

Minutes

Planning Committee Meeting

Wednesday, 22nd July 2015

**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 Geoff Gledhill (Mayor)
Cr Tamsin Bearsley
Cr Ron Brownlees OAM
Cr David Eden
Cr Steve Staikos
Cr Rosemary West OAM

In Attendance: Paul Franklin – General Manager Corporate Services
Jonathan Guttmann – General Manager Planning and Development
Ian Nice – Manager City Development
Phil De Losa – Program Leader Governance
Stephanie O’Gorman – Governance Officer
Gabrielle Pattenden – Governance Administration Officer

1. Apologies

Moved: Cr Brownlees

Seconded: Cr Bearsley

That the apology from John Nevins, Chief Executive Officer be received.

CARRIED

2. Confirmation of Minutes of Previous Meetings

Moved: Cr Bearsley

Seconded: Cr Eden

That the Minutes of the Planning Committee Meeting held on 22 April 2015 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.

4. Sustainable Planning and Development Reports

4.1 Town Planning Application Decisions - June 2015

Moved: Cr Brownlees

Seconded: Cr Bearsley

That the report be noted.

CARRIED

4.2 KP15/1 - 17 McIndoe Parade Parkdale

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

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

Moved: Cr West

Seconded: Cr Brownlees

That Council determine to issue a Notice of Refusal to Grant a Permit to develop the land for the construction of four (4) dwellings at 17 McIndoe Parade Parkdale on the following grounds:

1. The proposal is inconsistent with the existing scale and character for the area and fails to satisfy the objectives of Clause 22.11 and Clause 55.02-1 of the Kingston Planning Scheme.
2. The proposed extent of massing is visually intrusive and would result in unreasonable amenity impacts on adjoining properties.
3. The extent of overlooking is unreasonable and would detrimentally impact adjoining properties.

CARRIED

4.3 KP-1030/2014 - 4 Krone Street Mordialloc

It is recorded that Adrienne Kellock spoke on behalf of the applicant in relation to this matter.

Moved: Cr Brownlees

Seconded: Cr West

That Council determine to issue a Notice of Refusal to Grant a Permit to develop the land for the construction of six (6) dwellings at No. 4 Krone Street, Mordialloc on the following grounds:

1. The proposal is inconsistent with State Planning Policy Framework.
2. The proposal is inconsistent with the Residential Policy under Clause 22.11 of the Kingston Planning Scheme.
3. The proposal fails to comply with the front setback requirement of Standard B6 under Clause 55.03-1 of the Kingston Planning Scheme.

4. The proposal fails to comply with the private open space requirements of Standard B28 under Clause 55.05-4 of the Kingston Planning Scheme.

CARRIED

4.4 KP14/933 - 20 York Street Bonbeach

It is recorded that Kim Bellfield spoke on behalf of the applicant in relation to this matter.

Moved: Cr Bearsley

Seconded: Cr Eden

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 six (6) dwellings at 20 York Street, Bonbeach, 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 14 April 2015, 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.
 - i. 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.
 - ii. 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.
 - 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 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.
 - 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.

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- 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.
 - b. The 2000 litre rainwater tanks of each dwelling nominated with water re-used for toilet flushing.
 - c. A note to state vehicle crossings constructed at a 90 degree alignment with the kerb on York Street or otherwise to the satisfaction of the Responsible Authority.
 - d. All internal driveways must align with the associated vehicle crossing.
 - e. The internal driveway width reduced (no less than 2.6m) where possible to allow for additional landscaping opportunities. This must not encroach within required turning circles areas under the provisions of Clause 52.06.
 - f. The existing indented parking across the property frontage must be removed and reinstated to kerb, channel and nature strip in conjunction with reinstatement of the redundant vehicle crossing to the satisfaction of the Responsible Authority.
 - g. The garage associated with dwelling 6 to be relocated and/or reduced in height to limit shadows cast on the west adjoining lot within shadows cast by the existing side fence unless otherwise approved by the responsible authority.
 - h. The eastern side fence raised to a minimum height of 2.3m adjacent to secluded private open spaces of dwellings 1-4 or to include free standing trellis to a minimum height of 2.3m with a maximum of 25% openings to the satisfaction of the responsible authority.
 - i. Clarify window treatment at first floor, including if any obscured glazing is proposed to the first floor eastern elevation, walk in robe windows associated with dwellings 1-4.
 - j. The internal elevations of the double storey dwellings to clarify materials proposed and window treatments.
 - k. The inclusion of a corner splay in accordance with Clause 52.06-8 (excluding where there is existing side fencing) of the Kingston Planning Scheme.
 - 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, screening treatments and driveways of the development.
- 2. The development use as shown on the endorsed plans must not be altered without the 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.

