



City of  
**Moonee Valley**

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# **Ordinary Meeting of Council**

Tuesday, 22 November 2016

**Minutes**

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# Minutes of the Ordinary Meeting of Council

Tuesday, 22 November 2016 at 7.00pm  
held at the Moonee Valley Civic Centre

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## PRESENT :

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

**Officers:** Mr Bryan Lancaster Chief Executive Officer  
Mr Anthony Smith Director Corporate & Community Services  
Ms Gail Conman Director City Services  
Ms Kendrea Pope Director Organisational Performance  
Ms Natalie Reiter Director Planning & Development  
Mr Vera Mitrovic-Misic Acting Manager Statutory Planning  
Ms Yvonne Hansen Manager Legislative Services & Support

## 1. Opening

The Mayor, Cr Surace, opened the meeting and welcomed all present to the Council Meeting of Tuesday, 22 November 2016.

## 2. Apologies

An apology for non-attendance was received for Cr Sipek.

## 3. Confirmation of Minutes

**Minute No.** 2016/176

### Council Resolution

Moved by Cr Nation, seconded by Cr Marshall that the Minutes of the Ordinary Meeting of Council held on Monday, 19 September 2016; Special Meeting of Council held on Tuesday, 18 October 2016; and the Minutes of the Statutory Meeting of Council held on Thursday, 10 November 2016 be confirmed.

**CARRIED UNANIMOUSLY**

**4. Declarations of Conflict of Interest**

- 4.1 Cr Laurence declared an indirect conflict of interest in Item 9.3 due to a close association. A family member has an interest in this matter.
- 4.2 Cr Gauci Maurici declared an indirect conflict of interest in Item 9.6 due to a close association. A family member lives within the proximity of the site subject to this item.

**5. Presentations**

The Mayor, Cr Surace tabled a Certificate of Recognition received from the National Breast Cancer Foundation in recognition for raising \$95,000 at the recent National Breast Cancer Foundation Breakfast for which Council is a long standing sponsor.

**6. Petitions and Joint Letters**

**6.1 Removal of Nature Strip Tree, Short Street, Keilor East**

File No. 63/019/051

Cr Byrne tabled a petition signed by 21 residents has been received requesting the removal of a Council maintained nature strip tree at 5 Short Street, East Keilor.

**6.1 Neighbourhood Zone, Strathmore**

File No. FOL/16/1119

Cr Sharpe tabled a petition signed by 225 residents has been received requesting that the State Government with the Moonee Valley Council, immediately amend the Strathmore area to the Neighbourhood Zone that permits a maximum of two dwellings per block and a maximum of three per corner block

**6.1 Tree replacement for Wentworth Avenue, Essendon**

File No. 16/155985

Cr Gauci Maurici tabled a Joint Letter signed by 7 residents concerning proposed street tree options for Wentworth Avenue, Essendon

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

## 7. Public Question Time

### Question 1

Marlene Watson of Strathmore has asked the following:

*“How will the Council acknowledge, address and take appropriate action towards the high tension and resentment in the Buckley Ward and the wider Moonee Valley Community caused by housing intensification due to the GRZ1 which is not respecting the neighbourhood character of the area. Will the Council liaise with the State Government to instruct VCAT to take into account the number of Third Party Objectors when determining a finding?”*

### **Response:**

The Chief Executive Officer responded that from the outset, it remains State Government strategy to increase the supply of housing in existing urban areas by facilitating increased housing yield in appropriate locations, including under-utilised urban land.

In response to the ongoing development pressures and impact on liveability, Council has commenced the process of preparing a long term strategy to better manage growth and development, influence policy and inform future decision making. The strategy will be developed in consultation with the community and residents will shortly be invited to be part of this work.

In terms of neighbourhood character, it is worth mentioning that Council has an adopted Neighbourhood Character Study and Neighbourhood Character Precinct Profiles for each residential area of Moonee Valley, which have been included in the Moonee Valley Planning Scheme (August 2012).

Any planning application for development in the General Residential Zone (GRZ) therefore need to have regard to the preferred neighbourhood character statement and design guidelines of the relevant precinct.

VCAT operates as an independent judicial authority and its operations are governed by the *Victorian Civil and Administrative Act 1998 and supported by Courts Victoria*. State Government therefore does have jurisdiction nor can it instruct VCAT.

In relation to taking into account the number of third party objections, all planning assessments undertaken by Council gives consideration amongst other matters to the number of objections received and its social effect.

### Question 2

Lucy Ahad of Strathmore has asked the following:

*“What can Council do about the current planning objectives that Developers comply with, that makes neighbours and nearby affected residents, increasingly resentful and angry Third Party Objectors?”*

**Response:**

The Chief Executive Officer advised that developments are assessed in accordance with the Moonee Valley Planning Scheme and in particular the State and Local Policy Planning Framework and relevant State-wide provisions such as ResCode.

Council has commenced the process of preparing a long term strategy that will help us to focus development in Activity Centres and along major transit corridors and minimise development in our suburban areas.

The State Government's Strategy, Plan Melbourne, which is currently under review as Plan Melbourne Refresh, directs increasing supply of housing into existing urban areas. Council did provide as submission to each of these strategies during the consultation process at the time and will monitor the outcome when the final plan is released in the near future.

Council also reviews the Moonee Valley Planning Scheme on a regular basis, however there are only 2 clauses which make up the Local Policy Planning Framework that Council can influence.

