



City of  
**Moonee Valley**

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# **Ordinary Meeting of Council**

Tuesday, 27 March 2018 at 6.30pm

**Minutes**

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# Minutes of the Ordinary Meeting of Council

Tuesday, 27 March 2018 at 6.31pm  
held at the Moonee Valley Civic Centre

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## PRESENT :

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

**Officers:** Mr Bryan Lancaster Chief Executive Officer  
Ms Kendrea Pope Director Organisational Performance  
Ms Natalie Reiter Director Planning & Development  
Mr Carey Patterson A/Director City Services  
Mr Gil Richardson A/Director Asset Planning & Strategic Projects  
Mr Petrus Barry Manager Statutory Planning  
Ms Allison Watt Manager Governance & Communications

## 1. Opening

The Mayor, Cr Sipek, opened the meeting and welcomed all present to the Council Meeting of Tuesday, 27 March 2018.

The Mayor welcomed all present and respectfully acknowledged the traditional custodians of this land - the Wurundjeri people of the Kulin Nation, their spirits, ancestors, elders and community members past and present. Council also extends this respect to the elders and descendants of other Aboriginal peoples here today.

The Mayor paid tribute to Ms Del King who passed away last week aged 42 and passed on his sincerest condolences to Ms King's family and friends.

**2. Apologies**

Nil.

**3. Confirmation of Minutes**

That the Minutes of the Ordinary Meeting of Council held on Tuesday, 13 March 2018 be confirmed.

**CONFIRMED**

**4. Declarations of Conflict of Interest**

Nil.

**5. Presentations**

Nil.

**6. Petitions and Joint Letters**

**6.1 Request for Council to allocate funding to Netball and Basketball facilities in Moonee Valley**

Cr Byrne and Cr Marshall jointly tabled a change.org petition signed by over 1500 individuals requesting Council build a four court indoor stadium for multi-use – netball and basketball and a minimum of 24 outdoor, lit, competition compliant courts for netball both with supporting amenities.

**7. Public Question Time**

**Mr Michael and Mrs Faye Bergin asked the following question:**

**Question 1**

Why were residents not given a chance to voice their opinion and concerns at a Consultation Meeting after lodging an objection on the development at 261 A, B and C Keilor Road, Essendon?

**Response**

**Ms Natalie Reiter, Director of Planning & Development provided the following response.**

The application for the proposed development at 261A, 261B and 261C Keilor Rd is being considered on tonight's Council agenda because it is a major development that exceeds four stories as per the Statutory Planning Protocols. However, it did not require a Consultation Meeting to be held because fewer than 10 objections to the proposal were received in accordance with the same Protocols. This has been outlined in the report at Section 2.5.

I can confirm that the objections from Michael and Faye Bergin were received, acknowledged and also considered by all relevant departments as part of the

assessment of the application and are summarised in 3.9 of the report on the agenda. This includes the considerations regarding building setback, height, overshadowing, balcony screening, privacy, overlooking, car parking, waste, stormwater management, vehicle manoeuvring and boundary fencing. Appropriate conditions have been provided by officers to address the concerns.

### **Request for Leave of Absence**

#### **Council Resolution**

Moved by Cr Marshall, seconded by Cr Surace that a Leave of Absence be granted to Cr Byrne from 28 March to 10 April inclusive.

**CARRIED UNANIMOUSLY**

## **8. Reports by Mayor and Councillors**

**Minute No.** 2018/38

#### **Council Resolution**

Moved by Cr Cusack, seconded by Cr Lawrence that the reports by the Mayor and Councillors be received.

**CARRIED UNANIMOUSLY**

## **9. Reports**

**9.1 164 Mascoma Street, Strathmore (Lot 117 on Plan of Subdivision 057622)**

**File No:** FOL/18/32

**Author:** Alexia Paterson  
Statutory Planner

**Directorate:** Planning & Development

**Minute No.** 2018/39

#### **Council Resolution**

Moved by Cr Gauci Maurici, seconded by Cr Lawrence that Council issue a Notice of Decision to Grant a Permit in relation to Planning Permit Application No. MV/716/2017 for the Construction of two dwellings at 164 Mascoma Street, Strathmore (Lot 117 on Plan of Subdivision 057622), 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) Street setback to be comply with Standard B6 of Clause 55-03-1 (Street setback objective) of the Moonee Valley Planning Scheme;

