is too early to specify parking number on the site without knowing the exact form of development proposed.</td>
</tr>
<tr>
<td>Supports providing an improved taxi drop-off and pick-up arrangement on the eastern side of Thomas Street and North-South Boulevard.</td>
<td>Exact location and management arrangement to form part of both Integrated Transport Plan and Event Management Plans.</td>
</tr>
<tr>
<td>Agrees with use of the Wilson Street/Juliet Street intersection and underpass for access by pedestrians to the infield on race days.</td>
<td>This will need to be analysed further in an Integrated Transport Plan.</td>
</tr>
</tbody>
</table>
### TABLE 3 - TRAFFIC, TRANSPORT AND PARKING

<table>
<thead>
<tr>
<th>Advisory Committee Recommendations</th>
<th>Way forward</th>
</tr>
</thead>
<tbody>
<tr>
<td>Comfortable with the Club’s proposed VVIP, disabled, delivery and waste access to Wilson Street.</td>
<td>Work with the MVRC to continue to resolve this issue. Council will continue to recommend there be no direct vehicular or pedestrian access to the grandstand from Wilson Street.</td>
</tr>
<tr>
<td>The Committee agrees there would be merit in preparing a Transport Assessment and Management Plan and an Integrated Transport Plan.</td>
<td>This was recommended by Council to the Advisory Committee. This will involve further work with the MVRC and transport agencies.</td>
</tr>
<tr>
<td>a) Work collaboratively to:</td>
<td></td>
</tr>
<tr>
<td>• Refine and agree inputs for micro-simulation.</td>
<td>To be addressed as part of the Transport Assessment and Management Plan and/or Integrated Transport Plan.</td>
</tr>
<tr>
<td>• Resolve access and mobility details.</td>
<td>This needs to take into account outcomes in relation to the proposed East-West link.</td>
</tr>
<tr>
<td>• Develop a list of mitigation measures</td>
<td></td>
</tr>
<tr>
<td>Prepare and agree on transport plans</td>
<td></td>
</tr>
</tbody>
</table>

### TABLE 4 - ENVIRONMENT

<table>
<thead>
<tr>
<th>Advisory Committee Recommendations</th>
<th>Way forward</th>
</tr>
</thead>
<tbody>
<tr>
<td>OTHER RECOMMENDATIONS (THROUGHOUT THE REPORT)</td>
<td></td>
</tr>
<tr>
<td>Revise the schedules of the ACZ and Special Use Zone (SUZ) to better reflect Environmentally Sustainable Design measures.</td>
<td>The Advisory Committee has addressed this by requiring an Environmental Design Response Plan as an Application Requirement in the planning controls. The final version of the ACZ and SUZ needs to be worked through with the MVRC.</td>
</tr>
</tbody>
</table>
### TABLE 5 - OPEN SPACE

<table>
<thead>
<tr>
<th>Advisory Committee Recommendations</th>
<th>Way forward</th>
</tr>
</thead>
<tbody>
<tr>
<td>14) Retain the existing Schedule to Clause 52.01 as contained in the current Moonee Valley Planning Scheme.</td>
<td>To be deleted from the Amendment documentation. This is as per Council's original submission to the Advisory Committee.</td>
</tr>
</tbody>
</table>

**OTHER RECOMMENDATIONS (THROUGHOUT THE REPORT)**

<table>
<thead>
<tr>
<th>Provide for one parcel of 5,000sqm for a local park, and an additional amount of 2,000sqm for smaller local parks or gathering spaces</th>
<th>Work with the MVRC to finalise the plan for the site, generally based on the plan recommended by the Advisory Committee.</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Committee encourages the Club to look at opportunities to share facilities as an act of goodwill with the community (i.e. centre of the racetrack).</td>
<td>Work with the MVRC to determine how this could be managed. This should be via a Section 173 Agreement. It is also recommended that Council continue negotiations with the MVRC for public access to the centre of the racetrack when not in use. The MVRC consented during the hearing process to offering this as a jogging track.</td>
</tr>
<tr>
<td>Provide a financial contribution or off-site improvements to structured open space (sporting facilities).</td>
<td>Need to agree on exact amount.</td>
</tr>
</tbody>
</table>
TABLE 6 - LOCAL INFRASTRUCTURE / DEVELOPMENT CONTRIBUTIONS

<table>
<thead>
<tr>
<th>Advisory Committee Recommendations</th>
<th>Way forward</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>OTHER RECOMMENDATIONS (THROUGHOUT THE REPORT)</strong></td>
<td>The exact amount of contribution needs to still be determined. The Advisory Committee have not taken into account other needs from the future population of the site, including an upgrade of the library, which the MVRC have accepted they would contribute towards. In Council’s submission to the Advisory Committee it was put that contributions would be required for:</td>
</tr>
<tr>
<td>The Committee agrees with the Club’s analysis of proposed development contributions is reasonable at around $6,000 per dwelling, which equates to:</td>
<td></td>
</tr>
<tr>
<td>• 7,000sqm open space on-site.</td>
<td>• Queens Park Swimming Pool</td>
</tr>
<tr>
<td>• Financial contribution equivalent to the construction of 2 full sized AFL/Cricket playing fields (including ancillary works).</td>
<td>• Upgrade of sporting infrastructure (this may be covered by the financial contribution proposed by the MVRC with regards to the playing fields and sporting pavilion. This needs to be confirmed.</td>
</tr>
<tr>
<td>• Financial contribution equivalent to the construction of a 500sqm sporting pavilion.</td>
<td>• Multi-purpose community facility, including:</td>
</tr>
<tr>
<td>• Contribution towards or provision on-site for public art.</td>
<td>• General meeting spaces</td>
</tr>
<tr>
<td>• Provision on-site for a space for a multi-purpose facility.</td>
<td>• Occasional care</td>
</tr>
<tr>
<td>• Financial contribution equivalent to 30% of the construction cost of a multi-purpose facility.</td>
<td>• 2 kindergarten rooms</td>
</tr>
<tr>
<td></td>
<td>• 2 Maternal and Child Health rooms.</td>
</tr>
<tr>
<td></td>
<td>• Library upgrade</td>
</tr>
<tr>
<td></td>
<td>• Neighbourhood house</td>
</tr>
</tbody>
</table>
Support a Section 173 Agreement to realise the contributions. This is consistent with Council’s submission. Council will need to work with the MVRC to determine the final version of the Section 173 Agreement. The Section 173 Agreement needs to be clearly linked to a staging plan for the site, and it should also reference high-level management and maintenance responsibilities for future public land. The Advisory Committee have recommended including the requirements into the ACZ schedule. This would then translate to a Section 173 Agreement, however exact amounts are still to be determined. The requirement for a Section 173 Agreement would be triggered when a planning permit is applied for on the site.

It is premature to identify and fix the necessary items relating to transport infrastructure as contributions. This will occur later. There is still a significant amount of work to be done in order to reach a consensus on the traffic and transport matters. This will form part of the Integrated Transport Plan and also be implemented as part of a Section 173 Agreement.

**TABLE 7 - ABORIGINAL CULTURAL HERITAGE**

<table>
<thead>
<tr>
<th>Advisory Committee Recommendations</th>
<th>Way Forward</th>
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<tbody>
<tr>
<td><strong>OTHER RECOMMENDATIONS (THROUGHOUT THE REPORT)</strong></td>
<td></td>
</tr>
<tr>
<td>To be dealt with in accordance with the requirements of the Aboriginal Heritage Act 2006.</td>
<td>This would form part of planning permit processes.</td>
</tr>
</tbody>
</table>
TABLE 8 - AFFORDABLE HOUSING

<table>
<thead>
<tr>
<th>Advisory Committee Recommendations</th>
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</thead>
<tbody>
<tr>
<td>OTHER RECOMMENDATIONS (THROUGHOUT THE REPORT)</td>
<td></td>
</tr>
<tr>
<td>Include a requirement to provide five per cent of the development as affordable housing.</td>
<td>This was in Council’s submission to the Advisory Committee. However, the Committee’s ACZ schedule does not specify this. It may be an oversight and is recommended to be included in the final version of the ACZ schedule. In addition to not including a requirement in the ACZ for affordable housing, the Committee has not included Council’s recommendation for the submission of a Housing Diversity Report. This is still recommended to be included.</td>
</tr>
</tbody>
</table>

TABLE 9 - FORM OF PLANNING CONTROLS

<table>
<thead>
<tr>
<th>Advisory Committee Recommendations</th>
<th>Way forward</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Master Plan</strong></td>
<td></td>
</tr>
<tr>
<td>15) Incorporate a new Precinct J that includes all of the surplus land to the west of the (realigned) Racecourse area into the <em>Moonee Ponds Activity Centre Structure Plan</em>.</td>
<td>Work with the MVRC to finalise the plan for the site, generally based on the plan recommended by the Advisory Committee. This recommendation will provide more guidance, and consistency within the Structure Plan. The remainder of the site is more removed from the core of the activity centre.</td>
</tr>
<tr>
<td>16) Prepare a revised plan for the new Precinct J for inclusion in the <em>Moonee Ponds Activity Centre Structure Plan</em> based on the principles and Indicative Plan shown in Chapter 15.1.</td>
<td>Work with the MVRC to finalise the plan for the site, generally based on the plan recommended by the Advisory Committee.</td>
</tr>
</tbody>
</table>
### TABLE 9 - FORM OF PLANNING CONTROLS

<table>
<thead>
<tr>
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<tbody>
<tr>
<td><strong>Activity Centre Boundary</strong></td>
<td></td>
</tr>
<tr>
<td>17) Amend the Activity Centre Boundary to exclude the land proposed to be retained for the Racecourse and the north-east residential area (exhibited Precinct 10).</td>
<td>Amend structure plan in conjunction with recommendations above.</td>
</tr>
<tr>
<td><strong>Special Use Zone</strong></td>
<td></td>
</tr>
<tr>
<td>18) Apply the Special Use Zone to the exhibited Sub-Precincts 10A, 10B and part of 10C (west of Juliet Street).</td>
<td>Final version of the SUZ to be determined, generally based on the schedule recommended by the Advisory Committee. This is consistent with an option presented by Council to the Advisory Committee.</td>
</tr>
<tr>
<td>19) Update the Schedule 2 to the Special Use Zone, generally in accordance with Appendix G.</td>
<td>Final version of the SUZ to be determined, generally based on the schedule recommended by the Advisory Committee, however the schedule will need to be reviewed and there are some recommended changes. These may include outlining more specific requirements for an Event Management Plan and Committee to be set up (consistent with the requirements for the Flemington Racecourse).</td>
</tr>
<tr>
<td><strong>Mixed Use Zone</strong></td>
<td></td>
</tr>
<tr>
<td>20) Apply the Mixed Use Zone to that part of the exhibited Sub-Precinct 10C that is east of Juliet Street.</td>
<td>Apply General Residential Zone in this location as part of the final version of Amendment C120. This was not discussed at the hearing, nor was there any case put forward in relation to commercial development in this location, rather than this just being for residential uses. A residential zone, such as the General Residential Zone, would still allow for some small scale commercial uses (such as a</td>
</tr>
</tbody>
</table>
### TABLE 9 - FORM OF PLANNING CONTROLS

<table>
<thead>
<tr>
<th>Advisory Committee Recommendations</th>
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</thead>
<tbody>
<tr>
<td>convenience store), and would better fit in with the nearby residential neighbourhood.</td>
<td></td>
</tr>
<tr>
<td><strong>21) Apply a Design and Development Overlay (DDO) to that part of the exhibited Sub-Precinct 10C that is east of Juliet Street.</strong></td>
<td>The final version of the DDO would need to be determined, in conjunction with the MVRC. Council officers do not support the proposed heights in this location. Would recommend no more than six storey, as per Council’s recommendation to the Advisory Committee.</td>
</tr>
<tr>
<td><strong>Activity Centre Zone</strong></td>
<td></td>
</tr>
<tr>
<td><strong>22) Update the Schedule to the Activity Centre Zone, generally in accordance with Appendix F.</strong></td>
<td>The final version of the ACZ schedule would need to be worked through with the MVRC. A number of revisions to the ACZ schedule are recommended to be made. A few of these are outlined below.</td>
</tr>
<tr>
<td></td>
<td>• Including information about affordable housing requirements.</td>
</tr>
<tr>
<td></td>
<td>• Seeking an Economic Impact Assessment for commercial development.</td>
</tr>
<tr>
<td></td>
<td>• Setting a preferred cap on dwelling numbers.</td>
</tr>
<tr>
<td><strong>23) Facilitate the adoption and approval of Amendment C120 to the Moonee Valley Planning Scheme through a Ministerial Amendment process, using section 20(4) of the Planning and Environment Act 1987.</strong></td>
<td>A further report to be presented to Council on the final resolution of C120 following resolution of matters with the MVRC, and with the assistance of the Advisory Committee. Subject to further discussions with the MVRC on format and content of the amendment documentation. The Ministerial Amendment process using Section 20(4) of the Act is not that dissimilar to the normal amendment process. It just</td>
</tr>
</tbody>
</table>
### TABLE 9 - FORM OF PLANNING CONTROLS

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<tbody>
<tr>
<td></td>
<td>means that the amendment would have gone through exhibition, and had submissions considered by the Advisory Committee (normally a Panel). There is no need for further consultation. The community has been consulted on this project and has had their say, and has been provided with an opportunity to speak to the Advisory Committee.</td>
</tr>
</tbody>
</table>

24) Retain the Moonee Valley Racecourse Redevelopment Advisory Committee to provide ongoing advice and/or mediation, until Amendment C120 is finalised to gazetted stage if required.

|                                     | Work with Advisory Committee on the final version of Amendment C120. |
Consultation

Formal exhibition of the proposed Master Plan and planning scheme amendment was undertaken by the Department of Transport, Planning and Local Infrastructure (DTPLI).

Exhibition was from 29 July 2013 to 6 September 2013. DTPLI undertook direct mail out to owners and occupiers of properties within a couple of streets distance from the racecourse site.

Council undertook further notification to approximately an additional 4,600 owners and occupiers within Moonee Valley. In addition, the City of Moreland also notified approximately 3000 owners and occupiers of properties in proximity to the racecourse site within their municipality.

Two community information sessions were held at the Clocktower Centre on Sunday 11 August and Thursday 15 August 2013.

The Advisory Committee process allowed all submitters an opportunity to be heard at the Public Hearing if they chose to do so.

Council has made this report available to the public within 24 hours of receiving it. It is available of Council’s website. An email was sent to all submitters and people registered to receive updates on 20 December 2013 advising them of the report.

The Advisory Committee has recommended that the two Amendments proceed to the Minister, when finalised, for him to approve them in accordance with Section 20(4) of the Planning and Environment Act 1987. This means that there would be no further consultation. This process is supported, as the process to date has involved consultation of the proposal, and is similar to a normal planning scheme amendment process in this regard.

Council will continue to keep the community informed of the process by sending out regular email updates and keeping the website updated with relevant information.

Implications

1. Legislative

The process for the consideration of Planning Scheme Amendment requests (Part 3 of the Act), and the Advisory Committee process (Section 151 of the Act) is governed by the Planning and Environment Act 1987.

There are no Human Rights Charter implications as a result of this report.

2. Council Plan / Policy

Changes to the Moonee Valley Planning Scheme primarily relate to Strategic Objectives from Theme 3: Sustainable Living of the Council Plan 2013-2017, specifically:

- Strategic Objective 1 – Ensure there is clear direction for growth and proactive management of development in the City.
- Strategic Objective 2 – Facilitate the provision of a broad range of safe, accessible and sustainable transport modes across the municipality.
• Strategic Objective 3 – Encourage housing development that is environmentally sustainable and caters for our diverse existing and future population.

Council has assessed the proposal against relevant Council policy documents and strategies including:

- **Local Planning Policy Framework.**
- **Moonee Ponds Activity Centre Structure Plan, 2010.**
- **Moonee Valley Housing Strategy, 2010.**
- **Integrated Transport Plan, 2008.**
- **Walking and Cycling Strategy, 2012.**
- **Public Open Space Strategy, 2009.**

In addition there are a range of State government policy documents, strategies and legislation that are relevant to this proposal.

The report from the Advisory Committee lists the documents that are relevant to the assessment of the proposal.

3. **Financial**

Council has invested a considerable amount of resources into the assessment of the proposal, including consultation and representation at the public hearing. To date, Council has spent at least $750,000 on this proposal. The majority of these costs are associated with consultants and legal fees.

The finances for the proposal are allocated within the Strategic Planning budget. Moving forward, it is recommended that Council, in negotiation with the MVRC, seek costs from the MVRC associated with relevant consultants in finalising the proposal.

4. **Environmental**

Environmental impacts as a result of the proposal are considered in the assessment of the proposal, and detailed in the Advisory Committee’s Report.

**Conclusion**

At this stage Council remains the planning authority in respect of this land.

The Advisory Committee’s supports the realignment of the racetrack and the subsequent relocation of the grandstand to the north of the site on Wilson Street, subject to some changes, primarily in relation to access arrangements.

The Advisory Committee also supports the development of the land to the west and north-east of the racetrack for medium to high density housing, subject to some changes to the proposed planning controls for the site.

The Advisory Committee has supported Council’s Heritage Overlay amendment for the racecourse, subject to some further refinement of the heritage controls for the site. They have recommended that the development be redesigned so that the
majority of heritage features may be retained and incorporated into the development of the site.

Council officers have now reviewed the Advisory Committee recommendations and recommend that Council support, in principle, the majority of the recommendations in the report. The Moonee Valley Racecourse proposal has gone through an extensive process to ensure that all issues have been canvassed, and have been thoroughly considered by the Advisory Committee. Council would need to justify any significant variations away from the recommendations of the Advisory Committee.

Council would now need to work with the MVRC and transport agencies to realise the Advisory Committee’s recommendations (where supported). It is recommended that this process be formalized through a Memorandum of Understanding with all relevant parties, and also be assisted by the Advisory Committee.
9.2 6-14 Young Street and 17-23 Puckle Street Moonee Ponds (Lot 1 on TP 319757Y, Lot 1 on TP 338734E, Lot 1 on TP 128317T, Lot 3 on PS 055118, Lot 4 on PS 026936, Lot 2 on PS 05118) - Partial demolition of existing buildings and development of the land for two mixed use, multi-level buildings, a reduction in car parking requirements and a reduction in loading bay requirements in a Heritage Overlay.

File No: MV/221/2013
Author: Senior Town Planner
Directorate: City Works & Development
Ward: Myrnong

<table>
<thead>
<tr>
<th>Applicant</th>
<th>BMG Nominees Pty Ltd &amp; Lasirus Pty Ltd C/- Clement-Stone Town Planners</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proposal</td>
<td>Partial demolition of existing buildings and development of the land for two mixed use, multi-level buildings, a reduction in car parking requirements and a variation in loading bay requirements in a Heritage Overlay.</td>
</tr>
</tbody>
</table>
| Planning Scheme Controls | Commercial 1 Zone (C1Z)  
Heritage Overlay (HO14 & HO360) |
| Planning Permit Requirements | Clause 34.01-4: Construct a building and carrying out works.  
Clause 43.01-1: Demolition and construction of a building.  
Clause 52.06: Reduction in car parking requirements.  
Clause 52.07: Reduction of loading and unloading requirements. |
| Car Parking Requirements (Clause 52.06) | Clause 52.06 Requires: 326 car spaces.  
Application Provides: 147 car spaces.  
Total Reduction: 179 car spaces. |
| Bicycle Requirements | Clause 52.34 Requires: 27 bicycle spaces.  
Application provides: 33 bicycle spaces.  
Total Provided exceeds requirements. |
| Restrictive Covenants | None which affect the proposal |
| Easements | N/A |
Executive Summary

- The application seeks approval for the construction of a multi-level, mixed use development on several parcels of land known as 17-23 Puckle Street and 6-14 Young Street, Moonee Ponds. The works will be split between two buildings a ten storey building and a four storey building and will comprise of a cinema based entertainment facility, offices, retail spaces, food and drinks premises, car parking and a residential hotel. Both buildings are divided by a ROW which will be utilised as a shared pedestrian/vehicle area as a result of the proposal.

- The land has frontage to both Puckle and Young Street and is traversed by a Right of Way (ROW) which runs between the rear of the Puckle and Young Street properties.

- The subject land is located within a Commercial 1 Zone (C1Z) and is partially affected by a Heritage Overlay (HO14 and HO360).

- The land is also located within precincts C and D of the Moonee Ponds Activity Centre Structure Plan (MPACSP) as adopted by Council on 2 March 2010. All land within MPACSP is also located within Moonee Ponds Activity Centre Zone (ACZ - Amendment C100) as adopted by Council on 5 June 2012. The subject site is located with precincts 3 and 4 under Schedule 1 of the ACZ.

- The proposed development as advertised contained a two level above ground car park consisting of 111 car spaces. The car park is accessed from the ROW via a vehicle ramp along the eastern boundary of the ten storey building.

- The application was advertised and a total of 14 objections were received with the main elements of concern relating to the scale and density of the development, amenity impacts, response to the heritage character of the area, insufficient on-site car parking and an increase in traffic as a result of the development.

- A Consultation Meeting was held on 17 July 2013 and was attended by Cr. Cusack and Cr. Marshall, the applicant, a number of objectors and the Council Planning Officer. No resolution was achieved at the meeting.

- Following the Consultation meeting the applicant submitted amended plans (Appendix B and C). The amended plans included revised shadow diagrams indicating the level of shadowing which will be caused to the Mondo apartment building and the provision of an electronic parking availability sign along the Young Street facade. The amended plans also include the provision of a basement car park within the Young Street building, providing 37 additional car spaces (plans also remove one car space from the above ground car park).
• The application was internally referred to Council’s Engineering Services, Traffic and Transport, Strategic Planning, Landscape, Property Units and Heritage Advisor. All of Council’s internal referrals offered support to the proposal, subject to conditions.

• Expert Urban Design advice was sought in relation to this proposal. This advice raised concerns with the proposal’s design response to Young Street as well as the level of detail contained within the package of plans. A summary of the expert advice is contained within Section 2.3 of this report.

• The application was externally referred to VicRoads and Public Transport Victoria who had no objection to the proposal.

• It is acknowledged that if approved the development will exceed the preferred height under the ACZ by 1.7m. However, it is considered that in the context of the ATO building and the Mondo apartment building, the ten storey building plays the role of an in-fill development rather than landmark tower form which is supported by the development objectives of the MPACSP.

• Subject to conditions it is considered that the proposal is generally compliant with the provisions of the Moonee Valley Planning Scheme and it is recommended that Council support the proposal and resolve to issue a Notice of Decision to Grant a Permit in this instance.

Fig 1: Aerial photo of the subject site (6-14 Young Street and 17-23 Puckle Street).
Recommendation

That Council issue a Notice of Decision to Grant a Permit in relation to Planning Permit Application No. MV/221/2013 for the partial demolition of existing buildings and development of the land for two mixed use, multi-level buildings, a reduction in carparking requirements and a variation in loading bay requirements in a Heritage Overlay at 6-14 Young Street and 17-23 Puckle Street, Moonee Ponds (Lot 1 on TP 319757Y, Lot 1 on TP 338734E, Lot 1 on TP 128317T, Lot 3 on PS 05118, Lot 4 on PS 05117), 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, be clearly legible and be generally in accordance with the plans submitted and assessed with the application but modified to show:

   a) 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).

   b) The provision of south facing windows for the bedrooms associated with Apartments 8 and 9, along the southern elevation of levels 6 to 10.

   c) The provision of south facing balconies associated with Apartments 8 and 9, along the southern elevation of levels 6 to 10.

   d) Any internal alterations to the building as a result of condition 1(c).

   e) The clear delineation of the satin horizontal anodized aluminium louvers to the southern elevation of levels 6 to 10.

   f) The provision of a ground level connection for the rock climbing wall. The ground level connection to be clearly accessible from the courtyard area.

   g) The electronic parking display sign noted to the southern elevation of the Young Street building and to be clearly legible from vehicles travelling east on Young Street.

   h) The zebra crossings located within the car park areas to continue a further 9.8 metres south into the gap between the relevant car spaces.

   i) The basement car park area to be signposted as ‘staff only’.

   j) The relevant vehicle height clearances to be clearly signposted at entry to the car park area.

   k) The basement car park area to be suitably line marked.

   l) The clear notation of car park grilles and barriers at the car park exit and entry points.

   m) The capacity of the restaurant/function room to be limited to 100 patrons, such a notation to be placed on the plans.

   n) Revised elevations to include the entry/exit ramp to the basement level.
o) A detailed elevation at a scale of 1:100 of the facade works to 17-23 Puckle Street. The elevation must clearly outline the proposed finishes and materials to be used and include detailed specifications.

p) A schedule of all external material and finishes. The schedule must show the material, colour (including colour samples) and finishes (including paint) of all external walls, roof, fascias, windows frames, fences, paving (including the arcade walkway) and security grilles.

q) The glazed canopy along the Puckle Street facade to be provided with no more than a 5 degree gradient to allow rainwater runoff.

r) The ground floor Puckle Street arcade entry modified to incorporate a double column to match the width of the upper floor central column.

s) Any alteration to the ground floor shopfront widths as a result of condition 1 (r).

t) The provision of articulation to the exposed eastern and western elevations of the Puckle Street building in the form of horizontal stratification and verticality.

u) The retention of the front fence associated with 14 Young Street.

v) The provision of staff lockers and shower facilities within the basement car park area in accordance with Condition 13.

w) Pedestrian entry doors to be clearly notated to each retail and office unit within the development.

x) The ground floor retail units to be provided with clear glazing along the internal arcade walkway.

y) A detailed plan at a scale of 1:50 to be provided for the central court/ROW area. The plan must clearly outline the design treatments to be applied and include the key public components of the area showing paving, planter box locations, public furniture and lighting configuration and traffic calming measures. The design of the public spaces to meet Council's Urban Design technical notes and details.

z) The clear notation of the security grilles at the relevant arcade entries and exits.

   i) The size of the rainwater tanks delineated to the plans.

   ii) The pedestrian ramp gradients notated to the plans and to comply with the relevant Australian Standard.

   iii) Any alterations to the plans as a result of Condition 32.

