



City of
KINGSTON

Planning Committee Meeting Minutes

Wednesday 18 April 2012

Meeting commenced at 7.00pm

1230 Nepean Highway, Cheltenham

Environmental Sustainability Reports

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Present: Cr John Ronke (Mayor)
Cr Ron Brownlees OAM
Cr Lewis Dundas
Cr Dan Moloney
Cr Trevor Shewan
Cr Steve Staikos
Cr Rosemary West OAM

In Attendance: John Nevins – Chief Executive Officer
Ian Nice – Manager Statutory Planning
Janice Pouw – Governance Officer

1. Apologies:

Apologies from Cr Athanasopoulos and Cr Paul Peulich were submitted to this meeting.

Moved: Cr Staikos

Seconded: Cr Brownlees

That the apologies from Cr Athanasopoulos and Cr Peulich be received and leave of absence be granted.

CARRIED

2. Confirmation of the Minutes of Previous Meeting

Moved: Cr Staikos

Seconded: Cr Brownlees

That the minutes of the previous meeting held on 21 March 2012 were confirmed.

CARRIED

3. Foreshadowed Disclosure/s by Councillors, Officers or Contractors of any Conflict of Interest:

There were no Conflicts of Interest submitted to the meeting.

4. Environmental Sustainability Reports

PC 19 Town Planning Application Decisions – March 2012

Moved: Cr Staikos

Seconded: Cr Brownlees

That the report be noted.

CARRIED

PC 20 KP450/2011 – 290 Como Parade West, Parkdale

Moved: Cr West

Seconded: Cr Brownlees

That the proposal for 290 Como Parade West, Parkdale – Planning Permit Application KP450/2011 be opposed subject to the following grounds:

1. The proposal is contrary to the orderly and proper planning of the area.
2. The proposal constitutes and overdevelopment of the site.
3. The proposal is inconsistent with the relevant policies of the Kingston Planning Scheme.
4. The proposal would have an adverse effect on the amenity of the adjoining / nearby properties through its visual bulk, noise, scale, massing and inappropriate building setbacks.
5. The traffic generated by the proposal would create traffic problems in the locality and would cause wider traffic problems in the surrounding road network.
6. The proposal does not meet the heritage style of the Parkdale Shopping Centre.

CARRIED

PC 21 260 Balcombe Road, Mentone - Planning Permit Application No KP801/2011

SPEAKER: It is recorded that Ms Sophie Loddo spoke in relation to this item.

Moved: Cr West

Seconded: Cr Shewan

That the proposal for 260 Balcombe Road, Mentone – Planning Permit Application KP801/2011 be opposed subject to the following grounds:

1. The proposal would have an adverse effect on the amenity of an established residential neighbourhood.
2. The proposal would detract from the visual amenity of the locality and the streetscape.
3. The proposal fails to adequately respond to built form, siting and scale objectives outlined in the Residential Development Policy at Clause 22.11 of the Kingston Planning Scheme.
4. The development has an unreasonable visual bulk impacts upon garden outlooks and views from habitable room windows from adjoining properties.
5. The proposal would not allow for adequate manoeuvring within the site to allow for safe egress from the site.
6. The development does not adequately integrate with the communal open space within the development.
7. The proposal does not satisfy all of the requirements of Clause 55 of the Kingston Planning Scheme (ResCode), in particular Clause 55.02-2 Residential Policy Objectives, Clause 55.03-1 Street Setback Objective, Clause 55.03-6 Open Space Objective, Clause 55.03-9 Access Objectives, Clause 55.03-10 Parking Location Objective.

CARRIED

A Division was called:

| | | |
|------------------|-----------------|----------------------------------------|
| DIVISION: | FOR: | Crs Staikos, West, Shewan, Moloney (4) |
| | AGAINST: | Crs Dundas, Brownlees and Ronke (3) |

CARRIED

PC 22 45 Harpley Street, Cheltenham - No KP748/2011

SPEAKER: It is recorded that Mr Jia Lin Li spoke in relation to this item.