- b) The Dwelling 2 Master Bedroom east facing window to be in accordance with Standard B22 Clause 55.04-6 (Overlooking) of the Moonee Valley Planning Scheme;
- c) Balconies screening notation amended to be in accordance with Standard B22 Clause 55.04-6 (Overlooking) of the Moonee Valley Planning Scheme;
- d) An external storage unit provided and be dimensioned to comply with Standard B30 of Clause 55.05-6 (Storage) of the Moonee Valley Planning Scheme for each dwelling;
- e) Amended schedule of all external material and finishes. The schedule must show the material, colour (including colour samples) and finishes of all external walls, roof, fascias, windows frames, fences and paving, with the render [2] monument Dulux colour replaced with lighter/warmer colour tone.
- f) All Water Sensitive Urban Design treatments and associated notations consistent with Condition 3 Storm Rating Report/s;
- g) A cross-section of driveway permeable paving replacing the lower geotextile layer with an impervious linear;
- h) All permeable and non-permeable areas to be noted on the floor plans consistent with Storm Rating report/s;
- i) A prominent street tree protection notation on all relevant plans in accordance with Condition 16; and
- j) A Landscape plan in accordance with Condition 17.

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

2. The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
3. An amended STORM assessment report/s must be submitted simultaneously with the submission of amended plans in accordance with Condition 1. The STORM Assessment must obtain a minimum 100% to comply with Clause 22.03-4 (Stormwater Management) of the Moonee Valley Planning Scheme.
4. A minimum 30 days prior to any building or works commencing, all Water Sensitive Urban Design (WSUD) details relating to the WSUD treatment measures nominated in the approved and complying STORM report, such as cross sections and/or specifications, to assess the technical effectiveness of the proposed stormwater treatment measures, must be submitted for approval by the Responsible Authority.
5. A minimum 30 days prior to any building or works commencing, a WSUD Site Management Plan must be submitted to and approved by the Responsible Authority detailing the site and environmental management methods to be used. The plan must include, but is not limited to:
  - a) A statement or report outlining all construction measures to be taken

to prevent litter, sediments and pollution from entering the stormwater systems.

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

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

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

7. Floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
8. Before the buildings approved by this permit are occupied, the privacy screens and other measures to prevent overlooking as shown on the endorsed plans must be installed in accordance with Clause 55.04-6 (Overlooking objective) of the Moonee Valley Planning Scheme to the satisfaction of the Responsible Authority.

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

9. All pipes, fixtures, fittings, ducts and vents servicing any building on the land, other than gutters above the ground floor storey of the building, must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
10. Before the buildings approved by this permit are occupied, all boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority if the owner of the adjoining land allows access for the purpose.
11. Before the buildings approved by this permit are occupied, all boundary

fencing must be erected as per the endorsed plans. The cost of such fencing must be met by the owner and carried out to the satisfaction of the Responsible Authority.

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

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

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

- a) be maintained and made available for such use; and
  - b) not be used for any other purpose,
- to the satisfaction of the Responsible Authority.

14. Before the buildings approved by this permit are occupied, concrete vehicular crossings must be constructed to suit the proposed driveways 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.

15. 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.



16. The following street tree/nature strip protection measures must be undertaken;
- a) The street tree located within the (Mascoma Street) frontage of the land must be barricaded out using portable cyclone fencing for the duration of the development. Costs of such fencing must be borne by the developer and/or permit holder;
  - b) No pruning of the street tree located within the (Mascoma Street) frontage of the land is to be undertaken by any party other than Moonee Valley City Council; and
  - c) No building materials are to be stacked and/or dumped on any nature strip during construction.
17. Before the development starts, or any trees or vegetation removed, a landscape plan (an electronic copy) prepared by a suitably qualified person or firm shall be submitted to and approved to the satisfaction of the Responsible Authority. The landscape plan must be drawn to scale, with dimensions, and be generally in accordance with the plans submitted with the application but modified to show:
- a) Any changes required by Condition 1 of this permit;
  - b) A planting schedule of all proposed vegetation (trees, shrubs and ground covers) which includes, botanical names, common names, pot size, mature size and total quantities of each plant;
  - c) The planting of medium / large sized canopy trees (minimum of 4 metres in height) within the front setback area and a small tree within the SPOS area of each dwelling;
  - d) The use of non-invasive plant species within any easements which will ensure that existing infrastructure assets are not damaged by root systems;
  - e) The use of drought tolerant species;
  - f) Features such as paths, paving and accessways shown on ground floor plan;
  - g) All planting abutting the accessway(s) and land frontage to have a maximum mature height of no more than 900mm in accordance with Clause 52.06-9 (Design Standards for car parking) of the Moonee Valley Planning Scheme; 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.