Street Trees

4. Prior to the removal of the *Corymbia ficifolia* (Red Flowering Gum) street tree from the York 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 these trees must be undertaken by Council at the expense of the Developer/Owner.

Drainage

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. The satisfactory options to achieve these desired outcomes 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 16.4 L/s.
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.). The Stormwater Management System must be prepared as per Council's "Civil Design Requirements for Developers – Part A: Integrated Stormwater Management".
7. A STORM report demonstrating water sensitive urban design treatments and achieving Victorian best practice objectives must be provided as part of the Stormwater Management Plan to the satisfaction of the Responsible Authority.
8. Stormwater works must be provided on the site so as to prevent overflows onto adjacent properties.

Roads and Drains

9. Property boundary and footpath levels must not be altered without the prior written consent from the Responsible Authority.
10. The replacement of all footpaths, including offsets, must be constructed to the satisfaction of the Responsible Authority.
11. All reinstatements and vehicle crossings must be constructed to the satisfaction of the Responsible Authority.
12. Vehicle crossings and other reinstatements must be constructed to council's industrial strength specifications.
13. All redundant vehicle crossings must be removed (including redundant portions of vehicle crossings) to the satisfaction of the Responsible Authority.
14. All front and side fences must be contained wholly within the title property boundaries of the subject land.

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Completion

15. Prior to the occupation of the dwellings hereby permitted, new fence and trellis shown on the endorsed plans must be erected to Council's satisfaction, at the full cost of the applicant/owners.
16. 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.
17. 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.
18. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.

Expiry

19. In accordance with section 68 of the *Planning and Environment Act 1987 (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: Environment Protection Authority (EPA) Victoria set out the requirements pertaining to site construction hours and permissible noise levels.

Note: The fee for removal of the street tree(s) from the nature strip is **\$1234.25** including GST), payable to Kingston City Council's Customer Service 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.

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 KP380/2014 - 19 Barker Street, Cheltenham

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

Moved: Cr Brownlees

Seconded: Cr West

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 six (6) dwellings at No. 19 Barker Street, 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 05 May 2015, 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;
 - ii. the delineation of all garden beds, paving, grassed area, retaining walls, fences and other landscape works including 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;
 - 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) spreading 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

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- Responsible Authority;
- vii. sustainable lawn areas and plant species taking current water restrictions into consideration;
 - viii. all trees provided at a minimum of 2 metres in height at time of planting;
 - ix. medium to large shrubs to be provided at a minimum pot size of 200mm;
 - x. 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;
 - xi. the provision of a notation of the Tree Protection Details as provided in Conditions 3, 4 and 5 of this permit. This includes all nominated tree protection zones to be drawn to scale on the plans.
- b. the provision of adequate lighting throughout the internal car parking area and adjacent to the proposed common driveway;
 - c. the provision of a minimum 2000 litre rainwater tank clearly nominated for each dwelling with water re-used for toilet flushing;
 - d. the surface material of all driveways/accessways and car parking spaces nominated in all-weather coloured concrete sealcoat, or similar;
 - e. the location of all external heating and/or cooling units for the proposed residential building; and
 - f. the provision of skylights to the roof above the balcony of dwelling 1 and dwelling 2;
 - g. bedroom 2 of dwelling 3 provided with an increased window sill height of 1.7 metres above the floor level below, along the south elevation of the development;
 - h. the provision of a full colour palette, finishes and building materials schedule for all external elevations and driveway/s of the development.
2. The development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.

Vegetation

3. A Tree Protection Zone (TPZ) must be installed at a distance of 5 metres from the *Liquidambar styraciflua* (Liquidamber) located in the front setback of the property. A qualified arborist is to be employed to oversee any works (excavation and or construction) outside of this zone. The following must be observed within 5m of the tree:
- a) the existing soil level must not be altered either by fill or 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.
- without the further consent in writing of Council's Vegetation Management Officer.
4. 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 5m in a radius from the *Liquidambar styraciflua* (Liquidamber). The above requirements in condition 2 of this permit must be observed within this area.