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. The materials, colours, decoration and/or finishes to be applied to the exterior of the building or works as described on the drawings or schedules endorsed to this permit must not be altered without the consent of the Responsible Authority.

5. Service units, including air conditioning units, must not be located on any of the balconies or terrace areas unless appropriately visually and acoustically screened to the satisfaction of the Responsible Authority.

6. A minimum of 30 days 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; and
   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.

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

8. The area set aside for the parking of vehicles, together with the associated access lanes as delineated on the endorsed plan 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 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, and
f) Have the boundaries of all vehicle spaces clearly indicated on the ground in conformity with the endorsed plan.

9. Before the commencement of the use a directional sign not exceeding 0.3 m² in area must be provided directing drivers to the area(s) set aside for car parking and must be located and maintained to the satisfaction of the Responsible Authority.

10. Before the commencement of the use signs must be erected in association with the car parking hereby provided, allowing for the identification of the car park, to the satisfaction of the Responsible Authority.

11. To the satisfaction of the Responsible Authority the loading and unloading of goods (including waste collection) from any vehicles must only be carried out within the designated loading bays on the land and must not disrupt the circulation and parking of vehicles, pedestrian circulation or access.

12. 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 147 car spaces with a suitable number of car spaces allocated to staff;
      i) The management of both short and long term parking spaces;
      ii) Lighting of parking areas, entries and exits;
      iii) Proposed signage to direct staff and visitors to their designated spaces, and
      iv) The loading and unloading of goods and materials for the commercial uses.
   c) Entitlements to the use of loading dock areas by all retail and office uses on the land;
   d) No charge being made for car parking without the consent of the Responsible Authority;
   e) Traffic calming measures for inclusion within the accessways and car parking areas on site, including rubber speed humps and speed restrictions as appropriate;
   f) The closure of any car parking areas a minimum of 30 minutes after the closure of the last use(s) approved on the land; and
   g) The movements of trucks and other vehicles to the loading docks showing likely access routes and movements from adjacent roads.

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.
13. Bicycle parking spaces, access, lockers and compounds, associated showers and change rooms, must provided, maintained and kept available for these purposes at all times to the satisfaction of the Responsible Authority.

14. The electronic parking display on the southern elevation of the Young Street building must be constructed and maintained to the satisfaction of the Responsible Authority.

15. Prior to the commencement of construction, a Green Travel Plan must be prepared to the satisfaction of the Responsible Authority. The Plan must be prepared by a suitably qualified person and must encourage the use of non-private vehicle transport modes by the occupiers of the land. The Plan must include, but not be limited to the following:
   a) a description of the location in the context of alternative modes of transport and objectives for the Green Travel Plan.
   b) outline Green Travel Plan measures for the development including, but not limited to:
   c) employee welcome packs – tram, train and bus timetables relevant to the local area and the location of surrounding bicycle networks must be included in the pack of information provided to employees upon occupation of the development.
   d) bicycle parking and facilities available in proximity to the site; and
   e) monitoring and review.

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 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.

18. All stormwater runoff from the proposed roof area must be harvested via rainwater tank(s) and reused for the building’s facilities (toilets, irrigation etc). All stormwater overflow from the rainwater tank(s) must drain via an underground drainage system and discharge to an approved legal point of discharge to the satisfaction of the Responsible Authority.

19. A Council barrel drain minimum 300mm dia (RCP RRJ) must be constructed within to reach the approved point of discharge. Engineering Design Plans prepared by a qualified Civil Engineer must be submitted to and approved by the Responsible Authority prior to the commencement of any building or works (including drainage). The Engineering Design Plans must accord with Council’s Drainage Design Guidelines.
A drainage layout plan prepared by a Civil Engineer together with computations, indicating the pump specifications and location is to be submitted to and approved by the Responsible Authority prior to the commencement of any buildings and works (including drainage). All costs associated with the preparation of the plan and installation and construction of the required drainage works must be borne by the permit holder.

20. Part of the Right of Way (L = 55m) on Young Street is to be constructed in accordance with Council’s Standards and to the satisfaction of the Responsible Authority and thereafter after become an asset maintained by Moonee Valley City Council.

The Right of Way is to be surveyed and designed by qualified Surveyors/Civil Engineers respectively. Construction plans are to be submitted to Councils Technical Services department for approval. Plans are to indicate, existing surface levels, proposed surface levels, construction of the ROW in accordance with Moonee Valley City Council Standard Drawing No MV43. (Asphalt Construction).

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

21. The arcade area must remain open to the public as a thoroughfare seven days per week between the following minimum hours:
   a) Monday to Sunday: 7.30am to 12.30am.
      unless these hours are varied with the written consent of the Responsible Authority.

22. No more than 100 patrons associated with the restaurant/function centre maybe present on the land at any one time unless with the written consent of the Responsible Authority.

23. Equipment, services or other building features (other than those shown on the endorsed plan) must not be erected above the roof level of the building unless otherwise agreed to in writing by the Responsible Authority.

24. To the satisfaction of the Responsible Authority all external lights must be of a limited intensity to ensure no nuisance is caused to and adjoining or nearby residents and must be provided with approved baffles, so that no direct light is emitted outside the site.

25. External floodlighting must not be installed without the written consent of the Responsible Authority.

26. Noise emitted from the premises must not exceed the permissible noise levels determined in accordance with the State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade) No. N-1.

27. Noise levels emanating from the premises must not exceed those required to be met under State Environment Protection Policy (Control of Music Noise from Public Premises), No. N-2.

28. Prior to the commencement of the development an acoustic report prepared by a qualified acoustics expert must be provided to the Responsible Authority and
to its satisfaction. This report must detail the noise attenuation measures required to the cinema to ensure minimal impacts from noise sources external to that use. The recommendations of the acoustic report must be implemented prior to the completion of the development.

29. 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.

30. Provision must be made for the storage and disposal of garbage to the satisfaction of the Responsible Authority. All garbage storage areas must be screened from public view.

31. Prior to commencement of construction or carrying out of works, the Owner must enter into an Agreement under Section 173 of the Planning and Environment Act 1987 to the satisfaction to the Responsible Authority. That agreement must be registered on the title to the land, be free of cost to the Responsible Authority (by the Owner paying the costs and expense of negotiation, preparation, execution and registration of the Agreement and the Section 181 Application) and include provisions ensuring that:

   a) Liability and maintenance for those parts of the development projecting into air space under the care and management of Council and disclaiming any right or intention to make or cause to be made at anytime any claim or application relating to adverse possession of the land. The owner of the property to be developed must pay all Council’s reasonable legal costs and expenses of this Agreement, including preparation, execution and registration on title.

32. Before the development commences a Sustainability Management Plan (SMP) that outlines proposed sustainable design initiatives must be submitted to and approved by the Responsible Authority. Upon approval the SMP will be endorsed as part of the planning permit and the development must incorporate the sustainable design initiatives outlined in the endorsed SMP to the satisfaction of the Responsible Authority.

33. Prior to the occupation of any buildings and works approved under this permit, a report from the author of the Sustainability Management Plan (approved pursuant to this permit) or similarly qualified person or company, must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm that all measures specified in the SMP have been implemented in accordance with the approved documentation.

34. Before the development starts, or any trees or vegetation removed, an amended 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 location of planter boxes within the internal courtyard area and the arcade entrance along Young Street.

e) Details of the internal pedestrian sky bridge and if this will impact on the growing potential of the proposed species within the courtyard area.

f) 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.

35. 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.

- This property is partially located within a Heritage Overlay area. Planning permission is required for any additional works (within the Heritage Overlay) to the site in accordance with Clause 43.01 of the Moonee Planning Scheme.

- A permit must be obtained from Council for all vehicular crossings.

- This permit does not authorise any advertising signs except those which are exempted by the Moonee Valley Planning Scheme.

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

1.1 Subject Site and Surrounds

The subject site is located to the western side of Moonee Ponds Junction. The site comprises several parcels of land known as 6-14 Young Street and 17-23 Puckle Street. The entire development site measures a total of 3,025m². The development site is divided by a ROW which runs between the two sites, creating a loop off Young Street providing access to Puckle Street properties. The ROW is 3m wide where it passes the subject site to the east and north. The ROW also abuts a 1.5m wide strip of land along the western side of the Mondo apartment building. This strip of land appears to have been informally joined to the ROW, resulting in a 4.5m wide laneway. The subject site is not encumbered by any easements or restrictive covenants.

The site contains a number of existing buildings. 6-12 Young Street currently contains a two storey commercial building and associated car park, 14 Young Street contains a medical clinic within a single storey terrace house and 17-23 Puckle Street contains a two storey building comprising shops and a hair salon.

Fig 2: View of the subject site at 6-12 Young Street.
The surrounding area is comprised of predominantly commercially zoned land and properties which have been developed accordingly for those purposes. The immediate area comprises a mix of differing built forms, with the areas to the south and east containing high density built forms of the Mondo apartment building and the Australian Tax Office (ATO) building. The area to the north and west generally contains low density commercial forms. It is also noted that the built form directly to the north and west is unlikely to alter dramatically in the future as it is affected by the same Heritage Overlays (HO14 and HO360) which affect the subject site.

The site directly abuts Puckle Street to the north and Young Street to the south. The site is well serviced by several bus and tram routes within Moonee Ponds Junction and a Metro train service at Moonee Ponds Train Station, approximately 360 metres to the west.

1.2 Proposal

It is proposed to partially demolish the existing buildings and develop the land for two mixed use, multi-level buildings. The advertised proposal can be summarised as follows:

Table 1

<table>
<thead>
<tr>
<th>Proposal</th>
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<tr>
<td>Partial demolition of existing buildings and development of the land for two mixed use, multi-level buildings, a reduction in car parking requirements and a variation in loading bay requirements in a Heritage Overlay.</td>
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Demolition | Rear of 14 Young Street and 17-23 Puckle Street (facade and boundary walls retained). Complete demolition of 6-12 Young Street.
---|---
Uses | Cinema – 6 screen (848 seats), Retail – 1970m², Office – 295m², Food and Drinks – 290m², Gym – 36m², Rock Climbing Wall, Residential Hotel – 50 apartments.
---|---
No of car spaces | 111 car spaces within a two level, above ground structure.
---|---
No of Bicycle Spaces | 33 spaces
---|---
Max building height | 6-14 Young Street - 27.7 metres (10 Storeys)
| 17-23 Puckle Street – 13.26 metres (4 storeys)
---|---
Site coverage | 100%

Refer **Appendix A** (separately circulated) Plans – Advertised Plans

Following the Consultation Meeting the applicant submitted an amended proposal to Council in accordance with Section 57A of the Planning and Environment Act 1987. The amended application includes the following changes:

- The provision of a basement level at 6-12 Young Street, incorporating 37 staff car spaces.
- Deletion of one car space from the above ground car park.
- The relocation of the two designated loading/unloading areas previously located within the ROW to one consolidated location within the proposed basement.
- The provision of a designated waste management area within the proposed basement.
- The provision of a staff changing area within the proposed basement.
- Clarification that the previously considered wind turbines for the roof area would not be installed.
- Increase in the bar/bistro area within the ROW/Courtyard.
- Internal alterations to the retail areas.
- The provision of an electronic sign along the Young Street facade to detail the number of car spaces available within the car park.
- The provision of traffic management signage along Young Street and within the ROW.
- Refer to Amended Plans (**Appendix B and C** – separately circulated.)
• The amended application was not required to be re-advertised as discussed within Section 2.4.

2. Background

2.1 Relevant Planning History

• 6-12 Young Street and 17-23 Puckle Street (MV/731/2012)
  Partial demolition of an existing buildings and use and development of the land for two mixed use, multi-level buildings, a reduction in carparking requirements and a variation in loading bay requirements in a Heritage Overlay - Application lapsed as applicant failed to provide Council with requested further information within the prescribed time.

2.2 Planning Policies & Decision Guidelines

State Planning Policy Framework

Clause 11 Settlement
Clause 15 Built Environment and Heritage
Clause 17 Economic Development
Clause 18 Transport

Local Planning Policy Framework

Clause 21.01 Municipal Profile – Moonee Valley Today
Clause 21.02 Vision – Moonee Valley Tomorrow
Clause 21.03 Sustainable Development
Clause 21.05 Built Environment
Clause 21.06 Activity Centres
Clause 21.07 Economic Development
Clause 21.08 Social and Physical Infrastructure
Clause 21.09 Transport and Access
Clause 22.01 Residential Development of Four or More Storeys

Zoning

Clause 34.01 Commercial 1 Zone

Overlays

Clause 43.01 Heritage Overlay (HO14 & HO360)

Particular and General Provisions

Clause 52.06 Car Parking
Clause 52.07 Loading and Unloading of Vehicles
Clause 52.34 Bicycle Facilities
Clause 52.35 Urban Context Report and Design Response for Residential Development of Four or More Storeys.

Clause 65 Decision Guidelines

2.3 Referrals

External

- Vic Roads (Section 52 Referral)
  - VicRoads does not object to the issue of a Planning Permit and suggested that Council could consider changing a short section of Young Street into a two-way street, in order to enable vehicles accessing the development to gain access to Penny Lane and Gladstone Street.

  Vic Roads suggestion has been reviewed by Council’s Traffic and Transport Unit who made the following observation:

  “Given that the short section of two-way flow suggested by VicRoads would remove approximately 8 spaces of on-street parking a more appropriate option would be to install an electronic sign on the Young Street frontage near the entrance laneway (at second-story height, facing west) dynamically indicating how many spaces are currently available in the car park. This would ensure that traffic approaching along Young Street can turn off into the Woolworths car park or Penny Lane if the car park associated with the proposal is at capacity. Further to this, it is considered that traffic flow along Ascot Vale Road at Young Street is irregular and allows ample opportunity for traffic to exit.”

- Public Transport Victoria (PTV) (Section 52 Referral)
  - No objection to the proposal.

- Hansen Partnership Pty Ltd (Expert Urban Design advice)
  - Council has referred the proposal to Hansen for Urban Design Advice on two separate occasions. In summary the initial referral response from Hansen raised several concerns which included the presentation of the planning application material, the on-site circulation and laneway space, the location of the car park and its response to Young Street and the relationship between the podium and the rising form.

  Following discussions between Council and the applicant, the applicant commissioned additional Expert Urban Design advice prepared by Jim Holdsworth, Urban Designer. The application was re-lodged with several alterations to the design of the development both externally and internally.

  The revised proposal (as advertised) was referred to Hansen Partnership for additional Urban Design Advice. The advice noted the improvements made to the development, however raised a number of concerns including but not limited to the following:
• The presentation of the car park and cinema to Young Street limits the potential for activity. Levels 1-4 of the Young Street interface should be amended to provide an active facade to the street.

• The proximity of the rising south elevation is overwhelming within Young Street’s compressed streetscape and the presentation of the narrow slab form, with no potential for surveillance, atop the podium adds to this hostile edge. The tower element should be setback further from the podium and activated by windows and balconies.

• The internal courtyard/ROW space would benefit from further activation. This could be achieved by providing direct access to the rock climbing wall from the courtyard area.

The Urban Design Advice also commented that the overall scale of the proposal is generally acceptable and that the setback and presentation to the east is sufficiently articulated and positioned to minimise the impact on the Mondo apartment building.

Internal

• Strategic Planning Unit

An initial referral to Council’s Strategic Planning Unit included the following concerns with the development:

• The car parking on levels 2 and 3 should be appropriately screened from external views. This screening should aim to enhance the external facades of the development.

• The proposed drop-off/short term parking bays along Young Street appear to conflict with pedestrian access along the street.

• The application should include an Environmentally Sustainable Design (ESD) Assessment to outline the ESD performance of the development.

The application was re-referred to Council’s Strategic Planning Unit with a number of alterations to address the key issues raised above. A summary of the revised comments provided by Council’s Strategic Planning Unit is as follows:

“The development is considered to generally comply with the provisions of Schedule 1 to the ACZ. The proposed uses and built form will activate the surrounding area, further enhancing the core of MPAC”.

• Heritage Advisor

The application was referred to Council’s Heritage Advisor as the proposal includes extensive demolition and buildings and works within the heritage overlay. Council’s Heritage Advisor has provided detailed input to the initial assessment of the proposal and is generally supportive of the development with some alterations suggested which can be achieved through conditions on any permit issued. The heritage constraints and objectives are discussed in more detail below under Sections 3.1 to 3.3 of this report.
• Engineering Services Unit
  No objection subject to standard conditions.
• Traffic and Transport Unit
  No objection subject to the following conditions:
  • Dynamic signage facing west along Young St to indicate the number of public spaces available at any given time must be provided.
  • Parking controls must be provided within the above ground parking areas.
  • The “zebra crossing” markings in the first and second floor car parks must continue southwards a further 9.8 metres into the gap between the parking spaces.
  • The restaurant must be limited to 100 patrons.
  • The capacity of the rock climbing wall must be limited to 20 patrons.
• Landscape Unit
  No objection to the proposal.
• Property Services Unit
  No objection to the proposal, subject to conditions.
• Ecological Sustainable Development (ESD)
  No objection to the proposal, subject to 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 several site notices erected on site for a period of 14 days.

At the time of advertising the subject site was covered by both the Business 1 Zone (B1Z) and Business 2 Zone (B2Z) and the use of the land for both a cinema and a retail premises required a planning permit and notification.

However, it should be noted that Moonee Valley Planning Scheme was amended on 15 July 2013 (Amendment VC100) to combine the Business 1 and 2 Zones under a new Commercial 1 Zone (C1Z).

Pursuant to Clause 34.01-7 (C1Z) of the Moonee Valley Planning Scheme many components of the proposal are now exempt from the notice and review rights of the Planning and Environment Act 1987.

The only components of the application where notice requirements and review rights apply are as follows:

• Proposed buildings and works within the Heritage Overlay 17-23 Puckle Street and 14 Young Street.
• The proposed reduction in car parking requirements.
• The proposed reduction in loading and unloading requirements.

Any objections received by Council outside of the above mentioned components are deemed to be immaterial to the assessment of the planning application against the requirements of Moonee Valley Planning Scheme and are not afforded third party appeal rights.

As a result of the advertising period, 14 objections were received from properties contained within Appendix D – (separately circulated) of this report. The objector’s properties are contained to the Mondo apartment building and the ATO.

A response to the objections is provided in Section 5 of this report.

2.5 Consultation Meeting

A Consultation Meeting was held on 17 July 2013, which was attended by Cr. Marshall and Cr. Cusack, objectors, the applicant and Council’s Planning Officer. There was no resolution achieved at this meeting with the objectors reiterating their concerns with the proposal.

Following the Consultation Meeting the applicant circulated revised shadow diagrams to each of the objectors Appendix B and C – (separately circulated). The applicant also submitted an amended proposal as discussed above in Section 1.2.

The amended application was not re-advertised as pursuant to Clause 34.01-7 (Commercial 1 Zone), the additional proposed works are exempt from the notice requirements and the review rights of the Act.

3. Discussion

3.1 State Planning Policy Framework

The relevant State Planning Policy Framework Clauses are considered to be met. For the large part State Planning seeks to provide zoned and serviced land for housing, employment, recreation, commercial and community facilities and infrastructure. The subject site is located with a Commercial 1 Zone and Moonee Ponds Activity Centre and is in a location that is envisioned to be a focus for high-quality development, activity and living for the whole community.

Clause 15.01-2 of the State Planning Policy Framework (Urban Design Principles) provides the main assessment tool for development proposals not covered by Clauses 54, 55 or 56 of the planning scheme. The objective of Clause 15.01-2 is:

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

It is considered that subject to conditions the proposal complies with the objectives and strategies as contained within the design principles of Clause 15.01-2. It should be noted that the majority of these design
principles are further expanded under the design elements contained within Clause 22.01 (Residential Development of four or more storeys) which will be discussed later within this report. Elements that are not specifically covered within Clause 22.01 are discussed as follows:

**Landmarks, Views and Vistas**

There are no significant monuments, landmarks or vistas in the vicinity of the site that have been identified within the Moonee Valley Planning Scheme as requiring specific protection. However, it is noted that the proposed development provides an opportunity in itself to add to the views which can be achieved, particularly when travelling east along Young Street.

**Heritage**

The subject site is partially affected by two Heritage Overlays. As discussed within the referral response from Council’s Heritage Advisor the proposal generally respects the importance of the heritage places and will conserve and enhance the heritage areas.

HO15 affects the buildings at 17-23 Puckle Street. The proposed development will retain the shells of the two commercial buildings in Puckle Street, including their facades. The roofs and rear walls are to be removed, which is considered acceptable in this instance as these features are either hidden from public view or only visible from the rear ROW. The cantilevered awning is also proposed to be removed and replaced with a glazed awning.

HO360 affects the properties at 14-20 Young Street, which incorporates a row of terrace houses. The development site includes one of these terrace houses at 14 Young Street. The proposal will maintain the existing house to a depth of two rooms and internally alter it to allow for a commercial use. It is considered that the podium level of the 10 storey building has been effectively setback from the heritage house below. Overall it is noted that the terrace houses within Young Street sit within a context of commercial development of varying scale. The proposed development will stagger away from the heritage interface providing a visual recession and use of modern materials which is respectful to the significance of the Heritage Overlay. While the development will be clearly visible from within the Heritage Overlay it will be a clear example of modern evolving form within the Activity Centre that will not detract from the historic significance of the four terrace houses protected by HO360.

In addition, to the above mentioned State Policies of Clause 15, the proposal contributes to the economic development objectives and strategies of Clause 17 (Economic Development) by locating a large commercial facility within this Activity Centre. Furthermore the future uses which will occupy the proposed development will provide for the needs of local residents, workers within the Activity Centre and future residents in new developments.
3.2 Local Planning Policy Framework

Clause 21.06 of the Local Planning Policy Framework outlines that Moonee Ponds is identified as one of six Principal Activity Centres within metropolitan Melbourne which are development-ready areas. Accordingly, it is anticipated that new, more intensive development will be encouraged in the activity centre, particularly development which maximises the integration of land use and transport. It is considered that the commercial land uses within the proposed development are responsive to the uses encouraged by the structure plan for this area and this is further supported by the uses being as of right uses within this zone.

Overall it is considered that the development responds to the Activity Centre through implementing a number of key objectives of the MPACSP by providing a development which:

- Responds to the city’s heritage character.
- Interacts with the public realm.
- Activates the Young Street streetscape and creates a shared laneway area.
- Reinforces the importance of pedestrian access and provides linkage between Puckle and Young Streets.
- Consolidates a number of land uses within the one development site.
- Provides a number of public accessible spaces to enable people to meet.
- Provides architecturally screened car parking at either basement or upper levels.

Further to the above mentioned objectives the preferred heights outlined for the development site within the MPACSP are two-three storeys along the Puckle Street frontage, three-four storeys along the rear of Puckle Street and six to eight storeys for sites along Young Street. The proposal’s response to this height is further discussed below under Building Height and Silhouette.

