



City of
Moonee Valley

Planning & Citizens Meeting

Tuesday, 5 April 2011

Minutes

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The following reports were considered:

7.1	92-94 and 96 The Boulevard, 69 and 98 Vida Street and 8 Morgan Street, Aberfeldie (Lot 4 PS092074, Lot 1 PS417382J, Lot 2 PS348496J, - Buildings and Works to Construct a Caretaker's House and Extend the Existing Retail Plant Nursery Complex	4
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Minutes of the Planning & Citizens Meeting

Tuesday, 5 April 2011 at 7.01pm
held at the Moonee Valley Civic Centre

PRESENT

Members: Cr John Sipek Mayor
Cr Jan Chantry
Cr Shirley Cornish
Cr Jim Cusack
Cr Miriam Gillis
Cr Paul Giuliano
Cr Ange Kenos
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 Acting Executive Manager Environment & Lifestyle
Ms Coral Young Manager Strategic & Statutory Planning
Ms Yvonne Hansen Coordinator Governance

Opening

The Mayor, Cr Sipek, opened the meeting and welcomed all present to the Planning & Citizens Meeting of Tuesday, 5 April 2011.

1. Apologies

An apology for non-attendance was received for Cr James Rankin.

2. Confirmation of Minutes

Moved by Cr Cusack, seconded by Cr Kenos that the Minutes of the Planning and Citizens Meeting of Council held on Tuesday, 1 March 2011 be confirmed.

CARRIED

3. Declarations of Conflict of Interest

Nil.

4. Presentations

Nil.

5. Petitions and Joint Letters

5.1 Request for Parking Study

File No. 63/004/023, 63/011/018, 63/018/024 & 63/015/010

Minute No. PC2011/24

Cr Sharpe tabled a petition signed by 112 residents of Duffy, Keam, Renown and O'Shannassy Streets, Essendon North requesting that Council undertake a traffic and parking study of these streets.

5.2 Upgrade of Median Strip, Glenbervie Road, Strathmore

File No. 63/007/011

Minute No. PC2011/25

Cr Giuliano tabled a petition signed by 25 residents of Glenbervie Road, Strathmore seeking that Council upgrade the median strip on Glenbervie Road, Strathmore.

In tabling the petitions, Appropriate Officers are required to undertake the necessary action and if necessary provide a further report to Council.

6. Notices of Motion

Nil.

7. Reports

7.1 92-94 and 96 The Boulevard, 69 and 98 Vida Street and 8 Morgan Street, Aberfeldie (Lot 4 PS092074, Lot 1 PS417382J, Lot 2 PS348496J, - Buildings and works to construct a caretaker's house and extend the existing retail plant nursery complex

File No: MV/21210/2010

Author: Senior Town Planner

Directorate: City Works and Development

Ward: Buckley

Minute No: PC2011/26

Committee Resolution

Moved by Cr Chantry, seconded by Cr Giuliano that Council issue a Notice of Decision to Grant a Permit in relation to Planning Permit Application No. MV/21210/2010 for 92-94 and 96 The Boulevard, 69 and 98 Vida Street and 8 Morgan Street, Aberfeldie (Lot 4 PS092074, Lot 1 PS417382J, Lot 2 PS348496J, - Buildings and works to construct a caretaker's house and extend the existing retail plant nursery complex plant nursery and café/restaurant at Nos. 92-94 and 96 The Boulevard, 69, 98 and 100 Vida Street and 8 Morgan Street, Aberfeldie (Lot 4 on PS092074, Lot 1 on PS 417382J, Lot 2 on PS 348496J, Lot 2 on PS 417382J, Lot 2 on PS 051276, Lot 3 on PS 051276 and Lot 7 on PS 013072), subject to the following conditions:

1. Before the use and 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 elevation plans must specify Natural Ground Level, finished ground level, finished floor level and total building heights measured relative to a level taken from a defined point on the footpath at the frontage of the site or in relation to Australian Height Datum (AHD).
 - b) A notation on the ground floor plan that the proposed easement realignment does not form part of this permit.
 - c) The ground floor plan amended to include a tree protection zone indicated as broken lines around the Algerian Oak (to be retained) in the north-east corner of 8 Morgan Street, Aberfeldie in accordance with the requirements of the arborist report prepared by ArborReport and submitted to Council on the 14 September 2010.
 - d) A detailed schedule of the proposed external colours, finishes and materials of all proposed buildings and works.
 - e) The proposed rooftop terrace is to be suitably screened to prevent overlooking into the rear secluded open space of 6 Morgan Street, Aberfeldie.
 - f) The front setback of the proposed café/restaurant extension to Brunel Street and the setback from the south (side) boundary are to be suitably screened by landscaping to soften the view of the building from adjoining residential properties.
 - g) A notation that the 10 car spaces within the car park are to be used by staff only.