**Question 3**

Lorella Aquaro of Strathmore has asked the following:

*"The majority of residents were or are still not aware of the zones change to GRZ1. Can you provide evidence of how and when residents were notified by Council of this change?"*

**Response:**

The Chief Executive Officer advised that in response to the State Government's proposal to implement new Residential Zones, work was undertaken by Council through draft Amendment C137 which proposed that the vast majority of the City being zoned Neighbourhood Residential Zone however this was rejected by the Standing Advisory Committee. As a result of the Ministers Decision to accept the recommendations of the Advisory Committee, the draft Amendment C137 to implement our Neighbourhood Residential Zone proposal did not progress and the General Residential Zone was applied by the State Government on 1 July 2014.

Following the Ministers decision about our zones, Council rolled out a comprehensive communications plan to update the community of this outcome. This included:

- Advertorials which appeared in the Moonee Valley Leader and Weekly on the 4 and 6 of September 2014;
- A media release resulting in an article published in the Moonee Valley Leader on 17 September 2014;
- Council's website was also updated to provide information;
- Letters to people who made a submission to Amendment C137 (draft Residential Zones proposal) outlining the outcome of the process and the Minister's decision;
- Messages on social media platforms including Planning Twitter; and

- Notice in the Planning e-newsletter and Valley View.

Work is now underway to review the Housing Strategy which will assist us in implementing appropriate zones throughout the municipality.

## 8. Reports by Mayor and Councillors

Nil.

## 9. Reports

### 9.1 90 Farnham Street, Flemington (Lot 1 on TP 396858G) - Construction of six dwellings and buildings and works within an Environmental Significance Overlay (ESO2)

**File No:** FOL/16/130

**Author:** Lachlan Orr  
Senior Statutory Planner

**Directorate:** Planning & Development

**Ward:** Myrnong

**Minute No.** 2016/177

#### **Council Resolution**

Moved by Cr Marshall, seconded by Cr Cusack that Council issue a Notice of Decision to Refuse to Grant a Permit in relation to Planning Permit Application No. MV/1028/2015 for the construction of six dwellings and buildings and works within an Environmental Significance Overlay (ESO2) at 90 Farnham Street, Flemington (Lot 1 on TP 396858G), on the following grounds:

1. The bulk, scale, form and layout of the proposal fails to meet Clause 21.06-1 (Neighbourhood Character) and Clause 55.02-1 (Neighbourhood Character Objectives) of the Moonee Valley Planning Scheme as it does not respect the character of the existing neighbourhood or integrate well with the street.
2. The proposal fails to meet the objectives and strategies contained within Clause 21.06-4 (Urban Design) of the Moonee Valley Planning Scheme, and would result in a development that fails to appropriately respond to its location and the surrounding context.
3. The proposal fails to comply with the following provisions of Clause 55 (ResCode) of the Moonee Valley Planning Scheme:
  - a) Clause 55.02-1 (Neighbourhood Character);
  - b) Clause 55.03-1 (Street Setback); and
  - c) Clause 55.04-5 (Overshadowing).

**CARRIED UNANIMOUSLY**

**9.2 15 Hayes Road, Strathmore (Lot 122 on LP 012299) -  
Construction of two dwellings**

**File No:** FOL/16/130  
**Author:** Justin Scriha  
Senior Statutory Planner  
**Directorate:** Planning & Development  
**Ward:** Buckley  
**Minute No.** 2016/178

**Council Resolution**

Moved by Cr Sharpe, seconded by Cr Byrne that Council issue a Notice of Decision to Grant a Permit in relation to Planning Permit Application No. MV/178/2016 for the construction of two dwellings at 15 Hayes Road, Strathmore (Lot 122 on LP 012299) subject to the following conditions:

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The amended plans must be drawn to scale with dimensions and an electronic copy must be provided. The amended plans must be generally in accordance with the plans submitted and assessed with the application but modified to show:
  - a) The crossover to Dwelling 2 to be offset by 2 metres from the kindergarten (southern) boundary fence.
  - b) The accessway to Dwelling 2 realigned in accordance with Condition 1(a).
  - c) The height of the kindergarten (southern) boundary fence to be unaltered as a result of Condition 1(a).
  - d) A colours and materials schedule, demonstrating lighter colours and finishes in accordance with the preferred character statement of Council's Neighbourhood Character Guidelines 'Garden Suburban 6'.
  - e) A matching front fence to be provided to Dwelling 2.
  - f) An elevation drawing (to a scale of 1:100) of the proposed front fences.
  - g) The porch to Dwelling 2 to be lowered to less than 3.6 metres above natural ground level in accordance with Clause 55.03-1 (Street Setback) of the Moonee Valley Planning Scheme.
  - h) Either the height or the setback of the western upper floor bathroom wall of Dwelling 1 modified to comply with Clause 55.04-1 (Side and Rear Setbacks) of the Moonee Valley Planning Scheme.
  - i) The garage to Dwelling 1 to be offset from the western title boundary by 1 metre, or, the height of the boundary wall lowered to a maximum of 3 metres above natural ground level, in accordance with Clause 55.04-3 (Daylight to Existing Windows) of the Moonee Valley Planning Scheme.



- j) The nomination of a tandem car space in front of the garage to Dwelling 1.
- k) The provision of 600mm free standing trellis extensions to the southern and western boundary fences.
- l) Any air conditioning units to be located at least 5 metres from the western title boundary.
- m) All privacy screens annotated accordingly on the floor plans and elevations.
- n) Stormwater treatment measures and notations on the Water Sensitive Urban Design Plan as follows:
  - i) Locate correctly sized rainwater tanks (if applicable)
  - ii) Locate correctly sized raingardens (if applicable)
  - iii) Locate any other applicable WSUD treatment measure (to scale)
  - iv) Provide associated annotations applicable to selected Water Sensitive Urban Design (WSUD) treatment measures as per the attached 'Generic WSUD Notations' information sheet.