As the proposal includes a residential component (residential hotel) an assessment against Clause 22.01 is required. Clause 22.01 sets out the urban design and built form objectives and policies for multi-storey and high density residential development. To assist with the assessment are the ‘Guidelines for Higher Density Residential Development’ (Department of Sustainability and Environment 2004) and the ‘City of Moonee Valley Design Guidelines for Multistorey Residential Buildings’. A number of the policies and guidelines appear to overlap and therefore the key concepts of the documents have been grouped together to provide a more consolidated assessment against the key criteria identified across all documents. The following discussion is provided:
Context and Building Design / Urban Context

The design response is considered to be generally appropriate given the location of the site within an Activity Centre with good access to a range of services, including public transport. The proposed site design includes a single pedestrian route from Puckle Street through to Young Street and provides a future social space within the central laneway of the development.

The proposed design exhibits a contemporary expression and appropriately responds to the location and context through the retention of important heritage features, provision of architectural elements and an acceptable combination of materials. It is considered that an appropriate degree of visual interest and design articulation has been provided.

The Puckle Street building is appropriately recessive to the Heritage facade and includes a sloping increase in height to the rear which also allows solar penetration to the Courtyard and ROW.

The ten storey Young Street building is divided into two components, the five storey podium and the five storey rising form set within the rooftop landscape setting. It is considered that the podium level offers a transparent edge to Young Street at street level and will appropriately screen the two car parking levels above as required by MPACSP. The two cinema levels are provided with titanium sheeting to offer a sense of difference when viewed from Young Street and will clearly identify the cinema form to the public realm. Furthermore, the podium level responds to the similarly designed Mondo podium to the east while ensuring a more sympathetic finish is applied to the levels above the street below.

It is acknowledged that the design response associated with the car park and cinema levels has been somewhat criticized by Council’s expert Urban Design advice (Section 2.3). In this regard it was recommended that this interface could be improved through the provision of an open active facade.

Notwithstanding the above, the incorporation of a cinema and above ground car park within the constraints of the site has restricted the outer elements of the facade and it is considered that the strategic importance of the mixture of uses within this key location outweighs the further design improvements which could be achieved through this activation. Furthermore, it is noted that the MPACSP clearly envisages that car parking will in some cases be provided above ground within this precinct.

Given the type of the proposed development and its mixture of public uses it is considered that above ground car parking is appropriate in this instance as activity within all podium levels will occur through the nature of the uses on site. It is not considered that modification to the podium is warranted by conditions on any permit issued.

In terms of the rising form it is considered that the design of the building is suitably robust and will sit within a landscaped setting to provide a soft contrast to the robust modern materials incorporated in the design.
The rising form includes windows and screening which will assist in attracting visual interest when viewed from the west. Views of the building from within the ROW and courtyard space will also be enhanced through the use of colour and depth and spacing of balconies along the northern elevation.

It is noted that Council’s expert Urban Design advice also raised concerns regarding the lack of activation within the courtyard space and the lack of transparency along the Young Street interface. Conditions have been recommended to improve these areas and will result in the rock climbing wall having direct access from the courtyard space and balconies and windows being provided for the hotel tower to ensure activity of the Young Street interface.

Overall, subject to the design improvements discussed above, it is considered that the building design is responsive to its urban context within this Activity Centre.

**Streetscape and Urban Design**

The proposed development will maintain and enhance the Puckle Street frontage by creating a modern arcade entry while maintaining the existing heritage facade. The proposal also maintains the existing retail interface along Puckle Street by providing retail spaces at this important interface.

Along the Young Street interface the proposal includes a hotel entry area, some smaller retail spaces and a large retail space which will likely act as an anchor to help attract pedestrians into the arcade and to the Young Street precinct. The Young Street interface also proposes a large lobby area which provides entrance to the arcade and can function as a meeting/waiting area within the setback of the building. Another notable feature of the building’s design is the setback from Young Street at street level. The proposed setback allows for the footpath to be widened, improving the pedestrian realm and providing a covered sheltered area from the building overhang.

By default the proposed site design will ensure that a physical link is created between both Puckle and Young Street through the arcade, open courtyard and commercial floor space. As discussed above the pedestrian link is an important part of the future access and movement envisioned by the MPACSP.

**Setbacks and Site Coverage**

The proposed built form is contemporary in design and the setbacks are considered to be generally acceptable and respond to the preferred future character for this area. The site coverage proposed is reflective of the strategic vision for this Activity Centre. It should be noted that objectives for these design elements seek to ensure that the siting of new development responds to the context of the site.

The ten storey scale of the Young Street building does not significantly impact on the adjoining buildings nor does it impact on the development potential of adjoining properties by presenting well considered setbacks.
The development is clearly responsive to the western boundary with the minimum setback achieved at 3.65m. Further to this the positioning of the development along the eastern ROW is a suitable design response to the Mondo apartment building with only a limited number of apartments provided with a sole aspect to the service laneway.

It is acknowledged that Clause 22.01-7 seeks that built form be setback a distance of 4.1m at the fourth level and above. It is also noted that Council’s expert Urban Design advice has suggested that the setback of the rising form should be increased along the southern elevation to reduce the potential for a canyon effect along Young Street. However, it is considered that the setbacks proposed for the rising form of the residential hotel from Young Street are appropriate considering the existing built form along Young Street.

An increased setback for developments in excess of four storeys will usually ensure that a human scale to the development is provided at street level and that a development does not result in a sense of enclosure along the street below. It is considered that the height to street width ratio is appropriate in this instance as only a portion of the rising form is within 1.5m of the southern boundary. The remainder of the rising form is set back between 12m and 19m from the levels below and incorporates a rooftop garden area.

Further to the above, when travelling east or west along Young Street the predominant views will be the visual gap between the ATO on the southern side of the street and the Mondo building on the north. This view will not be changed by the proposed built form with the rising form of the proposed development only replacing views of the existing Mondo building when travelling east along Young Street. Therefore it is considered that the proposal will not result in a ‘canyon effect’ and the setbacks are appropriate to the building design considering the location of the site. As such no further changes to the building setbacks are required.

The off-site amenity impacts as a result of the proposed setbacks are discussed in more detail below under ‘Off-Site Amenity’.

**Building Height and Silhouette**

The ‘Guidelines for Higher Density Residential Development’ note that appropriate building height is derived from the local context, street conditions and character objectives for an area.

As highlighted earlier, the subject site is located within a Commercial 1 Zone, has excellent access to numerous public transport options and is located within Moonee Ponds Activity Centre (MPAC). Such locations encourage more intensive forms of development to take advantage of existing services. In addition to this, the Activity Centre Zone (ACZ) as adopted by Council on 5 June 2012 encourages the intensification of this site, with a ‘preferred maximum height’ of 11 to 14 metres for the Puckle Street site and 26 metres for the Young Street site.
It is considered that the proposed heights are in keeping with the emerging character and potential future development of the area and would not result in an obtrusive building form that dominates the skyline. This is particularly evident given the location of the development as an infill location between the Mondo apartment building to the east and the ATO building to the south. Furthermore, the heights of the proposed development respond to the adjoining interfaces particularly the heritage interface to the west of the Young Street building. This sensitive interface has been treated by setting the built form back a distance of two rooms and ensuring that the residential tower element of the development is further recessed from the levels below. Overall it is considered that the height of the development responds to the relevant design objective and is further discussed below under Section 3.7.

Internal Circulation, Space and Building Adaptability / Circulation and Services

The development achieves a good level of internal circulation and provides for comfortable access arrangements to meet the needs of future occupants. The MPACSP envisages pedestrian connections between Puckle and Young Streets in the vicinity of the development site, and the proposal implements this connection in the form of an arcade lined with retail premises and other activities including an internal courtyard space along the ROW.

The entry points along Puckle and Young Streets will be clearly visible and inviting from the streetscape. Escalators, stairs and lifts are provided along the internal arcade which allows the movement of people between the retail spaces, arcade, cinema levels as well as the hotel. The development also includes sky bridges for added connectivity between both buildings above the laneway space.

With respect to car parking it is noted that each level includes lift and stairs access to the levels below and above within a pedestrian lobby area. The development provides an adequate and efficiently designed parking layout which will generally ensure safe vehicle movements within the basement level.

However, as mentioned earlier, some concerns were raised by Council’s Traffic and Transport Unit which should be rectified through conditions on any permit granted.

It is also noted that the development has been designed so it can be adapted to cater for many different uses should future demand require a different mix of uses in line with market demand.

On-Site Amenity and Liveability

The nature of the residential use (residential hotel) associated with the proposal ensures that any potential shortfalls in relation to on-site amenity are on a temporary basis only and will only affect short stay guests. None the less, it is considered that the on-site amenity provided to the proposed serviced apartments is at a relatively high standard with an open plan layout and all bedrooms provided with natural light.
Each apartment is provided with views to the north and west or outlook to a rooftop garden area.

Any acoustic protection measurements as a result of the cinema operation can be addressed through relevant planning permit conditions.

**Off-Site Amenity**

It is not considered that the development will have unreasonable impacts on the directly abutting properties. The development site has relatively limited sensitive interfaces with commercial properties located to the north, south and west. The Mondo apartment building is located to the east and is separated from the development site by a 4.5m wide ROW. Along this interface the bottom four levels of the Mondo apartment are designated car parks and service areas. The proposal seeks to increase this separation to 6m at ground level with the upper car park level and levels above being setback a minimum of 4.5m from the Mondo apartment building. The podium of the proposed ten storey building will be similar in height to the podium of the Mondo apartment building therefore the impacts of the lower levels on the Mondo building are minimal. The residential hotel component of the development is generally set away from the residential interface of the Mondo apartment building. The exception to this is the rising form along the eastern side of the building.

The shadow diagrams ([Appendix B and C](#)) submitted with the application outline the shadow impacts to the west facing windows and balconies of the Mondo building. Each of the west facing windows and balconies will continue to receive direct solar access until 1pm on the September equinox. As the day passes the number of apartments affected by shadowing will increase with approximately three levels (9 apartments) affected by 3pm. However it should be noted that of the affected apartments only three are dependent on the westerly sun.

The development complies with relevant ResCode standards for assessing overlooking opportunities and any acoustic treatments required to minimize potential noise will be required by conditions on any permit issued.

**Parking, Traffic and Access**

As discussed below in Section 3.6.

**Landscaping and Fencing**

The application includes a landscape plan which indicates the opportunities for landscaping throughout the development. While generally acceptable it is considered that a more detailed response to landscaping within the ROW/Laneway will be required as condition on any permit issued.

**Environmental Sustainability**

The applicant has included a basic Sustainable Design Statement (SDS) carried out by Clement-Stone Town Planners.
The SDS outlines a number of notable features including western sun screens to the residential hotel. A number of conditions will be included on any permit issued in relation to environmental sustainability as a result of discussion with Council’s ESD officer.

3.3 Heritage Overlay - Clause 43.01

The subject site is partially affected by two separate Heritage Overlays. As discussed above under Section 3.1 it is considered that the demolition works proposed are acceptable in this instance as the majority of fabric to be removed is not visible from the streetscape. The proposed development responds to the local heritage polices within Clause 21.05 and Decision Guidelines of Clause 43.01 by providing a modern development which is sympathetic to the heritage precincts in their context. The proposed works will generally refurbish the Puckle Street facade and encourage new uses at streetscape level. The Young Street works will maintain the existing terrace house to ensure that the significance of the row of terraced housing (14-20 Young Street) is not disturbed by the new development. On the whole, it is considered that the heritage properties can be appreciated within the context of a modern Activity Centre.

3.4 Car Parking – Clause 52.06

The proposal is subject to the requirements of Clause 52.06. The proposed development requires the following car spaces to be provided on site before the buildings are occupied;

<table>
<thead>
<tr>
<th>Use</th>
<th>Required</th>
<th>Provided</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cinema – 6 screen (848 patrons)</td>
<td>254</td>
<td></td>
</tr>
<tr>
<td>Retail – 1970m²</td>
<td>To Council’s Satisfaction</td>
<td></td>
</tr>
<tr>
<td>Office – 295m²</td>
<td>10</td>
<td></td>
</tr>
<tr>
<td>Food and Drinks – 65m²</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Restaurant – 225m² (150 Patrons)</td>
<td>60</td>
<td></td>
</tr>
<tr>
<td>Residential Hotel – 50 apartments</td>
<td>To Council’s Satisfaction</td>
<td></td>
</tr>
<tr>
<td>Gym – 36m²</td>
<td>To Council’s Satisfaction</td>
<td></td>
</tr>
<tr>
<td>Rock Climbing Wall</td>
<td>To Council’s Satisfaction</td>
<td></td>
</tr>
<tr>
<td>Staff</td>
<td>N/A</td>
<td>37</td>
</tr>
<tr>
<td>Total</td>
<td>326</td>
<td>147</td>
</tr>
</tbody>
</table>

110 Shared Parking Spaces
37 Designated Spaces
The proposal provides insufficient car parking on site to cater for the requirements within Clause 52.06 of the Moonee Valley Planning Scheme and seeks a reduction of 179 car spaces. The applicant has submitted a Car Parking Demand Assessment which indicates the likely peak demand will range between approximately 150 and 400 car spaces depending on the time of the week. It is anticipated that the peak demand will at times exceed the number of car spaces provided on site. Council has considered the decision guidelines of Clause 52.06-6 and it is considered acceptable to reduce the requirements for the following reasons:

- The subject land is located within a Principal Activity Centre where a large number of visitors to the development will likely be partaking in multi-purpose trips within the locality.
- The long-stay parking demand (staff) has been accommodated within a separated basement car park. Staff bicycle parking and locker rooms have also been provided.
- The subject site is located in close proximity to Moonee Ponds Junction (Tram and Bus) and Moonee Ponds Train Station.
- The subject site is designed to encourage both pedestrian and cyclists. The development is provided with an excess of bicycle spaces in a variety of locations.
- An empirical parking assessment of the surrounding area has been submitted by O’Brien Traffic and details that during peak use hours (evenings and weekends) there is sufficient availability of on street parking to support the estimated demand.
- It is considered that the subject land has an existing car parking deficiency of 67 car spaces.
- The proposal creates additional on-street parking on Young Street.

In addition to the above mentioned points Council’s Traffic and Transport Unit have reviewed the proposal in detail and have no objection to the proposed reduction in car parking requirements subject to conditions. An assessment against the relevant car park design standards of Clause 52.06 has also been carried out by Council’s Traffic and Transport Unit. No objection has been received in relation to the design of the car park and access ways subject to some technical modifications.

3.5 Loading and Unloading Facilities – Clause 52.07

The application proposes a designated loading area within the basement of the Puckle Street building. The designated loading area provides an area in excess of the minimum requirements for the proposed retail spaces. However the height clearance proposed is restricted due to the site dimensions and the length of the basement ramp required. It is considered acceptable to allow a variation to the loading requirements in this instance. Conditions on any permit issued will include a traffic management plan to ensure that loading and waste vehicles entering the site are a maximum of 2.5m in height.
3.6 Bicycle Facilities – Clause 52.34

Clause 52.34 of the Moonee Valley Planning Scheme requires the following bicycle spaces to be provided prior to the occupation of the development:

Table 3

<table>
<thead>
<tr>
<th>Use</th>
<th>Required</th>
<th>Provided</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td>27</td>
<td>33</td>
</tr>
</tbody>
</table>

The proposal also includes a number of staff locker rooms and changing areas within the basement area of the development. A condition on any permit issued will require the locker rooms to include shower facilities and a green travel plan to be submitted to Council for approval.

3.7 Response to Amendment C100

As discussed previously under Section 1.1, the subject site is located within precincts 3 and 4 of the proposed Activity Centre Zone (Schedule 1) as adopted by Council on 5 June 2012. The table below sets out the objectives for the relevant sub-precincts and the developments design response to those objectives.

Table 4

<table>
<thead>
<tr>
<th>Precinct Objectives</th>
<th>Design Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Precinct 3 – Young Street Building</td>
<td>The development includes a mix of uses within the Young Street building including retail, cinema and a residential hotel.</td>
</tr>
<tr>
<td>To encourage the use and development for retail, market, education and office uses.</td>
<td></td>
</tr>
<tr>
<td>To provide for higher density development that is responsive to heritage and residential interfaces.</td>
<td>The development is responsive to both heritage interfaces to the north and west by maintaining the heritage dwelling at 14 Young Street and setting the development back a distance of two rooms from the front facade. Furthermore, sensitive treatments are proposed to limit the impacts on the adjoining heritage interface. The design also responds to the Mondo residential building as discussed within Section 3.2 of this report.</td>
</tr>
<tr>
<td>To enhance pedestrian movement, safety and amenity through the laneways of the precinct.</td>
<td>The development will provide a pedestrian access link from Young Street to Puckle Street and will provide a open laneway space which will be activated through the provision of retail spaces.</td>
</tr>
</tbody>
</table>
Preferred Building Height Precinct 3C (excluding basement) – 26 metres.

The proposal provides a maximum building height of 27.7 metres. While the maximum height of the development is greater than the preferred building height by 1.7 metres, it is considered that overall this is a minor increase in the preferred height and will not result in any additional off-site amenity impacts. The development site allows for a unique opportunity of a large consolidated site within Moonee Ponds which will be developed with a range of uses supported by the ACZ and therefore it is considered that the minor variation from the preferred height should be supported.

<table>
<thead>
<tr>
<th>Precinct 4 – Puckle Street Building</th>
<th>The proposal will enhance the Puckle Street precinct and will attract new users into the area.</th>
</tr>
</thead>
<tbody>
<tr>
<td>To maintain the precinct as the core retail spine for the centre</td>
<td>The proposal refurbishes the existing Puckle Street facade and will ensure that the new shop fronts maintain the rhythm of shopfronts along Puckle Street.</td>
</tr>
<tr>
<td>To maintain the heritage streetscape of Puckle Street.</td>
<td>It is not envisioned that the proposed development will encourage through traffic movements along Puckle Street as traffic will enter the site along Young Street and filter through Ascot Vale Road, Pratt Street, Gladstone Street and Penny Lane.</td>
</tr>
<tr>
<td>To reduce through-traffic movements along Puckle Street.</td>
<td>To ensure that development accommodates retail, entertainment and restaurant uses at ground level, with office and residential uses above.</td>
</tr>
<tr>
<td>To control development so that taller buildings do not visually intrude or dominate the pedestrian and heritage experience of Puckle Street.</td>
<td>The proposal incorporates ground level retail with office levels above.</td>
</tr>
<tr>
<td></td>
<td>The taller elements of the Puckle Street building are well setback from the front facade to be hidden from the Puckle Street interface. The ten storey building is also hidden from prominent view lines within the Puckle Street precinct.</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. Objections – Discussion

As discussed within Section 2.4 of this report the only components of the application which require notice and review are as follows:

- Proposed buildings and works within the Heritage Overlay 17-23 Puckle Street and 14 Young Street.
- The proposed reduction in car parking requirements.
- The proposed reduction in loading and unloading requirements.

Therefore any objections received by Council outside of the above mentioned components are deemed to be immaterial to the assessment of the planning application against the requirements of Moonee Valley Planning Scheme and have no grounds for appeal with VCAT. However in the interest of a clear and transparent process a response to the key issues raised are discussed below:

<table>
<thead>
<tr>
<th>Table 5 Objections</th>
<th>Officer Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Overlooking and Overshadowing of the Mondo and the ATO.</td>
<td>The east facing windows of the residential hotel are in excess of 9 metres from the Mondo building. It is not considered that there is potential for direct overlooking. The potential overshadowing impacts on the Mondo residential building have been discussed above in Section 3.2 of this report. It is considered that overshadowing of the ATO building is reasonable considering the strategic location of the development.</td>
</tr>
<tr>
<td>Impact on views from the Mondo and ATO, reduction of property values</td>
<td>These concerns are not valid planning grounds of objection and there is no overlay or policy within the planning scheme to protect views and vistas from the Mondo and ATO buildings.</td>
</tr>
<tr>
<td>Noise impacts from cinema and wind turbines.</td>
<td>The previously considered wind turbines have been removed from the proposal. Conditions will be included on any permit issued to ensure sufficient acoustic measures are taken to limit noise from the building to what would be a normal level within an Activity Centre.</td>
</tr>
<tr>
<td>Excessive reduction in car parking and impacts on existing car park facilities in close proximity to the subject site and traffic congestion as a result of people coming to the building.</td>
<td>As discussed within Section 3.4 of this report it is considered that sufficient car parking has been provided on site and is available in the surrounding area to cater for the expected demand. It is considered that there will be an increase in traffic in the area, especially during the peak hours associated with the cinema. This increase in traffic is considered to be normal to an Activity Centre and can be accommodated within the existing street layout as discussed within the comments from VicRoads and Council’s Traffic and Transport Unit (Section 2.3).</td>
</tr>
<tr>
<td>Insufficient setbacks.</td>
<td>It is considered that subject to conditions the proposal will provide suitable setbacks from Young Street. The setbacks proposed from the north, west and east is considered acceptable as discussed within Section 3.2 of this report.</td>
</tr>
<tr>
<td>Visual Bulk impacts.</td>
<td>As discussed within Section 3.2 of this report it is considered that the design of the podium and rising form within a landscape setting is an appropriate design response and does not result in visual bulk impacts.</td>
</tr>
<tr>
<td>Overdevelopment of the site.</td>
<td>As discussed within sections 3.1, 3.2 and 3.7 of this report it is considered that the proposal is a suitable response to the subject site and does not constitute an overdevelopment.</td>
</tr>
<tr>
<td>Fails to consider the heritage characteristics of the adjoining properties.</td>
<td>As discussed with Section’s 3.1 and 3.3 of this report it is considered that the development is an appropriate response to the heritage overlay affecting the property and the surrounding areas.</td>
</tr>
<tr>
<td>The proposal will impact on the ESD performance of the ATO building.</td>
<td>It is acknowledged that the proposal will result in some significant shadowing to the ATO building during the early part of the day during the September equinox however this is not considered an unreasonable impact to a commercial building in an Activity Centre. It is unclear how the proposal will impact on solar panels located on the roof of the ATO as the proposed development sits below the ATO building.</td>
</tr>
</tbody>
</table>
The proposal will have the same construction time as the proposal at 331 Ascot Vale Road. At the time of writing the proposal at 331 Ascot Vale Road is awaiting a formal hearing at VCAT and no decision has been made. There is no evidence to suggest that the proposed development would be constructed at the same time as another development which has yet to be approved. However a construction management plan will be required to be provided to ensure that minimal disruption occurs outside of the site boundaries and that the construction process is managed sufficiently.

The proposal will impact on the laneway/ROW and the existing emergency exit from the Mondo building. The existing ROW is already utilised for vehicle traffic and the Mondo apartment building already has a visitor garage entry and fire exit door along the ROW. While it is acknowledged that the proposal will increase the flow of traffic along the ROW it will also widen the ROW to ensure a safe access. It is not considered that the proposal will impact on the usability of the fire exit in case of an emergency.

**Conclusion**

The application has been assessed against the relevant provisions of the SPPF, LPPF and the relevant Particular and General Provisions of the Moonee Valley Planning Scheme. The proposal has also portrayed a desirable response to the Moonee Ponds Activity Centre Structure Plan.

In light of the above, the proposed development is considered appropriate as outlined within the above recommendation.
9.3 Draft Moonee Valley Heritage Gap Study - Stage 1

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

Purpose

To inform Council on the preparation of the draft Moonee Valley Heritage Gap Study - Stage 1, and to seek Council’s endorsement of the draft study for the purposes of community consultation.

Executive Summary

- Council adopted the Moonee Valley Thematic Environmental History (TEH) on 18 September 2012.
- In order to gain a full understanding of places requiring further research, the TEH included a recommendation for Council to undertake a survey of places of significance for the whole municipality, using the TEH as a guide.
- This work has been progressed and a draft Moonee Valley Heritage Gap Study - Stage 1 (the draft Stage 1 Study) has been prepared that identifies places and precincts considered to have potential heritage significance.
- The draft Stage 1 Study is now at a stage whereby it is appropriate to undertake public consultation, and this report seeks the endorsement of Council to commence community consultation, including notification to owners and occupiers of properties identified in the study as well as wider media coverage.

Recommendation

That Council:

1. Endorse the draft Moonee Valley Heritage Gap Study - Stage 1 for the purposes of community consultation.
2. Receive a further report at the conclusion of the consultation process.

Background

The TEH is structured around nine main themes and documents how Moonee Valley has developed and how the culture of the area has influenced the natural and built environment. It traces the major historical themes that have resulted in the physical development of the area since European settlement.

The nine themes are:

1. Shaping Victoria’s environment;
2. Peopling Victoria’s places and landscapes;
3. Connecting Victorians by transport and communication;
4. Transforming the land;
5. Building Victoria’s industries and workforce;
6. Building towns, cities and the garden state;
7. Governing Victorians;
8. Building community life, and
9. Shaping cultural and creative life.

The TEH does not list all potential heritage places in the municipality, but instead identifies a sample of historic buildings and features that illustrate how the different themes manifest in the built environment.

