



City of
KINGSTON

Planning Committee Meeting Minutes

Wednesday, 19th February 2014

**City of Kingston
Planning Committee Meeting**

Minutes

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	<i>[Note that any Conflicts of Interest need to be formally declared at the start of the meeting and immediately prior to the item being considered – type and nature of interest is required to be disclosed – if disclosed in writing to the CEO prior to the meeting only the type of interest needs to be disclosed prior to the item being considered.]</i>	
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The meeting commenced at 7.00pm in the Council Chamber, 1230 Nepean Highway, Cheltenham.

Present: Cr Paul Peulich (Mayor)
Cr Tamara Barth
Cr Tamsin Bearsley
Cr David Eden
Cr Geoff Gledhill
Cr Rosemary West OAM

In Attendance: Paul Franklin – Acting Chief Executive Officer
Rachel Hornsby – General Manager Environmental Sustainability
Phil DeLosa – Program Leader Governance
Stephanie O’Gorman – Governance Officer
Ian Nice – Manager City Strategy
Jonathan Guttmann – Manager City Development

1. Apologies

Apologies from Cr Staikos, Cr Brownlees and Cr Ronke were submitted to the meeting.

Moved: Cr Gledhill

Seconded: Cr Bearsley

That the apologies from Cr Staikos, Cr Brownlees and Cr Ronke be received.

CARRIED

2. Confirmation of Minutes of Previous Meetings

Moved: Cr Gledhill

Seconded: Cr Bearsley

That the Minutes of the Planning Committee Meeting held on 18 September 2013 be confirmed.

CARRIED

3. Foreshadowed Declaration by Councillors, Officers or Contractors of any Conflict of Interest

There were no Conflicts of Interest submitted to the meeting.

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4. Environmental Sustainability Reports

Procedural Motion

Moved: Cr Gledhill

Seconded: Cr Barth

That the order of business be altered to consider Item 4.6 before Item 4.1

CARRIED

4.6 KP13/436 - 576 - 578 Heatherton Road Clayton South

Procedural Motion

Moved: Cr Gledhill

Seconded: Cr West

That consideration of this item be deferred to the Ordinary Meeting of Council 24 February 2014.

CARRIED

4.1 Town Planning Application Decisions - January 2014

Moved: Cr Bearsley

Seconded: Cr Barth

That the report be noted

CARRIED

4.2 Amendment C133 and Planning Permit Application KP12/555 - Panel Report Recommendations

Moved: Cr Bearsley

Seconded: Cr Eden

That Council resolves to:

1. Adopt Planning Scheme Amendment C133 and recommend to the Minister of Planning the granting of Planning Permit KP12/555 with the following changes:
 - a. Amend the description of the heritage place HO18 in schedule 43.01 of the Planning Scheme in accordance with the Panel's recommendations; and
 - b. Amend the Draft Planning Permit in accordance with the Panel's recommendations.
2. Submit the Amendment and Permit with changes to the Minister for Planning for approval; and
3. Notify submitters to the Amendment of resolutions 1 and 2 above.

CARRIED

4.3 KP13/472 - 93, 95 & 97 Cavanagh Street Cheltenham

It is recorded that David Murray spoke on behalf of the objectors in relation to this item.

Moved: Cr West

Seconded: Cr Barth

That Council refuse the application to develop the land for the construction of a mixed use development with a reduction of the car parking requirements and waiver of the loading bay requirements at No 93, 95 and 97 Cavanagh Street Cheltenham on the following grounds:

1. The proposal fails to adequately respond to the relevant sections of the Kingston Planning Scheme, including State and Local Planning Policy Frameworks, Council's Municipal Strategic Statement and local planning policies and Commercial 1 Zone.
2. The proposal fails to adequately consider the interface with adjoining zones, particularly given the site's established residential context and neighbourhood character.
3. The height and bulk of the proposal does not appropriately transition between the established residential context and the generally low rise scale of the commercial centre.
4. The development provides an inadequate response with regard to design detail and sustainability objectives.
5. The proposal fails to provide adequate on-site amenity for future residents.
6. The proposal fails to meet car parking and loading/unloading requirements of the Kingston Planning Scheme (Clause 52.06 and Clause 52.07 respectively).

CARRIED

4.4 KP13/730 - 55 Bear Street Mordialloc

It is recorded that Rohan Murley spoke on behalf of the applicant in relation to this item.

Moved: Cr Gledhill

Seconded: Cr Bearsley

That Council determine to support the proposal and issue a Notice of Decision to Grant a Permit to develop the land for the construction of three (3) dwellings within a Land Subject to Inundation Overlay at No. 55 Bear Street, Mordialloc pursuant 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 20 November 2013, 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:

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- 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 two (2) suitable medium sized (at maturity) canopy trees within the front setback of the property and one (1) small (at maturity) tree within the private open space area of each dwelling, 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;
 - 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.
- b. all requirements of Melbourne Water, in accordance with Conditions 3 through to 6 of this permit;
 - c. the provision of minimum 2000 litre rainwater tank clearly nominated for each dwelling with water re-use for toilet flushing;
 - d. the finished floor levels of all dwellings shown on the ground floor plans;
 - e. the finished floor levels of all garages shown on the ground floor plans;
 - f. the existing 1.6 metre high fence along the western, northern and eastern boundaries shown to be removed and replaced with a new 2000mm high timber paling fence;
 - g. the height of the internal fences between Dwellings 1 & 2 and Dwellings 2 & 3 respectively;
 - h. any steps necessary between the porches and ground level due the change in level;
 - i. any steps necessary between the living and alfresco areas and the area of open space due to the change in level;
 - j. the reduction in the length of the first floor rumpus room of Dwelling 2 from