5. 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.
6. All surfaces within 5m of the *Liquidambar styraciflua* (Liquidamber) must be constructed using a porous material to the satisfaction of the Responsible Authority.

Infrastructure and Road Works

7. Any relocation of pits/power poles or other services affected by this development must be relocated to the satisfaction of the relevant servicing authority and the Responsible Authority.
8. The vehicle crossings must be constructed at a 90 degree alignment with the kerb on Barker Street and all internal driveways must align with the existing/proposed vehicle crossings.
9. Property boundary and footpath levels must not be altered without the prior written consent from the Responsible Authority.
10. All reinstatements and vehicle crossings are to be constructed to the satisfaction of the relevant authority.
11. The replacement of all footpaths, including offsets, must be constructed to the satisfaction of the Responsible Authority.
12. All redundant vehicle crossings must be removed (including redundant portions of vehicle crossings) to the satisfaction of the Responsible Authority.
13. All front and side fences must be constructed wholly within the title property boundaries of the subject land.

Drainage and Water Sensitive Urban Design

14. 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 bio-retention system, rainwater tanks connected for reuse and a detention system. The overall outflow of the site to Council's drainage system must be limited to 6.1 l/s.
15. 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,

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abutting buildings, existing boundary surface levels, etc.). The Stormwater Management Plan must be prepared as per *Council's Civil Design Requirements for Developers – Part A – Integrated Stormwater Management*.

16. A STORM report demonstrating water sensitive urban design treatments and achieving Victorian best practice objectives must be provided as part of the Stormwater Management Plan to the satisfaction of the Responsible Authority.
17. Stormwater works must be provided on the site so as to prevent overflows onto adjacent properties.

Street Trees

18. Prior to the commencement of any works on the site including demolition, a tree protection barrier must be installed at three (3) metres from the base of the Lilly Pilly street tree located on the nature strip.

Parking and Traffic Management

19. Prior to the occupation of each dwelling hereby permitted, areas set aside for parking vehicles, access lanes and paths as shown on the endorsed plans must, to the satisfaction of the Responsible Authority, 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 to the satisfaction of the Responsible Authority and maintained to the satisfaction of the Responsible Authority.

General amenity conditions

20. All externally-located heating and cooling units, exhaust fans and the like must not be located adjacent to bedroom windows on adjoining properties and must be concealed from the street, unless with the further written consent of the Responsible Authority.
21. 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.
22. Service units, including air conditioning/heating units, where incorporated, must not be located where they will be highly visible from any public area to the satisfaction of the Responsible Authority and if located on the roof of a building, suitable screening and baffling must be provided to the satisfaction of the Responsible Authority.

Completion of Works

23. 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.

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24. Prior to the occupation of each dwelling hereby permitted, all buildings and works and the conditions of this permit must be complied with to the satisfaction of the Responsible Authority, unless with the further prior written consent of the Responsible Authority.
25. Prior to the occupation of each dwelling hereby permitted, the landscaping works as shown on the endorsed plans must be completed to the satisfaction of the Responsible Authority. Thereafter, the landscaping shall be maintained to the satisfaction of the Responsible Authority.
26. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.
27. In accordance with section 68 of the *Planning and Environment Act 1987 (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 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.

Note: It is noted that the development includes a storage shed and eaves to be built over an 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: 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: Environment Protection Authority (EPA) Victoria set out the requirements pertaining to site construction hours and permissible noise levels.