When approved, these plans will be endorsed and will form part of this permit.

2. Except with the prior written consent of the Responsible Authority, the layout of the land 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.
3. Before the buildings approved by this permit are occupied, the privacy screens and other measures to prevent overlooking as shown on the endorsed plans must be installed in accordance with Clause 55.04-6 (Overlooking Objective) to the satisfaction of the Responsible Authority.

All privacy screens and other measures to prevent overlooking as shown on the endorsed plans must at all times be maintained to the satisfaction of the Responsible Authority.
4. Before the buildings approved by this permit are occupied, all boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
5. Floor levels shown on the endorsed plan(s) must not be altered or modified without written consent of the Responsible Authority.
6. Buildings or works must not be constructed over or adjacent to any easement or within one metre of an existing Council drainage asset without the prior written consent of Council (or of the authorities or agencies with an interest in the easement) to the satisfaction of the Responsible Authority.

7. A minimum 30 days prior to any building or works commencing, all WSUD Design Details (relating to the WSUD treatment measures nominated in the approved and complying STORM report), such as cross sections and/or specifications, to assess the technical effectiveness of the proposed stormwater treatment measures, must be submitted for approval by the Responsible Authority.
8. A minimum 30 days prior to any building or works commencing, a Site Management Plan must be submitted to and approved by the Responsible Authority detailing the site and environmental management methods to be used. The plan must include, but is not limited to:
  - a) A statement or report outlining all construction measures to be taken to prevent litter, sediments and pollution from entering the stormwater systems.

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

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

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

10. Prior to the issue of an Occupancy Permit, all new boundary fencing as shown on the endorsed plans must be erected. The cost of such fencing must be met by the owner and carried out to the satisfaction of the Responsible Authority.
11. Before the buildings approved by this permit are occupied, concrete vehicular crossing(s) must be constructed to suit the proposed driveway(s) in accordance with the Responsible Authority's specification and any obsolete, disused or redundant vehicle crossing(s) must be removed and

the area reinstated to footpath, nature strip and kerb and channel to the satisfaction of the Responsible Authority.

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

12. Before the buildings approved by this permit are occupied, the areas set aside for the parking of vehicles, together with the associated driveways and access lanes as shown on the endorsed plans must be:
  - a) Constructed;
  - b) Available for use in accordance with the endorsed plans;
  - c) Properly formed to such levels and drained so that they can be used in accordance with the endorsed plans; and
  - d) Finished with a permanent trafficable surface (such as concrete, asphalt or paving);

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

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

- e) Be maintained and made available for such use; and
- f) Not be used for any other purpose

to the satisfaction of the Responsible Authority.

13. The existing street trees along Hayes Road and James Street must not be removed or damaged as a result of the permitted development.
14. Provision must be made for the drainage of the land including landscaped and pavement areas. The discharge of water from the land must be controlled around its limits to prevent any discharge onto any adjoining or adjacent property or streets other than by means of an underground pipe drain which is discharged to an approved legal point of discharge to the satisfaction of the Responsible Authority.
15. The development must be provided with external lighting capable of illuminating access to each garage, car parking space and pedestrian walkways. Lighting must be located, directed and shielded and of limited intensity so that no nuisance or loss of amenity is caused to any person within or beyond the land.

Public Transport Victoria Conditions

16. The existing bus stop and associated infrastructure on Hayes Road must not be altered without the prior consent of Public Transport Victoria. Any alterations including temporary works or damage during construction must

be rectified to the satisfaction of Public Transport Victoria and at the cost of the permit holder.

17. The permit holder must take all reasonable steps to ensure that disruption to the bus operations along Hayes Road is kept to a minimum during the construction of the development. Foreseen disruptions to tram operations and mitigation measures must be communicated to Public Transport Victoria fourteen (14) days prior.

End Public Transport Victoria Conditions

18. Before the development starts, and before any trees or vegetation are removed, an amended landscape plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The amended landscape plan must be prepared by a person or firm with suitable qualifications to the satisfaction of the Responsible Authority, drawn to scale with dimensions and an electronic copy must be provided. The amended landscape plan must be generally in accordance with the landscape plan submitted with the application but modified to show:
  - a) Plans to accord with Condition 1 of this permit;
  - b) The provision of a canopy tree within the front setback of each dwelling, which are able to achieve a minimum mature height of 4 metres;
  - c) 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;
  - d) The use of drought tolerant species;
  - e) Features such as paths, paving and accessways;
  - f) All planting abutting the accessway(s) and land frontage to have a maximum mature height of no more than 900mm in accordance with Clause 52.06-8 (Design Standards for car parking) of the Moonee Valley Planning Scheme;
  - g) The use of non-invasive plant species, which will ensure that existing infrastructure assets are not damaged by root systems; and
  - h) An appropriate irrigation system.

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

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

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

20. This permit will expire if:
- a) The development does not start within two (2) years of the date of issue of this permit, or
  - b) The development is not completed within four (4) years of the date of issue of this permit.

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

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

#### Permit Notes

- This is not a building permit under the *Building Act*. A separate building permit is required to be obtained for any demolition or building works.
- Before the development starts, the permit holder must contact Moonee Valley City Council regarding legal point of discharge, vehicular crossings, building over easements, asset protection, road consent/occupancy etc.
- No on-street parking permits will be provided to the occupiers of the land.
- All drainage works undertaken must be in accordance with the requirements of Stormwater Drainage Requirements for Development Works as prepared by the Moonee Valley City Council.