18. The garden areas shown on the endorsed plan and schedule must only be used as gardens and must be constructed, completed and maintained in a proper, tidy and healthy condition to the satisfaction of the Responsible

Authority. Any tree or shrub damaged, removed or destroyed must be replaced by a tree or shrub of similar size and variety to the satisfaction of the Responsible Authority.

19. This permit will expire if:

- a) the development does not start within two (2) years of the date of issue of this permit, or
- b) the development is not completed within four (4) years of the date of issue of this permit.

Before the permit expires, or within six (6) months afterwards, the owner or occupier of the land may 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 commencement of the development occurs, the applicant should contact Moonee Valley City Council on 9243 8888 regarding legal point of discharge, new crossings, building over easements etc.
- 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.
- No on street parking permits will be provided to the occupiers of the land.
- All works undertaken within any existing road reserves must accord with the requirements of Moonee Valley City Council and to the satisfaction of the Responsible Authority.

**CARRIED UNANIMOUSLY**

**9.2                            261A, 261B & 261C Keilor Road Essendon (Lot 61 Block F on Plan of Subdivision 3151) - Construction of a five storey building with basement in a Design and Development Overlay (DDO7), reduction of car parking and alteration of access to a Road Zone Category 1**

**File No:** FOL/18/32  
**Author:** Jennifer Kemp  
Statutory Planner  
**Directorate:** Planning & Development  
**Minute No.** 2018/40

**Council Resolution**

Moved by Cr Sharpe, seconded by Cr Lawrence that Council issue a Notice of Decision to Grant a Permit in relation to Planning Permit Application No. MV/552/2017 for the construction of a five storey building with basement in a Design and Development Overlay (DDO7), reduction in car parking and alteration of access to a Road Zone, Category 1 at 261A, 261B and 261C Keilor Road, Essendon (Lot 61 on Plan of Subdivision 3151) 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 to Council and assessed with the application, but modified to show:
  - a) The setbacks of levels four and five from the southern boundary to comply with the requirements of Table 1 (rear setback for Precinct 3) of the Design and Development Overlay Schedule 7;
  - b) Any subsequent internal changes as a result of Condition 1a);
  - c) The residential entrance door to be recessed into the site by a minimum 1.5 metres from the front boundary and letterboxes brought forward of the door;
  - d) The garage lift-up door to be recessed into the site by a minimum 1.5 metres from the north-eastern corner of the site;
  - e) The box framing elements along the front elevation to provide a greater thickness to emphasise their architectural role;
  - f) A revised colour and material schedule to incorporate a more simplistic design response emphasising the framing elements, differentiating materials between the commercial and residential components and providing a lighter colour palate;
  - g) The plans to allocate one car space to the shop;
  - h) The plans to allocate one visitor car space for residential visitors only;

