



City of
Moonee Valley

Planning & Citizens Meeting

Tuesday, 2 August 2011

Minutes

Report Index

The following reports were considered:

7.1	60 Myrnong Crescent, Ascot Vale (Lot 18, Ps 009672) - Alterations To An Existing Dwelling And The Construction Of One, Triple Storey Dwelling To The Rear Of One Lot.....	5
7.2	1 Hillside Terrace, Ascot Vale (Lot 1 Tp 247498v) - Construction Of Two Double Storey Dwellings Within A Heritage Overlay And A Design And Development Overlay	8
7.3	149 Military Road, Avondale Heights (Lot 25 Lp85708) - Construction Of A Three Storey Building To Comprise Of A Retail Premise And Four Dwellings, A Reduction In Car Parking Requirements And Waiver In Loading And Unloading Requirements	9
7.4	62 Clydesdale Road, Airport West (Lot 20 On Ps 018277) - Construction Of Four Double Storey Dwellings	18
7.5	Planning Scheme Amendment C107 - Implementation Of Airport West Structure Plan.....	22
7.6	Proposed Part Road Discontinuance Adjacent To 2-4 Donald Avenue, Essendon.....	23
7.7	Proposed Road Discontinuance Bounded By 2-22a Sapphire Street, 17-35 Garnet Street, 27-29 Rosehill Road And 30-34 Hampton Road Essendon West	23
7.8	Proposed Part Road Discontinuance Adjacent To 2 Lee Street, Flemington.....	24
7.9	Arts And Culture Community Advisory Committee	25
7.10	Gaming Position Paper	25

Minutes of the Planning & Citizens Meeting

Tuesday, 2 August 2011 at 7:00pm
held at the Moonee Valley Civic Centre

PRESENT

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

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

Opening

The Mayor, Cr Sipek, opened the meeting and welcomed all present to the Planning & Citizens Meeting of Tuesday, 2 August 2011.

1. Apologies

Apologies for non-attendance were received for Cr Shirley Cornish and Cr Jim Cusack.

2. Confirmation of Minutes

Moved by Cr Rankin, seconded by Cr Chantry that the Minutes of the Planning and Citizens Meeting of Council held on Tuesday, 5 July 2011 be confirmed.

CARRIED

3. Declarations of Conflict of Interest

Nil.

4. Presentations

Cr Kenos presented Council with its award from Keep Australia Beautiful Victoria, 2011 Sustainable Cities Awards, for winning the Towards Zero Waste Category. The award was in recognition of the Household Recycling on the Ascot Vale Housing Estate (Wingate Avenue Community Centre).

5. Petitions and Joint Letters

5.1 Traffic Issues - McCracken Street, Essendon

File No. 63/13/45

Minute No. PC2011/64

Cr Chantry tabled a petition signed by 37 residents of McCracken Street, Essendon requesting that Council investigate traffic problems and congestion which exists in McCracken Street, Essendon.

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

6. Notices of Motion

6.1 Notice of Motion No. 2011/42

Title: Take A Break Occasional Care

From: Cr Narelle Sharpe

Ward: Buckley

File No: FOL/11/135

Minute No: PC2011/65

Committee Resolution

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

1. Write to the Hon Kate Ellis, Minister for Employment, Participation and Childcare; Minister for the Status of Women to request the support of the Federal Government for the reintroduction of the 'Take a Break Occasional Care' funding as an essential level of care that meets the needs of many families in the Moonee Valley community.
2. Write to the Hon Wendy Lovell, Minister for Children and Early Childhood Development to request the support of the State Government for the reintroduction of 'Take a Break Occasional Care' funding given its important role in providing opportunities for the enhanced wellbeing of families in Moonee Valley and across Victoria.

CARRIED

6.2 **Notice of Motion No. 2011/43**

Title: Traffic Options, Mt Alexander Road
From: Cr Ange Kenos
Ward: Rose Hill
File No: FOL/10/135
Minute No: PC2011/66

Committee Resolution

Moved by Cr Kenos, seconded by Cr Giuliano that the Chief Executive prepare a report investigating the following traffic options for Mt Alexander Road:

1. Redesign the current left lane, by merging the existing carparking bays to create a parking and bike lane arrangement between Fletcher Street, Essendon and Kellaway Ave, Moonee Ponds.
2. Establishing a bike path through the median strip between Kellaway Ave, Moonee Ponds and Bulla Road, Essendon.