**CARRIED UNANIMOUSLY**

Having declared an indirect conflict of interest in Item 9.3, Cr Lawrence left the meeting at 7.29pm.

**9.3**                                **29-35 St Kinnord Street, Aberfeldie (Lots 20 & 22 Block D on PS 002016) - Construction of a single storey addition to be used in association with an existing kindergarten**

**File No:**                        FOL/16/130  
**Author:**                        Justin Scriha  
    Senior Statutory Planner  
**Directorate:**                Planning & Development  
**Ward:**                            Buckley  
**Minute No.**                2016/179

#### **Council Resolution**

Moved by Cr Sharpe, seconded by Cr Gauci Maurici that Council issue a Notice of Decision to Grant an Amended Planning Permit in relation to Planning Permit Application No. MV/169/2013/A for the construction of a single storey addition to be used in associated with an existing kindergarten at 29-35 St Kinnord Street,

Aberfeldie (Lots 20 & 22 Block D on PS 002016) in accordance with the following:

The alterations to the Planning Permit:

- The preamble amended to read – “Construction of a single storey addition to be used in associated with an existing kindergarten and reduction in car parking requirements”.
- Condition 1(a) amended to read – “A notation to indicate not more than 55 children are to be present on the land at any one time”.
- New Condition 8 - “Except with the prior written consent of the Responsible Authority a minimum window of 30 minutes between all individual classes starting and finishing times must be maintained”.
- New Condition 9 – “Except with the prior written consent of the Responsible Authority a minimum window of 20 minutes between all kindergarten and Gymparoo starting and finishing times must be maintained”.
- New Condition 10 – “Except with the prior written consent of the Responsible Authority, no more than 55 children may be present on the land at any one time”.
- Existing Condition 8 renumbered to be Condition 11.

The inclusion of the following note:

- This permit has been amended to alter the preamble and conditions pursuant to Section 72-76B of the *Planning and Environment Act 1987* on \*insert date Permit is generated\*.

A copy of the original Permit MV/169/2013 can be found at Appendix D (separately circulated).

**CARRIED UNANIMOUSLY**

Cr Lawrence returned to the meeting at 7.35pm.

**9.4**                    **376 Pascoe Vale Road, Strathmore (Lots 1, 2 and 3 on TP 590642Y) - Use and development of the land for a four storey building comprising a shop and dwellings, reduction to the car parking requirement, waiver of the loading bay requirement and alteration (removal) of access to a road in a Road Zone**

**File No:**            FOL/16/130  
**Author:**            Lachlan Orr  
                              Senior Statutory Planner  
**Directorate:**      Planning & Development  
**Ward:**                Buckley  
**Minute No.**        2016/180

**Council Resolution**

Moved by Cr Sharpe, seconded by Cr Gauci Maurici that Council issue a Notice of Decision to Grant a Permit in relation to Planning Permit Application No. MV/1030/2015 for the use and development of the land for a four storey building comprising a shop and dwellings, reduction to the car parking requirement, waiver of the loading bay requirement and alteration (removal) of access to a road in a Road Zone at 376 Pascoe Vale Road, Strathmore (Lots 1 to 3 on TP 590642Y), subject to the following conditions:

1. Before the development starts, amended plans must be submitted to and approved to the satisfaction of the Responsible Authority. The amended plans must be drawn to scale and an electronic copy must be provided. The plans must be generally in accordance with the plans submitted and assessed with the application but modified to show:
  - a) The balconies of Dwellings 3.5 and 3.6 set back at least 1 metre from the northern and southern boundaries respectively, whilst maintaining compliance with Clause 55.05-4 (Private Open Space) of the Moonee Valley Planning Scheme;
  - b) First floor west-facing balconies screened to comply with Clause 55.04-6 (Overlooking) of the Moonee Valley Planning Scheme;
  - c) Internal balcony screening to comply with Clause 55.04-7 (Internal Views) of the Moonee Valley Planning Scheme;
  - d) The provision of double glazing to all habitable room windows to comply with Clause 55.04-8 (Noise) of the Moonee Valley Planning Scheme;
  - e) The provision of six bicycle spaces in accordance with Clause 52.34 (Bicycle Facilities) of the Moonee Valley Planning Scheme;
  - f) The provision of a 300mm trench grate at the bottom of the ramp to the car parking area;
  - g) All ground floor walls and structures set back at least 5.5 metres from the eastern boundary of the Right of Way; and

h) Any changes as a result of Conditions 3, 4 and 7.

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

2. Except with the prior written consent of the Responsible Authority, the layout of the land 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.
3. A minimum 30 days prior to any building or works commencing, all Water Sensitive Urban Design (WSUD) Design Details (relating to the WSUD treatment measures nominated in the approved and complying STORM report), such as cross sections and/or specifications, to assess the technical effectiveness of the proposed stormwater treatment measures, must be submitted for approval by the Responsible Authority.
4. A minimum 30 days prior to any building or works commencing, a Construction and Site Management Plan (CSMP) must be submitted to and be approved by the Responsible Authority detailing the construction activity proposed and the site and environmental management methods to be used. The plan must include, but is not 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) Management of onsite stormwater and prevention of contamination which must be in the form of a detailed statement or report which outlines all measures to be taken to prevent litter, sediments and pollution from entering the stormwater systems;
  - j) Protection of surrounding roads from site contamination and damage including rumble grid and or wash down bay facility;
  - k) Arrangements for chemical storage;
  - l) Noise and vibration control;
  - m) Risk assessment;
  - n) Works timetable; and
  - o) Number of workers expected to work on the site at any one time.