- i) The 2 bicycle spaces (1 bicycle hoop) within the road reserve to be notated to be constructed to the satisfaction of the Responsible Authority in accordance with Condition 17;
- j) The relocation of the street sign/s as a result of the crossover to the satisfaction of the Responsible Authority;
- k) Notate the pits incorporated within the proposed crossover to be trafficable or relocated a minimum 1 metre from the crossover splay to the satisfaction of the Responsible Authority;
- l) The provision of pedestrian visibility splays in accordance with the requirements of Clause 52.06-9 (Design Standards of Car Parking) of the Moonee Valley Planning Scheme or appropriate alternative measures such as convex mirror(s) or warning lights to the satisfaction of the Responsible Authority;
- m) All permeable surfaces clearly notated across the site;
- n) An annotation for all screening measures to be fixed to a height of 1.7 meters above finished floor level with a maximum of 25% transparency;
- o) All windows facing Keilor Road to be double glazed for noise attenuation purposes;
- p) The provision of at least one adaptable bathroom that meets all of the requirements of either Design A or Design B of Standard D17 of Clause 58.05-1 (Accessibility) of the Moonee Valley Planning Scheme;
- q) Dimension the sill height of habitable room windows above Finished Floor Level;
- r) External lighting capable of illuminating the residential entrance and vehicle entrance along Keilor Road;
- s) A notation for the screening of air-conditioning units on balconies in accordance with Condition 12 of this permit;
- t) Landscape Plan in accordance with Condition 3 of this permit; and
- u) A prominent note on all plans and elevations stating: 'Refer to endorsed Sustainable Design Assessment, and associated BESS Report, for all Environmental Sustainable Design commitments and requirements'.

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

2. The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
3. Before the development starts, and before any trees or vegetation are removed, a landscape plan and schedule to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The landscape plans and schedule must be

prepared by a person or firm with suitable qualifications to the satisfaction of the Responsible Authority, drawn to scale with dimensions.

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

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

At all times, the landscaping plan must be maintained in good order in accordance with the endorsed landscape plan and schedule and to the satisfaction of the Responsible Authority.

4. 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 trees 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.
5. A minimum 30 days prior to any buildings or works commencing, all Water Sensitive Urban Design (WSUD) details (relating to the WSUD treatment measures nominated in the approved and complying STORM report), such as cross sections and/or specifications, to assess the technical effectiveness of the proposed stormwater treatment measures, must be submitted for approval by the Responsible Authority.
6. A minimum 30 days prior to any building or works commencing, a Construction and Site Management Plan (CSMP) must be submitted to and be approved by the Responsible Authority detailing the construction activity proposed and the site and environmental management methods to be used. The CSMP must be in accordance with Moonee Valley City Council's CSMP's Guidelines and Template.

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.

7. 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 timeframes and measures to be undertaken, to reinstate the car stackers back to working order, if the car stacker becomes non-operational;
  - c) Details of measures to be undertaken if the car stackers are not

operational, so not to provide any additional on-street parking demand; and

- d) The allocation of car spaces associated with dwellings within the building complex.

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.

8. 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.
9. Before the development starts, a Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The amended Waste Management Plan must be in accordance with the City of Moonee Valley's 'Waste Management Plans – Guidelines for Applicants' and must be:
  - a) Modified in accordance with Condition 1 of this permit.

When approved, the amended 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.

10. A maximum 30 days following completion of the development, a WSUD Maintenance Program must be submitted to and approved by the Responsible Authority which sets out future operational and maintenance arrangements for all WSUD measures. The program must include, but is not limited to:
  - a) Inspection frequency;
  - b) Cleanout procedures;
  - c) As installed design details/diagrams including a sketch of how the system operates; and
  - d) A report confirming completion and commissioning of all WSUD Response 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 Guide or Building Maintenance Guide.

11. Before the building approved by this permit is occupied, all boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority if the owner of the adjoining land allows access for this purpose.
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 prior written consent of the Responsible Authority.
14. 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 space 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:

- a) Be maintained and made available for such use; and
  - b) Not be used for any other purpose,
- to the satisfaction of the Responsible Authority.
15. 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.
  16. An on-site stormwater detention drainage system must be installed on the land to the satisfaction of the Responsible Authority.

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

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

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

17. Prior to the commencement of use, 1 bicycle hoop is to be provided within Keilor Road reserve to the west of the proposed crossover to the satisfaction of the Responsible Authority.
18. The plant area and equipment on the roof of the building must be screened in a manner to complement the appearance of the building to the satisfaction of the Responsible Authority.
19. The development must be provided with external lighting capable of illuminating access to the vehicle accessway, 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.
20. All waste must be disposed of to the satisfaction of the Responsible Authority. Liquid waste or polluted waters must not be discharged into a sewer or stormwater drainage system.
21. All pipes, fixtures, fittings, ducts and vents servicing any building on the land, other than stormwater downpipes and gutters above the ground floor storey of the building, must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.