Moved: Cr West

Seconded: Cr Shewan

That the proposal for 45 Harpley Street, Cheltenham – Planning Permit Application KP748/2011 be opposed subject to the following grounds:

- 1 The proposal does not provide adequate vehicle reversing areas to enable vehicles to leave the site in a forward direction, failing to satisfy the requirements of Clause 55.03-9 – Access, of the Kingston Planning Scheme.
- 2 The layout of dwellings does not allow for the convenient and accessible locations of external storage or site services such as rubbish bins, not meeting the requirements of Clause 55.05-6 – Storage and Clause 55.06-4 – Site Services of the Kingston Planning Scheme.
- 3 The proposal does not satisfy all of the requirements of Clause 55 of the Kingston Planning Scheme (ResCode), in particular Clause 55.02-1 Neighbourhood Character Objectives, Clause 55.02-2 Residential Policy Objectives, Clause 55.03-1 Street Setback Objective; Clause 55.03-8 Landscaping Objectives, Clause 55.04-6 Overlooking Objective; Clause 55.05-4 Private Open Space Objective, Clause 55.05-6 Storage Objective.
- 4 The proposal would have an adverse affect on the amenity of an established residential neighbourhood.
- 5 The proposal fails to adequately respond to built form, siting and scale objectives outlined in the Residential Development Policy at Clause 22.11 of the Kingston Planning Scheme.

CARRIED

**PC 23 46 Broadway, Bonbeach – Planning Permit Application No
KP728/2011**

SPEAKER: It is recorded that Mr Seamus Walsh spoke in relation to this item.

Moved: Cr Shewan

Seconded: Cr Moloney

That the proposal for 46 Broadway, Bonbeach – Planning Permit Application KP728/2011 be opposed subject to the following grounds:

1. The proposal is not consistent with the objectives of Clause 55.05-2 Dwelling Entry of the Kingston Planning Scheme, failing to provide adequate dwelling identification to dwelling's 1 and 2.
2. The proposal does not satisfy the requirements of Clause 55.06-1 Design Detail of the Kingston Planning Scheme, with dwelling 3 lacking articulation and design detail resulting in the presentation of unreasonable visual bulk to the adjoining property.
3. The proposal fails to adequately respond to built form, siting and scale objectives outlined in the Residential Development Policy at Clause 22.11 of the Kingston Planning Scheme.

CARRIED

PC 24 Lot 1 Centre Dandenong Road, Heatherton – Planning Permit
Application No. KP544/2011

SPEAKER: It is recorded that Mr Joseph Indomenico spoke in relation to this item

Moved: Cr Staikos

Seconded: Cr Brownlees

That Council determine to grant a Planning Permit to develop and use the land for a plant nursery, at Lot 1 Centre Dandenong Road, Heatherton, 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. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be substantially in accordance with the plans submitted to Council on 21 November, 2011, and sheet TP03 of 21 December, 2011, but modified to show:
 - a. the provision of a landscape plan in accordance with the submitted development plan and the City of Kingston Landscape Plan Checklist, with such plans to be prepared by a suitably qualified landscape professional and incorporating:
 - i) an associated planting schedule showing the proposed location, species type, mature height and width, pot sizes and number of species to be planted on the site. The schedule must be shown on the plan;
 - ii) the delineation of all garden beds, paving, grassed areas, retaining walls, fences and other landscape works including areas of cut and fill throughout the development;
 - iii) all existing trees on the site and within three (3) metres to the boundary of the site on adjoining properties, accurately illustrated to represent actual canopy width and labelled with botanical name, height and whether the tree is proposed to be retained or removed;
 - iv) a range of plant types from ground covers to large shrubs and trees;
 - v) adequate planting densities (e.g.: plants with a mature width of 1 metre, planted at 1 metre intervals);
 - vi) the provision of suitable medium sized (at maturity) canopy trees within the property with species chosen to be approved by the Responsible Authority;
 - vii) sustainable lawn areas and plant species taking current water restrictions into consideration;
 - viii) all trees provided at a minimum of two (2) metres in height at time of planting;

PC 24 Lot 1 Centre Dandenong Road, Heatherton – Planning Permit Application No. KP544/2011 (continued)