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

4.6 KP15/28 - 35 Tennyson Ave Clayton South

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

Moved: Cr Bearsley

Seconded: Cr Staikos

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 four (4) dwellings at No. 35 Tennyson Avenue, Clayton South, 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 24 March 2015, 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 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. all trees provided at a minimum of two (2) metres in height at time of planting;
 - viii. medium to large shrubs to be provided at a minimum pot size of 200mm; and
 - ix. 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) additional north-facing highlight glazing to Dwelling 2's bedroom 2, and Dwelling 1's bedrooms 2 and 3 compliant with Standard B22 of Clause 55;
- c) sill height to Dwelling 1's bedroom 1 window at 1.2m from finished floor level;
- d) Dwelling 4's south-facing kitchen window altered to a slim window with a low sill height similar to Dwelling 3's kitchen window;
- e) external sun shading devices such as a fixed eave to a minimum depth of 800mm, or an external blind or similar to all ground floor west-facing windows that protects from harsh summer sunlight;
- f) suitable variation in colour schemes that provides individuality between each upper level of Dwelling 1 and 2;
- g) shared driveway reduced to 2.6 metres in width between Dwellings 1 and 2 and the additional area created used for landscaping;
- h) any commitments identified within the submission of a Sustainable Design Assessment required under Condition 13 of this Permit clearly shown on plans;
- i) the provision of a minimum 2000 litre rainwater tank clearly nominated for each dwelling with water re-use for toilet flushing, located outside of principle areas of secluded private open space;
- j) the surface material of all driveways / accessways and car parking spaces nominated in all-weather coloured concrete sealcoat, or similar; and
- k) the provision of a full colour palette, finishes and building materials schedule for all external elevations and driveways of the development.

Endorsed Plans

- 2. The development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.

Street Trees

- 3. Prior to the removal of the *Photinia robusta* (Photinia) street tree from the Tennyson Avenue 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 these trees must be undertaken by Council at the expense of the Developer/Owner.

Drainage and Water Sensitive Urban Design

- 4. 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. The satisfactory options to achieve these desired outcomes 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 8 L/s.
- 5. 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.). The Stormwater Management System must be prepared as per Council's "Civil Design Requirements for Developers – Part A: Integrated Stormwater Management".

6. A STORM report demonstrating water sensitive urban design treatments and achieving Victorian best practice objectives must be provided as part of the Stormwater Management Plan to the satisfaction of the Responsible Authority.
7. Stormwater works must be provided on the site so as to prevent overflows onto adjacent properties.

Road and Drains Engineering

8. Property boundary and footpath levels must not be altered without the prior written consent from the Responsible Authority.
9. The replacement of all footpaths, including offsets, must be constructed to the satisfaction of the Responsible Authority.
10. Any reinstatements and vehicle crossings must be constructed to the satisfaction of the Responsible Authority.
11. Any redundant vehicle crossings must be removed (including redundant portions of vehicle crossings) to the satisfaction of the Responsible Authority.
12. All front and side fences must be contained wholly within the title property boundaries of the subject land.

Sustainable Development

13. Prior to the endorsement of the Plans required pursuant to Condition 1 of this permit, the provision of a Sustainable Design Assessment (SDA) to be prepared by a suitably qualified professional must be submitted to and approved by the Responsible Authority. The SDA must include, but is not limited to, detailing initiatives for stormwater harvesting, insulation, building materials, daylighting, collective rainwater tanks and/or individual rainwater tanks, public and private landscape irrigation and car washing, energy efficient concepts, glazing and internal ventilation and the like.

General amenity conditions

14. 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.
15. 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.
16. All externally-located heating and cooling units, exhaust fans and the like must not be located adjacent to bedroom windows on adjoining properties and must be concealed from the street, unless with the further written consent of the Responsible Authority.

Completion of Works

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17. Prior to the occupation of the dwelling hereby permitted, all buildings and works and the conditions of this permit must be complied with to the satisfaction of the Responsible Authority, unless with the further prior written consent of the Responsible Authority.
18. Prior to the occupation of the dwelling hereby permitted, the landscaping works as shown on the endorsed plans must be completed to the satisfaction of the Responsible Authority. Thereafter, the landscaping shall be maintained to the satisfaction of the Responsible Authority.
19. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.

Time Limits

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

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: 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 development includes fence and sheds to be built over the rear 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 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 \$661.00 including GST), payable to Kingston City Council's Customer Service 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 KP14/1028 - 237 Station Street Edithvale