As part of the TEH, a number of places of potential cultural significance and historical themes requiring further investigation were recommended for further research.

The TEH also recommended Council undertake a municipal-wide survey aimed at identifying all places of potential cultural heritage within Moonee Valley.

In August 2013 Council engaged heritage consultants Context Pty Ltd, to undertake a Stage 1 Heritage Gap Study as a comprehensive and coordinated review of existing heritage places and the identification of new places.

The Stage 1 Heritage Gap Study is distinguished from the current Thematic Places Heritage Study, which was commenced in early 2013, in that it does not make any recommendations for places to be included in a Heritage Overlay. This would involve further work in the future as part of Stage 2 studies, based on the recommendations of this Stage 1 Study.

**Discussion**

**Policy Context**

The Council Plan 2013-17 has the following Strategic objective:

- “Ensure there is clear direction for growth and proactive management of development in the city”

One of the Strategies is to:

- “Identify gaps in heritage controls and implement new heritage overlays where warranted”

The draft Heritage Gap Study will assist in implementing this strategy. The sites and precincts within the report have been identified as they are representative of the themes within the recently adopted TEH.

The TEH built upon Council’s Moonee Valley Heritage Strategy, which was adopted in June 2011.

**Moonee Valley Heritage Gap Study - Stage 1**

The objective of the Heritage Gap Study is to find all post-contact places of potential heritage significance that are not yet protected on the Heritage Overlay. The purpose is not to provide a detailed assessment of each place.
The TEH provides a framework to understand what is distinctive about the municipality and the human activities that have shaped it.

The draft Stage 1 Study determines which themes are already well-represented on the Heritage Overlay, and which ones are not. It then identifies the places that best illustrate these themes (particularly poorly represented ones), across Moonee Valley.

The draft Stage 1 Study is made up of:

A Report **Appendix A** – (separately circulated) which provides the following information:

- Methodology
- Findings of the desktop review
- Community consultation
- Field survey and documentation
- Recommendations for stage two studies (i.e. more detailed heritage studies like the Thematic Places Heritage Study)
- Appendix A of draft Heritage Gap Study – Sources for the desktop survey
- Appendix B of Heritage Gap Study - City of Moonee Valley Themes
- Appendix C of Heritage Gap Study – Places and precincts for future assessment
- Appendix D of Heritage Gap Study – Recommended Stage 2 studies
- Appendix E of Heritage Gap Study – Maps **Appendix B** – (separately circulated)
- Appendix F of Heritage Gap Study – Preliminary place/precinct citations **Appendix C** – (separately circulated)

Places of potential significance have been identified from a desktop review of the TEH, previous heritage studies, state-wide thematic heritage studies, historic documents and maps. During the initial stages of the preparation of the draft Heritage Gap Study, historical societies, community groups and the wider community were asked to nominate places they thought were worthy of protection. The consultants also undertook extensive fieldwork to identify individual places and precincts of heritage significance.

Following this research, community input and fieldwork, a list of potential heritage places is now available (Appendix A of Heritage Gap Study, see **Appendix D** – (separately circulated)). In total, 350 places, small groups of buildings and precincts recommended for further assessment were identified in the following way:

- 63 from the desktop review
- 41 from the community consultation (including those included in the Amendment C109 Panel report)
- 246 from the fieldwork
It is important to remember that the places identified are those that are not currently protected in a Heritage Overlay, or have not been subject to a heritage assessment in the past.

Table 1 provides a breakdown of identified places, groups and precincts by suburb.

Table 1:

<table>
<thead>
<tr>
<th>Suburb</th>
<th>Individual places or small groups</th>
<th>Precincts and precinct extensions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aberfeldie</td>
<td>19</td>
<td>2 (one partly in Essendon, and one in Moonee Ponds)</td>
</tr>
<tr>
<td>Airport West</td>
<td>10</td>
<td>-</td>
</tr>
<tr>
<td>Ascot Vale</td>
<td>62</td>
<td>8 (one partly in Flemington)</td>
</tr>
<tr>
<td>Avondale Heights</td>
<td>1</td>
<td>-</td>
</tr>
<tr>
<td>Essendon</td>
<td>113</td>
<td>14 (one partly in Aberfeldie, one partly in Essendon North)</td>
</tr>
<tr>
<td>Essendon North</td>
<td>7</td>
<td>1 (partly in Essendon)</td>
</tr>
<tr>
<td>Flemington</td>
<td>16</td>
<td>3 (partly in Ascot Vale)</td>
</tr>
<tr>
<td>Keilor East</td>
<td>7</td>
<td>-</td>
</tr>
<tr>
<td>Moonee Ponds</td>
<td>71</td>
<td>11 (one partly in Aberfeldie)</td>
</tr>
<tr>
<td>Niddrie</td>
<td>4</td>
<td>-</td>
</tr>
<tr>
<td>Strathmore</td>
<td>5</td>
<td>-</td>
</tr>
</tbody>
</table>

Table 2 provides a breakdown by era (the built/establishment date):

Table 2:

<table>
<thead>
<tr>
<th>Era built/established</th>
<th>Places and small groups</th>
<th>Precincts and precinct extensions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Victorian (1843-1901)</td>
<td>80 (of which 1 is a pre-contact site, and 20 are groups of mixed eras)</td>
<td>6 (all of mixed eras)</td>
</tr>
<tr>
<td>Edwardian (1902-c1918)</td>
<td>67 (of which 9 are groups of mixed era)</td>
<td>18 (of which 13 are mixed eras)</td>
</tr>
<tr>
<td>Interwar (c1919-c1940)</td>
<td>116 (of which 5 are groups of mixed eras)</td>
<td>11 (of which 5 are of mixed eras)</td>
</tr>
<tr>
<td>Postwar (1945-1965)</td>
<td>50 (of which 5 are groups of mixed eras)</td>
<td>3 (all of mixed eras)</td>
</tr>
<tr>
<td>Late Postwar (c1960-c2000)</td>
<td>9</td>
<td>-</td>
</tr>
</tbody>
</table>
Table 3 provides a breakdown of the places by the themes they represent from the TEH:

Table 3:

<table>
<thead>
<tr>
<th>Historical theme</th>
<th>Places/small groups and precincts representing theme</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.1 Tracing climatic and topographic change</td>
<td>1 (with multi-themes)</td>
</tr>
<tr>
<td>2.1 Living as Victoria’s original inhabitants</td>
<td>4</td>
</tr>
<tr>
<td>2.5 Migrating and making a home</td>
<td>6 (3 with multi-themes)</td>
</tr>
<tr>
<td>3.1 Establishing pathways</td>
<td>1 (with multi-themes)</td>
</tr>
<tr>
<td>3.2 Linking Victorians by water</td>
<td>1 (with multi-themes)</td>
</tr>
<tr>
<td>3.3 Linking Victorians by rail</td>
<td>3</td>
</tr>
<tr>
<td>3.4 Linking Victorians by road in the twentieth century</td>
<td>5 (2 with multi-themes)</td>
</tr>
<tr>
<td>3.5 Travelling by tram</td>
<td>1</td>
</tr>
<tr>
<td>4.3 Grazing and raising livestock</td>
<td>7 (1 with multi-themes)</td>
</tr>
<tr>
<td>5.2 Developing a manufacturing capacity</td>
<td>8 (1 with multi-themes)</td>
</tr>
<tr>
<td>5.3 Marketing and retailing</td>
<td>21 (1 with multi-themes) and 4 precincts/extensions (2 with multi-themes)</td>
</tr>
<tr>
<td>5.5 Banking and finance</td>
<td>1 and 2 precincts (both with multi-themes)</td>
</tr>
<tr>
<td>5.6 Entertaining and socialising</td>
<td>3 (1 with multi-themes)</td>
</tr>
<tr>
<td>5.7 Catering for tourists</td>
<td>1 (with multi-themes)</td>
</tr>
<tr>
<td>6.3 Shaping the suburbs</td>
<td>13 (4 with multi-themes) and 31 precincts/extensions (3 with multi-themes)</td>
</tr>
<tr>
<td>6.7 Making homes for Victorians</td>
<td>211 (8 with multi-themes) and 31 precincts/extensions (3 with multi-themes)</td>
</tr>
<tr>
<td>7.3 Maintaining law and order</td>
<td>1</td>
</tr>
<tr>
<td>8.1 Maintaining spiritual life</td>
<td>12</td>
</tr>
<tr>
<td>8.2 Educating people</td>
<td>7 (3 with multi-themes)</td>
</tr>
<tr>
<td>8.3 providing health and welfare services</td>
<td>7</td>
</tr>
<tr>
<td>8.4 Forming community organisations</td>
<td>6 (2c with multi-themes)</td>
</tr>
</tbody>
</table>
The draft Stage 1 Study also proposes a strategy for future Stage 2 heritage studies, grouping places together by theme and priority Appendix E – (separately circulated). For example, places which are very rare or very poorly represented on the Heritage Overlay are proposed to be a high priority for future work. This will allow Council to devote its funds most effectively, to ensure the Heritage Overlay reflects the cultural richness and diversity of the City of Moonee Valley.

Consultation

The draft Stage 1 Study is now at a stage where it is able to be presented to Council and the public. It is proposed to undertake a consultation exercise on its content in order to engage with the community prior to the preparation of, and exhibition of any future Stage 2 Heritage Studies.

Proposed consultation exercises would include letters to land owners/occupiers of places identified in the study, and articles in the Valley View, Moonee Valley Weekly and Moonee Valley Leader, seeking written responses for a period of six weeks. It is anticipated that the draft Stage 1 Study will create a significant amount of public and community interest.

By consulting with the public at this early stage, Council will raise public awareness of the project, the importance of and value of heritage protection, and allow feedback on the prioritisation of future heritage studies recommended by the draft Heritage Gap Study.

There is the potential that some members of the public and property owners may consider that identified precincts and places may not demonstrate heritage significance. Where there are inconsistent opinions on the merits of any inclusion within the draft study, Council will have the opportunity to review this following the consultation period.

It is important to note that places and precincts identified in the final Heritage Gap Study will undergo a future Stage 2 heritage assessment in order to determine whether they are significant and warrant heritage protection. In fact, given the number of places identified in the Stage 1 Study, there would be numerous Stage 2 studies required in the future.

Following this, a planning scheme amendment would be prepared, and then presented to Council, after which it would be placed on public exhibition for a statutory period.

As such, it is not envisaged that the merits of inclusion or otherwise of places and precincts identified within the draft Heritage Gap Study be debated at this stage.
In preparation for the proposed exhibition, staff have reviewed responses received on previous heritage studies in order to ensure that the consultation process and program is appropriate and will be as effective as possible.

It is anticipated that some responses from the community may include:

- The property does not warrant inclusion in the study, as it is not old enough. This may particularly be the case for the proposed houses that were built in the 1950’s and later.
- Additional properties should have been included.
- The building/area has been altered significantly since it was constructed and should not be included.
- The streetscape is not wholly intact and therefore there is no heritage value.
- The future application of the Heritage Overlay will make it harder to modify the property in the future and will add cost to future redevelopment.
- There will be a negative impact on property values as a result of any future application of the Heritage Overlay.

Where possible, the consultation exercise will provide information in the first instance to address some of these issues, and reference to the TEH. This will be in the form of a Frequently Asked Question (FAQs) package. Council staff could recommend changes to the Study where possible, in order to address any relevant issues.

**Implications**

1. **Legislative**
   The notification of the draft Heritage Gap Study does not bind or commit Council in terms of the *Planning and Environment Act, 1987* or any other statute.

   There are no Human Rights Charter implications as a result of this Planning Scheme Amendment.

2. **Council Plan / Policy**
   Within the Council Plan 2013-17, the draft Heritage Gap Study is directly linked to Strategic Objective 1 “Ensure there is clear direction for growth and proactive management of development in the city”.

3. **Financial**
   The Stage 1 Heritage Gap Study has been funded as a new initiative in the 2013/14 financial year, with the costs accommodated within the Strategic Planning budget.

4. **Environmental**
   The draft Heritage Gap Study would eventually add to the established framework for the preservation of buildings and areas of historical importance. It capitalises on opportunities for the retention of important buildings.
Conclusion

The preparation of the draft Heritage Gap Study is a key initiative to furthering the recommendations of the TEH. It is also consistent with the Council Plan 2013-17.

Extensive consultation will be undertaken as part of the consideration of the draft study and further, more detailed, consultation will be undertaken as part of any future Stage 2 Heritage Studies and subsequent planning scheme amendments seeking to apply the Heritage Overlay.

It is recommended that Council resolve to undertake exhibition of the draft Heritage Gap Study with a further report being presented following the consultation, outlining final recommendations.
9.4 Planning Scheme Review and Amendment C134

File No: FOL/13/850
Author: Principal Planner (Strategic Planning and Research)
Directorate: City Works & Development
Ward: Municipal

Purpose

To advise Council on the submissions received during the public exhibition stage of Moonee Valley Planning Scheme Amendment C134 – Planning Scheme Review, and to recommend that Council refer the submissions to an independent Panel.

This report also seeks adoption of the Planning Scheme Review Report. The Planning Scheme Review report informs Planning Scheme Amendment C134, which primarily introduces a new Municipal Strategic Statement (MSS).

Executive Summary

- The Moonee Valley Planning Scheme is the legal instrument that guides all our decisions on planning and development. It includes a range of tools and sets out the provisions for land use, development and protection of land in the municipality.

- A planning scheme must be regularly reviewed to ensure that it is up to date and can address key issues that the municipality is currently facing, or is expected to face in the future.

The purpose of this review is to:
- Identify the major land use planning issues facing the municipality.
- Assess the strategic performance of the planning scheme.
- Make sure the planning scheme implements State policy.

- Following consultation in March/April 2013 on an Issues Report, Council officers prepared a draft Planning Scheme Review report. This report identifies and responds to a number of gaps and key or emerging issues that are currently not adequately addressed through our local policy. It also summaries the changes proposed to the planning scheme as a result of the review, and any future work.

- The draft Planning Scheme Review report formed the basis for a new Municipal Strategic Statement (MSS), which seeks to address a number of these issues and gaps in local policy.

- At its Ordinary Council meeting on 27 August 2013, Council resolved to seek Ministerial Authorisation to prepare and publically exhibit Moonee Valley Planning Scheme Amendment C134. At this same meeting, Council endorsed the draft Moonee Valley Planning Scheme Review report to be exhibited concurrently.
• On the 19 September 2013, Council received authorisation from the Minister for Planning to prepare and exhibit Planning Scheme Amendment C134.

• Amendment C134 was formally exhibited, along with the draft Moonee Valley Planning Scheme Review Report, from 7 November to 13 December 2013.

• During the exhibition process for Amendment C134 and the draft Planning Scheme Review, Council held a public forum. This forum also discussed Councils’ submission to Plan Melbourne. This forum was attended by around 25 people. A summary of feedback arising from this forum is provided in Appendix E (separately circulated) to this report.

• Throughout the exhibition process a total of 9 submissions were received. The majority of the submissions requested specific changes to the amendment. Some of the submissions provided more general feedback but did not request specific changes to Amendment C134. A copy of all submissions is included in Appendix A to this report (separately circulated).

• None of the submissions directly referenced the draft Planning Scheme Review report and as a result very minimal changes have been made to this report.

• Where possible changes have been made to Amendment C134, which address the concerns raised in submissions. These changes have been outlined in the discussion section to this report. Additional changes were made following internal discussions with the various departments of Council. Changes are relatively minor in nature. No significant changes to the content or structure of the proposed MSS are recommended. The updated MSS incorporating all changes (shown as tracked changes) is provided in Appendix B (separately circulated). A summary table outlining the proposed changes to the MSS and reason for each change is provided in Appendix C.

• As the Amendment is not recommended to be changed to satisfy all submissions, it is recommended that Council request the Minister for Planning, to appoint a Panel to consider the submissions in respect to Amendment C134.

• The report to the Ordinary Council Meeting on 27 August 2013 also sought endorsement to apply the new General Residential and Neighbourhood Residential Zones in accordance with the criteria endorsed by Council on 28 May 2013 for public consultation. However, Council resolved (minute number 2013/134) at this meeting to:

  ‘Receive a further report in relation to the preparation of a separate planning scheme amendment for the application of the new residential zones’

  ‘With regards to Clause 21.05-1 Housing Growth, to be further reviewed pending the preliminary outcome of the amendment to apply the new residential zones’.

• As a result of this resolution, Amendment C134 no longer seeks to apply the residential zones.
Recommendation

That Council:

1. With respect to the Planning Scheme Review:
   a) Adopt the findings of the Planning Scheme Review report as provided in Appendix D (separately circulated).
   b) Submit the Moonee Valley Planning Scheme Report to the Minister for Planning in accordance with Section 12B(5) of the Planning and Environment Act 1987.

2. With respect to Amendment C134 to the Moonee Valley Planning Scheme:
   a) Request the Minister for Planning to appoint a Panel in accordance with Section 23(1) (b) of the Planning and Environment Act 1987 to consider submissions in relation to Amendment C134.
   b) Make the recommended changes as outlined within Appendix B - (separately circulated) to the Municipal Strategic Statement (MSS) prior to submissions being referred to a Panel.

Background

What is a Planning Scheme?

A planning scheme is the legal instrument that guides all our decisions on planning and development. It includes a range of tools and sets out the provisions for land use, development and protection of land in the municipality.

Information contained within the planning scheme includes where and how people can develop their land and what restrictions or controls might be on land. It is the framework for which Council makes decisions on planning permit applications.

All land within the municipality is affected by the planning scheme (except for Commonwealth land such as the Essendon Airport).

Why review a planning scheme?

A planning scheme must be regularly reviewed to ensure that it is up to date and can address key issues that the municipality is currently facing, or is expected to face in the future.

The purpose of a planning scheme review is to:

- Identify the major planning issues facing the municipality.
- Demonstrate how the planning scheme implements the State Planning Policy Framework.
- Assess the strategic performance of the scheme.
- Document the strategic work that has been completed or carried out since the previous review and any additional work required to strengthen the strategic direction of the planning scheme.
- Articulate the monitoring and review that has been carried out.
- Outline the consultation process and its outcomes.
Make recommendations arising from the review including:

- Suggested changes to the objectives and strategies of the Local Planning Policy Framework.
- Suggested changes to the Victorian Planning Provision tools to achieve the strategies and ensure the objectives and desired outcomes are being met.
- Identify new strategic work necessary to support future policy development or changes to the provisions of the scheme.

**Deliverables**

Following the review of the planning scheme the key deliverables are:

1. A report on the review of the planning scheme, outlining key issues and recommendations to update the planning scheme to address these issues (adoption recommended at this meeting).
2. Updated planning scheme in line with the recommendations of the planning scheme review report (Amendment C134).
3. Identification of further strategic planning work to address any significant gaps that are currently in the planning scheme, where further research or justification may be required (outlined in the Planning Scheme Review report and towards the end of each clause in the proposed MSS).

**Discussion**

**Planning Scheme Review Report**

The Planning Scheme Review Report responds to the statutory requirement set out under the *Planning and Environment Act 1987* for the review of the planning scheme. Ultimately the report must be lodged with the Minister for Planning.

The Planning Scheme Review Report provides an overview of the main elements of the Moonee Valley Planning Scheme, together with a general review of its format and content.

It provides a series of recommendations that would assist the planning scheme in better responding to local issues or State policy, in addition to a number of future projects that would further improve the operation of the planning scheme.

The Planning Scheme Review Report provides the following information:

- Snapshot of Moonee Valley (profile).
- Community aspirations (from MV2035 and previous consultation for the planning scheme review).
- An analysis and status of the recommendations from the previous planning scheme review (2008).
- Any policy initiatives or strategies undertaken since the previous planning scheme review, both at a State and local level.
• An analysis of VCAT decisions and Panel recommendations since the last planning scheme review.

• An analysis of how the planning scheme responds to the State Planning Policy Framework. This is the main section of the report. It discusses and justifies the key recommendations that have arisen from the planning scheme review to date.

• An analysis of planning permit processes and improvements since the previous planning scheme review.

• A summary of recommendations arising from the review.

Planning Scheme Amendment C134 proposes to implement a number of the key recommendations from the planning scheme review.

Not all recommendations outlined in the Planning Scheme Review Report can be implemented as part of this amendment. A number of recommendations will require further strategic work in order to justify any changes to the planning scheme.

A number of minor changes have been made to the draft Planning Scheme Review Report. These mainly relate to updating various references and text. The Planning Scheme Review Report, including track changes showing the updates to the report, can be viewed at Appendix D to this report (separately circulated).

**Amendment C134**

The main change proposed to the planning scheme via Amendment C134 is the new Municipal Strategic Statement (MSS)

The proposed new MSS responds directly to a number of issues that have arisen through the planning scheme review process to date. The main changes to the proposed new MSS are set out to specify:

• New MSS sections;

• Updated or amended sections, and

• Sections that have had only minor changes (often editing for formatting).

Key features of the proposed new MSS include:

a) Updated Municipal Profile, particularly in relation to new census data.

b) A new Key Issues and Influences section.

c) Updated Vision, particularly taking into account MV2035, and also setting a clear strategic planning vision.

d) New sections outlining objectives and strategies in relation to:

• Affordable Housing;

    Encourages consideration of the provision of affordable housing for developments of 10 or more dwellings.
• Ecologically Sustainable Development (ESD);  
  Encourages applicants to use an ESD evaluation tool or a sustainability management plan for certain types of developments.
• Climate change resilience;  
  Encourages developments to be designed to reduce energy and greenhouse gas emissions.
• Food security;  
  Encourages better access to healthy food choices.
• Potentially contaminated land;  
  Encourages the proactive identification of potentially contaminated land.
• Waste;  
  Sets out application requirements for a waste management strategy to be provided for multi-dwelling developments, and encourages recycling facilities to be provided for developments.
• Safety, health and wellbeing;  
  Encourages new developments to create safe environments.
• Walking and Cycling;  
  References the Walking and Cycling Strategy 2012.
• Public Transport;  
  Seeks to improve walking and cycling connections to public transport.
• Freight;  
  Provides better direction towards managing freight in the municipality.
• Private vehicle;  
  Encourages a reduction in private vehicle use throughout the municipality.

e) Updated/amended sections for:
• Housing growth;  
  Includes the identification of housing intensification areas (Clause 21.05-1 to be reviewed based on the preliminary outcome of the amendment to apply the new residential zones).
• Non-residential uses in residential areas;  
  Includes policy guidelines for a variety of uses and, in particular, recommended hours of operation.
• River and creek corridors;  
  Updated to reflect the Maribyrnong River Valley Design Guidelines 2010.
• Open space;
  To include more strategies from the Moonee Valley Open Space Strategy 2009.

• Urban design;
  Incorporates strategies from the proposed to be deleted Clause 22.01 for development of five or more storeys.

• Physical infrastructure;
  Updated strategies to ensure that limitations on physical infrastructure is taken into account when considering applications.

• Integrated water management;
  Consolidates information in relation to stormwater management, flooding and water sensitive urban design.

• Community facilities and recreation;
  Updated strategies to ensure that limitations on social and community infrastructure is taken into account when considering applications.

f) Minimal change (some minor editing or formatting) to the following sections:

• Housing diversity
• Activity centres
• Urban ecology
• Neighbourhood Character (Amendment C128)
• Heritage
• Signage
• Commercial areas
• Industry
• Essendon Airport
• Licensed premises (Amendment C131)
• Road Network (renamed Transport Modes)
• Major institutional uses

Submissions
In accordance with Section 22 of the Planning and Environment Act 1987, Council must consider all submissions made on or before the closing date as set out in the Notice of Amendment. A total of 9 submissions were received (with 1 submission subsequently withdrawn). A copy of all submissions, including the one subsequently withdrawn is provided in Appendix A (separately circulated).
• Submissions were received from residents, and planning consultants on behalf of property owners within the municipality. The Department of Transport, Planning and Land Infrastructure (DTPLI) Freight, Logistics and Marine Division and Public Transport Victoria (PTV) also provided a combined submission.

• Each of these submissions had specific comments to make or requested changes regarding the amendment.

• None of the submissions requested any changes to the draft Planning Scheme Review Report.

Consideration of submissions

The table below provides a summary of the issues raised in submissions, and sets out the Council officer response and changes made to the planning scheme amendment, which are recommended to be referred to the Panel.