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- 5.0m to 4.0m;
- k. a clear notation linked to the stairwell of Dwelling 2 on the first floor plan indicating that the balustrade between the stairwell and the first floor rumpus room is to be 1200mm high and remain open;
 - l. any modifications necessary to the design to ensure that the stairwell windows to both Dwellings 1 and 2 have a minimum sill height of 1700mm above the finished floor level of the stairwell landings. This is to be accompanied by a notation on the first floor plans describing this arrangement as such;
 - m. the alteration of the north-facing Bedroom 2 window of Dwelling 2 to either have a minimum sill height of 1.7 metres or be fitted with a fixed, permanent external screen to a height of 1.7 metres to prevent direct views into the ground floor master bedroom of Dwelling 3;
 - n. a minimum one (1) metre landscaped setback to the common property driveway from the west-facing kitchen window and the north-facing family room window of Dwelling 1. Sill heights are to be a minimum of 1.4 metres above finished floor level in accordance with Standard B15 of Clause 55 of the Kingston Planning Scheme;
 - o. the provision of suitable fixed (unopenable) screening to the north-facing Bedroom 3 and rumpus room windows of Dwelling 3 and the west-facing Bedroom 3 window of Dwelling 1. Screening is to a minimum height of 1.7 metres above the first floor finished floor level directly below, in accordance with Clause 55.04-6 (Standard B22) of the Kingston Planning Scheme;
 - p. the surface material of all driveways / accessways and car parking spaces nominated in “all-weather coloured concrete sealcoat, or similar”;
 - q. 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;
 - r. the clear notation of the location of letterboxes on plan;
 - s. a notation on plan clearly stating the storage capacity of all water tanks and their plumbing connection to toilets for flushing purposes;
 - t. the location of all externally-located heating and cooling units, exhaust fans and the like, clearly shown;
 - u. the guttering pertaining to the garages / walls on boundary on the site’s property boundaries nominated as being contained wholly within the title property boundaries of the site;
 - v. tree protection fencing to be shown around an area with a minimum radius of two (2) metres from the base of the Water Gum street tree in the nature strip outside the property; and
 - w. a notation directly linked to the new crossover depicted on plan stating “Sensitive digging is required during the construction of the proposed crossover to ensure that the health of all street trees located on the crossover is not impacted – no roots over 50mm are to be cut and no branches are to be damaged during any construction works outside any tree protection zones”.
2. The development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.

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Melbourne Water Conditions (Conditions 3 to 6)

3. No polluted and / or sediment laden runoff is to be discharged directly or indirectly into Melbourne Water's drains or watercourses.
4. Finished floor levels of the dwelling must be a minimum of 3.0 metres to Australian Height Datum (300mm above the applicable flood level).
5. Any new garage must be constructed with finished floor or surface levels a minimum of 2.85 metres to Australian Height Datum (150mm above the applicable flood level).
6. Prior to the occupation of the dwellings hereby permitted, the new fences required under Condition 1f. of this permit must be erected to Council's satisfaction, at the full cost of the applicant/owner(s) of the subject site.

Drainage Conditions

7. 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. The overall outflow of the site to Council drainage system must be limited to 11 l/s.
8. 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.).
9. Stormwater works must be provided on the site so as to prevent overflows onto adjacent properties.
10. Prior to the occupation of the dwellings 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.
11. Prior to the occupation of the dwellings 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.
12. Prior to the occupation of the dwellings 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 reinstated to the satisfaction of the Responsible Authority.
13. 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.
14. Prior to the occupation of the dwellings hereby permitted, all boundary fences must be repaired and/or replaced as necessary to the satisfaction of the

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Responsible Authority, at the cost of the applicant/owner.

15. Prior to the occupation of the dwellings 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.

16. 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.
17. 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.
18. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.
19. In accordance with Section 68 of the Planning and Environment Act 1987 (**The Act**), this permit will expire if one of the following circumstances applies:
- The development is not started before within (2) years from the date of this permit.
 - The development is not completed within four (4) years from the date of permit issue.

In accordance with Section 69 of The Act, the responsible authority may extend the periods referred to if a request is made in writing:

- before the permit expires; or
- within six (6) months after the permit expiry date, where the development allowed by the permit has not yet started; or
- within twelve (12) months after the permit expiry date, where the development allowed by the permit has lawfully started before the permit expires.

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

Note: The applicable flood level for the property is 2.7 metres to Australian Height Datum.

Note: If further information is required in relation to Melbourne Water's permit

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condition shown above, please contact Melbourne Water on telephone 9679 7517, quoting Melbourne Water's reference **230927**.

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: The allocation of street numbering and addressing of properties is vested in Council. Any reference to addressing or dwelling/unit/apartment and street numbers or street names on any endorsed plan is indicative only. The onus is on the Permit Applicant/Land Owner to contact Council's Property Data Department to determine the official dwelling/unit/apartment street numbers, street name details and the like for the approved development.

If the Permit Applicant/Land Owner adopts the street numbering or addressing from the endorsed plans, or where advertising and/or sales transact (off the plan) prior to Council's official allocation of the street numbering and addressing, it will be viewed to be non-compliant with the guideline and standard applied (*Australian/New Zealand Standard for Rural & Urban Addressing / AS/NZS 4819:2011*).

CARRIED

4.5 KP233/2013 - 22 Valleta Street, Carrum

It is recorded that Neil Fletcher spoke on behalf of the applicant in relation to this item.