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

Moved: Cr Bearsley

Seconded: Cr Staikos

That a Notice of Decision to Grant a Permit be issued to develop the land for the construction of seven (7) dwellings at 237 Station Street 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 27 April 2015, 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 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) indigenous coastal canopy trees within the front setback of the property and one (1) small (at maturity) indigenous coastal tree within the private open space area of each dwelling, with species chosen to be approved by the Responsible Authority;
 - vii. all trees provided at a minimum of 2 metres in height at time of planting;
 - viii. medium to large shrubs to be provided at a minimum pot size of 200mm; and
 - ix. 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.
- b) sill height of Dwelling 7's bedroom window facing the driveway reduced to 1.5 metres from finished floor level;
 - c) first floor south-facing, bedroom windows of Dwellings 1, 2, 3, and 6 have fixed obscured glazing to a height of 1.7 metres from finished first floor level with a maximum transparency of 25 per cent;
 - d) first floor south-facing, bedroom window of Dwelling 5 be either screened to a height of 1.5 metres from finished first floor level with a protruding ledge or similar that complies with Standard B22 of Clause 55, or have fixed obscured glazing to a height of 1.7 metres from finished first floor level with a maximum transparency of 25 per cent and an additional west-facing window with a sill height of 1.5 metres achieved by reducing the height of the adjacent stairwell;
 - e) deletion of the 600mm fence extensions along the southern boundary;
 - f) porch or covered entry to Dwellings 5 and 7 designed in accordance with Standard B26 of Clause 55;
 - g) The provision of a new 1.8m high, timber paling fence along the site's rear (east) property boundary, with a 600mm high, boxed, lattice fence extension with a maximum transparency of 25%, attached securely to the top of this fence, resulting in the fence/fence extension being the equivalent height of 1.8metres above the finished floor level of Dwelling 7;
 - h) adequate lighting provided at garage entrances and in the driveways;
 - i) internal pedestrian doors to the garage to not open into the garage;
 - j) plan notation that the existing crossover is to be reinstated;
 - k) provision of a wheel stop complying with AS2890.1:2004 2.4.5.4 and Figure 2.6 in the visitor parking space adjacent to the paling fence;
 - l) any commitments identified within the submission of a Sustainable Design Assessment required under Condition 8 of this Permit clearly shown on plans;
 - m) the provision of a minimum 2000 litre rainwater tank clearly nominated for each dwelling with water re-use for toilet flushing;
 - n) the provision of a full colour palette, finishes and building materials schedule for all external elevations and driveways of the development; and
 - o) elevations on TP06 updated to include reference to the Dwelling number.

Endorsed Plans

2. The development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.

Street Trees

3. Prior to the commencement of any works on the site including demolition, a tree protection barrier must be installed at three (3) metres from the base of the *Allocasuarina verticillata* (Drooping She Oak) street tree located on the Station Street nature strip.

Drainage and Water Sensitive Urban Design

4. 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. The satisfactory options to achieve these desired outcomes 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 8.7 L/s.
5. 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.). The Stormwater Management System must be prepared as per Council's "Civil Design Requirements for Developers – Part A: Integrated Stormwater Management".
6. A STORM report demonstrating water sensitive urban design treatments and achieving Victorian best practice objectives must be provided as part of the Stormwater Management Plan to the satisfaction of the Responsible Authority.
7. Stormwater works must be provided on the site so as to prevent overflows onto adjacent properties.

Sustainable Development

8. Prior to the endorsement of the Plans required pursuant to Condition 1 of this permit, the provision of a Sustainable Design Assessment (SDA) to be prepared by a suitably qualified professional must be submitted to and approved by the Responsible Authority. The SDA must include, but is not limited to, detailing initiatives for stormwater harvesting, insulation, building materials, daylighting, collective rainwater tanks and/or individual rainwater tanks, public and private landscape irrigation and car washing, energy efficient concepts, glazing and internal ventilation and the like.

Construction Management

9. Prior to the commencement of the Development, a Construction Management Plan (CMP), to the satisfaction of the Responsible Authority, must be submitted to and approved by the Responsible Authority. When approved, the Plan will be endorsed as evidence of its approval and will then form part of the permit and shall thereafter be complied with to the satisfaction of the Responsible Authority. The CMP must specify and deal with, but not limited to, the following, to the satisfaction of the Responsible Authority:
- a) a pre construction site inspection and conditions assessment of all infrastructure adjacent to the subject land;
 - b) full details of any proposed construction hoarding locations, temporary footpath closures, proposed public safety signage and any proposed crane location positions external to the subject land;
 - c) a full traffic management plan which is approved by VicRoads and details all proposed local or main road partial or full closures, locations as to how concrete pours will be managed including vehicle storage locations and all required temporary signage and suggested locations;
 - d) all proposed locations for how materials will be stored on and if permitted off site including site sheds and facilities;
 - e) the location for the parking of all construction vehicles and construction worker vehicles during construction;
 - f) full details as to the location and means in which loading/unloading of materials will occur;
 - g) the means in which construction waste / waste materials will be managed both on and from the site;
 - h) the means in which dust will be suppressed during construction
 - i) business operations on the site during construction;
 - j) site security; and
 - k) construction times, noise and vibration controls.