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



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

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

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

6. Before the development commences, an amended Sustainable Design Assessment (SDA) that outlines proposed design initiatives must be submitted to and approved by the Responsible Authority. The amended SDA shall refer to the endorsed plans. Upon approval the SDA will be endorsed as part of this planning permit and the development must incorporate the sustainable design initiatives outlined in the endorsed SDA to the satisfaction of the Responsible Authority. The SDA must be generally in accordance with the SDA submitted with the application, but modified to include:
  - a) Any changes as a result of Condition 1.

The development must incorporate the sustainable design initiatives outlined in the endorsed Sustainable Design Assessment (SDA) to the satisfaction of the Responsible Authority.

7. Prior to the issue of an Occupancy Permit, all boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
8. Floor levels shown on the endorsed plan(s) must not be altered or modified without written consent of the Responsible Authority.
9. 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.

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

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

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

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

- a) Constructed;
- b) Available for use in accordance with the endorsed plans;
- c) Properly formed to such levels and drained so that they can be used in accordance with the endorsed plans;
- d) Finished with a permanent trafficable surface (such as concrete, asphalt or paving); and
- e) line-marked or provided with another adequate means of ensuring that the boundaries of all vehicle spaces are clearly indicated on the ground,

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

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

- e) Be maintained and made available for such use; and
- f) Not be used for any other purpose,

to the satisfaction of the Responsible Authority.

13. Before the development starts, a Car Parking Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The Car Parking Management Plan must be prepared by a traffic consultant with suitable qualifications to the satisfaction of the Responsible Authority and must include:

- a) details as to how the car stackers are to be regularly maintained and serviced;
- b) details of time frames and measures to be undertaken, to reinstate the car stackers back to working order, if the car stackers becoming non-operational; and

- c) details of measures to be undertaken if the car stackers are not operational, so not to provide any additional on-street parking demand.

When approved, the Car Parking Management Plan will be endorsed and will form part of this permit. The provisions, recommendations and requirements of the endorsed Car Parking Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

- 14. Bicycle parking spaces, access, lockers and compounds must be provided, maintained and kept available for these purposes at all times to the satisfaction of the Responsible Authority.
- 15. Provision must be made for the drainage of the land, including 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.
- 16. 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.
- 17. The plant and equipment on the roof of the building must be screened in a manner to complement the appearance of the building and be to the satisfaction of the Responsible Authority.
- 18. The development must be provided with external lighting capable of illuminating access to each entrance, each car parking space and pedestrian walkways. All car parking facilities are to be well lit in accordance with AS1680.2.1:2008. Lighting must be located, directed and shielded and of limited intensity so that no nuisance or loss of amenity is caused to any person within or beyond the land.
- 19. All security alarms or similar devices installed on the land must not emit any noise which is audible beyond the boundary of the land and must be designed in accordance with the relevant Australian Standard and must be connected to a security monitoring service.
- 20. The amenity of the area must not be detrimentally affected by the use of land, through:
  - a) Transportation of materials, goods or commodities to or from the land;
  - b) Appearance of any building, works or materials;
  - c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot ash, dust, waste water, waste products, grit or oil;

- d) Presence of vermin; and
  - e) Or in any other way,
- to the satisfaction of the Responsible Authority.

21. Before the development starts, an amended Waste Management Plan, must be submitted to and approved by the Responsible Authority. The Waste Management Plan must be generally in accordance with the plan prepared by One Mile Grid Pty Ltd dated 22 March 2016, and must accord with Moonee Valley Council's 'Waste Management Plans – Guidelines for Applicants'.

When approved, the Waste Management Plan will be endorsed and will form part of this permit. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

#### VicRoads Condition

22. All disused or redundant vehicle crossings must be removed and the area reinstated to kerb and channel to the satisfaction of and at no cost to the Roads Corporation prior to the commencement of the occupation of the buildings hereby approved.

#### End VicRoads Condition

23. The on-site car spaces and storage cages must not be subdivided, leased or sold separately to external parties that are not prime lot owners or tenants of the building or development.

24. 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 and the use is not commenced 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 Moonee Valley City Council regarding legal point of discharge, new crossings, building over easements, etc.
- No on-street parking permits will be provided to occupiers of the subject site.

- It is recommended the required on-site detention system be designed to limit the rate of stormwater discharge from the property to pre-development levels in accordance with the following calculation;  $C=0.4$ ,  $t_c=5$ mins, ARI 1 in 5. An ARI of 1 in 10 should be used for storage and the greater of post development C or  $C=0.80$ .
- All drainage works undertaken must be in accordance with the requirements of Stormwater Drainage Requirements for Development Works as prepared by Moonee Valley City Council.
- All works undertaken within any existing road reserves must accord with the requirements of Moonee Valley City Council and be to the satisfaction of the Responsible Authority.
- Existing levels along the property line must be maintained. All proposed levels must match to existing surface levels along the property boundary. Council will not accept any modifications to existing levels within any road reserve.
- This permit does not authorise any advertising signs except those which are exempted by the Moonee Valley Planning Scheme.
- The proposed development requires the reinstatement of disused crossovers to kerb and channel. Separate approval under the *Road Management Act* for this activity may be required from VicRoads (the Roads Corporation). Please contact VicRoads prior to commencing any works.
- In the event that car parking spaces or storage cages are separately titled, a condition will be imposed on any future subdivision permit requiring the permit holder to enter into a Section 173 Agreement to ensure the on-site car spaces and storage cages must not be subdivided, leased or sold separately to external parties that are not prime lot owners or tenants of the building or the development.