Moved: Cr Bearsley

Seconded: Cr Eden

If Council had been in a position to determine this application, it would have resolved to issue a Notice of Decision to Grant a Permit for the construction of six dwellings and waiver of one (1) car parking space at No. 22 Valetta Street, Carrum, 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 18 September 2013, 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;
 - ii. the delineation of all garden beds, paving, grassed area, retaining walls, fences and other landscape works including

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- areas of cut and fill throughout the development;
- iii. all existing trees on the site and close 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, species must comprise a minimum of 80% indigenous coastal species;
 - v. adequate planting densities (e.g.: plants with a mature width of 1 metre, planted at 1 metre intervals);
 - vi. the provision of two (2) suitable medium sized (at maturity) canopy trees within the front setback of the property and one (1) small (at maturity) tree within the private open space area of each dwelling, with species chosen to be approved by the Responsible Authority;
 - vii. sustainable lawn areas and plant species taking current water restrictions into consideration;
 - viii. a *Melia azedarach* (White Cedar) is to be provided at a minimum of 5 metres in height at time of planting in the front setback of the property facing Valetta Street;
 - ix. all trees provided at a minimum of 2 metres in height at time of planting;
 - x. medium to large shrubs to be provided at a minimum pot size of 200mm;
 - xi. the provision of notes regarding site preparation, including the removal of all weeds, proposed mulch, soil types and thickness, subsoil preparation and any specific maintenance requirements; and
 - xii. the provision of a notation of the Tree Protection Details as provided in Conditions 10, 11 and 12 of this permit. This includes all nominated tree protection zones to be drawn to scale on the plans.
- b. A flood proof apex (ie hump) protecting the proposed reverse fall driveways fronting Little Colenso St must be provided to protect the property from overland flows. This apex is to be a minimum of 100mm above the proposed edge of laneway level in Little Colenso St (to be constructed shortly). This apex is to continue through any driveways or pathways that may cross it. The apex is to be a permanent structure (eg. hump in concrete driveway/pathway, sleeper retaining wall, solid brick fence/wall). Low mounded soil on its own is unlikely to be acceptable due to the likelihood of future disturbance;
- c. The provision of minimum 2000 litre rainwater tank clearly nominated for each dwelling with water re-used for toilet flushing;

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- d. All relevant environmentally sustainable design measures outlined within the report required under condition 14 of this permit to be shown on the plans as applicable;
- e. The site/floor plans revised to correctly notate Dwelling 5 and Dwelling 6;
- f. Additional turning circles (including possible reconfiguration of Dwelling 4) to demonstrate vehicles are able to exit Dwelling 4 in a forward direction in 3 movements in accordance with Australian Standards.
- g. Letter boxes to be no more than 1.2m in height;
- h. All double garages widened to a minimum of 5.2m;
- i. The internal garage door associated with Dwelling 5 modified to swing into the storage area;
- j. A notation on the floor / site plan(s) stating “kerb heights in the driveway and manoeuvring areas no more to be no more than 150mm”;
- k. An elevation plan of the front fencing, which provides details of its height, materials and colours. The fence must not exceed 1.2m in height;
- l. 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; and
- m. All dwellings to be correctly numbered.

Ongoing

- 2. Prior to the occupation of the dwellings 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.
- 3. 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.
- 4. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.
- 5. Prior to the occupation of the dwellings 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.

Melbourne Water

- 6. No polluted and / or sediment laden runoff is to be discharged directly or indirectly into Melbourne Water’s drains or watercourses.

Parks

7. Prior to the removal of the gum tree from the Valetta Street nature strip, payment must be made to Kingston City Council's customer service in accordance with Council's Street Tree Removal Procedures. The removal of this tree must be undertaken by Council at the expense of the Developer/Owner.
8. Prior to the commencement of any works on the site, a tree protection barrier must be installed at least two (2) metres from the base of the Melaleuca street tree located on the nature strip.
9. Sensitive digging is required during the construction of the proposed crossover to ensure that the health of the Melaleuca street tree located on the nature strip is not impacted - no roots over 50mm are to be cut (unless otherwise approved in writing by the Responsible Authority) and no branches are to be damaged during any construction works outside any tree protection zone.

Vegetation

10. A Tree Protection Zone (TPZ) must be installed at a distance of 3.8 metres from the *Corymbia ficifolia* (Red Flowering Gum) (tree 10 on pre-purchase inspection report) located in the along the southern boundary of the property. A qualified arborist is to be employed to oversee any works (excavation and or construction) within this zone. The following must be observed within 3.8m of the tree:
 - a) the existing soil level must not be altered either by fill excavation;
 - b) the soil must not be compacted or the soil's drainage changed;
 - c) no fuels, oils, chemicals, poisons, rubbish and other materials harmful to trees are to be stored or dispersed;
 - d) no storage of equipment, machinery or material is to occur;
 - e) open trenching to lay underground services e.g.: drainage, water, gas, etc. must not be used;
 - f) tree roots must not be severed or injured; and
 - g) machinery must not be used to remove any existing concrete, bricks or other materials.
11. 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 3.8m in a radius from the *Corymbia ficifolia* (Red Flowering Gum). The above requirements in condition 10 must be observed within this area.
12. 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.
13. All surfacing including the driveway within 3.8 metres of the *Corymbia ficifolia* (Red Flowering Gum) (tree 10 on pre-purchase inspection report) located along the southern boundary of the property must be permeable to the satisfaction of

the Responsible Authority.