A full list of all text changes with reasons for the changes has been outlined in Appendix C. These changes also include text changes as a result of internal feedback. A copy of the updated MSS with tracked changes has been provided in Appendix B (separately circulated).
<table>
<thead>
<tr>
<th>Submitter</th>
<th>Key Issues</th>
<th>Response</th>
<th>Clause Amended (if relevant)</th>
<th>Text in exhibited MSS (if relevant)</th>
<th>Proposed new text in MSS or summary of change (if relevant)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Submission from Environmental Resources Management on behalf of Lowther Hall (Submission withdrawn)</td>
<td>Request to consider use of Development Plan Overlay (DPO) instead of Incorporated Plan Overlay (IPO) for school master plans</td>
<td>It is considered reasonable to provide some flexibility to consider a DPO instead of an IPO in some circumstances.</td>
<td>21.10-5 (Social and Physical Infrastructure, Implementation)</td>
<td>Apply the Incorporated Plan Overlay to ensure the preparation of master plans for institutional uses.</td>
<td>Apply either the Incorporated Plan Overlay or the Development Plan Overlay whichever is deemed appropriate to ensure the preparation of master plans for institutional uses.</td>
</tr>
<tr>
<td>Submission from Essendon resident</td>
<td>Request for applications east of Nicholson Street, Essendon to respect historic character and restrict multi-storey developments Preservation of centre plantations (Raleigh Street)</td>
<td>Council is currently developing a Structure Plan for Essendon Junction. This is expected to be on consultation in late 2014 and will provide greater direction regarding preferred built form outcomes for the centre. In the absence of a detailed structure plan for the neighbourhood activity centre, the proposed Clause 21.05 (Housing) combined with Clause</td>
<td></td>
<td></td>
<td>N/A</td>
</tr>
<tr>
<td>Submitter</td>
<td>Key Issues</td>
<td>Response</td>
<td>Clause Amended (if relevant)</td>
<td>Text in exhibited MSS (if relevant)</td>
<td>Proposed new text in MSS or summary of change (if relevant)</td>
</tr>
<tr>
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</tr>
<tr>
<td></td>
<td></td>
<td>21.06 (Built Environment) in particular should provide greater direction in the assessment of new development in the area (when combined with the other relevant clauses in the Moonee Valley Planning Scheme). However, it is not possible to prevent applications for multi-storey development in residential streets in Essendon. Applications will continue to be assessed on their merits. Council has recently adopted the Moonee Valley Significant Tree Register Review 2012 and applied an Environmental Significance Overlay (ESO) to trees which are considered to be significant. The centre plantation in Raleigh Street was not recommended as part of this study.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Submission from Bosco Jonson on behalf of Essendon Airport Pty Ltd and Essendon Fields Pty Ltd.</td>
<td>Add a further point under the built environment section of 21.01 to highlight how the Built Environment must be designed to promote and protect flight safety, life and property, i.e.: <code>All new development must be designed to promote and protect flight safety by recognising its proximity to Essendon Airport and the height restrictions within airspace prescribed under the Airports Act 1996.</code></td>
<td>Agree to add in a new strategy under Clause 21.06-4 (Built Environment, Urban Design) regarding the need for new development to be designed to protect flight safety. Clause 21.01 (Municipal Profile) provides a broad overview of the key attributes of the municipality. Therefore, it is not considered this is the most appropriate clause for this reference.</td>
<td>Clause 21.06-4 (Urban Design, Strategies) add a new dot point</td>
<td>N/A</td>
<td>Agree with some slight wording changes. Where relevant all new development must be designed to protect flight safety by recognising its proximity to Essendon Airport and the height restrictions within airspace prescribed under the Airports Act 1996.</td>
</tr>
<tr>
<td>---</td>
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<td>---</td>
</tr>
<tr>
<td>Clause 21.03 – Strategic Framework Plan designates Essendon Fields and Airport as an employment node. Should be</td>
<td>The DTPLI Practice Note 58 for Activity Centres suggests that <code>Activity centres are a focus for housing, commercial, retailing, community, employment,</code></td>
<td></td>
<td></td>
<td>N/A</td>
<td></td>
</tr>
</tbody>
</table>
designated as an Activity Centre. transport, leisure, open space, entertainment and other services and are places where people shop, work, meet, relax and live.’ Essendon Fields and Airport do not possess all of these attributes for an activity centre. In addition, they have not been designated as Activity Centres under *Melbourne 2030* or the draft new Metropolitan Planning Strategy (*Plan Melbourne*). The designation of an employment node is therefore more appropriate.

| Clause 21.05-5 (Housing, Implementation) should be amended by adding “Apply height restrictions within Essendon Airport airspace prescribed under the Airport Act 1996.” | Add in an additional strategy under Clause 21.06-4 (Built Environment, Urban Design) as this is the most appropriate clause for this statement. Note that Clause 21.09-6 also refers to the flight paths of Essendon Airport. | See above |
In Clause 21.05-7 and Clause 21.06-8 Essendon Airport Master Plan should be added as a reference document.

The DTPLI Practice Note 13 on Incorporated and Reference documents indicates that

‘Reference documents can be used in a number of ways. The can be used as a basis for preparing the Municipal Strategic Statement (MSS), local planning policies or requirements in the planning scheme, or can be mentioned in the planning scheme as a source of useful background information.’

None of this is applicable to the Essendon Airport Master Plan which outlines the development strategy and planning controls for the Essendon Airport. The airport is on Commonwealth Land not affected by the Moonee Valley Planning Scheme and it is therefore inappropriate to be a

<p>| | | |</p>
<table>
<thead>
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</thead>
<tbody>
<tr>
<td>Reference Document</td>
<td>Agreement</td>
<td>Clause 21.01 (Municipal Profile)</td>
</tr>
<tr>
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</tr>
<tr>
<td>Request restructuring of “Transport and Access” at Clause 21.01 as there is no rail linkages to Melbourne Airport, CityLink or the Western Ring Road.</td>
<td>Agree to restructure clause.</td>
<td>The municipality has excellent road transport linkages to road and rail (including both tram and trains) linkages to Melbourne’s CBD.</td>
</tr>
<tr>
<td>In Clause 21.02 (Economic Development) remove reference to activity centres being Council’s. In addition it is incorrect to say that Essendon Fields has a lack of clear focus.</td>
<td>Agree to making these changes.</td>
<td></td>
</tr>
<tr>
<td>Clause 21.09-6 (Essendon Airport) should reference Essendon Airport’s contribution to regional transport.</td>
<td>Agree to making this change</td>
<td></td>
</tr>
<tr>
<td>Clause 21.09-8 (Other Actions) - request to delete statement as there is no obvious reason for a person to travel to Airport West for a public transport connection to Essendon Fields</td>
<td>Agree to make the clause more general to both Essendon Fields and Airport West.</td>
<td>Clause 21.09-8 (Transport – Other Actions)</td>
</tr>
<tr>
<td>---</td>
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</tr>
</tbody>
</table>
| Submission from Message Consultants on behalf of 136 Mt Alexander Road, Travancore | Submission generally supportive of Amendment C134 particularly in relation to the greater emphasis on affordable housing. | Noted | While it is not recommended to rezone this site to a mixed use zone as part of | N/A | **opportunities. Council is committed to ensuring that this precinct is safely managed to mitigate potential impacts on Moonee Valley’s residents.**

employment opportunities. Council is committed to ensuring that this precinct is safely managed to mitigate potential impacts on Moonee Valley’s residents.
| Concerns over HO28 being applied to the site and the potential for the site to be under a neighbourhood residential zone in the future. Request for possible rezoning to mixed use zone as part of the residential zone review. | Amendment C134, Council will investigate the merits of rezoning this site (and others like it) as part of the residential zone review, or through a separate process, whichever is relevant. It is noted that 136 Mt Alexander Road is a non-contributory building at the end of the precinct in HO28. Therefore is may be possible to review this property’s inclusion in the HO in the future. However, it is currently not a priority for Council to investigate whether any changes should be made to this overlay in the short term. |
|---|
| Submission from Tract Consultants on behalf of the MVRC | Clause 21.01 should be updated to list key strategic sites such as the Moonee Valley Racecourse and the former Market Site. It is not necessary to reference these infill sites individually as these are both encompassed under the following text in Clause 21.01: ‘The premier location for growth in the City is |
| N/A |
Moonee Ponds, given its designation as a Principal Activity Centre under Melbourne 2030.’

| Provision of affordable dwellings needs to be over and above what would otherwise be allowed or approved, to offset the financial impact. Recommend that this remains discretionary and the specification of a threshold or equal or greater to 10 percent of the total number of dwellings be removed (Clause 21.05-3). | It is recommended that this remain at equal or greater than 10 per cent of the total number of dwellings proposed. This will be negotiated with the developer at the time a planning permit application is lodged. | N/A |

Clause 21.05-4 (Non-residential uses in residential zones) – the objective is inconsistent with the purpose of the clause. If applied to proposals on land zoned for purposes |

<p>| It is not completely clear from this submission how these objectives will be unachievable. Suggest that the preamble for Clause 21.05-4 be amended slightly so that it more closely resembles the objective (proposed new text has been | Clause 21.05-4 (Non-residential uses in residential zones) | ‘While the primary purpose of residential areas is to provide land for housing, there are a range of alternative uses which may be compatible with residential use such as medical centres, veterinary |
| other than residential, the effect of the clause will be that objectives of the non-residential zoned land cannot be achieved. | underlined) uses which may be compatible with residential use such as medical centres, veterinary clinics and convenience shops. The establishment of such uses in residential zones may contribute to the amenity of the locality provided the use is operated properly and regulated. Non-residential uses do have a place within residential precincts as they enhance the vitality, interest and service accessibility of the area. However, the use needs to be operated properly and regulated, so as to not significantly detrimentally impact the amenity of adjoining residents. |
| Clause 21.05-5 (Implementation) – Residential Growth Zone should be applied along principal tram and bus corridors around activity centres | Review of the residential zones will form part of a separate amendment, likely to commence in early 2014. | N/A |
| Clause 21.06 (Built Environment) – the need for change is not adequately reflected in the Neighbourhood Character, Heritage, and Urban Design objectives and strategies | Minor updates are proposed to the strategies in Clause 21.06-1 to refer only to preferred character not existing. Apart from this minor change, Clause 21.06 would still allow for change, without compromising on the need for good quality urban design outcomes, as well as protection for areas of heritage or other significance. | Clause 21.06-1 (Neighbourhood Character) |
| Clause 21.08 (Economic Development) – update the Economic Plan | The plan in Clause 21.08 (located on page 5) provides a broad overview of the key employment nodes in the municipality. It | N/A |</p>
<table>
<thead>
<tr>
<th>Development Plan contained within Clause 21.08 be amended to include the Moonee Valley Racecourse site as a key employment area.</th>
<th>is not relevant to list individual sites on the plan, however the plan currently identifies Moonee Ponds in general (whilst not specifically covering the racecourse site).</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Clause 21.10 (Social and Physical Infrastructure) – should be amended to show Bent Street Reserve and the Moonee Ponds Creek</td>
<td>Council will update the maps in the MSS (where necessary) prior to the Panel Hearing for this amendment. The open space reserves as highlighted in text on the Social and Physical Infrastructure plan (Clause 21.10) are regional open space reserves. Due to the large number of open space reserves in the municipality, it is not possible to refer in text to all of these. The current map refers in text to Moonee Ponds Creek as will the updated map. The Bent Street reserve is not a regional open space reserve and, as such, is not recommended to be highlighted on the updated map.</td>
<td>Clause 21.10 (Social and Physical Infrastructure – plan)</td>
</tr>
<tr>
<td>Clause 21.10-7 (Social and Physical Infrastructure) – support the preparation of developer contribution plans. However, important that all major developments equitably contribute to social and physical infrastructure</td>
<td>Noted. Council is currently waiting on the review of developer contributions to be finalised by DTPLI. The purpose of a developer contributions plan is to ensure an equitable and transparent approach to contributions.</td>
<td>N/A</td>
</tr>
<tr>
<td>Update Activity Centre hierarchy and designation of Moonee Ponds if Plan Melbourne finalised prior to gazettal of Amendment C134</td>
<td>Will update if Plan Melbourne is finalised prior to the gazettal of Amendment C134. Preemptive to make this change prior to this strategy being finalised.</td>
<td>N/A</td>
</tr>
<tr>
<td>Submission from Aberfeldie resident</td>
<td>Concerns over the storm water section not providing adequate information. Water Sensitive Urban Design</td>
<td>Council has undertaken an amendment to introduce a WSUD Policy (C108). Amendment C108 introduces a comprehensive local policy to Clause 22.03 of the</td>
</tr>
<tr>
<td>Submission from Avondale Heights resident</td>
<td>Feedback summary of the workshop (Sunday 24 November) only provides a single reference to the new zones. Participants at the workshop however see the new zones and supporting schedules as a crucial element in clearly defining and enforcing desired outcomes.</td>
<td>Planning Scheme, which picks up on the majority of matters raised in this submission. This amendment is currently with the Minister for Planning for Approval.</td>
</tr>
<tr>
<td>Submission from Flemington Association</td>
<td>Supportive of new sections of the MSS, including 21.02 (Key issues and influences), 21.04 (Sustainable Environment), 21.04-3 (Ecologically Noted)</td>
<td>Feedback into the new zones will be encouraged when these go on consultation, which is likely to be early in 2014.</td>
</tr>
</tbody>
</table>
| Sustainable Development) 21.09 (Transport), Clause 21.06-3 (Safety, Health and Wellbeing). | Propose a change of wording in the MSS for the final strategy under Clause 21.05-3 from ‘allow for’ to ‘consider’
It is also proposed to add a new strategy in the proposed Clause 21.06-4 (Built Environment, Urban Design)
The addition of this strategy will help to better ensure future developments which wish to exceed preferred maximum building heights are not only well designed but provide community benefits. | Clause 21.05-3 (Affordable Housing) | To allow for higher dwelling densities in new developments which include the provision of affordable dwellings equal to or greater than 10 per cent of the total number of dwellings proposed. | To consider higher dwelling densities in new developments which include the provision of affordable dwellings equal to or greater than 10 per cent of the total number of dwellings proposed. | Clause 21.06-4 (Urban Design) | N/A | ‘Encourage new developments up to but not exceeding preferred heights as outlined in relevant design guidelines,' |
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<th>overlays or plans. In cases where a development seeks to exceed preferred maximum building heights, these should be no more than 25 per cent higher and must clearly demonstrate a net community benefit to be delivered through this increased height, and an exemplary urban design outcome.</th>
</tr>
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<tbody>
<tr>
<td><strong>Concerns over Flemington being designated as an Urban Renewal Precinct.</strong></td>
<td>Council is not supportive of the identification of Urban Renewal Areas within Moonee Valley. This was made clear within its submission to Plan Melbourne. However, this is not relevant to the MSS and therefore no changes can be made to the MSS on this basis.</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>21.05-1 Housing Growth – Underestimate the difficulty of achieving the right balance between residential growth, and maintaining the heritage and neighbourhood character values of established residential areas.</td>
<td>Noted. Council has tried to provide greater direction in the proposed MSS to allow for growth while still protecting areas of heritage and neighbourhood character significance.</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>21.06 (Built Environment) – many of the objectives are broad aspirational statements. Should be expressed with greater specificity and wherever possible, measurable terms.</td>
<td>The objectives and strategies in Clause 21.06 (Built Environment) have been developed to provide greater direction than is currently provided in the MSS. However, it is not feasible to provide too much specificity within this Clause as its purpose is to provide broad direction for the whole of the municipality. Greater direction as to preferred built form outcomes is provided</td>
<td>N/A</td>
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</table>
within other areas of the Planning Scheme such as Clause 54 and Clause 55 for residential development and Design and Development Overlays and Structure Plans for commercial and mixed use areas where relevant.

In addition, the Neighbourhood Character section, recently introduced via Amendment C128 provides clearer direction in relation to development in residential areas.

<table>
<thead>
<tr>
<th>Clause 21.06-5 (Signage) should include the following guidelines:</th>
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</thead>
<tbody>
<tr>
<td>• to restrict the number of signs in residential areas</td>
</tr>
<tr>
<td>• to ensure the removal of signs that are no longer relevant</td>
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</tbody>
</table>

A strategy under this clause for residential areas is

‘Business identification signage having regard to the need to avoid visual clutter’

The removal of signs is a local laws issue.

It is not considered any further detail is required in this clause.

N/A
<p>| Submission from Essendon resident | Comments in relation to Clauses 21.02 (Key Issues and Influences), 21.03-2 (Vision) and 21.06-4 (Urban Design). Need to take steps to mitigate risk of flooding. Need to ensure that clothes drying in all buildings can be carried out by use of outdoor clothesline. Provision of outdoor leisure spaces to be addressed as a priority. Where there is limited, insufficient outdoor space available at ground level, rooftop gardens can be incorporated at the planning stage. | The Planning Scheme Review Report recommends under further strategic work that Council should ‘review the application of planning overlays and controls in relation to flood risks’ upon advice from Melbourne Water. The future provision of public open space is addressed through local policy Clause 22.02 and Clause 52.01 introduced through Amendment C98 to the Moonee Valley Planning Scheme. Council has adopted Sustainable Tools for Environmental Performance Strategy (STEPS) for future residential development which encourages rooftop and vertical gardens. The planning scheme does not allow for a requirement that all clothes drying can be carried out by the use of an external clothesline. However, the planning scheme does require a certain amount of private open space per dwelling. | N/A |
| Submission from Public Transport Victoria | Request to add a new strategy to Clause 21.07-2 Airport West Principal Activity Centre (Policy Guidelines) | Agree to add strategy with regards to public transport interchange. | Clause 21.07-2 (Airport West Activity Centre) | N/A | Support the development of a public transport interchange to facilitate convenient transfers between public transport services |
| Request to add a new strategy to Clause 21.07-4 Keilor Road Major Activity Centre (Policy Guidelines) | Agree to add strategy with regards to public transport interchange. | Clause 21.07-4 (Keilor Road Major Activity Centre) | N/A | Support the development of a public transport interchange to facilitate convenient transfers between public transport services |
| Request to add new policy guideline at 21.09-1 (Transport Modes, Policy Guidelines) in relation to impacts on public transport services. | Agree to add new policy guideline. | Clause 21.09-1 (Transport Modes) | N/A | Ensure new development does not impact on the operation or provision of on-road public transport services |</p>
<table>
<thead>
<tr>
<th>Submission from Freight, Logistics and Marine Division at DTPLI</th>
<th>Update Clause 21.01 to more clearly identify the Principal Freight Network links to precincts, as well as freight generators.</th>
<th>This map provides only a broad overview of the location and key features of the municipality. It is more relevant to update the Transport Plan at the end of Clause 21.09 as requested.</th>
<th>N/A</th>
</tr>
</thead>
<tbody>
<tr>
<td>Request to amend preamble to Clause 21.09-4 in relation to freight movements.</td>
<td>Amend clause.</td>
<td>Clause 21.09-4 (Freight)</td>
<td>Due primarily to the City of Moonee Valley’s proximity to the Port of Melbourne, a number of freight routes pass through the municipality. As this creates conflicts for residents and visitors Council needs to develop more detailed policy regarding freight.</td>
</tr>
<tr>
<td>Request to amend objective at Clause 21.09-4 in relation to freight movements.</td>
<td>Clause 21.09-4 (Freight)</td>
<td>To reduce road freight movements by road through the municipality.</td>
<td>To effectively manage road freight movements through the municipality.</td>
</tr>
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</tr>
<tr>
<td>Request to amend strategy to Clause 21.09-4 in relation to freight routes.</td>
<td>Clause 21.09-4 (Freight)</td>
<td>Advocate for new locations of freight routes and the rerouting of existing routes around the municipality, where possible.</td>
<td>Encourage use of the Principal Freight Network for freight movements with origins and destinations outside the municipality. To ensure that freight movements within residential areas are planned and managed to minimise adverse amenity impacts on residents of and visitors to Moonee Valley.</td>
</tr>
<tr>
<td>Request to amend provisions in relating to Essendon Airport in Clauses 21.08-3 (Economic Development, Essendon Airport) and Clause 21.09-6 (Transport, Essendon Airport) to highlight connectivity of the airport, as a growing employment precinct, to the Principal Freight Network, Principal Public Transport Network and to other employment precincts.</td>
<td>Agree to add new strategies in Clause 21.08-3. Amend introduction of Clause 21.09-6. This is consistent with the submission from Essendon Airport.</td>
<td>Clause 21.08-3 (Essendon Airport)</td>
<td>N/A</td>
</tr>
<tr>
<td>Request to amend Implementation at Clause 21.09-4 in relation to the wording of Council’s Integrated Transport Plan.</td>
<td>Clause 21.09-4 (Freight)</td>
<td>N/A</td>
<td>Implementation Update the <em>Moonee Valley Integrated Transport Plan 2008</em> to provide better direction regarding freight movements through and within the municipality.</td>
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</tr>
<tr>
<td>Respond to the provisions of the Essendon Airport Master Plan 2008 and Preliminary Draft Essendon Airport Master Plan 2013.</td>
<td>It is unclear how the MSS can respond to these provisions.</td>
<td>N/A</td>
<td>---</td>
</tr>
</tbody>
</table>
Municipal Strategic Statement - Maps

The Economic Development Plan (Clause 21.08) Transport Plan (Clause 21.09) and the Social and Physical Infrastructure Plan (Clause 21.10) are recommended to be updated prior to the Panel Hearing.

The Economic Development Plan should be updated to remove reference to DFO as this map should only be referring to employment nodes not individual sites.

The Transport Plan should be updated to reference the principal freight network as per the request of DTPLI.

A few changes should be made to the Social and Physical Infrastructure plan including referencing of all of Council’s run community centres, removing reference to Windy Hill (as this is not a Council run facility), providing the correct geographic locations of all the libraries and the labelling of all regional open space reserves.

Resolution of Issues

The submission from ERM on behalf of Lowther Hall has been fully resolved and withdrawn.

It is not considered possible to resolve all of the issues raised in the remaining 8 submissions. It is therefore necessary to refer these submissions to an independent panel.

Consultation

Amendment C134 was formally exhibited from 7 November until 13 December 2013 with notices in the local papers and government gazette. In addition, the consultation also included the draft Planning Scheme Review Report.

Letters were sent to Prescribed Ministers, community groups, planning consultants and residents who indicated an interest in the Planning Scheme Review process.

A public forum was held on Sunday 24 November, which was attended by around 25 people. This forum also discussed Council’s submission to Plan Melbourne. A summary of feedback arising from this forum is provided in Appendix E (separately circulated).

Prior to drafting of the Planning Scheme Review Report and Amendment C134, there was extensive consultation on the Issues Report in March/April 2013. Externally consultation on this report included a workshop with community groups and information stands at the various shopping centres across the municipality. Internally consultation included two Council Briefings and two Place Strategy Group meetings, as well as internal working group meetings and discussions with relevant internal Council departments.

Implications

1. Legislative

   In accordance with Section 12B of the Planning and Environment Act 1987 Council must review its planning scheme:

   1. a) No later than one year after each date by which it is required to approve a Council Plan under Section 125 of the Local Government Act 1989; or
b) Within such period as is determined by the Minister.

2. A planning authority which is a municipal council must also review its planning scheme at any other time that the Minister directs.

3. The objective of a review under this section is to enhance the effectiveness and efficiency of the planning scheme in achieving:
   a) the objectives of planning in Victoria, and
   b) the objectives of the planning framework established by this Act.

4. The review must evaluate the planning scheme to ensure that it:
   a) is consistent in form and content with the directions or guidelines issued by the Minister under Section 7;
   b) sets out effectively the policy objectives for use and development of land in the area to which the planning scheme applies, and
   c) make effective use of State provisions and local provisions to give effect to State and local planning policy objectives.

5. On completion of a review under this section, the planning authority must without delay report the findings of the review to the Minister.

The proposed new MSS is directly linked to the Community Vision statement (MV2035). This is now included in the MSS vision at proposed clause 21.03.

The review of the Moonee Valley Planning Scheme will help achieve a number of Council Plan 2013-2017 objectives, but is particularly relevant to the following Strategic Objectives from Theme 3: Sustainable Living.

Strategic Objective 1 – Ensure there is clear direction for growth and proactive management of development in the City.

Strategy 1: Review and update the Moonee Valley Planning Scheme ensuring it provides for retention of neighbourhood character.

Strategic Objective 2 – Facilitate the provision of a broad range of safe, accessible and sustainable transport modes across the municipality.

Strategic Objective 3 – Encourage housing development that is environmentally sustainable and caters for our diverse existing and future population.

2. Financial

Funding is provided in the Strategic Planning operational budget for the 2013/14 financial year to complete the Planning Scheme Review.

3. Environmental

The Planning Scheme Review will ensure that the planning scheme addresses key environmental issues and gaps where relevant to land use planning.
Conclusion

The planning scheme review is a legislative requirement. Reviewing the planning scheme ensures that the Moonee Valley Planning Scheme is up to date and able to address key planning issues facing the municipality, whilst aligning with State government policies.