In the event of damage during construction to any adjacent Council roads, footpaths and park land, such damage will be required to be repaired by and at the full cost to the developer, to the satisfaction of the Responsible Authority.

Road and Drains Engineering

- 10. Property boundary and footpath levels must not be altered without the prior written consent from the Responsible Authority.
- 11. The replacement of all footpaths, including offsets, must be constructed to the satisfaction of the Responsible Authority.
- 12. Any reinstatements and vehicle crossings must be constructed to the satisfaction of the Responsible Authority.
- 13. Any redundant vehicle crossings must be removed (including redundant

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portions of vehicle crossings) to the satisfaction of the Responsible Authority.

14. All front and side fences must be contained wholly within the title property boundaries of the subject land.

General amenity conditions

15. 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.
16. 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.
17. All externally-located heating and cooling units, exhaust fans and the like must not be located adjacent to bedroom windows on adjoining properties and must be concealed from the street, unless with the further written consent of the Responsible Authority.

Completion of Works

18. Prior to the occupation of each dwelling, all common property works, any crossovers and accessways, all works associated with that particular dwelling, and any works related to the provision of drainage, sewer, power and water supply are completed for each dwelling, to the satisfaction of the Responsible Authority.
19. Prior to the occupation of each dwelling, all landscaping works shown on endorsed plans for that dwelling must be completed, along with all common property landscaping works, to the satisfaction of the Responsible Authority. The landscaping must then be maintained to the satisfaction of the Responsible Authority.
20. Prior to occupation of Dwelling 7, the new fence and fence extension required under Condition 1g of this permit must be constructed to Council satisfaction, at the full cost of the owner of the land/permit holder.
21. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.

Time Limits

22. 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 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 Act, the responsible authority may extend the periods referred to if a request is made in writing:

- before the permit expires; or

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

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: 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 development includes fence and building eaves to be built over the rear 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 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

4.8 KP46/2015 - 61-63 Centre Dandenong Road, Dingley Village

It is recorded that Jason Barnfather spoke on behalf of the applicant in relation to this matter.

Moved: Cr Staikos

Seconded: Cr Brownlees

That Council determine to support the proposal and issue a Planning Permit to Develop the land for the Construction of fourteen dwellings at No.61-63 Centre Dandenong Road, Dingley Village 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 23 June, 2015, but modified to show:
 - a. the provision of an improved 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 retention of the Cupressus torulosa (Bhutan Cypress) and the Liquidambar styraciflua (Liquidambar) growing in the front setback of the site;
 - vii. the removal of the bitumen around the Liquidambar styraciflua (Liquidambar) under the supervision of Council's Vegetation Management Officer;
 - viii. the provision of two (2) additional 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;

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- 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.
 - xii. the provision of a notation of the Tree Protection Details as provided in Conditions 2, 3 and 4 of this permit. This includes all nominated tree protection zones to be drawn to scale on the plans.
- b. Elevations updated to show:
- I. A rationalised material palette;
 - II. Deletion of the weatherboard finish where it is proposed between a set of windows.
- c. a 3m setback be provided between the first floor levels of dwellings 12 and 13 with the proposed setback between dwellings 11 and 12 and to the south eastern boundary at first floor to remain the same;
- d. the provision of minimum 2000L Rainwater Tank clearly nominated for each dwelling for toilet flushing;
- e. the provision of signage within the accessway to indicate the location of the visitor spaces;
- f. the provision of appropriate signage to indicate vehicle entry and exit points to the site;
- g. any measures identified within the Sustainable Management Plan as required under condition 29 of this permit.
- h. all requirements of VicRoads, in accordance with Condition 23-28 of this permit;
2. The development and use as shown on the endorsed plans must not be altered without the 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.