- ix) medium to large shrubs to be provided at a minimum pot size of 200mm; and
 - x) the provision of notes on the landscape plan regarding site preparation, including the removal of all weeds, proposed mulch, soil types and thickness, subsoil preparation and any specific maintenance requirements.
 - xi) The retention of existing trees two (2), three (3), four (4), five (5), six (6), seven (7), eleven (11), twelve (12), thirteen (13), fourteen (14) as numbered in the Arboricultural Assessment provided by Treelogic dated October 2011.
- b. removal of notations regarding signage;
 - c. notations on plans to indicate the area of the site to be used for plant propagation and growing, to occupy a minimum of 50% of the site and of this percentage a minimum of 20% to be dedicated to propagation, to the satisfaction of the Responsible Authority;
 - d. the provision of one fence only towards the site's southern and eastern boundaries;
 - e. dimensions of the two crossovers;
 - f. a minimum of seventy percent (70%) of the site to remain permeable, with the incorporation of unsealed parking areas adjacent to established trees on the site;
 - g. the provision of a notation on plans stating: "A dark brown 2.5 metre wide shared user path along Centre Dandenong Road and Boundary Road frontages of the property boundary must be constructed in accordance with engineering plans approved by the Responsible Authority".
 - h. the provision of a minimum 4 metre setback of development from the back of the kerb on each road frontage;
 - i. finished floor levels to the Australian Height Datum in accordance with the requirements Melbourne Water;
 - j. the internal layout of Building A reconfigured to swap the location of the administration area and the café, with access to the café to be provided from the shop only, whilst retaining the building footprint;
 - k. a comprehensive detailed drainage strategy of the site incorporating rainwater tank/s and Water Sensitive Urban Design Treatments to the satisfaction of Council;
 - l. the provision of a notation on the plans stating: "any assets in the surrounding areas of the proposed development site disturbed or damaged by the development works must be reinstated to the satisfaction of the relevant authority";

**PC 24 Lot 1 Centre Dandenong Road, Heatherton – Planning Permit
Application No. KP544/2011 (continued)**

- m. the provision of a full colour, finishes and building materials schedule, including samples (illustrated on an A4 or A3 sheet), for all external elevations and driveways of the development, demonstrating the use of muted tones throughout.
2. The development and/or use as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
3. Conditions required by Melbourne Water:
 - a) Pollution and sediment laden run-off shall not be discharged directly or indirectly into Melbourne Water's drains or watercourses.
 - b) Any new buildings must be constructed with finished floor levels a minimum of 300mm above the applicable flood level.
 - c) Prior to the commencement of works, a separate application direct to Melbourne Water must be made for any new or modified storm water connection to Melbourne Water's drains or watercourses.
 - d) Development plans must be submitted to Council and Melbourne Water addressing Melbourne Water's conditions.
4. Once the development hereby approved has started it must be continued and completed to the satisfaction of the Responsible Authority.
5. A Tree Protection Zone (TPZ) must be installed at distances recommended by Treelogic dated October 2011 from tree two (2), three (3), four (4), five (5), six (6), seven (7), eleven (11), twelve (12), thirteen (13), fourteen (14) as numbered in the Arboricultural Assessment. A qualified arborist is to be employed to oversee any works (excavation and or construction) within this zone. The following must be observed the existing soil level must not be altered either by fill excavation;
 - a) the soil must not be compacted or the soil's drainage changed;
 - b) no fuels, oils, chemicals, poisons, rubbish and other materials harmful to trees are to be stored or dispersed;
 - c) no storage of equipment, machinery or material is to occur;
 - d) open trenching to lay underground services e.g.: drainage, water, gas, etc. must not be used;
 - e) tree roots must not be severed or injured; and
 - f) machinery must not be used to remove any existing concrete, bricks or other materials.

without the further consent in writing of Council's Vegetation Management Officer.