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. Buildings and works must not commence until such a time as approval is obtained for the proposed realignment of an easement located at No. 8 Morgan Street, Aberfeldie with such approval registered at the Land Titles Office to the satisfaction of the Responsible Authority.
4. Prior to the issue of a Certificate of Occupancy, all retaining walls and boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
5. Service units, including air conditioning units, must not be located on any of the balconies or terrace areas unless appropriately visually and acoustically screened to the satisfaction of the Responsible Authority.
6. Buildings or works must not be commenced (and trees or vegetation must not be removed) until a landscape plan prepared by a suitably qualified and experienced person or firm has been submitted to and approved by the Responsible Authority. The landscape plan must feature a planting scheme able to satisfy Condition 1(f) of this permit and must also refer to Conditions 1(c), 7 and 8 of this permit which relate to the retention of an existing on-site tree. Landscaping in accordance with this approved plan and schedule must be completed before the building is occupied. After completion of the landscaping it must be maintained in good order to the satisfaction of the Responsible Authority.
7. Prior to any demolition works occurring at No. 8 Morgan Street, Aberfeldie, a fence to accord with the tree protection zone as required by Condition 1(c) of this permit is to be erected in accordance with the requirements of the report prepared by ArborReport (submitted to Council on the 14 September 2011), to the satisfaction of the Responsible Authority.
8. A consulting arborist must be employed to supervise the buildings and works which will occur in relation to the tree which is to be retained at No. 8 Morgan Street, Aberfeldie and which is marked for retention on the endorsed plans. The consulting arborist must conduct an induction of all personnel involved in construction regarding the retention of tree. Any works to be undertaken within the tree protection zone of the tree marked for retention must be completed or supervised by the consulting arborist to the satisfaction of the Responsible Authority.
9. 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.
10. The consent of the road authority (being VicRoads) is required for the proposed installation of the pedestrian crossing in Vida Street. All costs associated with the installation of the pedestrian crossing must be borne by the permit holder. The proposed pedestrian crossing must be installed prior to the issue of a certificate of occupancy unless otherwise consented to by the Responsible Authority.

11. Prior to the commencement of buildings and works, detailed engineering drawings concerning the proposed parking bays within Vida Street must be submitted to the Responsible Authority and approved. The engineering drawings must be prepared by a qualified civil engineer and all costs concerning the development of the plans and the undertaking of the works must be borne by the permit holder. The required works must be completed prior to the issue of a certificate of occupancy unless otherwise consented to by the Responsible Authority in writing.
12. Standard concrete vehicular crossings must be constructed to suit the proposed driveways in accordance with the Responsible Authority's standard specification and any vehicle crossings 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 1.0m 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.
13. The area set aside for the parking of vehicles, together with the associated access lanes as delineated on the endorsed plan must be to the satisfaction of the Responsible Authority:
 - a) Be provided and completed prior to the commencement of the use hereby permitted.
 - b) Thereafter be maintained.
 - c) Be made available for such use at all times and not used for any other purpose.
 - d) Be properly formed to such levels that it can be used in accordance with the endorsed plan.
 - e) Be drained and sealed with an all weather seal coat.
 - f) Have the boundaries of all vehicle spaces clearly indicated on the ground in conformity with the endorsed plan.
14. Prior to the commencement of buildings and works, a drainage layout plan, including stormwater outlets and legal points of discharge, must be prepared and submitted to and approved by the Responsible Authority. The drainage layout plan must take into consideration the possibility that an overland flow path may exist due to the steep nature of the existing terrain and must ensure that the proposed development does not discontinue such an overland flow path. Once approved by the Responsible Authority the plan must be carried out to the satisfaction of the Responsible Authority.