**Start VicRoads Conditions**

22. The vehicle crossing and passing area must be constructed to the satisfaction of the Roads Corporation (VicRoads) and/or the Responsible Authority and at no cost to the Roads Corporation, prior to the occupancy of any of the proposed dwellings.
23. The vehicle crossing and passing area must be maintained in a fit and proper state so as not to compromise the ability of vehicles to enter and exit the site in a safe manner or compromise operational efficiency of the road or public safety.

**End VicRoads Conditions**

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

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

If the development commences before the permit expires, within twelve



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

### Permit Notes

- This is not a building permit under the *Building Act*. A separate building permit is required to be obtained for any demolition or building works.
- Before the development starts, the permit holder must contact Moonee Valley City Council on 9243 8888 regarding legal point of discharge, vehicular crossings, building over easements, asset protection, road consent/occupancy, etc.
- The required on-site detention system must be designed to limit the rate of stormwater discharge from the land to pre-development levels in accordance with the following calculations:  $C=0.4$ ,  $t_c=5$ 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 the Moonee Valley Planning Scheme.
- All works undertaken within any existing road reserves must accord with the requirements of Moonee Valley City Council's Asset Permit and Protection Department and be to the satisfaction of the Responsible Authority.
- Council will not accept any modifications to the existing levels within the road reserve. Any changes in levels to match existing surface levels along property boundary lines must be made within the property boundary.
- 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.
- The development authorised by this permit will require the submission of a Construction and Site Management Plan (CSMP) prior to the commencement of any works. All CSMPs are required to be made via Council's new online system at <http://www.mvcc.vic.gov.au/planning-and-building/planning/construction-site-management-plans.aspx> or in person at 9 Kellaway Avenue, Moonee Ponds.
- A separate approval may be required under the *Road Management Act* for the construction of the vehicle crossing. Please contact VicRoads prior to commencing any works.
- No on-street parking permits will be provided to the occupiers of the land.

In the event that car parking spaces or storage cages are separately title, a condition will be imposed on any further 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 development.

**CARRIED UNANIMOUSLY**

**9.3 Local Government Bill Exposure Draft - Moonee Valley City Council submission**

**File No:** FOL/18/32

**Author:** Allison Watt

Manager Governance and Communications

**Directorate:** Organisational Performance

**Minute No.** 2018/41

**Council Resolution**

Moved by Cr Marshall, seconded by Cr Cusack that Council endorses the submission to the Local Government Bill Exposure Draft as outlined in Appendix A.

**CARRIED UNANIMOUSLY**

**9.4 Information Privacy Policy - Review 2018**

**File No:** FOL/18/32

**Author:** Lee McSweeney

Coordinator Governance

**Directorate:** Organisational Performance

**Minute No.** 2018/42

**Council Resolution**

Moved by Cr Marshall, seconded by Cr Nation that Council adopts the revised Moonee Valley Information Privacy Policy 2018 (as provided in Appendix A).

**CARRIED UNANIMOUSLY**

**9.5 Grants Assessment Special Committee**

**File No:** FOL/18/32

**Author:** Sarah Edwards

Coordinator Social Planning & Wellbeing

**Directorate:** Planning & Development

**Minute No.** 2018/43

**Council Resolution**

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

1. Resolves to delegate to the Grants Assessment Special Committee those functions, powers and duties set out in the Instrument of Delegation Appendix B in accordance with Section 86 of the Local Government Act 1989.
2. Authorises the Common Seal of Moonee Valley City Council to be affixed to the Instrument of Delegation to the Grants Assessment Special Committee.
3. Endorses the revised Charter to the Grants Assessment Special Committee provided as Appendix A.
4. Resolves to appoint the following Councillors, Community Members and Council Officers as members of the Grants Assessment Special Committee for a 12 month term, effective from the date of this resolution:
  - Cr John Sipek
  - Cr Samantha Byrne
  - Cr Jim Cusack
  - Cr Rebecca Gauci Maurici
  - Cr Cam Nation
  - Cr Narelle Sharpe
  - Cr Nicole Marshall
  - Cr Andrea Surace
  - Heather Watson, community member
  - Ibrahim Hajj, community member
  - Anita Sri-Ananda, community member
  - John Bonacci, community member
  - Tony Fisher, community member
  - Steven Lambert, Director City Services or his nominated Council officer representative (ex-officio)
  - Natalie Reiter, Director Planning and Development or her nominated Council officer representative (ex-officio)
5. Advertises the upcoming meetings of the Grants Assessment Special Committee pursuant to Section 89 of the Local Government Act 1989.
6. Appoints Mayor, Cr Sipek as Chair of the Grants Assessment Special Committee