**PC 24 Lot 1 Centre Dandenong Road, Heatherton – Planning Permit
Application No. KP544/2011 (continued)**

6. Prior to the commencement of the development hereby permitted a Tree Protection Fence defined by a 1.2 metre high temporary fence constructed using steel or timber posts fixed in the ground or to a concrete pad, with the fence's side panels to be constructed of cyclone mesh wire or similar strong metal mesh or netting, must be erected in a radius at distances recommended by Treelogic dated October 2011 from tree two (2), three (3), four (4), five (5), six (6), seven (7), eleven (11), twelve (12), thirteen (13), fourteen (14) as numbered in the Arboricultural Assessment. The above requirements in condition 2 must be observed within this area.
7. All tree pruning work must be in accordance with the Australian Standards AS4373 (2007) "Pruning of Amenity Trees" and be undertaken by a qualified and experienced Arborist.
8. All works around trees being retained must be in accordance with the Australian Standards AS4970 (2009) "Protection of trees on development sites" and be undertaken by a qualified and experienced Arborist.
9. Any soil scalping to remove soil must be undertaken by a qualified and experienced Arborist.
10. Prior to the commencement of the permitted development, a detailed functional layout plan, generally in accordance with the Traffic & Transport Assessment Report, dated 18 November, 2011, must be submitted to and approved by Vic Roads showing:
 - i) Details of the crossovers. The crossovers must be a minimum of 6.5 metres wide as measured at the property boundary and the entry of the vehicular crossovers must be angled at 60 degrees to the road reserve boundary. Design must restrict movements to left in/left out from Centre Dandenong Road and Boundary Road.
 - ii) Prior to the commencement of the use of the permitted development, works as shown on the approved finalised layout plan must be carried out to the satisfaction of the Responsible Authority.
11. Prior to the commencement of this use and before the construction or carrying out of buildings or works in association with this use and/or development the applicant/owner must provide for the approval and to the satisfaction of the Responsible Authority one of the following:
 - A certificate of environmental audit issued for the subject land in accordance with Section 57AA of the Environmental Protection Act 1970; or
 - The applicant/owner must appoint an environmental auditor as required under the Environment Protection Act 1970 (at their own cost) and provide to Council as the Responsible Authority a statement made in accordance with Section 57AA(5)(b) of that Act that the environmental conditions of the land are suitable for this use hereby approved.

**PC 24 Lot 1 Centre Dandenong Road, Heatherton – Planning Permit
Application No. KP544/2011 (continued)**

12. Before the use commences, the dark brown 2.5 metre wide shared user path required pursuant to Condition 1 f) must be designed and constructed at the developer's cost and maintained in accordance with the engineering plans approved by the Responsible Authority. Discussion with Council's Development Engineer is recommended prior to the submission of a design. A priced schedule of works within the road reserve and the payment of Council's engineering fees of 3.25% of the cost of works are required to be submitted prior to the approval of the engineering plans.
13. Landscaping or gardening supplies must not be sold in bulk quantities, to the satisfaction of the Responsible Authority.
14. Any new building must be constructed so as to comply with any noise attenuation measures required by Section 3 of Australian Standard AS 2021-2000, Acoustics - Aircraft Noise Intrusion - Building Siting and Construction, issued by Standards Australia International Ltd.
15. Prior to the commencement of the use hereby permitted, the landscaping works as shown on the endorsed plans must be completed to the satisfaction of the Responsible Authority. The landscaping must then be maintained to the satisfaction of the Responsible Authority.
16. Prior to the commencement of the use hereby permitted, all buildings and works and the conditions of this permit must be complied with, unless with the further prior written consent of the Responsible Authority.
17. Prior to the commencement of the use hereby permitted, or by such later date as is approved by the Responsible Authority in writing, the nature strip, kerb and channel, vehicle crossover and footpath must be reinstated to the satisfaction of the Responsible Authority.
18. The development of the site must be provided with stormwater works which incorporate the use of water sensitive urban design principles to improve stormwater run-off as a result of the approved development as guided by the Urban Stormwater Best Practice Environmental Management Guidelines, CSIRO 1999. The system must be maintained to the satisfaction of the Responsible Authority. Council's Development Engineer can advise on satisfactory options to achieve these desired outcomes which may include the use of infiltration or bio-retention system, rainwater tanks connected for reuse of toilet flushing and irrigation and a detention system. The overall permissible site discharge must be limited to 48l/s.
19. Before the development commences, a Stormwater Management Plan showing the stormwater works to the nominated point of discharge must be prepared to the satisfaction of the Responsible Authority. The Stormwater Management Plan must be prepared by a qualified person and show all details of the proposed stormwater works including all existing and proposed features that may have impact (e.g. trees to be retained, crossings, services, fences, abutting buildings, existing boundary surface levels, etc.).