CARRIED

7. **Reports**

7.1 **60 Myrnong Crescent, Ascot Vale (Lot 18, PS 009672) - Alterations to an existing dwelling and the construction of one, triple storey dwelling to the rear of one lot**

File No: MV/21155/2010
Author: Senior Town Planner
Directorate: City Works & Development
Ward: Myrnong
Minute No: PC2011/67

Motion

Moved by Cr Chantry, seconded by Cr Gillis that Council issue a Refusal to Grant a Permit in relation to Planning Permit Application No. MV/21155/2010 for alterations to an existing dwelling and the construction of one, triple storey dwelling to the rear of one lot at 60 Myrnong Crescent, Ascot Vale (Lot 18, PS 009672) based on the following grounds:

1. The proposed development does not sufficiently comply with the provisions of Municipal Strategic Statement (MSS) relating to Clause 21.05 (Built Environment) of the Moonee Valley Planning Scheme as the proposed development would result in:
 - a) A large-scale development which is not responsive to the surrounding context and fails to appropriately address the adjoining residential interfaces.
 - b) Unacceptable building bulk, height and scale.
2. The bulk, scale, form and layout of the proposal fails to meet Clause 55.02 of the Moonee Valley Planning Scheme (Neighbourhood Character and Infrastructure Objectives), as it does not respect the character of the existing neighbourhood or integrate well with the street.
3. The proposed design does not comply with the objectives and standards associated with the following Clauses of ResCode:
 - a) 55.02-1 - Neighbourhood Character
 - b) 55.02-5 - Integration with Street
 - c) 55.03-1 - Street Setback
 - d) 55.03-11 - Parking Provision
 - e) 55.04-1 - Side and Rear Setbacks
 - f) 55.04-6 - Overlooking
 - g) 55.04-7 - Internal Views
 - h) 55.05-1 - Accessibility
 - i) 55.06-1 - Design Detail
 - j) 55.06-4 - Site Services
4. The development is not site responsive and would represent an over development of the land.

LOST

Alternative Motion

Moved by Cr Rankin, seconded by Cr Sharpe that Council issue a Notice of Decision to Grant a Permit in relation to Planning Permit Application No. MV/21155/2010 for alterations to an existing dwelling and the construction of one, two storey dwelling to the rear of one lot at 60 Myrnong Crescent, Ascot Vale (Lot 18, PS 009672) subject to the following conditions:

1. Before the development starts, amended plans (three copies) must be submitted to and approved to the satisfaction of the Responsible Authority. The plans must be drawn to scale, with dimensions, and be generally in accordance with the plans submitted and assessed with the application but modified to show:
 - a) Deletion of the second level.

- b) The relocation of the bins within the proposed garage to ensure that the dimensions of the car parking spaces are not compromised.
- c) The western boundary fence on the first floor plan constructed at 1.8m in height.
- d) Elevations to be annotated to identify that windows provided with obscure glazing are fixed to at least 1.7m above finished floor level but openable above this height or provided with an awning window with a restricted opening of no more than 250mm.
- e) The terraces on the first and second floor plans on the eastern and western elevation to be treated in accordance with Standard B22 (Overlooking) of Clause 55 of the Moonee Valley Planning Scheme.
- f) The location of storage facilities in accordance with Standard B34 (Site Services) of Clause 55 of the Moonee Valley Planning Scheme.

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

- 2. The layout of the site and the size, design and location of the buildings and works permitted must always accord with the endorsed plan and must not be altered or modified without the further written consent of the Responsible Authority.
- 3. Prior to the issue of an Occupancy Permit, all boundary and retaining walls must be cleaned and finished to the satisfaction of the Responsible Authority.
- 4. Floor levels shown on the endorsed plan(s) must not be altered or modified without written consent of the Responsible Authority.
- 5. The privacy screens and the obscured windows as shown on the endorsed plans must be installed prior to the occupation of the building.
- 6. All piping and ducting, excepting for gutters and rainwater downpipes, above the ground floor storey of the building must be concealed to the satisfaction of the Responsible Authority.
- 7. 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.
- 8. Building or works must not be constructed over any easement without the written consent of the relevant authorities or agencies to the satisfaction of the Responsible Authority.
- 9. All stormwater runoff from the development is to drain via an underground drainage system and discharge to the Council drainage pit in front of the property to Hockey Lane to the satisfaction of the Responsible Authority.
- 10. Provision must be made for the drainage of the land including landscaped and pavement areas all to the satisfaction of the Responsible Authority.
- 11. Landscaping in accordance with this approved plan and schedule must be completed before the building is occupied. Once approved by the Responsible Authority these plans become part of the endorsed plans of this permit.

12. The garden areas shown on the endorsed plan and schedule must only be used as gardens and must be constructed, completed and maintained in a proper, tidy and healthy condition to the satisfaction of the Responsible Authority. Any tree or shrub damaged, removed or destroyed must be replaced by a tree or shrub of similar size and variety to the satisfaction of the Responsible Authority.
13. This permit will expire if:
 - 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 from the date of issue of this permit.

Before the permit expires or within three (3) months afterwards the owner or occupier of the land may in writing request the Responsible Authority to extend the expiry date.

Permit Notes

- This is not a building permit under the Building Act. A separate building permit is required to be obtained for any demolition or building works.
- Before commencement of the development occurs, the applicant should contact the Moonee Valley City Council's Engineering Services Department regarding legal point of discharge, new crossings, building over easements etc.
- No on street parking permits will be provided to the occupiers of the subject site.
- All works undertaken within any existing road reserves must accord with the requirements of the Moonee Valley City Council's Engineering Services Department and to the satisfaction of the Responsible Authority.