**FOR:** Crs Byrne, Cusack, Gauci Maurici, Marshall, Nation, Sharpe, Sipek and Surace

**AGAINST:** Cr Lawrence

**CARRIED**

**9.6 Standing Together and Supporting Diversity Statement**

**File No:** FOL/18/32

**Author:** Kate McCaughey  
Manager Community Planning

**Directorate:** Planning & Development

**Minute No.** 2018/44

**Council Resolution**

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

1. Adopt a Standing Together and Supporting Diversity Statement Appendix A.
2. Write to local community leaders and organisations advising them of this statement.
3. Note the proposed activities outlined in **Table 3** to promote this Statement throughout 2018.

**CARRIED UNANIMOUSLY**

**9.7 Response to NoM 2018/03 - Request for reintroduction of the Moonee Valley City Council Waste Calendar**

**File No:** FOL/18/32

**Author:** Alana Stevens  
Executive & Project Support Officer

**Directorate:** City Services

**Minute No.** 2018/45

**Council Resolution**

Moved by Cr Sharpe, seconded by Cr Gauci Maurici that Council:

1. Notes the rationale behind the change in format of Council's annual Waste and Recycling Calendar in 2018.
2. Approves the continued production and distribution of an annual Waste and Recycling Calendar in the new environmentally-friendly and cost-effective format.

**CARRIED UNANIMOUSLY**

Cr Gauci Maurici left the meeting at 7:27pm.

Cr Gauci Maurici returned to the meeting at 7:29pm.

Cr Sharpe left the meeting at 7:31pm

Cr Sharpe returned to the meeting at 7:33pm.

**9.8 Bee Friendly State - Motion to MAV State Council and National Assembly of Local Government**

**File No:** FOL/18/32

**Author:** Allison Watt

Manager Governance and Communications

**Directorate:** Organisational Performance

**Minute No.** 2018/46

**Council Resolution**

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

1. Endorses motions to MAV State Council on 18 May 2018 and the National Assembly of Local Government on 17-20 June 2018 to advocate to make Victoria a bee-friendly state – *Victoria, The Place To Bee* as outlined in Appendix A.
2. Authorises Council Officers to submit the motion on Council's behalf by the required deadlines.

**CARRIED UNANIMOUSLY**

**10. Notices of Motion**

**10.1 Notice of Motion No. 2018/05 - Australia Day 26 January Confirmation**

**File No:** FOL/18/32

**From:** Councillor Richard Lawrence

**Minute No.** 2018/47

**Amendment**

Moved by Cr Sharpe, seconded by Cr Gauci Maurici that Council:

1. Moonee Valley City Council confirms Australia Day will be celebrated on whatever date is set by the Federal Government.
2. Moonee Valley City Council confirms its commitment to supporting the Citizenship Ceremonies on whatever date is set by the Federal Government.

**FOR:** Crs Lawrence, Sharpe and Surace

**AGAINST:** Crs Byrne, Cusack, Nation, Marshall and Sipek

**ABSTAINED:** Cr Gauci Maurici

**LOST**

**Minute No.** 2018/48

**Council Resolution**

Moved by Cr Lawrence, seconded by Cr Surace take notice that at the Ordinary

Meeting of Council to be held on 27 March 2018 it is my intention to move that:

1. Moonee Valley City Council confirms that the 26 of January be recognized as Australia Day; and
2. Moonee Valley City Council confirms its commitment to supporting the Citizenship Ceremonies each 26 January Australia Day.

**FOR:** Crs Lawrence, Surace

**AGAINST:** Crs Byrne, Cusack, Gauci Maurici, Nation, Marshall and Sipek

**ABSTAINED:** Cr Sharpe

**LOST**

**10.2 Notice of Motion No. 2018/06 - Plant and Tree Health**

**File No:** FOL/18/32

**From:** Councillor Richard Lawrence

**Minute No.** 2018/49

**Council Resolution**

Moved by Cr Lawrence, seconded by Cr Sharpe that Council requests a report on how trees and plants on Council land are faring in the current weather conditions, and the steps taken to ensure plants remain healthy from now until June 2018.