**PC 24 Lot 1 Centre Dandenong Road, Heatherton – Planning Permit
Application No. KP544/2011 (continued)**

20. Stormwater works must be provided on the site so as to prevent overflows onto adjacent properties.
21. All existing assets in the surrounding area of the development site must be protected during construction and any damage or disturbance must be reinstated to the satisfaction of the relevant authority.
22. Stormwater quality measures must be implemented during the construction.
23. All reinstatements and vehicle crossings are to be constructed to the satisfaction of the relevant authority.
24. Property boundary and footpath/vehicle crossing levels are to be raised so that the nature strip has a fall of 3% to the back of the kerb.
25. Any existing vehicular crossing not in accordance with the endorsed plan must be removed and the kerb reinstated in a manner satisfactory to the Responsible Authority and any proposed vehicular crossing must be fully constructed to the Responsible Authority's standard specification.
26. Prior to the commencement of the use hereby permitted, areas set aside for parking vehicles, access lanes and paths as shown on the endorsed plans must be:
 - a. Constructed to the satisfaction of the Responsible Authority.
 - b. Properly formed to such levels that they can be used in accordance with the plans.
 - c. Surfaced in accordance with the endorsed plans under this permit or in an all-weather coloured concrete seal-coat, to the satisfaction of the Responsible Authority.
 - d. Drained and maintained to the satisfaction of the Responsible Authority.

Parking areas and access lanes must be kept available for these purposes at all times and maintained to the satisfaction of the Responsible Authority.
27. The car parking provided on the land must always be made available for use by persons employed on or visiting the subject premises to the satisfaction of the Responsible Authority.
28. The amenity of the area must not be detrimentally affected by the development and use hereby approved, through the:
 - Appearance of any buildings, works or materials;
 - Emissions of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil; and
 - Presence of vermin.

**PC 24 Lot 1 Centre Dandenong Road, Heatherton – Planning Permit
Application No. KP544/2011 (continued)**

29. The use may operate only between the hours of:

| | |
|--------------------|-----------------|
| Monday to Saturday | 7:00am – 9:00pm |
| Sunday | 7:00am – 7:00pm |

Unless with the further written consent of the Responsible Authority.

30. Deliveries to and from the site (including waste collection) must only take place between:

| | |
|-----------------------------|----------------|
| Monday to Saturday | 7:00am- 8:00pm |
| Sundays and Public Holidays | 9:00am- 8:00pm |

Deliveries to and from the site are to be limited to hours outside of peak demand within these specified time limits.

31. Bins or other receptacles for any form of rubbish or refuse must not be placed or allowed to remain in view of the public, and smell must not be emitted from any such receptacle.

32. The site shall be kept in a neat and tidy condition at all times, all to the satisfaction of the Responsible Authority.

33. In accordance with section 68 of the Planning and Environment Act 1987, this permit will expire if one of the following circumstances applies:

- The development is not started within two (2) years from the date of permit issue.
- The development is not completed within four (4) years from the date of permit issue.
- The use is not started within one (1) year of the completion of the development.
- The use is discontinued for a period of two (2) years.

In accordance with section 69 of the *Planning and Environment Act 1987*, the responsible authority may extend the periods referred to if a request is made in writing before the permit expires, or within three months afterwards.

Note: The applicable flood level for this property that has a probability of occurrence of 1% in any one year is 16.2 metres to Australian Height Datum (AHD). If further information is required in relation to Melbourne Water's conditions shown above, please contact Land Development on telephone 9235 2517 quoting Melbourne Water's reference 133535.

Note: Prior to the commencement of the development you are required to obtain the necessary Building Permit.

**PC 24 Lot 1 Centre Dandenong Road, Heatherton – Planning Permit
Application No. KP544/2011 (continued)**

Note: The applicant/owner must provide a copy of this planning permit to any appointed Building Surveyor. It is the responsibility of the applicant/owner and Building Surveyor to ensure that all building development works approved by any building permit is consistent with the planning permit.

Note: Before removing / pruning any vegetation from the site, the applicant or any contractor engaged to remove any vegetation, should consult Council's Vegetation Management Officer to verify if a Local Laws Permits is required for the removal of such vegetation.

Note: Developers must be aware of the height restrictions which apply to the site with regard to the Moorabbin Airport flight paths. The use of cranes or other lifting equipment will require assessment by the Moorabbin Airport Corporation to ensure that flight paths will not be impacted.

CARRIED

**PC 25 30 Munro Avenue, Edithvale – Planning Permit Application No
KP764/2011**

SPEAKER: It is recorded that Mr John McCaffrey spoke in relation to this matter.