CARRIED

7.2 1 Hillside Terrace, Ascot Vale (Lot 1 TP 247498V) - Construction of two double storey dwellings within a heritage overlay and a design and development overlay

File No: MV/21464/2010
Author: Town Planner
Directorate: City Works & Development
Ward: Myrnong
Minute No: PC2011/68

Committee Resolution

Moved by Cr Rankin, seconded by Cr Gillis that with respect to an Application for Review against Council's failure to decide the application within the prescribed time, Council resolve to advise the Victorian Civil and Administrative Tribunal (VCAT) and other parties to the application, that if Council were in a position to decide on the application, that the decision would have been to Refuse to Grant a Permit in relation to Planning Permit Application No. MV/21464/2010 subject to the following grounds:

1. The bulk, scale, form and layout of the proposal fails to meet Clause 15 of the Moonee Valley Planning Scheme as it does not respond to the local characteristics, does not respect the character of the existing neighbourhood or integrate well with the street.
2. The development would present a visually dominant and unsympathetic built form to the area contrary to the provisions of Clause 21.05 (Built Environment) of the Moonee Valley Planning Scheme.
3. The proposal fails to meet the decision guidelines of Clause 43.01 (Heritage Overlay) of the Moonee Valley Planning Scheme as it is not in keeping with the character and appearance of adjacent buildings and adversely affects the significance of the heritage place.
4. The proposal fails to meet the decision guidelines of Clause 43.02 (Design and Development Overlay, including Schedule 1 – Skyline Area) of the Moonee Valley Planning Scheme as it does not respect the character of the existing neighbourhood or integrate well with the existing streetscape.
5. The proposed design does not comply with the objectives and standards associated with the following Clauses 55 provisions of the Moonee Valley Planning Scheme:
 - c) 55.02-1 - Neighbourhood Character
 - d) 55.02-2 - Residential Policy
 - e) 55.03-1 - Street Setback
 - f) 55.06-1 – Design Detail.

CARRIED

**7.3 149 Military Road, Avondale Heights (Lot 25 LP85708) -
Construction of a three storey building to comprise of a retail
premise and four dwellings, a reduction in car parking
requirements and waiver in loading and unloading requirements**

File No: MV/26/2011
Author: Town Planner
Directorate: City Works & Development
Ward: Rose Hill
Minute No: PC2011/69

Motion

Moved by Cr Kenos, seconded by Cr Sipek that Council issue a Notice of Decision to Grant a Permit in relation to Planning Permit Application No. MV/26/2011 for the Construction of a two storey building to comprise of a retail premise and two dwellings, a reduction in the carparking requirements and loading and unloading requirements at 149 Military Road, Avondale Heights (Lot 25 LP85708) subject to the following conditions:

1. Before the development starts, amended plans (three copies) must be submitted to and approved to the satisfaction of the Responsible Authority. The plans must be drawn to scale, with dimensions, and be generally in accordance with the plans submitted and assessed with the application but modified to show:
 - a) The deletion of the second floor level (third storey).
 - b) The increase in the number of car parking spaces in accordance with the plans submitted to Council on 3 June 2011.
 - c) The roller door associated with the car parking spaces to be setback 1.1 metres from the western boundary.
 - d) Any internal reconfiguration of the ground floor, having regard to Conditions 1 b) and c).
 - e) The roller door along the south western elevation to be provided with glazing and panelling in order to provide visual interest to this element.
 - f) The canopy delineated on the south eastern elevation to also be delineated on the north western elevation.
 - g) The inclusion of 1.7 metre high privacy screens to:
 - i) The south eastern alignment of the balcony associated with Dwelling 2.
 - h) All privacy screens to comply with the requirements of Clause 55.04-6 (Overlooking) of the Moonee Valley Planning Scheme.
 - i) The allocation of the carparking spaces. One carspace must be provided to each dwelling and four carspaces provided to the retail premises.
 - j) A notation on the plans that all car stacker units are operated via a secure pin/type access to the unit controls and feature a dead man type control for activating the movement of the system.
 - k) A notation on the plans that all access and maintenance issues associated with the car stackers managed by a Body Corporate arrangement.
 - l) A 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.

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

2. The layout of the site and the size, design and location of the buildings and works permitted must always accord with the endorsed plan and must not be altered or modified without the further written consent of the Responsible Authority.
3. Prior to the issue of an occupancy permit, all boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
4. 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.
5. Before any building or works start a Construction Management Plan must be submitted to and approved by the Responsible Authority detailing the construction activity proposed. The plan must include, but not be limited to:
 - a) Hours of construction
 - b) Parking and traffic movement of all workers vehicles and construction vehicles
 - c) Scaffolding and hoarding for the site
 - d) Allocated areas for loading and unloading
 - e) Site evacuation plan and procedure
 - f) Occupational health and safety policy
 - g) Hazard identification and control
 - h) Environmental management and waste minimisation
 - i) Protection of surrounding roads from site contamination and damage including rumble grid and or wash down bay facility
 - j) On site stormwater contamination
 - k) Chemical storage
 - l) Noise and vibration
 - m) Risk assessment
 - n) Works timetable; and
 - o) Number of workers expected of work on the site at any one time.