**CARRIED UNANIMOUSLY**

Cr Lawrence left the meeting at 8:30pm.

Cr Lawrence returned to the meeting at 8:32pm.

**10.3 Notice of Motion No. 2018/07 - Park Run Course**

**File No:** FOL/18/32

**From:** Councillor Samantha Byrne

**Minute No.** 2018/50

**Council Resolution**

Moved by Cr Byrne, seconded by Cr Marshall take notice that at the Ordinary Meeting of Council to be held on 27 March 2018 it is my intention to move that Council requests a report to the Ordinary Meeting of Council on 8 May 2018 investigating:

1. Suitable 5km walking / running paths within the municipality that would cater for small active events such as Park Run.
2. The costs associated with improving paths to increase accessibility for wheelchairs and prams and potential time frames to do this.

**CARRIED UNANIMOUSLY**

**10.4 Notice of Motion No. 2018/08 - Local Arts Display Trial**

**File No:** FOL/18/32  
**From:** Councillor Cam Nation  
**Minute No.** 2018/51

**Council Resolution**

Moved by Cr Nation, seconded by Cr Surace take notice that at the Ordinary Meeting of Council to be held on 27 March 2018 it is my intention to move that Council:

1. Develop and trial a pilot six month 'Local Arts Display' program, giving local artists in all mediums the opportunity to display their works of art at prominent Council buildings and facilities including (but not limited to):
  - a) The Civic Centre Customer Service Centre
  - b) Council Chambers
  - c) Council's Libraries
  - d) The Clocktower Centre.
2. The initial contact is made with the exhibitors from our Fireworks Showcase, and the opportunities are broadened to further local community.
3. That as part of the initial trial, include the display of temporary plaques and or signage acknowledging the artist, their background, their connection to Moonee Valley, and relevant contact information and or social media handles to further promote the artist.
4. At the conclusion of the trial, for a report to be brought back to Council reviewing the pilot program, and the potential for the establishment of an ongoing 'Local Arts Display' program, including any avenues for expansion to include outdoor artwork (such as the Billboard Project that has previously been undertaken by Moonee Valley City Council).

**CARRIED UNANIMOUSLY**

**10.5 Notice of Motion No. 2018/09 - Visual Tribute to Mrs Eliza Kellaway**

**File No:** FOL/18/32  
**From:** Councillor Cam Nation  
**Minute No.** 2018/52

**Council Resolution**

Moved by Cr Nation, seconded by Cr Surace that Council through the means that it deems appropriate and fitting, establish a visual tribute in Kellaway Avenue to recognise Mrs Eliza Kellaway, who in 1956 was recognised for her work in Maternal Child & Health Services (then called Baby Health Services) with the renaming of St Thomas Street in Moonee Ponds, to Kellaway Avenue.

**CARRIED UNANIMOUSLY**

Cr Surace left the meeting at 9:00pm.  
Cr Surace returned to the meeting at 9:02pm.

**10.6 Notice of Motion No. 2018/10 - Review of Informative Street Signs**

**File No:** FOL/18/32  
**From:** Councillor Cam Nation  
**Minute No.** 2018/53

**Council Resolution**

Moved by Cr Nation, seconded by Cr Marshall that the Chief Executive Officer prepare a report to come before an Ordinary Meeting of Council, detailing:

- a) A current list of informative street signs that are erected throughout the municipality, recognising individuals after whom streets have been named;
- b) A recommendation if any of the existing signs require updating, a redesign, or replacement;
- c) A list of suggestions of any additional signs that could be erected (following contact with local bodies such as the Essendon Historical Society and Wurundjeri Land Council), with a particular emphasis on new informative street signs that identify streets that have been named after prominent females, or after prominent elders or sites that recognise the area's Indigenous history.

**CARRIED UNANIMOUSLY**

**11. Urgent Business**

Nil.

**12. Confidential Reports**

Nil.

**13. Close of Meeting**

The meeting concluded at 9.09pm.

**CR JOHN SIPEK  
CHAIRPERSON**