**CARRIED UNANIMOUSLY**

**9.5                                    213 Union Road, Ascot Vale (Lot 1 on Title Plan 741716H)  
- Partial demolition, construction of buildings and works  
comprising a four storey building for the purposes of  
Student Accommodation to the rear of the existing  
building in a Heritage Overlay and a reduction in car  
parking requirements**

**File No:** FOL/16/130  
**Author:** Tricia Ronquillo  
Principal Statutory Planner  
**Directorate:** Planning & Development  
**Ward:** Myrnong  
**Minute No.** 2016/181

### **Council Resolution**

Moved by Cr Marshall, seconded by Cr Cusack that Council issue a Notice of Decision to Grant a Permit in relation to Planning Permit Application No. MV/677/2015 for the partial demolition, construction of buildings and works comprising a four storey building for the purposes of Student Accommodation to the rear of the existing building in a Heritage Overlay and a reduction in car parking requirements at 213 Union Road, Ascot Vale (Lot 1 on Title Plan 741716H), subject to the following conditions:

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The amended plans must be drawn to scale with dimensions and an electronic copy must be provided. The amended plans must be generally in accordance with the plans submitted and assessed with the application but modified to show:
  - a) 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 land or in relation to Australian Height Datum (AHD);
  - b) Any modified MUSIC or STORM measures and/or annotations as per the amended MUSIC or STORM assessment required by Condition 3;
  - c) Any modified STEPS or BESS measures and/or annotations as per the amended STEPS or BESS required by Condition 4;
  - d) Any modifications as a result of the recommended findings of the Noise Attenuation Report as required by Condition 16;
  - e) Any modified Waste Management measures and/or annotations as per the amended Waste Management Plan required by Condition 17;
  - f) Location of other site facilities including on the roof, such as ventilation systems and fire services (if applicable), with appropriate screening measures.
  - g) Notation to state the selected obscure glazing to be fixed.

When approved, these plans will be endorsed and will form part of this permit.

2. Except with the prior written consent of the Responsible Authority, the layout of the land 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.
3. An amended MUSIC or STORM assessment report must be submitted simultaneously with the submission of amended plans in accordance with Condition 1. The STORM Assessment must obtain a minimum 100% or the MUSIC report must achieve 80:45:45 using the MUSIC tool to comply with Clause 22.03-4 (Stormwater Management) of the Moonee Valley Planning Scheme.

4. An amended STEPS/BESS report must be submitted simultaneously with the submission of amended plans and MUSIC/STORM report in accordance with Conditions 1 and 3. The STEPS/BESS Assessment must comply with Clause 21.04 (Sustainable Environment) of the Moonee Valley Planning Scheme and must accord with the amended MUSIC/STORM report.
5. A minimum 30 days prior to any building or works commencing, all Water Sensitive Urban Design (WSUD) Details (relating to the WSUD treatment measures nominated in the approved and complying STORM or MUSIC report), such as cross sections and/or specifications, to assess the technical effectiveness of the proposed stormwater treatment measures, must be submitted for approval by the Responsible Authority.
6. At least 30 days before any buildings or works commence, a Construction Management Plan (CMP) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The Construction Management Plan must include details of the construction activity proposed and the matters set out below:
  - a) Hours of construction;
  - b) Parking and traffic movement of all workers 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 or wash down bay facility (or both);
  - j) Prevention of on-site stormwater contamination;
  - k) Arrangements for chemical storage;
  - l) Noise and vibration control;
  - m) Risk assessment;
  - n) Works timetable; and
  - o) Number of workers expected to work on the site at any one time.

When approved, the Construction Management Plan will be endorsed and will form part of this permit.
7. The development must be carried out in accordance with the endorsed Construction Management Plan and the provisions, requirement and recommendations of the endorsed Construction Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

8. A minimum 30 days prior to any building or works being completed, a WSUD Maintenance Program must be submitted to and approved by the Responsible Authority which sets out future operational and maintenance arrangements for all WSUD measures. The program must include, but is not limited to:
  - a) inspection frequency;
  - b) cleanout procedures;
  - c) as installed design details/diagrams including a sketch of how the system operates; and
  - d) a report confirming completion and commissioning of all WSUD Response treatment measures written by the author of the WSUD Response and STORM or MUSIC model approved pursuant to this permit, or licensed installing/commissioning plumber, or similarly qualified person or company. This report must be to the satisfaction of the Responsible Authority and must confirm that all WSUD treatment measures specified in the WSUD Response and STORM or MUSIC model have been completed and implemented in accordance with the approved report.
9. The WSUD Maintenance Program may form part of a broader Maintenance Program that covers other aspects of maintenance such as a Builder User's Guide or a Building Maintenance Guide.
10. Before the building approved by this permit is occupied, all boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
11. 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
12. 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.
13. Floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
14. Before the building approved by this permit is occupied, the privacy screens and other measures to prevent overlooking as shown on the endorsed plans must be installed in accordance with Clause 55.04-6 (Overlooking objective) of the Moonee Valley Planning Scheme to the satisfaction of the Responsible Authority.

All privacy screens and other measures to prevent overlooking as shown on the endorsed plans must at all times be maintained to the satisfaction of the Responsible Authority.
15. All pipes, fixtures, fittings, ducts and vents servicing any building on the land, other than storm water down pipes and gutters above the ground floor storey of the building, must be concealed in service ducts or



otherwise hidden from view to the satisfaction of the Responsible Authority.

