

Minutes

Moonee Valley Racing Club Planning Assessments Special Committee Meeting

Wednesday, 10 October 2018

5.30

Report Index

The following report was considered:

7. Reports

7.1 33 Dean Street, Moonee Ponds (Lots 3 and 4 on PS735207D) -
Construction of buildings, carrying out of works and construction of
fences within an Activity Centre Zone (Schedule 1), an
Environmental Significance Overlay (Schedule 2) and a Heritage
Overlay (Schedule 379)4

Minutes of the Moonee Valley Racing Club Planning Assessments Special Committee Meeting

Held Wednesday, 10 October 2018 at 5.30
at the Moonee Valley Civic Centre

Members:	Cr Nicole Marshall	Chairperson
	Cr Rebecca Gauci Maurici	
	Cr Richard Lawrence	
Officers:	Natalie Reiter	Director Planning and Development
	Petrus Barry	Manager Statutory Planning
	Allison Watt	Manager Governance and Communications
	Lachlan Orr	Senior Statutory Planner
	Colin Harris	Senior Project Manager – External Projects

1. Opening

The Chairperson, Cr Marshall, opened the meeting and welcomed all present to the Moonee Valley Racing Club Planning Assessments Special Committee Meeting of 10 October 2018.

2. Reconciliation Statement

On behalf of Moonee Valley City Council the Chairperson, Cr Nicole Marshall, respectfully acknowledged the Traditional Custodians of the land on which Moonee Valley is located – the Wurundjeri People of the Kulin Nation; and paid respect to their Spirits, Ancestors, Elders and their Community Members past and present.

3. Apologies

Nil.

4. Confirmation of Minutes

Nil.

5. Declarations of Conflict of Interest

Nil

7. Reports

7.1 **33 Dean Street, Moonee Ponds (Lots 3 and 4 on PS735207D) - Construction of buildings, carrying out of works and construction of fences within an Activity Centre Zone (Schedule 1), an Environmental Significance Overlay (Schedule 2) and a Heritage Overlay (Schedule 379)**

File No: Fol/18/32

Author: Lachlan Orr - Senior Statutory Planner

Directorate: Planning and Development

Committee Resolution

Moved by Cr Gauci Maurici, seconded by Cr Lawrence that Council issue a Planning Permit in relation to Planning Permit Application No. MV/222/2018 for the construction of buildings and carrying out of works, including dwellings, and construction of fences within an Activity Centre Zone (Schedule 1), an Environmental Significance Overlay (Schedule 2) and a Heritage Overlay (Schedule 379) at 33 Dean Street, Moonee Ponds (Lots 3 and 4 on PS735207D), subject to the following conditions:

1. Before the development starts, amended plans must be submitted to and approved to the satisfaction of the Responsible Authority. The amended plans must be drawn to scale and an electronic copy must be provided. The plans must be generally in accordance with the plans submitted and assessed with the application but modified to show:
 - a) The words 'Title Boundary' replaced with 'Staging Boundary' as relevant on the floor plans and elevations;
 - b) All site sections to be correctly titled to correspond with the associated key plan;
 - c) The location and design of pathways shown consistently between the site plans and landscape plans;
 - d) The incorporation of alternative colour and/or material finishes which better reference the palette of materials seen in the immediate area;
 - e) Alternative external finishes applied to the upper floor walls of dwellings as viewed internally from secluded open space areas, with a reduction in the application of the charcoal FC sheet cladding (CS01);
 - f) An amended schedule of materials and finishes, in accordance with the previous conditions;
 - g) Detailed elevation plans of service enclosures and the pole mounted substation, designed to minimise their visual presence to the street;
 - h) Additional window openings to the first floor of Dwelling S10 facing the proposed open space area at the intersection of McPherson Street and Kenna Street;

- i) All relevant windows to be clearly noted as having screening up to a height of 1.7 metres from Finished Floor Level to comply with Standard B23 of Clause 55.04-7 (Internal Views) of the Moonee Valley Planning Scheme;
- j) The allocation of all storage areas clearly noted on the basement floor plan;
- k) Windows directly abutting future public spaces or potential staging/subdivision boundaries to be designed as sliding windows;
- l) A notation that the pedestrian visibility splays are to comply with Clause 52.06-9 of the Moonee Valley Planning Scheme;
- m) Stairwells within the basement car park provided with a separation from the vehicle access aisles to ensure pedestrians do not exit directly onto the aisles, or alternatively demonstrate improved sightlines for exiting pedestrians to ensure approaching vehicles can be seen;
- n) A notation that surfaces within parking areas are graded appropriately in relation to drainage discharge points as required by AS2890.1-2004;
- o) All bicycle parking spaces annotated to ensure they are designed in accordance with AS2890.3-2015;
- p) The name, location and details of the perimeter wall of the former Club Secretary's House to be clearly annotated on all relevant plans;
- q) Modifications to address the findings and recommendations of the Internal Daylight Assessment prepared by Ark Resources dated 24 May 2018;
- r) A landscape plan in accordance with Condition 7;
- s) Any changes as a result of Conditions 4, 5, 9, 11 and 12; and
- t) Notations to comply with the approved sustainable design and stormwater treatment measures in accordance with Conditions 13 and 14.