Environmentally Sustainable Design

14. The provision of an improved ESD report prepared by a suitably qualified professional. The report must be submitted to and approved by the Responsible Authority prior to the endorsement of the Plans required pursuant to Condition 1 of this permit. When approved, the Report will be endorsed and will then form part of the Permit and shall thereafter be complied with to the satisfaction of the Responsible Authority. The revised ESD report must respond to indoor environment quality, energy efficiency, water efficiency, stormwater management (including rain gardens), building materials, transport, waste management, urban ecology, innovation, ongoing building and site management.

Infrastructure

15. 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.
16. 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.).
17. Stormwater works must be provided on the site so as to prevent overflows onto adjacent properties.
18. Stormwater outflow from the development to the Council drainage system must be limited to the predevelopment level of outflow of the site.
19. The dwellings (habitable areas) must be constructed a minimum 1.77m AHD.
20. The garage must be constructed a minimum of 1.62m AHD.
21. Vehicle crossings must be constructed at a 90 degree alignment with the kerb on Valetta Street and Little Colenso Street and all internal driveways must align with the existing and proposed vehicle crossing.
22. Property boundary and footpath levels must not be altered without the prior written consent from the Responsible Authority.
23. The replacement of all footpaths, including offsets, must be constructed to the satisfaction of the Responsible Authority.
24. All reinstatements and vehicle crossings must be constructed to the satisfaction

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of the Responsible Authority.

25. Vehicle crossings and other reinstatements must be constructed to industrial strength specifications to the satisfaction of the Responsible Authority
26. All redundant vehicle crossings must be removed (including redundant portions of vehicle crossings) to the satisfaction of the Responsible Authority.
27. All front and side fences must be contained wholly within the title property boundaries of the subject land.

Cultural Heritage Management Plan

28. All buildings and works must be carried out in accordance with the approved Cultural Heritage Management Plan Number 12667 prepared by Grist Archaeology Heritage Management dated 8 July 2013 and approved by the Secretary of the Department of Planning and Community Development on 7 August 2013.

Construction Management Plan

29. Before the commencement of any buildings and works on the Land, a Construction Management Plan (CMP), to the satisfaction of the Responsible Authority, must be submitted to and approved by the Responsible Authority and when approved shall thereafter be complied with. The CMP must specify and deal with the parking of vehicles during construction, delivery of materials, containment of waste on site and suppression of dust, business operations on the site during construction.
30. Any damage to Little Colenso as a result of the development must be repaired at the cost of the owner/permit holder to the satisfaction of the Responsible Authority.

Waste Management Plan

31. Before the commencement of any buildings and works on the Land, a Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. Three copies of the plan must be submitted. The plan must include but is not limited to:
 - a. The manner in which waste will be stored and collected including: type, size and number of containers.
 - b. Details whether waste collection is to be performed by Council's services or privately contracted.
 - c. The size of the collection vehicle and the frequency, time and point of collection.

The waste management plan must be implemented to the satisfaction of the Responsible Authority. The waste management plan must not be modified unless without the written consent of the Responsible Authority.

Time Limit

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

- The development is not started before within (2) years from the date of this permit.
- The development is not completed within four (4) years from the date of permit issue.

In accordance with section 69 of The Act, the responsible authority may extend the periods referred to if a request is made in writing:

- before the permit expires; or
- within six (6) months after the permit expiry date, where the development allowed by the permit has not yet started; or
- within twelve (12) months after the permit expiry date, where the development allowed by the permit has lawfully started before the permit expires.

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

Note: If further information is required in relation to Melbourne Water's permit conditions shown above, please contact Melbourne Water on telephone 9235 2517, quoting Melbourne Water's reference 220534.

Note: The applicable floor level for the property is 1.62 metres to Australian Height Datum (AHD).

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: The allocation of street numbering and addressing of properties is vested in Council. Any reference to addressing or dwelling/unit/apartment and street numbers or street names on any endorsed plan is indicative only. The onus is on the Permit Applicant/Land Owner to contact Council's Property Data Department to determine the official dwelling/unit/apartment street numbers, street name details and the like for the approved development.

If the Permit Applicant/Land Owner adopts the street numbering or addressing from the endorsed plans, or where advertising and/or sales transact (off the plan) prior to Council's official allocation of the street numbering and addressing, it will be viewed to be non-compliant with the guideline and standard applied (*Australian/New Zealand Standard for Rural & Urban Addressing / AS/NZS 4819:2011*).

Note: The fee for removal of the street tree(s) from the nature strip is **(\$545.00** including GST), payable to Kingston City Council's Customer Service

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Department - refer to cashier code "STRE". Customer Service will confirm payment to the Parks Department. The removal of the tree requires a minimum of 2 weeks notice from the Developer/Owner.

CARRIED

4.7 KP-287/2002 - Henry Street Landfill - Secondary Consent Amendment - Council Report (Feb)

It is recorded that Wendy Thiess spoke on behalf of the applicant in relation to this item.

Moved: Cr Barth

Seconded: Cr Gledhill

That Council resolve to support the amended application at 101 – 157 Old Dandenong Road, Heatherton, VIC 3202 (Henry Street Landfill), that secondary consent is issued by Council, that amended plans / documentation form part of the Permit and that previously endorsed plans, where relevant, are superseded.

CARRIED

4.8 KP-339/2013 - 35 Fowler Street Bonbeach

It is recorded that Janine Batt spoke on behalf of the objectors in relation to this item.