Landscaping

4. A Tree Protection Zone (TPZ) must be installed at a distance of 5.4 metres from the *Cupressus torulosa* (Bhutan Cypress) located in the front setback of the property. The following must be observed within 5.4m of the tree:
- a) the existing soil level must not be altered either by fill or excavation;
 - b) the soil must not be compacted or the soil's drainage changed;

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- 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.

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

5. Prior to the commencement of the demolition and 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 5.4m in a radius from the *Cupressus torulosa* (Bhutan Cypress). The above requirements in condition 2 of this permit must be observed within this area.
6. A Tree Protection Zone (TPZ) must be installed at a distance of 6.6 metres from the *Liquidambar styraciflua* (Liquidambar) located in the front setback of the property. The following must be observed within 6.6m of the tree:
 - a) the existing soil level must not be altered either by fill or 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.

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

7. Prior to the commencement of the demolition and 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 6.6m in a radius from the *Liquidambar styraciflua* (Liquidambar). The above requirements in condition 2 of this permit must be observed within this area.
8. 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.

Drainage

9. Before the development commences, prior to submission of detailed Stormwater Management (Drainage) Plan of the development as per condition 2) below, a comprehensive stormwater management strategy of the site including a report with MUSIC model output and stormwater layout concept plan incorporating Rainwater Tanks for water reuse and other Water Sensitive Urban Design Treatments to achieve best practice objectives must be prepared as per Council's *"Civil Design Requirements for Developers – Part A – Integrated Stormwater Management"* to the satisfaction of the Council.
10. Before the development commences, a detailed Stormwater Management (drainage) Plan, in line with accepted Stormwater Management Strategy pursuant to condition 1) above, showing the stormwater works to the nominated point of discharge must be prepared to the satisfaction of the Responsible Authority. The Stormwater Management (drainage) 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.). The Stormwater Management Plan must be prepared as per Council's ***"Civil Design Requirements for Developers – Part A - Integrated Stormwater Management"***.
11. 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 runoff above the permissible site discharge. The system must be maintained to the satisfaction of the Responsible Authority. The satisfactory options to achieve these desired outcomes may include the use of an infiltration or bioretention system, rainwater tanks connected for reuse and a detention system.
12. Stormwater works must be provided on the site so as to prevent overflows onto adjacent properties.
13. The overall outflow of the development to Council drainage system must be limited to 32 L/s.

Construction Management

14. Prior to the commencement of the Development, a Construction Management Plan (CMP), to the satisfaction of the Responsible Authority, must be submitted to and approved by the Responsible Authority. When approved, the Plan will be endorsed as evidence of its approval and will then form part of the permit and shall thereafter be complied with to the satisfaction of the Responsible Authority. The CMP must specify and deal with, but not limited to, the following, to the satisfaction of the Responsible Authority:
 - a) a pre construction site inspection and conditions assessment of all infrastructure adjacent to the subject land;
 - b) full details of any proposed construction hoarding locations, temporary footpath closures, proposed public safety signage and any proposed crane location positions external to the subject land;
 - c) a full traffic management plan which is approved by VicRoads and details all proposed local or main road partial or full closures, locations

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- as to how concrete pours will be managed including vehicle storage locations and all required temporary signage and suggested locations;
- d) all proposed locations for how materials will be stored on and if permitted off site including site sheds and facilities;
 - e) the location for the parking of all construction vehicles and construction worker vehicles during construction;
 - f) full details as to the location and means in which loading/unloading of materials will occur;
 - g) the means in which construction waste / waste materials will be managed both on and from the site;
 - h) the means in which dust will be suppressed during construction
 - i) business operations on the site during construction;
 - j) site security; and
 - k) Construction times, noise and vibration controls.

In the event of damage during construction to any adjacent Council roads, footpaths and park land, such damage will be required to be repaired by and at the full cost to the developer, to the satisfaction of the Responsible Authority.

Infrastructure

- 15. Vehicle crossings must be constructed at a 90 degree alignment with the kerb on Centre Dandenong Road and all internal driveways must align with the existing / proposed vehicle crossing.
- 16. The footpath must be reconstructed to Council's commercial standards to the satisfaction of the Responsible Authority
- 17. Property boundary and footpath levels must not be altered without the prior written consent from the Responsible Authority.
- 18. The replacement of all footpaths, including offsets, must be constructed to the satisfaction of the Responsible Authority.
- 19. Vehicle crossings and other reinstatements must be constructed to council's industrial strength specifications.
- 20. All redundant vehicle crossings must be removed (including redundant portions of vehicle crossings) to the satisfaction of the Responsible Authority.
- 21. All front and side fences must be contained wholly within the title property boundaries of the subject land.