16. The development must be provided with external lighting capable of illuminating access to the common entry of the student accommodation. Lighting must be located, directed and shielded and of limited intensity so that no nuisance or loss of amenity is caused to any person within or beyond the land.
17. 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.
18. Before the development starts, an acoustic report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The acoustic report must be prepared by an acoustics consultant with suitable qualifications to the satisfaction of the Responsible Authority and must detail the noise attenuation measures required to all habitable rooms within each dwelling to ensure minimal impacts from noise sources external to the Student Accommodation rooms.

When approved, the acoustic report will be endorsed and will form part of the permit.

The provisions, recommendations and requirements of the endorsed acoustic report must be implemented and complied with to the satisfaction of the Responsible Authority.

19. An amended Waste Management Plan report must be submitted simultaneously with the submission of amended plans in accordance with Condition 1. The report must be amended to reflect private waste collection for the student accommodation use.

When approved the Waste Management Plan will be endorsed and will form part of this permit.

The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

20. Before the use starts, a Site Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The Site Management must outline the procedures for the following:
  - a) The total number of rooms available for student accommodation to be no more than 13 and the total number of student accommodated in the premises no more than 13;
  - b) Provision for at-call contact details of a suitably responsible contact person for response 24 hours a day and seven days a week, to be clearly displayed to any person entering the site;

- c) Provision of information on community and education services, including health, counselling and cultural services;
- d) Provision of information on local public transport and to encourage walking (eg. information on facilities within walking distance, local public transport timetables, outlets for purchase of Myki tickets, car share services etc.);
- e) House rules regarding occupancy and behaviour of students and visitors.
- f) Resolution process for disputes between students and complaints from persons not residing on the site;
- g) Information on laundry facilities provided off-site;
- h) Details of rubbish bin storage and waste collection;
- i) Employment of a suitably qualified manager or lead tenant who is available/accommodated onsite;
- j) The nature of the management of the complex and the contact details of the manager/lead tenant;
- k) Critical Incident Management and Emergency and Evacuation Procedures.
- l) Management procedures over holiday periods; and
- m) Information for students on how to use the building effectively, efficiently and responsibly.

When approved, the Site Management Plan will be endorsed and will form part of this permit.

The use must be carried out in accordance with the endorsed Site Management and Complaints Plan and the provisions, recommendations and requirements of the endorsed Site Management and Complaints Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

21. Before the development starts, the owner of the land must enter into an Agreement with the Responsible Authority under Section 173 of the *Planning and Environment Act 1987*, which provides for the following:
  - a) The proposed development must be for the exclusive accommodation of students enrolled at a secondary level or tertiary level educational institution.
  - b) The owner of the land, or other person in anticipation of becoming the owner of the land must pay all costs and expenses (including legal expenses) of, and incidental to, the agreement (including those incurred by the Responsible Authority).
22. This permit will expire if:
  - a) the development does not start within two (2) years of the date of issue of this permit, or

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

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

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

#### Permit Notes

- This is not a building permit under the *Building Act*. A separate building permit is required to be obtained for any demolition or building works.
- Before the development starts, the permit holder must contact Moonee Valley City Council regarding legal point of discharge, vehicular crossings, building over easements, asset protection, road consent/occupancy etc.
- This land is located within a Heritage Overlay control area. Planning permission is required for any additional works to the land in accordance with Clause 43.01 of the Moonee Valley Planning Scheme.
- This permit does not authorise any advertising signs. No advertising signs may be erected on the land (other than those which, under the Moonee Valley Planning Scheme are exempt from the need for a planning permit).
- No on street parking permits will be provided to the occupiers of the land

**CARRIED UNANIMOUSLY**

Having declared an indirect conflict of interest in Item 9.6, Cr Gauci Maurici left the meeting at 7.48pm.

**9.6 Amendment C132 Moonee Ponds Activity Centre Car Parking Plan - Post Panel**

**File No:** FOL/13/1282  
**Author:** Brian Labadie  
Senior Strategic Planner  
**Directorate:** Planning & Development  
**Ward:** Myrnong  
**Minute No.** 2016/182

#### **Council Resolution**

Moved by Cr Marshall, seconded by Cr Nation that Council defer the consideration of 'Amendment C132 - Moonee Ponds Activity Centre Car Parking Plan – Post Panel' to the 20 December Ordinary Meeting.

**CARRIED UNANIMOUSLY**

Cr Gauci Maurici returned to the meeting at 7.51pm.

**9.7 Afton Street Stormwater Harvesting Scheme and Aberfeldie Main Drain Project – Proposed Road Discontinuances, Creation of Easements and Plan of Consolidation**

**File No:** FOL/16/130  
**Author:** Paul D'Elia  
Property Consultant  
**Directorate:** City Services  
**Ward:** Municipal  
**Minute No.** 2016/183

**Council Resolution**

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

1. Note that after having given public notice pursuant to sections 223 and 206 and clause 3 of Schedule 10 of the *Local Government Act 1989* of a proposal to discontinue various unconstructed and unused roads contained within Aberfeldie Reserve and Maribyrnong Park contained in Certificate of Titles Volume 4467 Folio 336, Volume 6602 Folio 399, and as shown in Appendices F and G, no public submissions were received.
2. Is of the opinion that the unconstructed roads shown in Appendices F and G be discontinued and the land be retained by Council for municipal purposes.
3. Grant easements in favour of City West Water Ltd and the Melbourne Water Corporation and transfer its interest over parts of Council land contained on Certificates of Title Volume 3516 Folio 061, Volume 4467 Folio 336, Volume 6602 Folio 399, Volume 2221 Folio 069, Volume 5461 Folio 057, Volume 11194 Folio 204 and Volume 2214 Folio 696 as shown on the plan at Appendices B - E to City West Water Ltd and Melbourne Water Corporation pursuant to section 191 of the *Local Government Act 1989*.
4. Require the Melbourne Water Corporation to pay Council a consideration of \$101,310 (plus GST) for the required easement over Aberfeldie Park plus associated costs in affecting the granting and creation of easement.
5. Authorise the Chief Executive Officer to sign all relevant documents relating to the Discontinuance of Roads, Plan of Consolidation and Creation of the Easements over parts of the Reserves as shown in Appendices B - G.