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

6. Floor levels shown on the endorsed plan(s) must not be altered or modified without written consent of the Responsible Authority.
7. The privacy screens as shown on the endorsed plans must be installed prior to the occupation of the building.
8. The area set aside for the parking of vehicles, together with the associated access lanes as delineated on the endorsed plan(s) must be to the satisfaction of the Responsible Authority:

- a) be provided and completed prior to the occupation of the development hereby permitted.
 - b) thereafter be maintained.
 - c) be made available for such use at all times and not used for any other purpose.
 - d) be properly formed to such levels that it can be used in accordance with the endorsed plan.
 - e) be drained and sealed with an all weather seal coat.
9. Standard concrete vehicular crossing(s) must be constructed to suit the proposed driveway(s) in accordance with the Responsible Authority's standard specification and any channel replaced all to the satisfaction of the Responsible Authority.
10. All vehicle access points must be located a minimum of 1.0 metre from any infrastructure and/or foliage canopy. Subsequent works and costs in association with relocation and/or amendment must be incurred at the owner's cost, to the satisfaction of the relevant servicing authority/agency and the Responsible Authority.
11. Prior to the commencement of the development, a Car Parking Management Plan prepared by an appropriately qualified traffic consultant must be submitted to and approved by the Responsible Authority. The Car Parking Management Plan must include:
- a) The car parking layout generally in accordance with the relevant requirements of the Australian Standards for Off-Street Car Parking AS/NZS 2890.1-2004 (including ramp grades and dimensions, column location, headroom clearance, etc)
 - b) The provision of six car spaces with these spaces allocated as follows:
 - One space for each dwelling
 - Four spaces for the retail premises
 - c) Lighting of parking areas, entries and exits
 - d) Details as to how the car stackers are to be regularly maintained and serviced
 - e) In the case where the car stackers becoming non operational, details of time frames and measures as to how to make the car stackers operational again
 - f) Details as to what measures will be undertaken in the event that the stackers are not operational, so not to provide any additional on-street parking demand

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

12. The development must be provided with external lighting capable of illuminating access to each garage, car parking space and pedestrian walkways. Lighting must be located, directed and shielded and of limited intensity so that no nuisance or loss of amenity is caused to any person within or beyond the site to the satisfaction of the Responsible Authority.
13. Prior to the commencement of the development, the applicant shall submit a Waste Management Plan to the Responsible Authority for approval. The Waste Management Plan shall be in accordance with the City of Moonee Valley's "Waste Management Plans – Guidelines for Applicants" and once approved shall be implemented to the satisfaction of the Responsible Authority.
14. The loading and unloading of goods from vehicles must not be conducted before 7.00am or after 6.00pm to the satisfaction of the Responsible Authority.
15. Once the use is commenced, the land must only be used for the permitted use and to the satisfaction of the Responsible Authority.
16. 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 produces, grit or oil
 - d) Presence of verminor in any other way.
17. 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 three (3) months afterwards the owner or occupier of the land may in writing request the Responsible Authority to extend the expiry date.

Permit Notes

- This is not a building permit under the Building Act. A separate building permit is required to be obtained for any demolition or building works.
- Before commencement of the development occurs, the applicant should contact the Moonee Valley City Council's Engineering Services Department regarding legal point of discharge, new crossings, building over easements etc.
- A permit must be obtained from Council for all vehicular crossings.
- All works undertaken within any existing road reserves must accord with the requirements of the Moonee Valley City Council's Engineering Services Department and to the satisfaction of the Responsible Authority.
- No parking permits will be issued to residents of the proposed development.

- It is the responsibility of the developer to verify the exact location and condition of the Council barrel drain prior to the commencement of any works.
- Council will not accept any modifications to existing levels within the road reserve or to any R.O.W. Any change in levels to match existing surface levels along property boundary line must be made within the property boundary.
- This permit does not authorise any advertising signage.

DIVISION CALLED

A Division was called and voting was as follows:

FOR: Crs Chantry, Sipek and Kenos.

AGAINST: Crs Giuliano, Gillis, Rankin and Sharpe.