Moved: Cr Eden

Seconded: Cr Bearsley

That Council oppose the application to develop the land for the construction of three (3) dwellings at No. 35 Fowler Street Bonbeach on the following grounds;

1. The development would adversely impact on the health of the Eucalyptus camaldulensis (River Red Gum) and Banksia integrifolia (Coast Banksia) in the front setback located on the neighbouring property No. 33 Fowler Street.
2. The proposal fails to comply with the requirements of Clause 55.03-1 (Street Setback) of the Kingston Planning Scheme.
3. The proposal fails to address opportunities for overlooking and does not satisfy the requirements of Clause 55.04-6 (Overlooking) and Clause 55.04-7 (Internal Views) of the Kingston Planning Scheme.
4. The proposal creates potential safety conflicts and fails to provide a sense of identity to each dwelling, not in accordance with the requirements of Clause 55.03-7 (Safety) and Clause 55.05-2 (Dwelling Entry) of the Kingston Planning Scheme.
5. The detailed design of the proposal is considered to be bland creating the perception of visual bulk, not in accordance with the requirements of Clause 55.06-1 (Design Detail) of the Kingston Planning Scheme.
6. The proposal fails to comply with the requirements of Clause 55.06-2 (Front Fences) of the Kingston Planning Scheme.

CARRIED

4.9 KP13/505 - 2-6 Railway Road Cheltenham

It is recorded that Vaughan O'Connor spoke on behalf of the applicant in relation to this item.

Moved: Cr Gledhill

Seconded: Cr West

That Council determine to support the proposal and issue a Notice of Decision to Grant a Planning Permit to develop the land for the construction of a Mixed Use Development comprising 115 dwellings and a retail premises in a Special Building Overlay, removal of easements, reduction in the car parking requirements and the waiver of the loading requirements at No. 2-6 Railway Road, Cheltenham, 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 15 August 2013 and 24 October 2013, 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. a range of plant types from ground covers to large shrubs and trees;
 - iv. adequate planting densities (e.g.: plants with a mature width of 1 metre, planted at 1 metre intervals);
 - v. the provision of eleven (11) suitable small to medium sized (at maturity) canopy trees within the roof top garden area, with species chosen to be approved by the Responsible Authority;
 - vi. all trees provided at a minimum of two (2) metres in height at time of planting;
 - vii. medium to large shrubs to be provided at a minimum pot size of 200mm; and
 - viii. 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.

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- b. all requirements of Melbourne Water, in accordance with Condition 24 of this permit;
- c. a comprehensive integrated stormwater management strategy of the site to address the minor and major storm events and incorporating rainwater tank/s and water sensitive urban design treatments to the satisfaction of the Responsible Authority;
- d. the reconfiguration of the ground floor resulting in a larger retail tenancy(s), to facilitate greater commercial street activation to Railway Road;
- e. the north elevation to levels 2-9 to be modified to provide for a treatment similar to the western elevation to allow for a consistent architectural language across the whole building;
- f. increase in the width of the corridor on Level 2 providing access to the communal residential courtyard to the same width of the internal corridor on Level 2 running along the east-west axis to facilitate the optimal use of the residential courtyard for communal social activities;
- g. longitudinal section of the basement ramp with gradients, levels and headroom clearance as per AS2890.1:2004 and any flood proof apex as recommended by Melbourne Water;
- h. a 3m x 3m splay at the corner of the laneway and Railway Road, or an alternative design agreed upon between the Applicant and the Responsible Authority;
- i. the provision of a notation stating “the existing laneway (including drainage works) only where it adjoins the subject site must be designed with colour concrete and exposed aggregate feature bands and constructed at the full cost of the owner/developer as per engineering plans approved by the Responsible Authority”;
- j. the provision of a notation stating “the footpath to be reconstructed to Council’s commercial standards to the satisfaction of the Responsible Authority”;
- k. the balcony areas to all dwellings increased in size to a minimum area of 8m², to improve the amenity and usability of these areas;
- l. the location of all externally-located heating and cooling units, exhaust fans and the like, clearly shown;
- m. the Sustainable Management Plan to reflect any changes, and for consistency with the application drawings, including:
 - i. Provide specific commitment to natural ventilation strategies, e.g. natural ventilation of lift lobbies and the car park.
 - ii. Provide specific commitment to the use of solar hot water within the proposal, and remove the reference to ‘construction’ of solar hot water within the introduction.
 - iii. The STORM assessment indicates that harvested rainwater will be used for irrigation only. The recommended plumbing of the rainwater tanks to a year round use such as toilet flushing.

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Revise the documents for consistency. Indicate location of rainwater tank and plumbing on the application drawings.

- n. all ESD features, including the location of rainwater tanks, solar hot water panels, shading devices, notations regarding energy efficient lighting systems, energy efficient hot water system, energy efficient heating and cooling, water efficient fixtures, and FSC certified timber;
- o. the area nominated as bicycle storage on the application drawings to indicate adequate dimensional clearances, including the type of bicycle storage racks and designed in accordance with Clause 52.34-4 of the Kingston Planning Scheme;
- p. a notation that all ramps must have low protective walls that are less than 1.0m in height and must not protrude into the ramp space;
- q. a notation that all ramps must not encroach into the manoeuvring aisle, including near space 1, 2, 12, 13, 47 and 48 of Level 1 Lower and Level 1 Upper;
- r. the secure roller door must be setback at least 5.4m from the site boundary to provide a holding area for ingress vehicles in order to minimise queuing on Railway Road and/or vehicle blocking the pedestrian footpaths;
- s. a notation that head room clearance of 2.2m must be provided at the all ramps and internal circulation ways in accordance with Australian Standards;
- t. columns to not be located in the manoeuvring aisle;
- u. a notation that “the external doors to the substation from Railway Road to open inwards and not outwards onto the footpath should approval be granted by service authorities”;
- v. the gradient of the ramp that leads from the car park to the refuse area;
- w. a notation on the plans allocating the car parking in the following fashion, together with each space to be line marked to their respective apartment/retail premises to prevent any conflict over car parking ownership:
 - the provision of a minimum of one (1) car parking space allocated to the retail premises
 - the provision of a minimum of one (1) car parking space allocated to each dwelling
 - the provision of a minimum of two (2) line marked accessible visitor car parking spaces with a head clearance of 2.5m and located within convenient distance to the lift lobby on the ground floor);
- x. details of the location and operation of the security intercom system for access into the car parking area;
- y. car parking spaces next to walls shall add 100mm in width in accordance with Australian Standards;