When approved these plans become the endorsed plans 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. Prior to the commencement of any works, a Staging Plan of Precinct 9 (Racecourse Residential and Mixed Use Precinct) must be submitted to and approved by the Responsible Authority. The approved development must accord with the approved Staging Plan to the satisfaction of the Responsible Authority in accordance with Section 173 Agreement AQ569425F. The approved development must accord with the approved Staging Plan to the satisfaction of the Responsible Authority.
4. Before the development commences, and concurrently with the submission of plans under Condition 1, detailed Construction Plans (including road and drainage construction engineering plans) must be submitted to and

approved by the Responsible Authority. The Construction Plans must be prepared by a person with suitable qualifications to the satisfaction of Responsible Authority and must include:

- a) A drainage system design in accordance with the approved overall stormwater drainage masterplan/strategy;
- b) Design for full construction of all road pavements including parking bays, cycle paths, vehicle entrances, typical street reserve cross-sections and kerb and channel design to the satisfaction of the Responsible Authority, and in accordance with the approved Integrated Transport Plan and Transport Assessment and Management Plan;
- c) A fully dimensioned plan is to be submitted to determine and minimise the impact to the on-street parking arrangements and the useable kerbside area to the satisfaction of the Responsible Authority and must include/show the following:
 - i. The east side of McPherson Street to the intersection with Thomas Street to the north;
 - ii. Coats Street and existing car park entrance to the south;
 - iii. For the west side of McPherson Street, the plan is to extend to the first vehicle crossing either side of the intersection with Kenna Street; and
 - iv. The proposed pedestrian treatments and associated line marking, including the clear carriageway width and the clearance between the centre line and the parking area.
- d) Traffic control measures to the satisfaction of the Responsible Authority;
- e) Design catering for manoeuvrability of service vehicles in accordance with the approved Waste Management Plan;
- f) Where required, measures to ensure the development accords with the *Disability Discrimination Act*;
- g) Footpath design and construction including details in the treatment of pedestrian access through the site;
- h) Full details of and engineering design and certification of all retaining walls;
- i) Bicycle/pedestrian shared path design and construction in accordance with the approved Development Plan;
- j) Location of permanent survey marks;
- k) Location of service conduits;
- l) Water and sewerage reticulation plans showing all proposed water and sewer main locations and offsets and fire hydrants locations;
- m) Street signs to Responsible Authority's standard design; and

- n) Appropriate mechanisms for protecting environmental and physical assets during the construction phase in accordance with Council requirements.

When approved, the Construction Plans will be endorsed and will form part of the permit.

5. Before the development commences, a Public Lighting Plan for all new streets to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority.

The Public Lighting Plan must be in accordance with the City of Moonee Valley's Sustainable Lighting Guidelines and must show lighting provided with a power supply to each light underground and street lighting provided to the Australian Standard for residential street lighting.

When approved, the Public Lighting Plan will be endorsed and will then form part of this permit. Public Lighting must be provided in accordance with the endorsed Public Lighting Plan.

6. Prior to occupation of any part of the development, unless otherwise agreed in writing with the Responsible Authority, the road, footpath, drainage works, public lighting must be constructed in accordance with the approved Construction Plans and Public Lighting Plan.

7. Before the development commences, and before any trees or vegetation are removed amended landscape plans prepared by a suitably qualified person or firm shall be submitted to and approved to the satisfaction of the Responsible Authority. The amended landscape plans must be drawn to scale with dimensions and an electronic copy must be provided. The amended landscape plans must be generally in accordance with the plans submitted and assessed with the application but modified to show:

- a) Any changes as required by Condition 1 of this permit;
- b) A complete and fully detailed planting schedule, using low-maintenance non-weed species, of planting within Council's Road Reserve to be undertaken in consultation with and to the satisfaction of the Responsible Authority (Council's Landscape and Open Space Unit and Arborist);
- c) A detailed design plan for the proposed open space area at the intersection, incorporating seating opportunities;
- d) The width of raised planters in private courtyards to be at least 1.0 metre;
- e) The diameter of circular tree planters in private courtyards to be at least 1.2 metres;
- f) The width of raised planters in upper level terraces to be at least 500mm;
- g) Raised planters in the front yards of Dwelling Type 2A, facing the Kenna Street extension, with a minimum width of 1.2 metres;
- h) Raised planters in the front yards of dwellings facing the north-south

pedestrian link to be at least 1.0 metre wide;

- i) Details of surface treatments to accessways, appropriately designed to reinforce the residential experience of the development; and
- j) An appropriate irrigation system.