MOTION LOST

Alternative Motion

Moved by Cr Giuliano, seconded by Cr Gillis that Council issue a Notice of Decision to Grant a Permit in relation to Planning Permit Application No. MV/26/2011 for the Construction of a three storey building to comprise of a retail premise and four dwellings, a reduction in the carparking requirements and loading and unloading requirements at 149 Military Road, Avondale Heights (Lot 25 LP85708) subject to the following conditions:

1. Before the development starts, amended plans (three copies) must be submitted to and approved to the satisfaction of the Responsible Authority. The plans must be drawn to scale, with dimensions, and be generally in accordance with the plans submitted and assessed with the application but modified to show:
 - a) The increase in the number of carparking spaces in accordance with the plans submitted to Council on 3 June 2011.
 - b) The roller door associated with the carparking spaces to be setback 1.1 metres from the south western boundary.
 - c) Any internal reconfiguration of the ground floor, having regard to Conditions 1 a) and b).
 - d) The roller door along the south western elevation to be provided with glazing and panelling in order to provide visual interest to this element.
 - e) The canopy delineated on the south eastern elevation to also be delineated on the north western elevation.
 - f) The inclusion of 1.7 metre high privacy screens to:
 - i) The south eastern alignment of the balcony associated with Dwelling 2.
 - ii) The south eastern and north western alignment of the balcony associated with Dwelling 3.

- g) All privacy screens to comply with the requirements of Clause 55.04-6 (Overlooking) of the Moonee Valley Planning Scheme.
- h) The allocation of the carparking spaces. One carspace must be provided to each dwelling and two carspaces provided to the retail premises.
- i) A notation on the plans that all car stacker units are operated via a secure pin/type access to the unit controls and feature a dead man type control for activating the movement of the system.
- j) A notation on the plans that all access and maintenance issues associated with the car stackers managed by a Body Corporate arrangement.
- k) A 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.

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

2. The layout of the site and the size, design and location of the buildings and works permitted must always accord with the endorsed plan and must not be altered or modified without the further written consent of the Responsible Authority.
3. Prior to the issue of an occupancy permit, all boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
4. 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.
5. Before any building or works start a Construction Management Plan must be submitted to and approved by the Responsible Authority detailing the construction activity proposed. The plan must include, but not be limited to:
 - a) Hours of construction
 - b) Parking and traffic movement of all workers vehicles and construction vehicles
 - c) Scaffolding and hoarding for the site
 - d) Allocated areas for loading and unloading
 - e) Site evacuation plan and procedure
 - f) Occupational health and safety policy
 - g) Hazard identification and control
 - h) Environmental management and waste minimisation
 - i) Protection of surrounding roads from site contamination and damage including rumble grid and or wash down bay facility
 - j) On site stormwater contamination
 - k) Chemical storage
 - l) Noise and vibration
 - m) Risk assessment

- n) Works timetable; and
 - o) Number of workers expected of work on the site at any one time.
- Once submitted and approved the works detailed by the Construction Management Plan must be carried out to the satisfaction of the Responsible Authority and must only be amended with the written consent of the Responsible Authority.
- 6. Floor levels shown on the endorsed plan(s) must not be altered or modified without written consent of the Responsible Authority.
 - 7. The privacy screens as shown on the endorsed plans must be installed prior to the occupation of the building.
 - 8. The area set aside for the parking of vehicles, together with the associated access lanes as delineated on the endorsed plan(s) must be to the satisfaction of the Responsible Authority:
 - a) be provided and completed prior to the occupation of the development hereby permitted
 - b) thereafter be maintained
 - c) be made available for such use at all times and not used for any other purpose
 - d) be properly formed to such levels that it can be used in accordance with the endorsed plan
 - e) be drained and sealed with an all weather seal coat
 - 9. Standard concrete vehicular crossing(s) must be constructed to suit the proposed driveway(s) in accordance with the Responsible Authority's standard specification and any vehicle crossing(s) no longer required must be removed and the land, footpath and kerb and channel replaced all to the satisfaction of the Responsible Authority.
 - 10. All vehicle access points must be located a minimum of 1.0 metre from any infrastructure and/or foliage canopy. Subsequent works and costs in association with relocation and/or amendment must be incurred at the owner's cost, to the satisfaction of the relevant servicing authority/agency and the Responsible Authority.
 - 11. Prior to the commencement of the development, a Car Parking Management Plan prepared by an appropriately qualified traffic consultant must be submitted to and approved by the Responsible Authority. The Car Parking Management Plan must include:
 - a) The car parking layout generally in accordance with the relevant requirements of the Australian Standards for Off-Street Car Parking AS/NZS 2890.1-2004 (including ramp grades and dimensions, column location, headroom clearance, etc).
 - b) The provision of six car spaces with these spaces allocated as follows:
 - i) One space for each dwelling
 - ii) Two spaces for the retail premises

- c) Lighting of parking areas, entries and exits.
- d) Details as to how the car stackers are to be regularly maintained and serviced.
- e) In the case where the car stackers becoming non operational, details of time frames and measures to be undertaken to reinstate the car stackers back to working order.
- f) Details as to what measures will be undertaken in the event that the stackers are not operational, so not to provide any additional on-street parking demand.