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- z. a notation that the bicycle racks on top of all the parking spaces are to be positioned so as not to interfere with the parking of vehicles within the parking spaces;
- aa. a notation that the visitor bicycle parking room must be secure, safe and well lit;
- bb. a Plan of Subdivision prepared by a suitably qualified land surveyor showing the removal of easements E-1 – Party Wall easement; E-3 – Electricity Supply easement in favour of United Energy Limited; and E-4 – Carriageway Easement in favour of United Energy Limited; and
- cc. 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.

dd. The provision of a loading bay to the Railway Road frontage of the site.

- 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. Prior to the occupation of the dwellings 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 the dwellings 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.

Development Engineering

- 5. Prior to the issue of an occupancy permit for the development commences the laneway as described in Condition 1i. must be designed and constructed at the full cost of the owner/developer and maintained in accordance with the plans approved by the Council. Discussion with Council's Development Engineer is recommended prior to submission of a design. A priced schedule of works within the laneway and the payment of Council's engineering fees of 3.25% of the cost of the works are required to be submitted prior to approval.
- 6. 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. The overall outflow of the site to Council drainage system must be limited to 14 l/s.
- 7. 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

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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.).

8. Stormwater works must be provided on the site so as to prevent overflows onto adjacent properties.
9. Any unnecessary existing easement must be removed from the subdivision plan.
10. A splay of 3m x 3m at the corner of the Laneway and the Railway Road must be created on the subdivision plan, should a splay be agreed upon between the Applicant and the Responsible Authority.
11. The existing Council drainage easement along the northern boundary must be protected at all times during construction.
12. All basement and subsurface construction must be fully-tanked and not constructed as a wet basement.

Roads & Drains

13. Prior to the commencement of the development, property boundary, footpath and vehicle crossing levels must be obtained from Council's Roads and Drains Department with all levels raised or lowered to the satisfaction of the Responsible Authority.
14. The replacement of all footpaths, including offsets for the portion of Railway Road fronting the subject site, must be constructed to the satisfaction of the Responsible Authority.
15. All reinstatements and vehicle crossings must be constructed to the satisfaction of the relevant authority.
16. Vehicle crossings and other reinstatements must be constructed to Council's industrial strength specifications.
17. All redundant vehicle crossings must be removed (including redundant portions of vehicle crossings) to the satisfaction of the Responsible Authority.

Construction Management

18. Prior to commencement of the development hereby permitted, a Site Management Plan, to the satisfaction of the Responsible Authority, must be submitted to and approved by the Responsible Authority and when approved shall thereafter be complied with. The Site Management Plan must clearly set out measures to prevent amenity loss to surrounding properties during the construction period. The Plan is to include, but not limited to, measures to control the emission of dust/sand, rubbish on site, loading/unloading times, construction times, consideration of the construction of the adjoining development at 1228 Nepean Highway which is likely to be undertaken at the same time, and parking of builder's vehicles etc. This plan when endorsed must not be varied without the prior approval of the Responsible Authority. It must also be implemented to the satisfaction of the Responsible Authority.

Please note that Station Road will be changed to a one-way only (eastbound) road in accordance with the Cheltenham Activity Centre Structure Plan. The Site Management Plan must also assume this road arrangement when considering vehicle movements.

Waste Management

19. Before the commencement of any buildings and works on the Land, a Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. Three copies of the plan must be submitted. The plan must include but is not limited to:
- a. The manner in which waste will be stored and collected including: type, size and number of containers.
 - b. Spatial provision for on-site storage.
 - c. Details whether waste collection is to be performed by Council's services or privately contracted.
 - d. The size of the collection vehicle and the frequency, time and point of collection.
 - e. The location and dimension of waste areas.
 - f. Strategies to limit waste recyclables within the development.

The waste management plan must be implemented to the satisfaction of the Responsible Authority. The waste management plan must not be modified unless without the written consent of the Responsible Authority.

20. Prior to the occupation of the dwellings 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 reinstated to the satisfaction of the Responsible Authority.
21. 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.
22. Prior to the occupation of the dwellings 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.

Parking areas and access lanes must be kept available for these purposes at

all times and maintained to the satisfaction of the Responsible Authority.

23. Condition required by United Energy:

- a. The applicant must enter into an agreement with United Energy for an extension, upgrade and/or re-arrangement of the current electricity supply to lots on the land which may also require establishing easement(s) internally or externally to the site; and/or providing site(s) to locate substations; and making payment to United Energy to cover the cost of preparing such documentation and work.

24. Conditions required by Melbourne Water:

- a. No polluted and / or sediment laden runoff is to be discharged directly or indirectly into Melbourne Water's drains or watercourses.
- b. The ground floor of the development, with the exception of the visitor bicycle room, must be constructed with a finished floor level set a minimum of 300mm above the applicable flood level. This will translate to a minimum floor level of 31.27 metres to Australian Height Datum.
- c. The entry / exit driveway of the basement car park must incorporate a floor proof apex of a minimum 300mm above the applicable flood level. This will translate to a minimum apex level of 31.05 metres to Australian Height Datum.
- d. All doors, windows, vents and openings to the basement car park must be set a minimum of 300mm above the applicable grading flood level.
- e. Prior to the issue of an Occupancy Permit, a certified survey plan, showing finished floor levels (as constructed) reduced to the Australian Height Datum, must be submitted to Melbourne Water to demonstrate that the floor levels have been constructed in accordance with Melbourne Water's requirements.