A key part of implementing the planning scheme review is Amendment C134. This amendment takes the recommended actions that are able to be immediately implemented from the Planning Scheme Review Report and incorporates them into a revised and updated MSS.

Given there are submissions received in relation to Amendment C134 that Council is not able to resolve, it is necessary for Council to request the Minister for Planning, to appoint a panel to consider Moonee Valley Planning Scheme Amendment C134, and all submissions received.
## APPENDIX C – Proposed changes to MSS to be referred to Panel

<table>
<thead>
<tr>
<th>Clause</th>
<th>Current</th>
<th>Proposed</th>
<th>Reason for change</th>
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<tbody>
<tr>
<td>Contents</td>
<td>21.01 Moonee Valley Today 21.02 Vision Moonee Valley Tomorrow ... 21.09 Transport and Access 22.01 Residential Development of Four or More Storeys</td>
<td>21.01 Municipal Profile 21.02 Key Issues and Influences 21.03 Vision 21.09 Transport</td>
<td>Minor updates to reflect proposed updated MSS.</td>
</tr>
<tr>
<td>21.01 – Natural Environment (page 1)</td>
<td>There are 17 hectares of conservation areas.</td>
<td>There are 30 hectares of conservation areas of which 17 hectares are remnant vegetation.</td>
<td>Existing statement was incorrect. Have updated following internal advice from Council’s Leisure and Open Space Department.</td>
</tr>
<tr>
<td>21.01 – Built Environment (page 2)</td>
<td>In addition to being resilient to climate change, we must also find ways to mitigate it by ensuring a reduction in our impacts as a first principle.</td>
<td>In addition to being resilient to climate change, we must also find ways to mitigate it by ensuring a reduction in our greenhouse gas impacts as a first principle.</td>
<td>Statement has been updated for additional clarification.</td>
</tr>
<tr>
<td>21.01 – Housing (page 2)</td>
<td>It is anticipated the biggest change in household type by 2031 will be an increase in the numbers of single person households, to nearly 12,000 (up 3,200, from the 10,615 in 2013).</td>
<td>It is anticipated the biggest change in household type by 2031 will be an increase in the numbers of single person households, to nearly 14,900 (up 3,600, from the 11,300 in 2013).</td>
<td>Update to reflect most current population projections prepared by ID Consulting.</td>
</tr>
<tr>
<td>21.01 – Transport (page 3)</td>
<td>Transport &amp; Access</td>
<td>Transport</td>
<td>Title updated to be consistent with Clause 21.09.</td>
</tr>
<tr>
<td>21.01 – Transport (page 3)</td>
<td>The municipality has excellent road and rail (including both tram and trains) linkages to Melbourne’s CBD.</td>
<td>The municipality has excellent road transport linkages to Melbourne Airport, CityLink and the Western Ring Road. It also</td>
<td>Update at request of submission from Essendon Airport and Essendon Fields as Melbourne Airport.</td>
</tr>
<tr>
<td>Clause</td>
<td>Current</td>
<td>Proposed</td>
<td>Reason for change</td>
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<tr>
<td>Clause</td>
<td>Melbourne Airport, CityLink and the Western Ring Road.</td>
<td>has good public transport access (including both tram and train) to Melbourne’s CBD.</td>
<td>CityLink and the Western Ring Road do not have public transport access.</td>
</tr>
<tr>
<td>21.02 – Key Issues and Influences (Sustainable Environment, page 1)</td>
<td>Protecting and managing biologically significant areas to ensure their environmental values for future generations.</td>
<td>Protecting and managing ecologically significant areas to ensure their environmental values for future generations.</td>
<td>Nomenclature</td>
</tr>
<tr>
<td>21.02 – Key Issues and Influences (Economic Development, page 1)</td>
<td>The lack of a clear focus or role for many of Council’s activity centres, commercial areas and Essendon Fields.</td>
<td>The lack of a clear focus or role for many of the municipality’s activity centres and commercial areas.</td>
<td>Updated based on submission from Essendon Airport and Essendon Fields that Essendon Fields does not lack a clear focus and that activity centres are not Council’s.</td>
</tr>
<tr>
<td>21.03 – Vision (page 1)</td>
<td>-</td>
<td>Equity and access for all members of the community.</td>
<td>Important area that is currently missing from the vision.</td>
</tr>
<tr>
<td>21.04-1 Climate Change Resilience (page 1)</td>
<td>Moonee Valley’s population is growing, and it is likely that emissions will increase if no action is taken.</td>
<td>Moonee Valley’s population is growing, and greenhouse emissions will increase if no action is taken.</td>
<td>Statement has been updated to make it clearer where emissions are coming from.</td>
</tr>
<tr>
<td>21.01-1 Climate Change Resilience (page 1)</td>
<td>Council has set targets to reduce emissions and become carbon neutral by 2020.</td>
<td>Council has set targets to reduce emissions.</td>
<td>Council will no longer be able to meet this ambitious aim by 2020.</td>
</tr>
<tr>
<td>21.04-1 Climate Change Resilience (Strategy 1, page 1)</td>
<td>Design for microclimate in buildings, streets and open spaces to minimise their contribution to greenhouse gas emissions, the urban heat island effect and to contribute to urban cooling.</td>
<td>Design for microclimate in buildings, streets and open spaces to minimise their contribution to greenhouse gas emissions, wind impacts, the urban heat island effect and to contribute to urban cooling.</td>
<td>The wind impacts of buildings on streets and open spaces is important but is currently not included.</td>
</tr>
<tr>
<td>21.04-1 Climate Change Resilience (new strategy, page 1)</td>
<td>-</td>
<td>Encourage new buildings and additions to reduce the impacts of future heat waves through material selection, energy efficient design and landscaping.</td>
<td>The likelihood of increased heatwaves makes it important to design buildings to ensure they function effectively in these events.</td>
</tr>
<tr>
<td>Clause</td>
<td>Current</td>
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<td>Reason for change</td>
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</tr>
<tr>
<td>21.04-1 Climate Change Resilience (objective 2, page 1)</td>
<td>To ensure that the city is carbon neutral by 2020.</td>
<td>To reduce greenhouse emissions.</td>
<td>Council will no longer be able to meet this ambitious aim by 2020.</td>
</tr>
<tr>
<td>21.04-3 Ecologically Sustainable Development (page 3)</td>
<td>Zero net greenhouse emissions by 2020.</td>
<td>-</td>
<td>Council will no longer be able to meet this ambitious aim by 2020.</td>
</tr>
<tr>
<td>21.04-3 Application requirements (Commercial/Industrial, page 4)</td>
<td>Development with a gross floor area (GFA) of more than 1000m²</td>
<td>Development with a gross floor area (GFA) of more than 10000m²</td>
<td>Typo should be consistent with the GFA for new development.</td>
</tr>
<tr>
<td>21.04-5 River and Creek Corridors (Strategies, page 5)</td>
<td>Encourage development that complements existing activities along the Maribyrnong River.</td>
<td>Encourage new development, facilities and services to complement existing activities along the Maribyrnong River.</td>
<td>Update to make clearer it is not just about new development but facilities and services.</td>
</tr>
<tr>
<td>21.04-6 Food Security (Strategies, page 6)</td>
<td>Design subdivisions and new buildings to provide for private and shared garden space for food production.</td>
<td>Design subdivisions and new buildings to provide for private and where suitable shared garden space for food production.</td>
<td>Recognises that it is not always going to be possible for shared space to be set aside for garden space for food production.</td>
</tr>
<tr>
<td>21.04-7 Potentially Contaminated Land (page 6)</td>
<td>Moonee Valley has a history of imported landfill used during its development, with much of it sourced from soils with a variety of pollutants and contaminants.</td>
<td>-</td>
<td>No reference document for this claim.</td>
</tr>
<tr>
<td>21.04-7 Potentially Contaminated Land (page 6)</td>
<td>Redevelopment of these sites today.</td>
<td>Redevelopment of some sites in Moonee Valley today.</td>
<td>Update text to reflect deletion of previous sentence.</td>
</tr>
<tr>
<td>21.05 Policy Guidelines (Slight to Moderate Housing Intensification, page 1)</td>
<td>Consider infill medium density development that is respectful of the character of the neighbourhood to occur in areas within easy walking distance to Activity Centres.</td>
<td>Consider infill medium density development that is respectful of the character of the neighbourhood to occur in areas within easy walking distance to Principal and Major Activity Centres.</td>
<td>This is only relevant to Principal and Major Activity Centres not Neighbourhood.</td>
</tr>
<tr>
<td>Clause</td>
<td>Current</td>
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<td>Reason for change</td>
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</tr>
<tr>
<td>21.05-3 Affordable Housing (Objective, page 2)</td>
<td>To improve housing affordability within the municipality for households with income below the 60th percentile of income groups.</td>
<td>To improve housing affordability within the municipality for households with household incomes below the 60th percentile of income groups.</td>
<td>Accepted measure to reference household as opposed to individual income.</td>
</tr>
<tr>
<td>21.05-3 Affordable Housing (Strategies, page 2)</td>
<td>To allow for dwelling densities in new developments which include the provision of affordable dwellings equal to or greater than 10 percent of the total number of dwellings proposed.</td>
<td>To consider dwelling densities in new developments which include the provision of affordable dwellings equal to or greater than 10 percent of the total number of dwellings proposed.</td>
<td>Change word to ‘consider’ as it is not a fait accompli that new developments can be of a higher density if they include affordable dwellings. It would also depend on important aspects such as building design, amenity and location.</td>
</tr>
<tr>
<td>21.05-4 Non-residential uses in residential zones (page 3)</td>
<td>While the primary purpose of residential areas is to provide land for housing, there are a range of alternative uses which may be compatible with residential use such as medical centres, veterinary clinics and convenience shops. The establishment of such uses in residential zones may contribute to the amenity of the locality provided the use is operated properly and regulated. Non-residential uses do have a place within residential precincts as they enhance the vitality, interest and service accessibility of the area.</td>
<td>While the primary purpose of residential areas is to provide land for housing, there are a range of alternative uses which may be compatible with residential use such as medical centres, veterinary clinics and convenience shops. Non-residential uses do have a place within residential precincts as they enhance the vitality, interest and service accessibility of the area. However, the use needs to be operated properly and regulated, so as to not significantly detrimentally impact the amenity of adjoining residents.</td>
<td>Updated based on submission from Tract. Preamble now more closely resembles objective.</td>
</tr>
<tr>
<td>21.05-4 Non-residential uses in residential zones (Loading and Unloading of Vehicles, page 3)</td>
<td>The loading and unloading of vehicles should not occur between the hours of 7.00pm and 7.00am.</td>
<td>The loading and unloading of vehicles and delivery of goods should not occur between the hours of 7.00pm and 7.00am.</td>
<td>Delivery of goods has been moved from waste collection to loading and unloading of vehicles.</td>
</tr>
<tr>
<td>21.05-4 Non-residential uses in residential zones (Restaurant, Convenience restaurant or Take-away)</td>
<td>Restaurants, convenience restaurants and take-away food premises should not operate outside of the</td>
<td>Restaurants, convenience restaurants and take-away food premises should not operate outside of the</td>
<td>Simplified as hours on all days were the same. Outdoor seating was</td>
</tr>
<tr>
<td>Clause</td>
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<td>Reason for change</td>
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<tr>
<td><strong>food premises, page 4)</strong></td>
<td>operate outside of the following hours, unless it can be demonstrated that there will be no additional impact on the amenity of the area: Sunday to Thursday 8.00am to 11.00pm Friday to Saturday 8.00am to 11.00pm The applicant should specify a maximum number of seats, which may vary between lunch and evening trade.</td>
<td>hours of 8.00am and 11.00pm, unless it can be demonstrated that there will be no additional impact on the amenity of the area: The applicant must specify a maximum number of seats, which may vary between lunch and evening trade. This should include the location and number of any outdoor seats.</td>
<td>considered to be a gap.</td>
</tr>
<tr>
<td>21.05-6 (Further Strategic Work, page 5)</td>
<td>Review the Moonee Valley Housing Strategy 2010, to ensure that it is meeting Council’s vision for housing in Moonee Valley.</td>
<td>Review the Moonee Valley Housing Strategy 2010, including mapping of preferred housing change areas to ensure that it is meeting Council’s vision for housing in Moonee Valley.</td>
<td>Housing mapping was contained within the further strategic work but then not provided in the proposed MSS.</td>
</tr>
<tr>
<td>21.06-1 Neighbourhood Character (Objective 1, page 1)</td>
<td>To ensure each precinct within Moonee Valley retains its own distinctive urban character identity.</td>
<td>To ensure new development is complementary with the preferred character of each residential precinct as outlined in the Neighbourhood Character Precinct Profiles 2012.</td>
<td>Wording change based on internal feedback to make the Neighbourhood Character objectives and strategies clearer.</td>
</tr>
<tr>
<td>21.06-1 Neighbourhood Character (Strategy under Objective 2, page 1)</td>
<td>Ensure new residential development respects the preferred character of the relevant precinct as outlined in the Neighbourhood Character Precinct Profiles 2012.</td>
<td>Ensure new residential development considers the design objectives as outlined in the Neighbourhood Character Precinct Profiles 2012.</td>
<td>Wording change based on internal feedback to make the Neighbourhood Character objectives and strategies clearer.</td>
</tr>
<tr>
<td>21.06-1 Neighbourhood Character (Objective 3, page 1)</td>
<td>To ensure the siting of new development does not adversely affect the existing or preferred character of the neighbourhood.</td>
<td>Ensure the siting of new development does not adversely affect the preferred character of the neighbourhood.</td>
<td>Important for new development to reflect the preferred character not necessarily the existing character.</td>
</tr>
<tr>
<td>21.06-1 Neighbourhood Character (page 1)</td>
<td></td>
<td></td>
<td>Update of objective 2 and objective 3 to be strategies not objectives. More relevant for these</td>
</tr>
<tr>
<td>Clause</td>
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<tr>
<td>21.06-2 Heritage (Strategies, page 2)</td>
<td>Clause 21.05-2</td>
<td>Clause 21.06-2</td>
<td>Incorrect reference to clause</td>
</tr>
<tr>
<td>21.06-3 Safety, Health and Wellbeing (Strategies, page 3)</td>
<td>Encourage the design of buildings, subdivisions, car parks and public open space that are safe.</td>
<td>Encourage the design of buildings, subdivisions, car parks and public open space that maximises natural surveillance to provide for safe neighbourhoods.</td>
<td>Wording updated to make clearer the intent of the strategy.</td>
</tr>
<tr>
<td>21.06-3 Safety, Health and Wellbeing (Strategies, page 3)</td>
<td>Encourage building design that maximises natural surveillance and with active frontages to provide for safe neighbourhoods.</td>
<td>Encourage building design with active street frontages.</td>
<td>Simplified as much of the direction is now provided in the previous strategy.</td>
</tr>
<tr>
<td>21.06-4 Urban Design (Strategies, page 4)</td>
<td>-</td>
<td>Encourage new developments up to but not exceeding preferred heights as outlined in relevant design guidelines, overlays or plans. In cases where a development seeks to exceed preferred maximum building heights, these should be no more than 25 per cent higher and must clearly demonstrate a net community benefit to be delivered through this increased height, and an exemplary urban design outcome.</td>
<td>This statement is to provide greater guidance in relation to ensuring new development does not widely exceed preferred maximum building heights.</td>
</tr>
<tr>
<td>21.06-5 Signage (Strategies, page 6)</td>
<td>Clause 21.05-5</td>
<td>Clause 21.06-5</td>
<td>Clause is incorrectly referenced</td>
</tr>
<tr>
<td>21.07-2 Airport West Principal Activity Centre (Policy Guidelines, page 2)</td>
<td></td>
<td>Support the development of a public transport interchange to facilitate convenient transfers between public transport services.</td>
<td>Added at the request of PTV</td>
</tr>
<tr>
<td>21.07-4 Keilor Road Major</td>
<td></td>
<td>Support the development of</td>
<td>Added at the request of</td>
</tr>
<tr>
<td>Clause</td>
<td>Current</td>
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</tr>
<tr>
<td>Activity Centre (Policy Guidelines, page 6)</td>
<td></td>
<td>a public transport interchange to facilitate convenient transfers between public transport services.</td>
<td>PTV</td>
</tr>
<tr>
<td>21.07-7 Further Strategic Work (page 8)</td>
<td>Complete Union Road Activity Centre Structure Plan</td>
<td>Prepare Union Road Activity Centre Structure Plan</td>
<td>Council has abandoned these structure plans. Need to recommence this work.</td>
</tr>
<tr>
<td></td>
<td>Complete Racecourse Road Activity Centre Structure Plan</td>
<td>Prepare Racecourse Road Activity Centre Structure Plan</td>
<td></td>
</tr>
<tr>
<td>21.08-1 Economic Development (page 1)</td>
<td>Support and encourage the establishment of a positive and inclusive night time economy within the City’s Major and Principal Activity Centres.</td>
<td>Support and encourage the establishment of a positive, inclusive and safe night time economy within the City’s Major and Principal Activity Centres.</td>
<td>Important that any night time activity is also safe.</td>
</tr>
<tr>
<td>21.08-3 Essendon Airport (Strategies, page 2)</td>
<td>Improve walking and cycling links between Essendon Fields and the Airport West Activity Centre.</td>
<td>-</td>
<td>Not relevant to the objective</td>
</tr>
<tr>
<td>21.08-3 Essendon Airport (Strategies, page 2)</td>
<td>-</td>
<td>Continue to work with Essendon Airport, airport-lessee company (pursuant to the Airports Act 1996 (Commonwealth)) to facilitate the development of an employment and innovation cluster with Airport West.</td>
<td>Updated based on submission from Essendon Airport and Essendon Fields and DTPLI.</td>
</tr>
<tr>
<td>21.08-3 Essendon Airport (Strategies, page 2)</td>
<td></td>
<td>Advocate for improved public transport to Essendon Fields and Airport West and between.</td>
<td>Updated based on submission from DTPLI. It is also more relevant to the objective of continued growth of the Essendon Fields Business Park</td>
</tr>
<tr>
<td>21.09-1 Transport modes (Policy Guideline, page 1)</td>
<td>-</td>
<td>Ensure new development does not impact on the operation and provision of on-road public transport</td>
<td>Changes made at the request of PTV</td>
</tr>
<tr>
<td>Clause</td>
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<td>Proposed</td>
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</tr>
<tr>
<td>21.09-3 Public Transport (page 2)</td>
<td>This includes advocating for new infrastructure, constructing and maintaining complementary facilities (i.e. bus stops, park and ride facilities, bicycle lockers, etc) and locating new development around existing infrastructure.</td>
<td>This includes advocating for new infrastructure, constructing and maintaining complementary facilities (i.e. bus stops, park and ride facilities, bicycle lockers, etc) and locating new development where there is access to public transport to improve its viability.</td>
<td>More relevant to refer to public transport than infrastructure</td>
</tr>
<tr>
<td>21.09-4 Freight (page 2)</td>
<td>Due primarily to the City of Moonee Valley’s proximity to the Port of Melbourne, a number of freight routes pass through the municipality. As this creates significant conflicts for residents and visitors, Council needs to develop more detailed policy regarding freight management.</td>
<td>A number of freight routes pass through the municipality. This is due to the Airport West Industrial area, as well as proximity to Essendon Airport, key arterial roads and significant retail precincts in adjoining municipalities. It is also close to the international freight gateways of the Port of Melbourne and Melbourne Airport. As well as serving these important retail and employment areas, this creates significant amenity conflicts for residents and visitors. As the municipality is predominantly residential Council needs to develop more detailed policy regarding freight management.</td>
<td>A number of text changes based on the submission from the Freight, Logistics and Marine Division at DTPLI.</td>
</tr>
<tr>
<td>21.09 Freight (page 2)</td>
<td>To reduce road freight movements by road through the municipality.</td>
<td>To effectively manage road freight movements through the municipality.</td>
<td>Updates at the request of the Freight, Logistics and Marine Division at DTPLI.</td>
</tr>
<tr>
<td>21.09 Freight (Strategies, page 2)</td>
<td>Advocate for new locations of freight routes and the rerouting of existing routes around the municipality, where possible.</td>
<td>Encourage use of the Principal Freight Network for freight movements with origins and destinations outside the municipality. To ensure that freight movements within residential areas are</td>
<td>Updates based on the submission from the Freight, Logistics and Marine Division at DTPLI</td>
</tr>
<tr>
<td>Clause</td>
<td>Current</td>
<td>Proposed</td>
<td>Reason for change</td>
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</tr>
<tr>
<td>21.09 Freight (Implementation, page 2)</td>
<td>-</td>
<td><strong>Update the Moonee Valley Integrated Transport Plan 2008</strong> to provide better direction regarding freight movements through and within the municipality.</td>
<td>Updates based on the submission from the Freight, Logistics and Marine Division at DTPLI.</td>
</tr>
<tr>
<td>21.09-5 Private Vehicle (page 2)</td>
<td>Council is committed to reducing the negative impacts extensive private vehicle use is having on the municipality, including congestion and pollution.</td>
<td>Council is committed to reducing the negative impacts extensive private vehicle use is having on the municipality, including noise, safety and pollution.</td>
<td>Noise and safety important as well as congestion and pollution.</td>
</tr>
<tr>
<td>21.09-5 Private Vehicle (page 3)</td>
<td>Be consistent with the Parking Demand Management Framework</td>
<td>-</td>
<td>Not relevant</td>
</tr>
<tr>
<td>21.09-6 Essendon Airport (Opening paragraph)</td>
<td>Essendon Airport is an important feature of the municipality, being a significant generator of employment opportunities. Council is committed to ensuring that this precinct is safely managed to mitigate potential impacts on Moonee Valley’s residents.</td>
<td>Essendon Airport is an important feature of the municipality. It is a valuable provider of regional transport, through its air transport services, as well as a significant generator of employment opportunities. Council is committed to ensuring that this precinct is safely managed to mitigate potential impacts on Moonee Valley’s residents.</td>
<td>As per Essendon Airports and Essendon Fields submission to reference their transport, as well as employment function.</td>
</tr>
<tr>
<td>21.09-6 Essendon Airport (Objective 1, page 3)</td>
<td>To ensure the safe and effective operation of the Essendon Airport.</td>
<td>Encourage the safe and effective operation of the Essendon Airport for the community.</td>
<td>Council needs to ensure that the Airport is operated effectively to minimise impact on the community not on the airport.</td>
</tr>
<tr>
<td>21.09-6 Essendon Airport (Strategy, page 3)</td>
<td>Ensure built form does not intrude into flight paths in the vicinity of Essendon Airport.</td>
<td>Through partnership with Essendon Airport ensure built form does not intrude into flight paths in the vicinity of Essendon Airport.</td>
<td>Update to refer to Essendon Airport</td>
</tr>
<tr>
<td>21.09-8 Other actions (page 4)</td>
<td>Ensure an equitable access to car parking for</td>
<td>-</td>
<td>Delete covered in other actions</td>
</tr>
<tr>
<td>Clause</td>
<td>Current</td>
<td>Proposed</td>
<td>Reason for change</td>
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</tr>
<tr>
<td>21.09-8 Other actions (page 4)</td>
<td>Ensure greater transparency and consistency in the allocation of kerbside space.</td>
<td>Encourage greater transparency and consistency in the allocation of kerbside space.</td>
<td>Cannot ensure but can encourage</td>
</tr>
<tr>
<td>21.09-8 Other actions (page 4)</td>
<td>Collaborate with landowners in Airport West and Essendon Fields to develop a transport hub at Airport West.</td>
<td>-</td>
<td>Delete at request of the airport as there is no obvious reason for a public transport connection from Airport West to Essendon Fields.</td>
</tr>
<tr>
<td>21.09-8 Other actions (page 4)</td>
<td>To improve public transport connections to the Essendon Airport</td>
<td>Collaborate with landowners in Airport West and Essendon fields to improve public transport connections to Essendon Airport and Essendon Fields.</td>
<td>Reference to Essendon Fields as well as Essendon Airport at the request of Essendon Airport.</td>
</tr>
<tr>
<td>21.09-8 Other actions (page 4)</td>
<td>-</td>
<td>Advocate for grade separation at Buckley Street</td>
<td>An important action which is currently missing.</td>
</tr>
<tr>
<td>21.10-1 Physical Infrastructure (page 1)</td>
<td>In a climate of increased road congestion, rising fuel costs and limited investment in infrastructure.</td>
<td>In a climate of increased road congestion, resource constraints and limited investment in infrastructure.</td>
<td>Reference to resource constraints over rising fuel costs is more appropriate.</td>
</tr>
<tr>
<td>21.10-1 Physical Infrastructure (page 1)</td>
<td>Encourage replacing infrastructure or upgrading its capacity when new development takes place.</td>
<td>Seek all opportunities to replace infrastructure or upgrade its capacity when new development takes place.</td>
<td>Clearer language</td>
</tr>
<tr>
<td>21.10-3 Community Facilities and Recreation (page 2)</td>
<td>Council has prepared a Municipal Public Health Plan and Leisure Strategy which aims to improve the health, wellbeing and physical activity levels of all people who live, work and recreate in Moonee Valley. This requires planning and action to reduce the impacts caused by issues including low income levels, poor housing options and language barriers.</td>
<td>Council has prepared a Public Health and Wellbeing Plan and Leisure Strategy which aims to improve the health, wellbeing and physical activity levels of all people who live, work and recreate in Moonee Valley. They incorporate access and inclusion strategies to encourage the equitable participation for all members of the community.</td>
<td>Clearer language</td>
</tr>
<tr>
<td>Clause</td>
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<td>Reason for change</td>
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</tr>
<tr>
<td>21.10-3 Community Facilities and Recreation (Strategies, page 2)</td>
<td>To consider the limitations of social and community infrastructure when assessing the location, type and density of new use and development.</td>
<td>To consider the current capacity and future demand on social and community infrastructure when assessing the location, type and density of new use and development.</td>
<td>Clearer language</td>
</tr>
<tr>
<td>21.10-5 Implementation (page3)</td>
<td>Apply the Incorporated Plan Overlay to ensure the preparation of master plans for institutional uses.</td>
<td>Apply either the Incorporated Plan Overlay or the Development Plan Overlay whichever is deemed appropriate to ensure the preparation of master plans for institutional uses.</td>
<td>Request of ERM on behalf of Lowther Hall to leave open the possibility of the Development Plan Overlay (DPO) as well as the Incorporated Plan Overlay (IPO) in the preparation of school master plans. It is considered the DPO may be an appropriate tool in some instances.</td>
</tr>
<tr>
<td>21.10-7 Further Strategic Work (page 4)</td>
<td>-</td>
<td>Develop a public art policy</td>
<td>An important Council initiative which is currently missing under Further Strategic Work.</td>
</tr>
</tbody>
</table>
9.5 Boeing Reserve Sports Facility Allocation - Melbourne University Baseball Club

File No: FOL/13/1166
Author: Manager Leisure & Open Space Planning
Directorate: Environment & Lifestyle
Ward: Buckley

Purpose
The purpose of this report is to provide Council with an update on Sport and Recreation Victoria’s request, to temporarily accommodate the Melbourne University Baseball Club at Boeing Reserve.