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

- 12. The development must be provided with external lighting capable of illuminating access to each garage, car parking space and pedestrian walkways. Lighting must be located, directed and shielded and of limited intensity so that no nuisance or loss of amenity is caused to any person within or beyond the site to the satisfaction of the Responsible Authority.
- 13. Prior to the commencement of the development, the applicant shall submit a Waste Management Plan to the Responsible Authority for approval. The Waste Management Plan shall be in accordance with the City of Moonee Valley's "Waste Management Plans – Guidelines for Applicants" and once approved shall be implemented to the satisfaction of the Responsible Authority.
- 14. The loading and unloading of goods from vehicles must not be conducted before 7.00am or after 6.00pm to the satisfaction of the Responsible Authority.
- 15. Once the use is commenced, the land must only be used for the permitted use and to the satisfaction of the Responsible Authority.
- 16. 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 produces, grit or oil.
 - d) Presence of vermin.
 - e) or in any other way.
- 17. 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 three (3) months afterwards the owner or occupier of the land may in writing request the Responsible Authority to extend the expiry date.

Permit Notes

- This is not a building permit under the Building Act. A separate building permit is required to be obtained for any demolition or building works.
- Before commencement of the development occurs, the applicant should contact the Moonee Valley City Council's Engineering Services Department regarding legal point of discharge, new crossings, building over easements etc.
- A permit must be obtained from Council for all vehicular crossings.
- All works undertaken within any existing road reserves must accord with the requirements of the Moonee Valley City Council's Engineering Services Department and to the satisfaction of the Responsible Authority.
- No parking permits will be issued to residents of the proposed development.
- It is the responsibility of the developer to verify the exact location and condition of the Council barrel drain prior to the commencement of any works.
- Council will not accept any modifications to existing levels within the road reserve or to any R.O.W. Any change in levels to match existing surface levels along property boundary line must be made within the property boundary.
- This permit does not authorise any advertising signage.

CARRIED

**7.4 62 Clydesdale Road, Airport West (Lot 20 on PS 018277) -
Construction of four double storey dwellings**

File No: MV/21558/2010
Author: Senior Planner
Directorate: City Works & Development
Ward: Rose Hill
Minute No: PC2011/70

Committee Resolution

Moved by Cr Kenos, seconded by Cr Sipek that Council issue a Notice of Decision to Grant a Permit in relation to Planning Permit Application No. MV/21558/2010 for the construction of three dwellings (two double storey and one single storey) at 62 Clydesdale Road, Airport West, (Lot 20 on PS 018277), subject to the following conditions:

1. Before the development starts, amended plans (three copies) must be submitted to and approved to the satisfaction of the Responsible Authority. The plans must be drawn to scale, with dimensions, and be generally in accordance with the plans submitted and assessed with the application but modified to show:
 - a) The deletion of Dwelling 4 and the second level from Dwelling 3. All required modifications must be undertaken so to ensure compliance with Clause 55 of the Moonee Valley Planning Scheme.
 - b) The inclusion of a front fence with a maximum height of 1.2m above the natural ground level.
 - c) The replacement of the rendered areas noted as symbol 'D' on Drawing No. 6 (Revision A – received by Council on the 27 January 2011) along the first floor level with weatherboard cladding.
 - d) A notation on the plan that the street tree relocation to facilitate the crossover associated with the Dwelling 1 must be undertaken at the cost of the owner/developer with prior written consent from the Responsible Authority.
 - e) Dimensions of the secluded open space for Dwelling 1.
 - f) First floor setbacks for all dwellings from boundaries.
 - g) All first floor windows to be fixed or provided with a maximum opening 100mm.
 - h) The landscape strip located along the southern elevation of the Dwellings 1, 2 and 3 to be a minimum width of 1m.

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

2. The layout of the site and the size, design and location of the buildings and works permitted must always accord with the endorsed plan and must not be altered or modified without the further written consent of the Responsible Authority.
3. Prior to any building or works commencing, a Construction Management Plan must be submitted to and approved by the Responsible Authority detailing the construction activity proposed. The plan must include, but not be limited to:
 - a) Hours of construction
 - b) Parking and traffic movement of all workers' vehicles and construction vehicles
 - c) Scaffolding and hoarding for the site
 - d) Allocated areas for loading and unloading
 - e) Site evacuation plan and procedure
 - f) Occupational health and safety policy
 - g) Hazard identification and control
 - h) Environmental management and waste minimisation

- i) Protection of surrounding roads from site contamination and damage including rumble grid and or wash down bay facility
- j) On site stormwater contamination
- k) Chemical storage
- l) Noise and vibration
- m) Risk assessment
- n) Works timetable; and
- o) Number of workers expected of work on the site at any one time.