When approved the amended landscape plans will be endorsed and will form part of this permit. Landscaping in accordance with the endorsed landscape plans must be completed before the development is occupied.

8. 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.
9. Before the development starts, the findings and recommendations of the Development Impact Assessment prepared by Arbor Survey Pty Ltd dated 26 March 2018 must be carried out to the satisfaction of the Responsible Authority.

In particular, a Tree Management and Protection Plan must be submitted to the Responsible Authority for endorsement.

Once endorsed, it will form part of this permit and its recommendations, protection and impact mitigation measures must be implemented to the satisfaction of the Responsible Authority to prevent detrimental impacts to the health of significant trees.

10. 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 and the relevant requirements at Clause 6.0 of Schedule 1 to Clause 37.08 (Activity Centre Zone) of the Moonee Valley Planning Scheme.

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.

11. Before the development commences, the Heritage Impact Statement submitted with the application must be modified to provide a Heritage Protection Construction Methodology for works in proximity to the perimeter wall of the former Club Secretary's House and must be submitted to and approved by the Responsible Authority. The methodology may be undertaken in conjunction with the requirements of Condition 10. When approved, the statement and construction methodology will be endorsed and will form part of the permit.

12. Before the development commences, an amended Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The Waste Management Plan must be generally in accordance with the plan submitted with the application but modified as follows:
- a) Any changes as required by Condition 1 of this permit; and
 - b) Scaled waste management plans in accordance with Section 10 of Moonee Valley City Council's 'Waste Management Plans – Guidelines for Applicants', illustrating collection vehicle access and any associated turning circles.

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

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

13. Before the development commences, an amended Sustainable Management Plan (SMP), inclusive of Water Sensitive Urban Design (WSUD) report, that outlines proposed design initiatives must be submitted to and approved by the Responsible Authority. The SMP must be generally in accordance with the SMP submitted with the application, but modified as follows:
- a) Any changes as required by Condition 1 of this permit;
 - b) Incorporate the findings and recommendations of the Internal Daylight Assessment prepared by Ark Resources dated 24 May 2018; and
 - c) Accurately reflect the size and quantity of bins as detailed in the Waste Management Plan.

Upon approval the SMP will be endorsed as part of this planning permit. The development must incorporate the sustainable design initiatives outlined in the endorsed SMP to the satisfaction of the Responsible Authority.

14. 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 WSUD 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.
15. 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 a Building Maintenance Guide.

- 16. Floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
- 17. 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.
- 18. Except with the prior written consent of the Responsible Authority, equipment, services or other building features (other than those shown on the endorsed plan) must not be erected above the roof level of the buildings.
- 19. The plant area and equipment on the roof of the buildings must be screened in a manner to complement the appearance of the buildings and be to the satisfaction of the Responsible Authority.
- 20. All pipes, fixtures, fittings, ducts and vents servicing any building on the land, other than stormwater down pipes and gutters above the ground floor storey of the building, must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
- 21. Before the building approved by this permit is occupied, the areas set aside for the parking of vehicles, together with the associated driveways and access lanes as shown on the endorsed plans must be:
 - a) Constructed;
 - b) Available for use in accordance with the endorsed plans;
 - c) Properly formed to such levels and drained so that they can be used in accordance with the endorsed plans;
 - d) Finished with a permanent trafficable surface (such as concrete, asphalt or paving); and
 - e) Line-marked or provided with another adequate means of ensuring that the boundaries of all vehicle spaces are clearly indicated on the ground,

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

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

- 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.

22. 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.

Head, Transport for Victoria condition

23. Unless otherwise agreed in writing with the Head, Transport for Victoria prior to the occupation of the development, item no. 14 within Table 9.2 Proposed Transport Infrastructure Staging within the endorsed GTA Consultants Integrated Transport Plan must be completed to the satisfaction of the Head, Transport for Victoria at the full cost of the permit holder.

End of Head, Transport for Victoria condition

24. This permit will expire if one of the following circumstances applies:
 - a) The development is not commenced within three (3) years from the date of issue of this permit; or
 - b) The development is not completed within five (5) years from the date of issue of this permit.

Before the permit expires, or within six (6) months afterwards, the owner or occupier of the land may 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.
- 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 be to the satisfaction of the

Responsible Authority.

- Existing levels along the property line and easements must be maintained. All proposed levels must match to existing surface levels along the property boundary and/or easement. Council will not accept any modifications to existing levels within any road reserve or easement.
- 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 Ave, Moonee Ponds.

CARRIED UNANIMOUSLY

8. Close of Meeting

The meeting concluded at 5.42pm.

**CR NICOLE MARSHALL
CHAIRPERSON**