**CARRIED UNANIMOUSLY**

Cr Sharpe left the meeting at 8.01pm and returned at 8.04pm prior to the vote on item 9.8.

**9.8 2017 Moonee Valley Festival**

**File No:** FOL/16/130

**Author:** Patricia Keenan  
Acting Manager Arts & Culture

**Directorate:** City Services

**Ward:** Municipal

**Minute No.** 2016/184

**Council Resolution**

Moved by Cr Marshall, seconded by Cr Nation that Council:

1. Discontinue the Champagne Breakfast for the Moonee Valley Festival.
2. Provide a booth for the sale of Champagne flutes and provide Festival t-shirts for staff.
3. Implement a review process to revamp the Festival for future years.
4. Ensure that the 40th anniversary of the Moonee Valley Festival is appropriately celebrated and acknowledged in 2017.

**CARRIED UNANIMOUSLY**

**9.9 Library and Learning Strategy 2012-16**

**File No:** FOL/16/130

**Author:** Theory Sindel  
Coordinator Strategy & Project

**Directorate:** City Services

**Ward:** Municipal

**Minute No.** 2016/185

**Council Resolution**

Moved by Cr Marshall, seconded by Cr Cusack that Council:

1. Note this report on the delivery of the Library and Learning Strategy 2012-16.
2. Approve the extension of the Library and Learning Strategy to 2018 to enable strategic service alignment with the forthcoming Council Plan and to bring the Library strategic planning cycle in line with the Arts and Culture area.
3. Endorse the Moonee Valley Libraries Service Plan 2016-18 which takes overarching direction from the Library and Learning Strategy and draws specifically from the Library and Learning Service Plan 2015-25.

**CARRIED UNANIMOUSLY**

**9.10 Niddrie Library – Proposed lease renewal**

**File No:** FOL/16/130  
**Author:** Theary Sindel  
Coord Strategy & Projects  
**Directorate:** City Services  
**Ward:** Buckley  
**Minute No.** 2016/186

**Council Resolution**

Moved by Cr Cusack, seconded by Cr Marshall that Council:

1. Approves the take up of the option for a further term of five years under the current lease with Joscon Investments Pty Ltd for occupation and use of the premises at 483 Keilor Road, Niddrie for the period 1 May 2017 to 30 April 2022 and advise the Lessor in accordance with the lease terms;
2. Note the report on the Niddrie Library and Multi-Purpose Community Hub Site Analysis; and
3. Support the development of the Niddrie Library and Community Hub Business Case and Masterplan.

**CARRIED UNANIMOUSLY**

**9.11 Councillor Appointments to National, State and Regional Bodies**

**File No:** FOL/16/130  
**Author:** Troy Delia  
Coordinator Legislative Services  
**Directorate:** Corporate & Community Services  
**Ward:** Municipal  
**Minute No.** 2016/187

**Council Resolution**

Moved by Cr Nation, seconded by Cr Gauci Maurici that Council appoints representatives to National, State and Regional bodies for the period November 2016 to October 2017, as follows:

- a) Municipal Association of Victoria:  
Cr Sipek and Cr Sharpe (sub)
- b) Australian Mayoral Aviation Council:  
Cr Surace and Cr Sipek (sub)
- c) Leadwest:  
Cr Surace
- d) Metropolitan Local Government Waste Forum:  
Cr Sipek and relevant Council Officer (sub)

- e) Metropolitan Transport Forum:  
Cr Surace and relevant Council Officer
- f) Royal Agricultural Society of Victoria Consultative Group:  
Cr Marshall and Cr Cusack (sub)
- g) Victorian Local Governance Association:  
Cr Nation and Cr Cusack (sub)
- h) Western Melbourne Tourism Board:  
Cr Lawrence and Manager City Planning.

**CARRIED UNANIMOUSLY**

**9.12 Documents for Sealing - November 2016**

**File No:** FOL/16/130

**Author:** Troy Delia  
Coordinator Legislative Services

**Directorate:** Corporate & Community Services

**Ward:** Municipal

**Minute No.** 2016/188

**Council Resolution**

Moved by Cr Cusack, seconded by Cr Lawrence that Council signs and seals the Deed of Amendment – Regional Kitchen Shareholders Agreement.

**CARRIED UNANIMOUSLY**

**10. Urgent Business**

Nil.

**12. Confidential Reports**

**Minute No.** 2016/189

**Council Resolution**

Moved by Cr Marshall, seconded by Cr Nation that Council resolve to close the meeting to the public pursuant to Section 89(2) of the Local Government Act 1989 to consider a matter which the Council considers would prejudice the Council or any person”.

**CARRIED UNANIMOUSLY**

**Consideration of Confidential Reports**

12.1 Biannual Grants 2016/17 – Round 1 Recommendations

**Council Resolution**

Moved by Cr Lawrence, seconded by Cr Gauci Maurici that Council resume in open Council.

**CARRIED UNANIMOUSLY**

**2. Close of Meeting**

The meeting concluded at 8.35pm.

**CR ANDREA SURACE  
CHAIRPERSON**