Amenity

25. The amenity of the area must not be detrimentally affected by the Retail Premises located on the ground floor (notated as Tenancy 01) through:
 - a. the transport of materials, goods or commodities to or from land;
 - b. the appearance of any buildings, works or materials; and
 - c. the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste, rubbish, grit or oil or the presence of vermin.
26. Any external lighting must be designed, baffled and located to suitably manage any adverse effects on adjoining land to the satisfaction of the Responsible Authority.
27. Noise from any air extraction fans, air conditioning and all other plant and equipment installed on the land must not exceed noise levels required to be met under any relevant State Environmental Protection Policy. Ventilation systems must be designed and installed in accordance with relevant Australian Standards or be to the satisfaction of the Responsible Authority.

Use Conditions

28. The ground floor retail premise(s) must operate only between the hours of:
- Monday to Friday: 8.00am to 6.30pm; and
 - Saturday & Sunday: 8.00am to 4.00pm
- Or otherwise as approved by the Responsible Authority in writing.
29. There must be no more than four (4) staff on site at any given time working from the retail premise(s), or otherwise as approved by the Responsible Authority in writing.
30. All loading and unloading of materials and goods to and from the site must not interfere with the local road network.

General Conditions

31. 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.
32. 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.
33. Without the further written consent of the Responsible Authority, no more than one hundred and fifteen (115) dwellings must be constructed on the land.
34. No signs or other advertising or identification may be erected or displayed on the site without the prior written consent of the Responsible Authority other than for signs not requiring a permit pursuant to Clause 52.05-7 of the Kingston Planning Scheme.

Time Limits

35. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.
36. In accordance with Section 68 of the *Planning and Environment Act 1987 (The Act)*, this permit will expire if one of the following circumstances applies:
- The use and development is not started within (2) years from the date of this permit.
 - The development is not completed within four (4) years from the date of permit issue.
 - The plan of subdivision is not certified within two (2) years from the date of this permit.
 - The plan of subdivision is not registered within five (5) years of the date of certification.

In accordance with section 69 of the Act, the responsible authority may extend the periods referred to if a request is made in writing.

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

Note: Council does not accept sub-surface water (groundwater) into the stormwater system. Sub-surface water (groundwater) is the responsibility of the property owner to dispose of on site or reach an agreement with the local sewer authority.

Note: The flood line for the property grades from 30.97 metres to Australian Height Datum (AHD) at the northern boundary down to 30.65 metres to AHD at the southern boundary.

If further information is required in relation to Melbourne Water's permit conditions shown above, please contact Melbourne Water on telephone 9679 7517, quoting Melbourne Water's reference **5957**.

Note: The allocation of street numbering and addressing of properties is vested in Council. Any reference to addressing or dwelling/unit/apartment and street numbers or street names on any endorsed plan is indicative only. The onus is on the Permit Applicant/Land Owner to contact Council's Property Data Department to determine the official dwelling/unit/apartment street numbers, street name details and the like for the approved development.

If the Permit Applicant/Land Owner adopts the street numbering or addressing from the endorsed plans, or where advertising and/or sales transact (off the plan) prior to Council's official allocation of the street numbering and addressing, it will be viewed to be non-compliant with the guideline and standard applied (*Australian/New Zealand Standard for Rural & Urban Addressing / AS/NZS 4819:2011*).

Note: The applicant is encouraged to consider the following Environmental Sustainable Design elements within the proposal:

- As the BCA Energy Efficiency requirements could be considered a minimum standard, it is recommended that the applicant commit to strategies which will result in an energy rating that exceeds NCC requirements;
- Energy efficient cooling within one energy star of best practice available;
- Acoustic insulation to improve amenity for future occupants;
- External shading devices appropriate to façade orientation;
- High performance glazing, including frames incorporating a thermal break;
- Energy and water sub-metering;
- External clothes drying facilities;
- Specifications of recycling materials, low embodied energy materials, locally sourced materials;
- Specifications of FSC timber or other sustainably managed source with proof of audit trail;
- Commit to preparation of a Construction Management Plan, including 80%

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- recycling of construction waste; and
- Incorporate indigenous plants propagated from a local source within landscaping design.

Note: This Permit does not approve buildings and works within restricted airspace, and that separate approval from CASA, Airservices Australia and / or other regulatory bodies for works within restricted airspace may be required prior to the commencement of buildings and works.

CARRIED

4.10 KP719/2013 - 62 Mills Road Braeside (Council Depot)

Moved: Cr Gledhill

Seconded: Cr Bearsley

That Council determine to support the proposal and issue a Planning Permit to use and develop the land for the purpose of a depot at No. 62 Mills Road, BRAESIDE VIC 3195, 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 **17th January, 2014**, but modified to show:
 - a) the provision of a 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 to 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) 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 six (6) suitable medium sized (at maturity) canopy trees within the front setback of the property and twelve (12) medium sized (at maturity) canopy trees along the southern boundary, with species chosen to be approved by the Responsible Authority;
 - vii) the provision of a landscape buffer to be planted out using a mix of specie

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- types both medium sized and smaller outside of each dwelling
- viii) sustainable lawn areas and plant species taking current water restrictions into consideration;
- ix) all trees provided at a minimum of two (2) metres in height at time of planting;
- x) medium to large shrubs to be provided at a minimum pot size of 200mm; and
- xi) 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.