Executive Summary
- The East West Link, Eastern Section, proposes to temporarily acquire 23.27 hectares of Royal Park, which includes Ross Straw Fields, home to nine sporting clubs including the Melbourne University Baseball Club (MUBC).
- The construction of the East West Link will also disrupt sporting club usage of Ormond Park and Debney’s Park, however it is not expected that Boeing reserve will be required to accommodate those clubs disrupted as a result of the construction works.
- Sport and Recreation Victoria (SRV) have approached Council to facilitate a temporary ground allocation arrangement for MUBC at Boeing Reserve.
- $250k has been offered to Council to accommodate the temporary allocation of the club and to provide for an ongoing legacy for sport. The club have also been allocated $20k annually, for the duration, to assist with relocation costs.
- Allocation of MUBC can be accommodated and $61k is required to bring the baseball facilities at Boeing Reserve up to the standard required to accommodate increased use. The remaining $189k of the $250k offered would be allocated towards baseball lighting improvements, minor baseball infrastructure and park improvements Appendix A.
- A further $20,110 is required annually for maintenance and hire of portables. Discussions regarding the details of facility sharing and fees are underway and costs would be required to be covered by MUBC. Annual facility and ground allocation fees, would be the responsibility of MUBC.

Recommendation
That Council authorise the Chief Executive to continue negotiations with Sport and Recreation Victoria to locate Melbourne University Baseball Club temporarily at Boeing Reserve, subject to an appropriate financial contribution from Sport and Recreation Victoria.
Background

Boeing Reserve is a 23 hectare Regional Park Appendix B, identified in the Moonee Valley Open Space Strategy as Primary Classification, Sporting and Secondary Classification, Waterway, Nature Conservation. Boeing Reserve is currently used by the Strathmore Community Garden Group, Essendon Baseball Club (EBC), Strathmore Cricket Club, Strathmore Heights Cricket Club, Gowanbrae Cricket Club, St. Bernard’s Cricket Club and Strathmore Football Club.

Located at Mascoma Street, Strathmore Heights, Boeing Reserve is part of an extensive open space system along Moonee Ponds Creek served by the Moonee Ponds Creek Trail. The Reserve has been developed to provide significant sporting facilities whilst retaining areas of open parkland for informal recreation. It is overlooked from both sides by housing and served by a public bus route. Car parking is located off Mascoma Street and it can be accessed by foot from both sides of the creek via a bridge from Deveraux Street.

The East West Link, Eastern Section, proposes to temporarily acquire 23.27 hectares of Royal Park, which includes Ross Straw Fields, home to nine sporting clubs including MUBC. As a result both temporary (during construction phase) and permanent homes must be found for these clubs.

In July 2013 Council was approached by Consultant John Wiles Director ISG Projects on behalf of Linking Melbourne Authority (LMA), to discuss the potential for relocating sports clubs from Ross Straw Fields to the City of Moonee Valley. All of the clubs were of a social nature and included some residents from Moonee Valley LMA were also approaching other Local Government Authority’s at this time.

The construction of the East West Link will also disrupt sporting club usage of Ormond Park and Debney’s Park, however it is not expected that Boeing reserve will be required to accommodate those clubs disrupted as a result of the construction works.

In December 2013, SRV approached Council to facilitate a temporary ground allocation arrangement for MUBC at Boeing Reserve. MUBC have expressed a preference to be temporarily located at Boeing Reserve for this period, the duration estimated to be three to five years. MUBC have used Boeing Reserve previously as a temporary home during the Commonwealth Games in 2006. SRV have offered $250k to Council to accommodate the temporary allocation of MUBC and to provide for an ongoing legacy for sport.

Boeing Reserve Master Plan is now outdated and requires a review. The review is now underway and consultation is planned to commence late February 2014. The review will take into account contemporary issues such as Water Sensitive Urban Design works required to manage drainage issues from Essendon Airport, Youth and Playspace Upgrades required and improvements required for Community Sporting Facilities. The review will occur in consultation with stakeholders and the community.

Discussion

Boeing Reserve has potential for increased sporting activity subject to appropriate parking and facility improvements. MUBC would require a Winter allocation to share both Boeing 1 and Boeing 2 Baseball fields with EBC.
Officers have examined the SRV request against current sporting use within the reserve and acknowledge this can be accommodated through a combination of alternating home and away baseball fixtures for MUBC and EBC and by allocating cricket use to other fields within the reserve.

Initial works would be required to improve the standard of the facilities and baseball fields to accommodate the increased intensity of use including, the upgrade of irrigation and net renewal works. In initial discussions with EBC they have indicated they are willing to share accommodation with MUBC and this would necessitate the hiring of portables to facilitate Strathmore Football Club’s requirements.

The $250k offered by SRV to provide a legacy for sport and baseball will allow for the upgrade of Baseball Facilities including upgrading existing sportsfield lighting to Council training standards, scorers hut and players benches. In addition to this, park improvements located in the vicinity of the baseball facilities but benefiting the general community would include items such as shade / shelter, picnic furniture and adjoining paths Appendix A.

The EBC have also provided a list of improvements that they are interested in. Officers have reviewed these in line with Council priorities; the majority can be accommodated through the SRV funding or can be addressed during the Boeing Reserve Master Plan development. Other sporting items can be referred to the Recreational Capital Grants program. Master Plan delivery will be referred to Council’s annual budget process.

A further $20,110 is required annually for maintenance and hire of portables to accommodate change and toilet facilities for Strathmore Football Club Appendix A. Facility and ground allocation fees would be the responsibility of MUBC. SRV have identified that $20k annually would be required to assist MUBC with relocation costs.

Consultation

As part of this proposal Council officers are involved in ongoing discussions with the President of the EBC, President of MUBC and the Chief Executive Officer of Baseball Victoria. Both the Moonee Valley Parks and Garden Department and the Sport and Recreation Team have been responsible for analysing implications of accommodating MUBC and for preparing costs associated with this proposal. Gilbert Richardson and Colin Harris, who are leading Council’s submission to the East West Link project, have been consulted regarding these negotiations.

Implications

1. Legislative

   There are no legislative implications for Council in considering this report. Any works related to proposals included in this report will ensure compliance with all relevant legislation including the Environment and Planning Act 1987 through the Moonee Valley Planning Scheme and the Airports (Protection of Airspace) Regulations 1996.

2. Council Plan / Policy

   Planning for improvements to Boeing Reserve sports facilities will contribute to Council Plan 2013-17 strategic objectives:

   - Theme 1 Friendly and Safe:
Strategic Objective 1: ‘Support the community in becoming healthier and more physically active’

- Theme 2 Green, Clean and Beautiful:
  Strategic Objective 3: ‘Lift the level of functionality and sustainability of the municipality’s infrastructure’

3. Financial

There are no financial implications for Council. All financial costs will be born by SRV.

4. Environmental

Works related to proposals included in this report would be in accordance with best practice environmental standards assisting Council to achieving targets within the Environmental Sustainability Plan, particularly in relation to energy.

Conclusion

The East West Link, Eastern Section, proposes to temporarily acquire 23.27 hectares of Royal Park, which includes Ross Straw Fields, home to nine sporting clubs including MUBC. SRV have approached Council to facilitate the temporary allocation of MUBC at Boeing Reserve.

Officers have analysed usage at Boeing Reserve and this request can be accommodated, provided appropriated funds are forthcoming from Sport and Recreation Victoria to ensure facilities are best prepared to cope with increased intensity of use.

SRV have offered $250k to provide for an ongoing legacy for sport and baseball at Boeing Reserve and negotiations are continuing to ensure that funds are available for both the facility upgrades required and for an ongoing legacy in the form of sports field lighting for Boeing Reserve.
### DRAFT FOR DISCUSSION WITH SRV ONLY

Boeing Reserve Sports Infrastructure Improvements required to increase use and Legacy items

#### Once-off costs

<table>
<thead>
<tr>
<th>Field</th>
<th>Description</th>
<th>Est. Cost Once off</th>
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</thead>
<tbody>
<tr>
<td>Boeing #1</td>
<td>Install irrigation</td>
<td>$15,000</td>
</tr>
<tr>
<td>Boeing #1</td>
<td>Repairs to Baseball Back Net</td>
<td>$30,000</td>
</tr>
<tr>
<td>Boeing #2</td>
<td>Repairs to baseball netting</td>
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<td><strong>Total</strong></td>
<td></td>
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#### Capital Improvements

<table>
<thead>
<tr>
<th>Budget</th>
<th>Sports Improvements</th>
<th>Estimated Cost Item</th>
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<tbody>
<tr>
<td>Boeing #2</td>
<td>Scorers Hut (roof over existing pad)</td>
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<tr>
<td>Boeing #2</td>
<td>Player benches</td>
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<tr>
<td>Boeing Reserve Masterplan Impl.</td>
<td>Shade, furniture &amp; minor infrastructure</td>
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<tr>
<td>Sportsfield Lighting Plan</td>
<td>Lighting upgrade Boeing #1 - Baseball</td>
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<td><strong>Total</strong></td>
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**Total SRV Funding Allocation** $250,000

#### Annual costs incurred

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<th>Field/Item</th>
<th>Description</th>
<th>Estimated Cost p/a</th>
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<tr>
<td>Change Rooms, Toilets, Canteen</td>
<td>Hire Portable Huts</td>
<td>$10,110</td>
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<tr>
<td>Boeing #1</td>
<td>Fixture Club games alternate weekends</td>
<td>No Cost</td>
</tr>
<tr>
<td>Boeing #1</td>
<td>Increased Maintenance <em>(incl. Grooming, laying of rubber, vacuuming of debris and moving around rubber and replacement of synthetic where required)</em></td>
<td>$10,000</td>
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<tr>
<td>Boeing #2</td>
<td>Relocate Winter Cricket to Boeing #4</td>
<td>No Cost</td>
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<tr>
<td>Boeing #2</td>
<td>Maintenance MVCC to absorb additional</td>
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<tr>
<td><strong>Total</strong></td>
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<td><strong>$20,110.00</strong></td>
</tr>
</tbody>
</table>
APPENDIX B

Boeing Reserve

3 (Upper)

4 (Lower)

5 (Lower Nth)

1 (Baseball)

2 (South)
9.6 Draft Waste and Resource Recovery Plan

**File No:** 94/06607  
**Author:** Manager Operations  
**Directorate:** City Works & Development  
**Ward:** Municipal

**Purpose**

The purpose of this report is to seek Council endorsement of the draft Waste and Resource Recovery Plan 2014-18 (WRRP) for public consultation. The draft WRRP sets Council’s direction to minimise waste and increase resource recovery for the next four years.

**Executive Summary**

The draft WRRP addresses Council’s waste and resource recovery responsibilities including:

- kerbside garbage, recyclables and green waste collections;
- transfer station;
- quarterly re-new collection;
- twice yearly branch and pruning collection, and
- annual hard waste collection.

The draft WRRP covers 5 key project areas for focus over the next 4 years:

- diversion of organic material from landfill;
- waste management planning (population growth, planning requirements);
- treatment of hazardous waste (including paint, batteries and electrical items);
- community engagement/education, and
- service delivery (prioritise innovation and improved processes).

**Recommendation**


**Background**

Council prioritises delivery of an environmentally sound, efficient and comprehensive waste management service to its residents.
This long-term service commitment is reflected in Council’s three previous waste management strategies commencing with the Waste Minimisation Strategy in 1996. This was followed by the 2003 Waste Management Strategy and the 2008-14 Waste Management Strategy.

Litter and illegal dumping are a significant area of waste management and a separate Litter Prevention and Management Plan is currently being developed so is not the subject of this plan.

Discussion

The draft WRRP sets the direction for waste management over the next 4 years and includes the current situation, strategic direction and a detailed action plan.

To assist public consultation, a draft Waste and Resource Recovery Plan 2014-18 Overview has been compiled (Appendix A), this document provides a summary of the draft WRRP (Appendix B – separately circulated) to assist the general public understand the strategic objectives of the larger draft WRRP.

The 5 key project areas included in the plan are:

1. **Diversion of organic material from landfill**

   **Actions**
   - food waste avoidance;
   - home composting;
   - inclusion of food waste in the kerbside green waste collection;
   - extension of the kerbside garden bin service to all properties, and
   - collection of green waste through the Transfer Station.

   **Challenges**

   Currently the collection of food waste is limited by processing capability and capacity.

   The garden waste bin service is operated on an opt-in basis, approximately 65 per cent of households have a garden bin. The challenges are to gain access to processing infrastructure and increased uptake of the garden waste bin.

   Council currently subsidise disposal of residential garden waste offering a free boot load of garden waste, this costs Council approximately $300,000 per year.

   **How we will get there**

   Moonee Valley has a new contract which allows for the inclusion of food waste in the kerbside garden waste collection.

2. **Waste management planning (population growth, planning requirements)**

   Council is committed to maintaining an efficient and equitable waste management system across its growing population, ensuring appropriate services are provided to all properties.
Actions

- waste Management Plan requirements and guidelines,
- access to equitable services in public housing estates, and
- improve recycling infrastructure on public housing estates.

Challenges

With projected population growth of 16 per cent over the next twenty years, new developments, requiring additional waste management services will be required.

There are a number of public housing estates in the municipality that do not currently receive a kerbside recycling service. A current lack of adequate infrastructure, such as dedicated recycling chutes to effectively separate recyclables from garbage, constrains the ability to collect recyclables in high rise properties. Retrofitting adequate infrastructure requires the support of Department of Human Services (DHS) and significant external funding.

How we will get there

All new developments are required to submit a Waste Management Plan and a set of guidelines have been created to assist developers plan for suitable waste management services, in line with Council collection service.

Council aims to introduce recycling services to low-rise public housing estates based on the award winning Ascot Vale Housing Estate model and will work with DHS to target issues with high-rise properties.

3. Treatment of hazardous waste (including paint, batteries and electrical items).

The Moonee Valley Transfer Station provides an essential service to residents and Melbourne’s North West. It operates a disposal service for a wide variety of waste including hazardous materials which require separate treatment and are not sent to landfill. This includes paint, batteries, compact fluorescent lighting and electrical items.

Actions

- provide a dedicated drop-off facility at the Transfer station;
- participate in state and national collection schemes (Detox Your Home and TechCollect), and
- educate the community on hazardous goods and why they should be disposed of properly.

Challenges

Transfer Station operation is a costly and complex local service, which must take into account competing priorities, acting as a consolidation hub for a broad and expanding range of materials, while limiting operational impacts on the community.
How we will get there

The Transfer Station is an essential community hub for the deposit of materials not collected from the kerbside. The Transfer Station provides residents with excellent access to a broad range of disposal options, ensuring safe and appropriate disposal of hazardous materials and maximising the diversion of resources from landfill. This facility has strategic importance for dealing with Melbourne’s population growth, providing a residential drop-off within 7km of the CBD.

4. Community engagement/education

To increase diversion of waste from landfill Council will need to provide a constant and evolving education and community engagement program to ensure residents make full use of the services provided.

Actions

- public housing engagement;
- food waste avoidance/home composting;
- contamination campaign, and
- service promotion.

Challenges

There are a range of issues when communicating important behavioural change around waste, participation is required for any system to work and recognition that a lot of work is required to maintain and exceed existing environmental performance.

How we will get there

Council has already developed communications materials and will be continuing the current education campaign to reduce the amount of contamination in the residential recycling bin.

This will be an ongoing project targeting poor performing streets and priority issues, Council currently utilise the collection vehicles to provide information on what can and cannot be recycled and participate in the state “Get it right on bin night and Back to earth” campaigns.

5. Service delivery (prioritise innovation and improved processes)

Council prides itself as an industry leader, providing a range of innovative award winning resource recovery, communications programs and pilot projects.

Innovative and expanded collection, processing and engagement activities will assist the delivery of an efficient, equitable and environmentally sound waste management service.
Actions

- technological innovation;
- business waste;
- schools/community groups;
- hard rubbish;
- web based waste services information and hardcopy waste calendar, and
- service commitments.

Challenges

Council faces a range of challenges adapting the current waste collection system to meet the needs of the community. Council will continue to pursue new and innovative collection and processing options and project initiatives to improve the diversion of waste from landfill.

How we will get there

Since the introduction of the three bin system, Council has adopted innovative practices to meet a broad range of waste management challenges. Technological innovation and new systems for managing waste will continue to be encouraged and new communications mediums reviewed.

Council will also address the broader community, reviewing services to schools, community groups and businesses.

Consultation

The draft WRRP has been prepared, based on the feedback received on our current performance and in line with state and national waste policy. The draft WRRP is proposed to be released for public consultation on 10 February 2014, once endorsed by Council. The final WRRP will be presented to Council 22 April 2014, once feedback received is considered and incorporated if relevant.

Implications

1. Legislative

Under the Local Government Act 1989 local government provides for the peace, order and good government of its municipal area, delivers services and facilities for the community and manages the resources of the municipality. It has responsibility for implementing many diverse programs, polices and regulations set by the Victorian and Federal Governments.

Local government is responsible for a range of domestic waste management services, including, kerbside garbage, recycling and green organics collections, transfer stations, waste education and litter management and prevention.

Under the Local Government Act 1989 local government provides for the peace, order and good government of its municipal area, delivers services and facilities for the community and manages the resources of the municipality. It has
responsibility for implementing many diverse programs, polices and regulations set by the Victorian and Federal Governments.

Local government is responsible for a range of domestic waste management services, including, kerbside garbage, recycling and green organics collections, transfer stations, waste education and litter management and prevention.

The draft WRRP sets Council’s direction for meeting these requirements.

2. Council Plan / Policy

The Council Plan is based on the four themes of the community vision and excellence in governance. It reflects the services Council delivers. Each theme includes strategic objectives, strategies for achieving these objectives and strategic indicators. The draft WRRP has the following association with the Council Plan:

Theme 2
Green, clean and beautiful: a sustainable environment for future generations.

Strategic objective 4
Continually improve current waste diversion rates through community education and other initiatives.

The Council Plan 2013-17 commits to continually improve current waste diversion rates through community education and other initiatives. Diversion of waste from landfill is the key priority for Council, with its associated financial and environmental benefits.

3. Financial

Council has a substantial budget to provide waste management services. Where funds for new actions are not available within the existing budget, applications will be made for external funds and new initiative programs.

4. Environmental

The City Sustainability Policy’s theme of valuing our resources: ways to lessen our waste commits Council to create an economy where resources are valued. This is underpinned by key guiding principles of limited resources, preventing waste and the new economy.

The draft WRRP prioritises the efficient management of waste, incorporating emerging best practice and new technologies as they become available while achieving best value. The guiding principles of the plan include:

- minimising waste generation;
- increasing reuse of materials;
- increasing recovery of materials for recycling;
- reducing waste to landfill;
- maximising contracts;
- improving service efficiencies, and
- Innovation.
Conclusion

The draft WRRP provides an overview of the strategic direction for waste management in Moonee Valley over the next 4 years with key focus on the 5 project areas identified:

- diversion of organic material from landfill;
- waste management planning (population growth, planning requirements);
- treatment of hazardous waste (including paint, batteries and electrical items);
- community engagement/education, and
- service delivery (prioritise innovation and improved processes).

The draft WRRP provides the strategic guidance and operational priorities Council plans to undertake to meet the commitments highlighted in the Council Plan 2013-17 and future service requirements of the Moonee Valley community.

The draft WRRP is proposed to be made available for consultation during the period 10 February – 10 March 2014 and a final plan will be presented to Council for endorsement at the 22 April 2014 Council meeting.
DRAFT WASTE AND RESOURCE RECOVERY PLAN
2014–18

OVERVIEW

Moonee Valley City Council (Council) is committed to delivering an environmentally sound, efficient and comprehensive waste management service to its residents.

Council provides a waste collection service to 116,000 residents living in over 45,000 households. In addition to the residential kerbside services Council also provides collections for small businesses, schools and community groups and operates a Transfer Station which provides a drop-off site for a range of recyclable and waste materials.

The draft Waste and Resource Recovery Plan 2014-18 (WRRP) outlines Council’s plan for improving Moonee Valley’s resource recovery rate through education, collection efficiencies and acceptance of a greater number of material types through the Transfer Station. This approach will prioritise resource recovery and waste prevention, considering the financial, environmental and social impacts of sending waste to landfill.

Aim: Council will deliver a modern and innovative waste management service which provides opportunities for the community to reduce the amount of waste sent to landfill.

CURRENT SITUATION

Waste generation

The community, on average, is generating more waste, a result of an increasingly consumer based society, population density and improved reporting. Combined with a growing population this has caused a significant growth in the waste stream.

However, while the total waste generation has increased over the past 20 years, the amount sent to landfill has started to decrease. This shift from landfill to resource recovery comes through dedicated waste avoidance policies, local collection systems and new resource recovery infrastructure.

Moonee Valley’s waste and resource recovery

Council provides a regular kerbside collection service for three waste streams; landfill, commingled recyclables and garden waste.

To supplement the three bin kerbside collection service Council also provides:

- quarterly Re-new collection of materials for reuse
- twice yearly branch and pruning collection
- annual hard waste collection

Council also operates a Transfer Station in Aberfeldie where residents, businesses and non-residents can drop-off a variety of materials which are collected for reuse, recycling or landfill. Services at the Transfer Station include national and state resource recovery programs. These include the TechCollect TV and computer collection and participation in Sustainability
Victoria’s Detox Your Home program as a permanent Victorian drop off site for hazardous low-toxicity items.

**Waste diversion**

Council currently recovers 47 per cent of all waste (by weight) through collection of recyclables, garden waste, branches and pruning, Re-new collections and the Transfer Station. The remaining 53 per cent is sent to landfill (landfill bin, hard waste and contaminated recyclables).

Whilst this is in-line with state waste diversion trends, there is room for improvement, including further diversion of the recyclable, compostable and reusable components from landfill. Current processing infrastructure however is a key factor in preventing higher diversion rates.

A recent report commissioned by Sustainability Victoria on the components in the waste stream found almost 60 per cent of the materials found in an average landfill bin could be recycled.

Since the introduction of the three bin system, through the *Great Recycling Revolution*, total waste generation in Moonee Valley has increased by 5 per cent (between 2003/04 and 2012/13). In this period:

- landfill decreased by 22 per cent
- recycling increased by 24 per cent
- garden waste increased by 136 per cent

This indicates that households are better educated about recycling and waste avoidance, have improved behaviours separating materials into the right bin and are supported by appropriate collection infrastructure and services.