Moved: Cr Moloney

Seconded: Cr Shewan

That Council determine to support the proposal and grant a Planning Permit to develop the land for the construction of two (2) dwellings at No. 30 (Land in Plan of Consolidation No. 164740T) Munro Avenue, Edithvale, 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. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be substantially in accordance with the plans submitted to Council on the 1st November, 2011, but modified to show:
 - a. the provision of an improved landscape plan and associated planting schedule for the site showing the proposed location, species type, mature height and width, pot sizes and number of species be planted on the site, with such plans to be prepared by a suitably qualified landscape professional and incorporating:
 - i. an associated planting schedule showing the proposed location, species type, mature height and width, pot sizes and number of species to be planted on the site. The schedule must be shown on the plan;
 - ii. the delineation of all garden beds, paving, grassed areas, retaining walls, fences and other landscape works including areas of cut and fill throughout the development;
 - iii. all existing trees on the site and within three (3) metres to the boundary of the site on adjoining properties, accurately illustrated to represent actual canopy width and labelled with botanical name, height and whether the tree is proposed to be retained or removed;
 - iv. adequate planting densities (e.g. plants with a mature width of 1 metre, planted at 1 metre intervals);
 - v. a range of plant types from ground covers to large shrubs and trees;
 - vi. the provision of one (1) suitable medium sized spreading canopy trees within the front setback of the site and one (1) small (at maturity) tree within the rear/side secluded private open space of each dwelling with all species chosen to be approved by the Responsible Authority;
 - vii. sustainable lawn areas and plant species taking current water restrictions into consideration;

PC 25 30 Munro Avenue, Edithvale – Planning Permit Application No KP764/2011 (continued)

- viii. all trees provided at a minimum of two (2) metres high at time of planting;
 - ix. medium to large shrubs and trees provided in pot sizes of 200mm or greater;
 - x. the provision of a notation on the landscape plan regarding site preparation, including the removal of all weeds, proposed mulch, soil types and thickness, subsoil preparation and any specific maintenance requirements;
- b. the north-east (front) facing first floor level sitting room window of Dwelling 2 designed in accordance with Standard B22 and B23 of Clause 55.04-6 & 7 of the Kingston Planning Scheme;
 - c. the reference to a garage deleted where a double carport is proposed for the existing dwelling;
 - d. the provision of a 6m³ externally accessible storage area for each dwelling;
 - e. the surface material of all driveways / accessways and car parking spaces nominated in all-weather coloured concrete sealcoat, or similar;
 - f. the provision of a full colour, finishes and building materials schedule, including samples (illustrated on an A4 or A3 sheet), for all external elevations and driveways of the development;
 - g. the provision of a minimum 2000 litre rainwater tank clearly nominated for each new dwelling with water re-use for toilet flushing;
 - h. the location of all externally-located heating and cooling units, exhaust fans and the like, clearly shown; and
 - i. the guttering pertaining to the garages / walls on boundary on the site's north-west (side) and south-east (side) property boundary nominated as being contained wholly within the title property boundaries of the subject land.
- 2. The development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
 - 3. Prior to the occupation of Dwelling 2 hereby permitted, the landscaping works as shown on the endorsed plans must be completed to the satisfaction of the Responsible Authority. The landscaping must then be maintained to the satisfaction of the Responsible Authority.
 - 4. Prior to the occupation of Dwelling 2 hereby permitted, all buildings and works and the conditions of this permit must be complied with, unless with the further prior written consent of the Responsible Authority.

PC 25 30 Munro Avenue, Edithvale – Planning Permit Application No KP764/2011 (continued)