Car parking

- b) All proposed car parking areas for Stage 1 and Stage 2 must be provided in accordance with the relevant Australian Standards to the satisfaction of the Responsible Authority as follows:
 - i) Stage 1 Car Parking Area (north of the existing office building) must conform with Australian Standard AS/NZS 2890.1:2004 User class 1a to the satisfaction of the Responsible Authority.
 - ii) The 'last' car parking space within each row must be provided with an additional 1m separation to abutting walls / fences in accordance with Australian Standard AS/NZS 2890.1:2004 Figure 2.3 to the satisfaction of the Responsible Authority.
 - iii) The provision of twenty-four (24) additional car parking spaces within the subject site in accordance with the requirements of Clause 52.06-8 Design Standards for Car Parking to the satisfaction of the Responsible Authority. This can include the loss of the 'extended' car parking bays to the south of the proposed car parking / storage sheds.
 - iv) The provision of (2) 'large-format trailer parking bays' measuring 3.6m wide x 13m long.
- c) The provision of a kerb ramp (pram crossing) for all pedestrian footpath crossings, where required;
- d) Notations on the plans indicating that all vegetation abutting the western boundary, of the site must be maintained at a height no more than 600mm, for at least 12m from the northern boundary of the site;
- e) Notations on the plans indicating that no signage must be placed on or adjacent to the fence along the western site property boundary, for a depth of 12m from the northern site property boundary;
- f) All pedestrian footpaths and line marked walk paths must have an even surface and a gradient of no more than 1:14;
- g) All driveway and car parking areas nominated as an all-weather, sealed and durable surface or similar;
- h) Exterior lights must be installed in such positions to effectively illuminate all pathways, car parks and other public areas to the satisfaction of the Responsible Authority;

General

- i) The provision of a colour Staging Plan clearly identifying all proposed works

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under Stage 1 and Stage 2 respectively; and

- j) Provision of a full colour, finishes and building materials schedule (including samples) for all external elevations and driveways of the development.

Endorsed Plans

- 2. The development and use as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
- 3. Once the development has started it must be continued and completed to satisfaction of the Responsible Authority.

Agreements:

- 4. Prior to the erection of any buildings associated with Stage 2 on the Staging 1 endorsed pursuant to Condition 1 of this permit, the relevant public open space contribution must be paid in accordance with the requirements of S.173 Agreement S652199L with confirmation of payment provided to the Responsible Authority.

Amenity

- 5. The amenity of the area must not be detrimentally affected by the development and use, including through the:
 - i) Transport of materials, goods or commodities to or from the land.
 - ii) Appearance of any building, works or materials.
 - iii) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.
 - iv) Presence of vermin.
 - v) Any other way.
- 6. Before occupation of the development hereby permitted, 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.
- 7. The loading and unloading of goods to and from vehicles must only be carried out on the land.
- 8. No goods or packaging materials shall be stored or left exposed outside the building so as to be visible to the public from a road or other public place.
- 9. All external surfaces of the building elevations must be finished in accordance with the schedule on the endorsed plans and maintained in good condition to the satisfaction of the Responsible Authority's satisfaction.

Noise

- 10. Noise emissions from the site must not exceed that permissible in the State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade) No. N-1 of the Environment Protection Authority, or any subsequent policies.

Stormwater management:

- 11. Stormwater works must be provided on the site so as to prevent overflows onto adjacent properties.

Parking and Accessibility

12. Before occupation of the development hereby permitted, areas set aside for parking vehicles, access lanes and paths as shown on the endorsed plans must be:
- i) Constructed to the satisfaction of the Responsible Authority.
 - ii) Properly formed to such levels that they can be used in accordance with plans.
 - iii) Surfaced with an all-weather sealcoat to the satisfaction of the Responsible Authority.
 - iv) Drained to the satisfaction of the Responsible Authority.
 - v) Line-marked to indicate each car space, all access lanes and, if necessary, direction in which vehicles are to travel to the satisfaction of the Responsible Authority.
 - vi) In accordance with any Council adopted guidelines for the construction of parking areas.

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

13. In areas set aside for car parking, measures must be taken to the satisfaction of the Responsible Authority to prevent damage to fences or landscaped areas.
14. 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.

External Lighting

15. Outdoor lighting must be provided, designed, baffled and located to the satisfaction of the Responsible Authority to prevent any adverse effect on neighbouring land.
16. Exterior lights must be installed in such positions to effectively illuminate all pathways, car parks and other public areas to the satisfaction of the Responsible Authority.

Expiry Timescales

17. In accordance with Section 68 of the *Planning and Environment Act 1987* (The Act) this permit will expire if one of the following circumstances applies:
- The development and use are not started before two (2) years from date of this permit.
 - The development is not completed before four (4) years from the commencement of works.
 - The use is discontinued for a period of two (2) years.

In accordance with Section 69 of The Act, the responsible authority may extend the periods referred to if a request is made in writing:

- before the permit expires; or
- within six (6) months after the permit expiry date, where the use or development allowed by the permit has not yet started; or
- within twelve (12) months after the permit expiry date, where the development allowed by the permit has lawfully started before the permit expires.

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expires.

Note: Prior to the commencement of the development or use you are required to obtain necessary 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.

Note: Environment Protection Authority (EPA) Victoria set out the requirements pertaining to site construction hours and permissible noise levels.

CARRIED

5. Confidential Items

Nil

The meeting closed at 7.46PM.

Confirmed.....

The Mayor 19 March 2014