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

- 4. Prior to the issue of an occupancy permit for the development all retaining walls and 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. The privacy screens as shown on the endorsed plans must be installed prior to the occupation of the buildings.
- 7. Building or works must not be constructed over any easement without the written consent of the relevant authorities or agencies to the satisfaction of the Responsible Authority.
- 8. The car parking areas and access ways as shown on the endorsed plans must be formed to such levels so that they may be used in accordance with the plan, and must be properly constructed, surfaced, drained and line-marked (where applicable). The car park area and driveways must be maintained to the satisfaction of the Responsible Authority.
- 9. Standard concrete vehicular crossing(s) must be constructed to suit the proposed driveway(s) in accordance with the Responsible Authority's standard specification and any vehicle crossing(s) no longer required must be removed and the land, footpath and kerb and channel replaced all to the satisfaction of the Responsible Authority. All vehicle access points must be located a minimum of 1.0 metre from any infrastructure including service pits. Alternatively, such assets may be incorporated into the crossover with the written consent of the Responsible Authority and the relevant servicing authority/agency. Subsequent works and costs in association with relocation and/or amendment must be incurred at the owner's cost, to the satisfaction of the relevant servicing authority/agency and the Responsible Authority.
- 10. Provision must be made for the drainage of the land including landscaped and pavement area. 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.

11. 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.
12. The development must be provided with external lighting capable of illuminating access to each garage, car parking space and pedestrian walkways. Lighting must be located, directed and shielded and of limited intensity so that no nuisance or loss of amenity is caused to any person within or beyond the site to the satisfaction of the Responsible Authority.
13. Prior to the occupation of the development hereby permitted, all landscaping, (including trees, shrubs and lawn) must be completed in accordance with any approved landscape plan to the satisfaction of the Responsible Authority.
14. Prior to the removal of the existing street tree to facilitate the new crossover, the applicant shall advise the Responsible Authority of the method and safety measures to be implemented. The removal of the tree must be undertaken to the requirements and satisfaction of the Responsible Authority.
15. Prior to the commencement of the development, the applicant must provide details of the replacement tree, which is to include:
 - Method of mulching and mounding
 - The species of the replacement planting
 - The size of planting and its maturity; and
 - The location of the replacement planting

All fees associated with the removal and replacement of the street tree must be borne by the owner/developer.

16. Prior to the occupancy permit being issued, all new boundary fences as identified on the endorsed plans must be constructed to the satisfaction of the Responsible Authority. The cost associated with the construction of the boundary fences must be borne by the owner /developer.
17. 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 three (3) months afterwards the owner or occupier of the land may in writing request the Responsible Authority to extend the expiry date.

Permit Notes

- This is not a building permit under the Building Act. A separate building permit is required to be obtained for any demolition or building works.
- Before commencement of the development occurs, the applicant should contact the Moonee Valley City Council's Engineering Services Department regarding legal point of discharge, new crossings, building over easements etc.
- All works undertaken within any existing road reserves must accord with the requirements of the Moonee Valley City Council's Engineering Services Department and to the satisfaction of the Responsible Authority.
- No on-street carparking permit will be issued to residents of the proposed development.
- It is the responsibility of the developer to verify the exact location and condition of the Council easement and barrel drain prior to the commencement of any works.
- The On-Site Detention (OSD) is to limit the rate of stormwater discharge from the property to pre-development levels (C=0.4, tc=5mins, ARI 1in5). An ARI of 1in10 shall be used for storage and the greater of post development C or C=0.80. A drainage layout prepared by a Civil Engineer together with computations for the On Site Detention System and manufacturers specifications are to be submitted to this department for approval.

CARRIED

7.5 Planning Scheme Amendment C107 - Implementation of Airport West Structure Plan

File No: FOL/10/1570
Author: Strategic and Statutory Planning
Directorate: City Works & Development
Ward: Rose Hill
Minute No: PC2011/71

Committee Resolution

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

1. Adopt Amendment C107 in accordance with Section 29 of the Planning and Environment Act 1987.
2. Submit Amendment C107 to the Minister for Planning in accordance with Section 31(1) of the Planning and Environment Act 1987.
3. Request the Minister for Planning to approve Amendment C107 in accordance with Section 35(1) of the Planning and Environment Act 1987.

CARRIED

7.6 Proposed Part Road Discontinuance adjacent to 2-4 Donald Avenue, Essendon

File No: PR14663
Author: Coordinator Property Services
Directorate: Corporate Services
Ward: Buckley
Minute No: PC2011/72

Committee Resolution

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

1. Note after having given notice pursuant to sections 223 and 206 and clause 3 of Schedule 10 to the Local Government Act 1989 of a proposal to discontinue a 30m² section of road of abutting 2-4 Donald Avenue, Essendon contained on Certificate of Title volume 1855 folio 922 and shown shaded on the plan in Appendix A, no written submissions were received.
2. Is of the opinion that the subject road is no longer reasonably required for public use and that it should be discontinued and sold by private treaty to the owners of 2- 4 Donald Avenue, Essendon.
3. Publish a notice, pursuant to clause 3(a) of Schedule 10 to the Local Government Act 1989 in the Victorian Government Gazette.
4. Authorise the Chief Executive to execute the transfer and other associated documents.