**STRATEGIC FRAMEWORK**

**Strategic context**

Waste management operates within a highly regulated framework of primary legislation, regulations, directions and guidelines.

Council’s key waste and resource recovery priorities and actions reflect the strategic framework of the relevant state and national policies, legislation and regulations, including:

- **Getting full value: the Victorian Waste and Resource Recovery Policy**

  In April 2013 the Victorian Government released *Getting full value: the Victorian Waste and Resource Recovery Policy* which sets a 30-year market driven vision for waste and resource recovery in Victoria with policy priorities to guide actions for the next ten years.

- **Draft Statewide Waste and Resource Recovery Infrastructure Plan**

  Sustainability Victoria have released the draft *Statewide Waste and Resource Recovery Infrastructure Plan* (SWRRIP). The Plan will guide future investment in waste management and resource recovery infrastructure to effectively manage the expected mix and increasing volumes of waste generated by Victorian households, businesses and industry.

  The draft SWRRIP describes the current scene, sets the agenda for the future and identifies major opportunities and priorities for the government over the next five years.
Draft Metropolitan Waste and Resource Recovery Strategic Plan

The plan provides a 30-year road map for metropolitan councils and industry to shape a network of infrastructure and services that is cost effective and capable of moving waste material to where the highest economic value can be achieved.

Legislation

- **Environmental Protection Act (EP Act)** – defines governments responsibility for protecting the environment
- **Local Government Act (LG Act)** – defines Councils statutory role.

Council’s approach to waste management is directly affected by these state strategies, as shown in Figure 1.

**Figure 1: Victorian waste and resource recovery legislative and strategic framework**

RESOURCE RECOVERY GOALS

Council is committed to delivering an innovative, environmentally sound and efficient waste management service to its residents. To do this, council has established the following goals to help the community avoid waste generated, reduce waste to landfill and increase materials recycled.

**Goal 1: Diverting organic material from the waste stream**

With appropriate infrastructure up to 48 per cent of the waste bin could be diverted from landfill. Food waste takes up 41 per cent of the average Victorian household waste bin and seven per cent is garden waste.

**Actions:**

- encourage food waste avoidance
- encourage home composting
- promote use of the garden waste bin
- include food waste in the kerbside garden waste collection
Goal 2: Planning for the waste of a growing population

Council is committed to maintaining an efficient and equitable waste management system across its growing population, ensuring appropriate services are provided to all properties.

Actions:
- Require Waste Management Plans for medium to high density developments that comply to planning conditions
- provide updated Waste Management guidelines to assist developers meet the planning conditions for new developments
- improve access to equitable services in public housing estates
- in conjunction with the Department of Human Services, improve infrastructure in Moonee Valley public housing estates to allow for the introduction of recycling to the estates (eg. waste and recycling chutes).

Case study: Ascot Vale Housing Estate household recycling project [pop out box]

In 2012, Council successfully completed a project to provide kerbside recycling services to the Ascot Vale Housing Estate, delivering recycling infrastructure and education to the estates 1500 residents.

The project was completed with funding support from the Australian Packaging Covenant, the Victorian Government and Department of Housing Services.

Direct results of the project included:
- Residents embraced the service and said they now felt just like the rest of the community
- Over 50 tonnes of recyclables collected in first 6 months
- Litter around the estate decreased, and
- 3 of the project volunteers have since gained full time employment.

The project developed a community engagement model for culturally and linguistically diverse communities (CALD) and influenced the CALD component of the statewide Get it right on bin night campaign to increase household recycling.

Moonee Valley City Council and Wingate Avenue Community Centre has won the top prize at the Premier’s Sustainability Awards 2013 for the work undertaken as part of this project.

Goal 3: Diverting hazardous material from the waste stream

The Transfer Station is a collection point for hazardous materials, such as electrical items, paint, batteries and fluorescent lamps, which require separate treatment and are not sent to landfill.

Actions:
- provide a dedicated drop-off facility for acceptable hazardous items at the Transfer Station
- continue to host state-wide collection programs, such as TechCollect and Detox Your Home programs and future collection programs if appropriate
- educate the community on hazardous goods and why they should be disposed of correctly
Goal 4: Educating the community

Council will provide an education and community engagement program to ensure residents maximise the recovery of resources and minimise the quantity of material sent to landfill.

**Actions:**

- encourage residents to avoid food waste
- encourage residents to home compost
- educate residents on bin contamination and its impacts, targeting poor performing areas and priority issues
- promote Council waste and recycling services
- participate in state-wide waste and recycling education campaigns

Goal 5: Improving our services

Council is an industry leader in providing innovative and awarded resource recovery and communications programs and pilot projects.

Innovative and expanded collection, processing and engagement activities will assist the delivery of an efficient, equitable and environmentally sound waste management service.

**Actions:**

- continually research and plan for technological innovation in waste management
- review recycling collection services available to businesses
- improve recycling collection services to schools and community groups
- continue to provide the annual waste and recycling calendar
- review hard rubbish collection and processing
- investigate Public Place Recycling options
- utilise web-based communications to promote waste and recycling services
- meet Council’s service commitments to residents

The above goals are the basis of a dedicated action plan Council will follow to achieve the priorities in the *Waste and Resource Recovery Plan 2014-18*. The action plan will provide flexibility to adapt to external and internal changes and may be amended during the four years.

**HAVE YOUR SAY**

Council wants your feedback on the draft Waste and Resource Recovery Plan.

You can view a copy of the full draft Waste and Resource Recovery Plan at mvcc.vic.gov.au/waste or view a copy at the Civic Centre or Moonee Valley libraries.

Send your feedback before Monday, 10 March by:

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<td>Post to:</td>
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<tr>
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**MORE INFORMATION**

For more information or to view a copy of the draft Waste and Resource Recovery Plan visit mvcc.vic.gov.au/waste or call 9243 8888.
9.7 The Advocacy Agenda

File No: FOL/12/1415
Author: Manager Community Development
Directorate: Citizen Services & Information Management
Ward: Municipal

Purpose
This purpose of this report is to seek endorsement of The Advocacy Agenda 2013-17.

Executive Summary
- The Advocacy Agenda 2013-17 ("the Agenda") (Appendix A – separately circulated) has been developed to secure partnerships and support from other levels of government, agencies and organisations to obtain positive outcomes for Moonee Valley today and into the future.
- The Agenda will contribute to the achievement of the Council Plan 2013-17 strategic objectives. Council will undertake advocacy in relation to Transport infrastructure, Major developments, Managing growth, Business investment, Arts and culture, Investment for community, Health and wellbeing and Leadership.

Recommendation

Background
The Council Plan 2013-17, adopted on 23 June 2013, sets out Council’s objectives for the four year period. It was informed by Moonee Valley Next Generation 2035 Community Vision, adopted on 4 September 2012, which states our community’s shared aspirations and values.

The City of Moonee Valley is rapidly evolving and growth and change is placing pressure on the liveability of our community and the health and wellbeing of our citizens. Council does not always have the resources, means or power to achieve everything we want for the community. Advocacy, a primary role of Local Government, helps us to secure partnerships and support from other levels of government, agencies and organisations to obtain positive outcomes for Moonee Valley now and for the future.

Discussion
The Advocacy Agenda 2013-17 will help leverage the support and investment required to achieve the Council Plan 2013-17 strategic objectives. The Agenda, like the Council Plan, is informed by the Moonee Valley Next Generation 2035 Community Vision.
Advocacy is a strategic method:

to persuade, partner, educate or inform so other levels of government or stakeholders change their policy, action or investment to improve community outcomes.

The Agenda comprises eight advocacy themes that are linked to the Council Plan themes of Sustainable Living, Vibrant and Diverse, Friendly and Safe and Excellence in Governance.

For each advocacy theme there is:

- Relevant Strategic Objective from the Council Plan.
- Brief description of the strategic context.
- Advocacy that will be undertaken.
- Strategic indicators that are best understood as measures of success.
- Council strategies that provide further research and business case information.

The advocacy themes are:

1. **Transport infrastructure** – Investment is required in transport infrastructure to support a growing population, provide alternatives to car use, manage congestion and maintain quality of life.

   Council will advocate for:

   - A train link to Melbourne Airport
   - Extension of tram route 59 to Melbourne Airport
   - Construction of the Metro Rail Project
   - Rail under road Grade separation at Buckley Street to improve safety

2. **Major developments** – Proactive management of major development proposals will be undertaken to ensure the liveability of communities is sustained.

   Council will increase the capacity and opportunity for our community to have a voice in development proposals and decisions they may be impacted by or interested in such as those at Moonee Valley Racecourse, Essendon Airport, ‘Readings site’, Flemington Racecourse, Maribyrnong Defence Site as well as the East West Link.

3. **Managing growth** – Urban change needs to be managed in accordance with community values for a friendly, safe, vibrant and connected community.

   Council will advocate to:

   - Continue to influence policy decision by government on the shape of Melbourne.
   - Create stakeholder awareness of the unique challenges facing the City of Moonee Valley.
• Increase awareness about planning issues affecting Moonee Valley and broader Melbourne by continuing the City in Transition campaign.

4. **Business investment** – Demonstrate that Moonee Valley is a great business investment location to pursue business opportunities due to growth of populations in the north and west of Melbourne.

Council will promote the benefits of doing business in Moonee Valley using ‘World Class, Locally’ to attract investment by the:

- Professional Services Sector
- Health and Allied Care Sector
- Entertainment, dining and leisure activities
- Aviation and automotive Industries

5. **Arts and culture** – Seek to enhance Moonee Valley’s reputation and profile for arts and cultural activities to secure increased visitation and participation.

Council will advocate to influence State and Commonwealth policy to strengthen local arts and cultural activities and heritage policies.

6. **Investment for community** – Seek additional government funding for significant Council investments that contribute to a healthy, safe, vibrant and diverse community.

Council will:

- Continue partnerships such as Maribyrnong River Valley Coordinating Committee and make funding applications to implement the Maribyrnong River Master Plan.
- Engage with Sports Victoria as strategic planning work for the East Keilor Leisure Centre is undertaken.
- Engage with Arts Victoria, the philanthropic sector and others to enhance the facilities and offerings at the Clocktower Centre and the Incinerator Gallery.

7. **Health and wellbeing** – Actively influence policy and service development by government to support health, wellbeing and learning outcomes within Moonee Valley.

Council will advocate to influence State and Commonwealth Governments policy to strengthen community education and support for:

- Healthy exercise
- Healthy ageing
- Encouraging lifelong learning
- Promoting Positive mental health
- Reducing impact of problem gambling and housing affordability
8. **Leadership** – Promote and enhance Council’s reputation and profile as a leader for its community.

This theme is concerned with how Council will undertake the advocacy agenda as well as our commitment to being accountable and reporting on our advocacy work.

**Consultation**

The nature of this report does not require any consultation. The Agenda has been informed by Moonee Valley Next Generation 2035 Community Vision.

**Implications**

1. **Legislative**

   The Preamble of *The Local Government Act 1989* specifies that ‘it is the role of the Council to provide leadership for the local community through advocacy, decision making and action’.

   The Agenda considers the *Charter of Human Rights and Responsibilities Act 2006* as it creates opportunities for the community to participate in public life. Major Developments (Theme 2) sets our Council’s intention to increase the capacity and opportunity for our community to have a voice in development proposals and decisions they may be impacted by or interested in.

2. **Council Plan / Policy**

   The Agenda specifically addresses eight Strategic Objectives of the Council Plan and contributes to Council’s commitment of ‘Excellence in governance – dynamic, effective and accountable’, the fifth Council Plan theme.


3. **Financial**

   The development of the Agenda occurred within existing budget resources. Any additional financial requirements relating to specific activities will be subject to Council’s budget deliberations.

4. **Environmental**

   The Agenda seeks improvements to transport infrastructure and this provides opportunities to reduce energy usage and greenhouse gas generation. The Agenda does not directly consider water waste generation or biodiversity impacts.
Conclusion

The Advocacy Agenda 2013-17 identifies the local challenges that require resources and other means that are beyond Council’s own. The establishment of partnerships, improved awareness of the challenges facing Moonee Valley and securing additional investment will result in better community outcomes, now and in the future.
9.8 Opportunities to Enhance Relationships with the Indigenous Community

File No: FOL/12/111
Author: Manager Community Development
Directorate: Citizen Services and Information Management
Ward: Municipal

Purpose
To advise Council on the outcomes of the Reconciliation Action Plan roundtable held 19 November 2013 and to seek endorsement of the draft Reconciliation Action Plan 2014 for further consultation, in keeping with the Notice of Motion raised by Cr Cusack at the Ordinary Meeting of 23 July 2013.

Executive Summary
- Council reconciliation activities are guided by the Moonee Valley Reconciliation Policy (2010-14). The Policy includes provisions for annual action plans.
- A Reconciliation Action Plan roundtable was held on 19 November 2013.
- The roundtable brought together members of the Aboriginal and Torres Strait Islander community, people who work in this area and Council staff to better understand how Council can support reconciliation activities and assist in developing Council’s Reconciliation Action Plan for 2014.
- The draft Reconciliation Action Plan 2014 (Appendix A – separately circulated) combines the feedback from the roundtable with background research including a snapshot of current Council activities and an analysis of the opportunities for improvement raised in the Reconciliation Victoria Local Government Aboriginal Engagement and Reconciliation Survey 2012.
- The roundtable discussion generated ideas for the promotion of respect, recognition and reconciliation through celebrations, welcoming environments, staff awareness, economic participation, partnerships and leadership. A report outlining the discussion is provided in Appendix B (separately circulated).
- A follow up roundtable will be held in February where the draft Reconciliation Action Plan 2014 will presented for discussion and feedback. The final Action Plan will be presented to Council in March 2014.

Recommendation
That Council:
1. Endorse the draft Reconciliation Action Plan 2014 for further consultation.
2. Note that the final Reconciliation Action Plan 2014 will be presented to Council in March 2014.

3. Note the outcomes of the Reconciliation Action Plan roundtable.

Background

On 23 July 2013, Cr Cusack raised a Notice of Motion at the Ordinary Council Meeting that “Council prepare a report for the December 2013 Ordinary Council Meeting that identifies additional opportunities for the City of Moonee Valley to enhance its recognition and advance its relationship with Indigenous Community Organisations and individual members of the Indigenous community”.

Council’s activities in relation to Respect, Recognition and Representation of Aboriginal and Torres Strait Islander people are guided by Council’s Reconciliation Policy 2010–14.

The Policy includes objectives and high level commitments to guide Council actions over the four year period. Annual action plans are developed to support implementation of the Policy.

Addressing health inequalities is a strategic objective of the Public Health and Wellbeing Plan 2013-17. A strategy to support this is to promote cultural sensitivity across Council through the update and delivery of diversity and social inclusion strategies and the Reconciliation Policy.

Council held a Reconciliation Action Plan roundtable on 19 November 2013 to bring together the Aboriginal and Torres Strait Islander community, people who work in this area and Council staff to better understand how we can support reconciliation activities and to identify opportunities to better demonstrate our commitment to this Policy. The roundtable was chaired by Cr Jim Cusack, and attended by nine community and organisation representatives and nine Council staff.

The draft Reconciliation Action Plan 2014 combines the feedback from the roundtable with background research including a snapshot of current Council activities and an analysis of the opportunities for improvement raised in the Reconciliation Victoria Local Government Aboriginal Engagement and Reconciliation Survey 2012.

The draft Reconciliation Action Plan 2014 identifies specific actions to deliver the policy commitments during the year and includes provisions for updating the overarching Reconciliation Policy.

Discussion

The purpose of the roundtable was to:

- Seek the contribution of participants to reflect upon Council’s performance in relation to respect, recognition and representation of Aboriginal and Torres Strait Islander peoples.
- Identify opportunities to better demonstrate Council’s commitment to respect, recognition and representation.
- Consider activities to include in Council’s 2014 action plan to accompany the Reconciliation Policy.
A report of the roundtable discussion is provided in Appendix B. The key themes and ideas generated are summarised below.

**Celebrations, events and activities** – celebrations for NAIDOC Week across Council venues are well attended and demonstrate good community connections. Ideas and considerations for future activities include:

- Focus on families at events and celebrations, this brings the whole family to the event
- Incorporate reconciliation activities into events year round, and holding other events across the year
- Hold regular lunches with Elders and the community to encourage staff and the community to interact and to invite visitors from other areas
- Undertake youth-focused projects.

**Welcoming environments and promotion of respect, recognition and reconciliation** – promotion and recognition of Aboriginal history including both historical and contemporary history contributes to creating welcoming environments and meaningful places.

Ideas and considerations for future activities include:

- Naming of places
- Interpretation signage
- Promote Aboriginal history in Moonee Valley
- Promote the Recognition campaign
- Include images, stories and signage across Council facilities and publications
- Include art by Aboriginal and Torres Strait Islander artists in public places and spaces
- Aboriginal Garden.

**Staff training, awareness and information sharing** – collaborations and creating opportunities for staff to experience Aboriginal and Torres Strait Islander culture was identified as a key opportunity to add value to training and to enhance awareness. Ideas and considerations for future activities include:

- Encourage opportunities for Aboriginal and Torres Strait Islander staff at Moonee Valley to share their culture
- Develop a kit for early years’ programs
- Form an internal working group to better promote and share information across Council
- Incorporate cultural awareness into induction of new staff, this can include both contemporary and pre-contact history
- Important to provide training, but also encourage Council to mix with the community and promote real life exposure to the Aboriginal community.
Employment and economic participation – Council is well placed to increase employment as it provides place-based opportunities for employment across a broad range of skill sets. There are also programs such as AFL SportsReady and ArtsReady that aim to support young people to gain employment. Ideas and considerations for future activities include:

- Develop an Aboriginal and Torres Strait Islander employment strategy
- Better understand current employment of Aboriginal and Torres Strait Islander people in Council
- Partner with organisations to improve employment opportunities and outcomes.

Partnerships and grants – partnerships, participation in networks such as the Western Region Local Government Reconciliation Network and support to organisations through grants all contribute to reconciliation. Ideas and considerations for future activities include:

- Link with established organisations, groups, and businesses who have committed to developing Reconciliation Action Plans
- Engage schools
- Join the Maribyrnong Local Indigenous Network (LIN) to improve information sharing
- Link groups with auspice bodies to support funding opportunities.

Leadership and continual improvement - The Victorian Local Government Aboriginal Engagement and Reconciliation Survey 2012 was completed by nearly all Councils (including Moonee Valley) and is a good approach in assessing performance and gaps in relation to policy and practice. Ideas and considerations for future activities include:

- Use the Local Government reconciliation survey as a benchmark for the next annual Reconciliation Action Plan 2014
- Increase opportunities for participation in decision-making by the Aboriginal and Torres Strait Islander community.

The draft Reconciliation Action Plan 2014 has been informed by the ideas generated at the roundtable, along with gaps and opportunities for improvement raised in the Reconciliation Victoria Local Government Aboriginal Engagement and Reconciliation Survey 2012.

A follow up roundtable will be held in February 2014 to ask for feedback on the Action Plan. The draft Action Plan will also be circulated to other interested members of the community and organisations. The final Reconciliation Action Plan 2014 will be presented to Council in March 2014.

Consultation

The participants of the roundtable included local community members as well as organisational representatives from sectors including sports, arts, health, reconciliation and employment.
Council staff from a range of departments also participated including representatives from Arts and Culture; Children’s Services; Community Development, Parks and Gardens; and Sports and Recreation. Invitations to the follow up roundtable to be held in February 2014 and the draft action plan will be sent to all those that attended the roundtable in November 2013 and to other individuals and organisations.

Implications

1. Legislative

The roundtable consultation was conducted in accordance with the Charter of Human Rights and Responsibilities Act 2006 as it creates opportunities for the community to participate in public life.

The Reconciliation Policy 2010-2014 encourages equitable outcomes for our community and relates to a specific protected human right in the Charter: cultural rights including recognition that human rights have a special importance for the Aboriginal people of Victoria.

2. Council Plan / Policy

The Reconciliation Policy (2010-14) and the development of the draft Reconciliation Action Plan 2014 align with the objectives in the Council Plan 2013-17, with a primary focus on the fourth Theme: Vibrant and Diverse: Opportunities for all.

The Moonee Valley Public Health and Wellbeing Plan (2013-17) includes a strategic objective to address health inequalities; and a strategy to promote cultural sensitivity across Council through the update and delivery of the Reconciliation Policy.

3. Financial

Staffing, research and publication costs associated with the development of the Action Plan are met within the respective operating budget. Any additional financial requirements relating to specific activities will be considered separately through the 2014/15 budget process.

4. Environmental

Opportunities to work with the traditional owners of the land, the Wurundjeri people, have been raised in the draft Reconciliation Action Plan 2014. This presents opportunities related to better understanding traditional knowledge of the land. No other strategies related to energy usage, water, waste or biodiversity have been raised.

Conclusion

The Reconciliation Policy (2010-14) provides Council with a position from which to strengthen activities in relation to respect, recognition and representation of Aboriginal and Torres Strait Islander people. The Reconciliation Action Plan roundtable was an opportunity to reflect on Council’s performance in delivering on the Policy commitments and has been used to inform the draft Reconciliation Action Plan 2014 and the activities for the year ahead.
9.9 Strathnaver Reserve Pavilion Building Works Documentation

File No: FOL/13/389
Author: Manager Infrastructure
Directorate: City Works & Development
Ward: Municipal

Purpose

The purpose of this report is for Council to authorise the Chief Executive to sign and seal all appropriate documents for the award of the contract for the construction of the new Strathnaver Reserve pavilion to McCorkell Construction, which Council approved on 3 December 2013.

Executive Summary

- On 3 December 2013, Council awarded the contract for the construction of the new Strathnaver Reserve pavilion to McCorkell Construction. The Tenders Committee had delegated authority to consider this matter. However due to the timing of Council meetings during December 2013, Council awarded this contract.
- As Council awarded this contract, Council should authorise the Chief Executive to sign and seal all appropriate documents for this contract. The Council resolution of the 3 December 2013 report omitted a specific authorisation clause for this purpose.
- This advice has no impact on the scheduled timing of the project.

Recommendation

That Council, having awarded the contract for the Construction of the new Strathnaver Reserve Pavilion (FOL/13/389) to McCorkell Construction (ABN 92 094 764 584), authorise the Chief Executive to sign and seal all appropriate documents for this contract.

Background

On 3 December 2013, Council awarded the contract for the construction of the new Strathnaver Reserve pavilion to McCorkell Construction. The Tenders Committee had delegated authority to consider this matter. However, due to the timing of Council meetings during December 2013, Council awarded this contract. As Council awarded the contract, Council should authorise the Chief Executive to sign and seal all appropriate documents for this contract. The Council resolution of the 3 December omitted a specific authorisation clause for this purpose.
Discussion

The purpose of this report is for Council to authorise the Chief Executive to sign and seal all appropriate documents for the contract awarded by Council on 3 December 2013 for the construction of the new Strathnaver Reserve pavilion. This represents no impact on the scheduled timing of the project.

Consultation

Consultation is not applicable to this specific report.

Implications

1. Legislative

   There is no legislative implication specific to this report.

2. Council Plan / Policy

   Council Plan/Policy references are not applicable to this report.

3. Financial

   There is no financial implication specific to this report.

4. Environmental

   There is no environmental impact specific to this report.

Conclusion

This report seeks Council approval to authorise the Chief Executive to sign and seal all appropriate documents for the contract awarded by Council on 3 December 2013 for the construction of the new Strathnaver Reserve pavilion.
10. Notice of Motion

10.1 Notice of Motion No. 2014/1

Title: Master Planning Flemington Racecourse and Showgrounds Precinct
From: Cr Nicole Marshall
Ward: Myrnong
File No: FOL/12/1445

Take notice that at the Ordinary Meeting of Council to be held on 28 January 2014, it is my intention to move:

That Council:

a) Write to the Minister for Planning requesting that in the interests of integrated planning and as part of the Flemington Racecourse Redevelopment that a master planning exercise be undertaken, for the area incorporating the Flemington Racecourse, Royal Melbourne Showgrounds and the Leonards Crescent, Langs Road and Fisher Parade area, for this important gateway into the City of Moonee Valley.

b) Request that the master plan take into consideration the potential impacts that developments in this area will have on the Maribyrnong River and surrounding communities, particularly in relation to vistas, drainage, traffic management, public transport provision and provision of community facilities.

c) Be involved in the master planning process.

Officer comment

An increasing number of developments are occurring in this precinct and with the imminent redevelopment of the Flemington Racecourse site it is imperative that this work be undertaken and the Notice of Motion is supported.