15. 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.
16. To the satisfaction of the Responsible Authority all external lights must be of a limited intensity to ensure no nuisance is caused to and adjoining or nearby residents and must be provided with approved baffles, so that no direct light or glare is emitted outside the site.
17. 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 and the use is not commenced 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.
- This permit does not authorise any advertising signs except for signage that does not require planning approval as pursuant to the Moonee Valley Planning Scheme.
- All works undertaken within any existing road reserves must accord with the requirements of the Moonee Valley City Council's Engineering Services Department and to the satisfaction of the Responsible Authority.

CARRIED

7.2 **4-8 Military Road, Avondale Heights - Construction of a three storey building with a basement car park (for the purposes of 20 dwellings) and alteration to access to a RDZ1**

File No: MV/20888/2010
Author: Team Leader Development Approvals
Directorate: City Works & Development
Ward: Rose Hill
Minute No: PC2011/27

Committee Resolution

Moved by Cr Cornish, seconded by Cr Kenos that in relation to application for Planning Permit No. MV/20888/2010 Council issue a Refusal to Grant a Permit for the construction of a three storey building with a basement car park (for the purposes of twenty dwellings) and alteration to the access to a Road Zone, Category 1 at 4, 6 and 8 Military Road, Avondale Heights on the following grounds:

1. The bulk, scale, form and layout of the proposal fails to meet Clause 55.02-1(Standard B1, Neighbourhood Character) of the Moonee Valley Planning Scheme, as it does not respect the character of the existing neighbourhood or integrate well with the street.
2. The development would present a visually dominant and unsympathetic built form character to the area contrary to Clause 21.05-3 (Built Environment) of the Moonee Valley Planning Scheme.
3. The proposal provides inadequate car parking and will exacerbate parking problems in the surrounding area.
4. Inadequacy of the development to address appropriate disability access.

CARRIED

7.3 **Moonee Valley Planning Scheme Amendment C97 - 157A Milleara Road East Keilor Rezoning and Master Plan**

File No: FOL/09/790
Author: Strategic Planner
Directorate: City Works & Development
Ward: Rose Hill
Minute No: PC2011/28

Committee Resolution

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

1. Having compiled with Part 3, Division 1 and 2 of the *Planning and Environment Act 1987*, and in accordance with Section 29(1), adopt Moonee Valley Planning Scheme Amendment C97 with the changes recommended by the Independent Panel.
2. Pursuant to Section 31(1) of the *Planning and Environment Act 1987*, submit Moonee Valley Planning Scheme Amendment C97 to the Minister for Planning for approval.

CARRIED

7.4 Update to Moonee Valley Open Space Strategy

File No: FOL/10/264
Author: Strategic Research and Planning Officer
Directorate: City Works & Development
Ward: Municipal
Minute No: PC2011/29

Committee Resolution

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

1. Adopt the revised version of the Moonee Valley Open Space Strategy as prepared by Thompson Berrill Landscape Design Pty Ltd in association with Environment and Land Management Pty Ltd to provide Council with the necessary detailed background information and justification for Amendment C98 (Public Open Space Contribution).
2. Adopt any required changes to the amendment documentation for Moonee Valley Planning Scheme Amendment C98 to reflect the correct title of the Moonee Valley Open Space Strategy as prepared by Thompson Berrill Landscape Design Pty Ltd in Association with Environment and Land Management Pty Ltd and remove reference to Open Space Strategy Towards 2020.

CARRIED

7.5 Resources, Facilities and Reimbursement of Expenses to Councillors Policy

File No: 51/03/11

Author: Manager Governance & Local Laws

Directorate: Corporate Services

Ward: Municipal

Minute No: PC2011/30

Committee Resolution

Moved by Cr Sharpe, seconded by Cr Chantry that Council adopt the Resources, Facilities and Reimbursement of Expenses to Councillors Policy (provided as Appendix A) and that a copy of the adopted Policy be made available on Council's website.

CARRIED

8. Urgent Business

Nil.

9. Confidential Report

Nil.

The meeting concluded at 7.15pm.

CONFIRMED

**CR JOHN SIPEK
CHAIRPERSON**