CARRIED

7.7 Proposed Road Discontinuance bounded by 2-22A Sapphire Street, 17-35 Garnet Street, 27-29 Rosehill Road and 30-34 Hampton Road Essendon West

File No: 65/19/92
Author: Coordinator Property Services
Directorate: Corporate Services
Ward: Rose Hill
Minute No: PC2011/73

Committee Resolution

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

1. Note that after having given public notice pursuant to sections 223 and 206 and clause 3 of Schedule 10 to the Local Government Act 1989 of a proposal to discontinue a section of road abutting 2-22A Sapphire Street, 17-35 Garnet Street, 27-29 Rosehill Road and 30-34 Hampton Road, Essendon West contained on Certificate of Title volume 4015 folio 878 and shown hatched on the attached plan in Appendix A, no submissions were received.
1. Is of the opinion that the section of road is no longer reasonably required for public use and that it should be discontinued and sold by private treaty to the those owners of 2-22A Sapphire Street, 17-35 Garnet Street, 27-29 Rosehill Road and 30-34 Hampton Road, Essendon West who have agreed to purchase the land.
2. Publish a notice, pursuant to clause 3(a) of Schedule 10 to the Local Government Act 1989 in the Victorian Government Gazette.
3. Authorise the Chief Executive to execute the transfer and other associated documents.

CARRIED

7.8 Proposed Part Road Discontinuance Adjacent to 2 Lee Street, Flemington

File No: 41/003/058
Author: Coordinator Property Services
Directorate: Corporate Services
Ward: Rose Hill
Minute No: PC2011/74

Committee Resolution

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

1. Note after having given public notice pursuant to sections 223 and 206 and clause 3 of Schedule 10 to the Local Government Act 1989 of a proposal to discontinue a 7.8m² section of road abutting 2 Lee Street, Flemington contained on Certificate of Title volume 5201 folio 101 and shown hatched on the plan at Appendix A, no written submissions were received.
2. Is of the opinion that the subject road is no longer reasonably required for public use and that it should be discontinued and sold by private treaty to the owner of 2 Lee Street, Flemington.

3. Publish a notice, pursuant to clause 3(a) of Schedule 10 to the Local Government Act 1989 in the Victorian Government Gazette.
4. Authorise the Chief Executive to execute the transfer and other associated documents.

CARRIED

7.9 Arts and Culture Community Advisory Committee

File No: FOL/11/790
Author: Manager Arts & Culture
Directorate: Environment and Lifestyle
Ward: Municipal
Minute No: PC2011/75

Committee Resolution

Moved by Cr Chantry, seconded by Cr Gillis that Council endorse the following nominees who will constitute the Arts and Culture Community Advisory Committee:

- a) Ms Helena Chayna, Performing Arts Teacher from Strathmore.
- b) Mr Frank Di Blasi, Italian community member; music and photography enthusiast from Avondale Heights.
- c) Mr John Francis, musician and music teacher from Essendon.
- d) Mr Ben McKeown, artist and 2011 winner of the annual Koori Heritage Trust Deadly Art Prize, from Moonee Ponds.
- e) Ms Barbara Pater, Film-maker and teacher from Flemington.
- f) Ms Debbie Qadri, Ceramics Art Teacher from East Keilor.

CARRIED

7.10 Gaming Position Paper

File No: FOL/11/432
Author: Manager Community Development
Directorate: Citizen Services & Information Management
Ward: Municipal
Minute No: PC2011/76

Committee Resolution

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

1. Endorse the Gaming Position Paper to guide planning and decision making and as an action item of the Community Wellbeing Strategy 2008-2013.
2. Note the process required to undertake a planning scheme amendment.

CARRIED

8. Urgent Business

Moved by Cr Giuliano, seconded by Cr Chantry that the item from Cr Kenos regarding library funding be considered as Urgent Business.

CARRIED UNANIMOUSLY

12.1 Library Funding

File No: 17/011/070

Minute No. PC2011/77

Committee Resolution

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

1. Supports the MAV *Save our Libraries – Fairer Funding* campaign goals:
 - The Victorian Government's early reversal of its cut in recurrent operational library funding and to apply indexation to maintain the State's contribution in real terms for the life of the current funding agreement
 - The Victorian Government agreeing to review the adequacy of its contribution to operational funding and ensure future State recurrent grants are at a level that properly supports libraries and grows in line with population and core library costs such as wages, books and technology
2. Write to the Premier, the Hon. Ted Baillieu MP and Minister for Local Government, the Hon. Jeanette Powell MP seeking a review of library funding.
3. Write to our local state MPs asking for this matter to be raised urgently in the Victorian Parliament.
4. Agrees not to sign the Library Funding Agreement with the Victorian Government until further advice is received from the MAV on this matter.

CARRIED

9. Confidential Report
Nil.

The meeting concluded at 7.42pm.

CONFIRMED

**CR JOHN SIPEK
CHAIRPERSON**