5. The development of the site must be provided with stormwater works which incorporates the use of water sensitive urban design principles to improve stormwater runoff quality and which also retains on site any increase in runoff as a result of the approved development. The system must be maintained to the satisfaction of the Responsible Authority. Council's Development Engineer can advise on satisfactory options to achieve these desired outcomes which may include the use of an infiltration or bioretention system, rainwater tanks connected for reuse and a detention system.
6. Before the development commences, a Stormwater Management Plan showing the stormwater works to the nominated point of discharge must be prepared to the satisfaction of the Responsible Authority. The Stormwater Management Plan must be prepared by a qualified person and show all details of the proposed stormwater works including all existing and proposed features that may have impact (e.g. trees to be retained, crossings, services, fences, abutting buildings, existing boundary surface levels, etc.).
7. Stormwater works must be provided on the site so as to prevent overflows onto adjacent properties.
8. Stormwater outflow from the development to the Council drainage system should not exceed the predevelopment outflow of the site.
9. Any existing vehicular crossing not in accordance with the endorsed plan must be removed and the kerb reinstated in a manner satisfactory to the Responsible Authority and any proposed vehicular crossing must be fully constructed to the Responsible Authority's standard specification.
10. Prior to the occupation of Dwelling 2 permitted, all boundary fences must be repaired and/or replaced as necessary to the satisfaction of the Responsible Authority, at the cost of the applicant/owner.
11. Prior to the occupation of Dwelling 2 hereby permitted, areas set aside for parking vehicles, access lanes and paths as shown on the endorsed plans must be:
 - a. Constructed to the satisfaction of the Responsible Authority.
 - b. Properly formed to such levels that they can be used in accordance with the plans.
 - c. Surfaced in accordance with the endorsed plans under this permit or in an all-weather coloured concrete seal-coat, to the satisfaction of the Responsible Authority.
 - d. Drained and maintained to the satisfaction of the Responsible Authority.

Parking areas and access lanes must be kept available for these purposes at all times and maintained to the satisfaction of the Responsible Authority.

PC 25 30 Munro Avenue, Edithvale – Planning Permit Application No KP764/2011 (continued)

12. All works on or facing the boundaries of adjoining properties must be finished and surface cleaned to a standard that is well presented to neighbouring properties in a manner to the satisfaction of the Responsible Authority.
13. All piping and ducting above the ground floor storey of the development (other than rainwater guttering and downpipes) must be concealed to the satisfaction of the Responsible Authority.
14. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.
15. In accordance with section 68 of the *Planning and Environment Act 1987*, this permit will expire if one of the following circumstances applies:
 - The development is not started within two (2) years from the date of permit issue.
 - The development is not completed within four (4) years from the date of permit issue.

In accordance with section 69 of the *Planning and Environment Act 1987*, the responsible authority may extend the periods referred to if a request is made in writing before the permit expires, or within three months afterwards.

Note: Prior to the commencement of the development you are required to obtain the necessary Building Permit.

Note: It is noted the development includes pergola and building eaves to be built over the easement. Separate consent from Council and the relevant service authority is required to build over the easement and will need to be obtained prior to the issue of a Building Permit.

Note: The applicant/owner must provide a copy of this planning permit to any appointed Building Surveyor. It is the responsibility of the applicant/owner and Building Surveyor to ensure that all building development works approved by any building permit is consistent with the planning permit.

CARRIED

A Division was called:

| | | |
|------------------|-----------------|-------------------------------------------------------------|
| DIVISION: | FOR: | Crs Staikos, West, Shewan, Moloney, Brownlees and Ronke (6) |
| | AGAINST: | Cr Dundas (1) |

CARRIED

PC 26 Proposed Planning Scheme Amendment C129 to Extend the Expiry Date of Clause 22.18 – Materials Recycling in the Green Wedge

Moved: Cr Staikos

Seconded: Cr West

That the Planning Committee resolves:

1. To initiate a Planning Scheme Amendment to extend the expiry date of Clause 22.18 for a further two years to correct a minor wording change in that Clause 22.18-4 point 5 to reflect that Kingston is developing a Green Wedge Plan (not a Green Wedge Management Plan).
2. Add a point to the Planning Scheme Amendment to “Discourage the establishment of materials recycling facilities in association with Refuse Transfer Stations (provided this does not delay the implementation of extended interim controls beyond the June 30 expiry date.

CARRIED UNANIMOUSLY

PC 27 - Urgent Business – 76 - 78 Balcombe Road, Mentone

Moved: Cr Staikos

Seconded: Cr Brownlees

That the matter regarding the subdivision of 76-78 Balcombe Road, be dealt with as an item of urgent business.

CARRIED

Moved: Cr Staikos

Seconded: Cr Brownlees

That Council hold firm at 5% and the matter be determined by VCAT at the hearing listed for the 26th June, 2012.

CARRIED

A Division was called:

DIVISION: **FOR:** Crs Staikos, West, Shewan and Brownlees (4)
 AGAINST: Crs Dundas, Moloney and Ronke (3)

CARRIED

The Chairperson declared the meeting closed at 8.34pm.

Confirmed:
 His Worship, The Mayor 23 May 2012