Waste Management Plan

- 22. Prior to the commencement of the Development, a Waste Management Plan (WMP) 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 all to the satisfaction of the Responsible Authority:
 - 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.

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.

Vic Roads

- 23. The crossover and driveway are to be constructed to the satisfaction of the Roads Corporation and/or the Responsible Authority and at no cost to the Roads Corporation prior to the commencement of the use or the occupation of the works hereby approved.
- 24. All vehicles must enter and exit the site in a forward direction.
- 25. The level of the footpaths must not be lowered or altered in any way to facilitate access to the site.
- 26. Driveways must be maintained in a fit and proper state so as not to compromise the ability of vehicles to enter and exit the site in a safe manner or compromise operational efficiency of the road or public safety (eg. by spilling gravel onto the roadway).
- 27. Prior to the occupation of the buildings or works hereby approved, the access lanes, driveways, crossovers and associated works must be provided and available for use and be:
 - a. Formed to such levels and drained so that they can be used in accordance with the plan.
 - b. Treated with an all-weather seal or some other durable surface.
- 28. The proposed development requires the construction of a crossover. Separate approval under the Road Management Act for this activity may be required from VicRoads (the Roads Corporation). Please contact VicRoads prior to commencing any works.

Environmentally Sustainable Design (ESD)

- 29. Prior to the endorsement of the Plans required pursuant to Condition 1 of this permit, the provision of an updated SMP report prepared by a suitably qualified professional, to the satisfaction of the Responsible Authority to show:
 - a. the provision of fixed external horizontal shading or other operable external shading devices to the north facing ground floor living room windows of units 6,7,8 & 9.
 - b. the provision of operable external shading devices to the ground floor west facing living room windows of units 1, 4 & 5. Similarly provide

shading to the first floor west facing bedroom windows of Unit 4, 11 & 12.

The report must be submitted to and approved by the Responsible Authority. When approved, the Report will be endorsed as evidence of its approval and will then form part of the Permit and shall thereafter be complied with to the satisfaction of the Responsible Authority.

Street Trees / Parks Department

30. Prior to the commencement of any works on the site including demolition, a tree protection barrier must be installed at three (3) metres from the base of the *Corymbia ficifolia* (Red Flowering Gum) and the *Fraxinus* sp (Ash) street tree located on the Centre Dandenong Road nature strip.

General amenity conditions

31. All externally-located heating and cooling units, exhaust fans and the like must not be located adjacent to bedroom windows on adjoining properties and must be concealed from the street, unless with the further written consent of the Responsible Authority.
32. Service units, including air conditioning/heating units, where incorporated, must not be located where they will be highly visible from any public area to the satisfaction of the Responsible Authority and if located on the roof of a building, suitable screening and baffling must be provided to the satisfaction of the Responsible Authority.
33. The amenity of the area must not be detrimentally affected by the use or development of the land, through the:
- Transport of materials, goods or commodities to or from the land.
 - Appearance of any building, works or materials.
 - Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.
 - Presence of vermin.

to the satisfaction of the Responsible Authority.

All piping, 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.

34. 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.
35. Prior to the occupation of the dwellings hereby permitted, all buildings and works and the conditions of this permit must be complied with to the satisfaction of the Responsible Authority, unless with the further prior written consent of the Responsible Authority.
36. 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. Thereafter, the landscaping shall be maintained to the satisfaction of the Responsible Authority.
37. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.

Time Limits

38. 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: It is noted that the development includes fences to be built over an 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: 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: Environment Protection Authority (EPA) Victoria set out the requirements pertaining to site construction hours and permissible noise levels.

**City of Kingston
Planning Committee Meeting**

Minutes

22 July 2015

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

5. Confidential Items

Moved: Cr Staikos

Seconded: Cr Eden

That in accordance with the provisions of section 89(2) of the *Local Government Act 1989*, the meeting be closed to members of the public for the consideration of the following confidential items:

- 5.1 KP881/2007 - 275-315 Kingston Road Clarinda - Seeking Council's position for VCAT Mediation regarding proposed extension of time**
This agenda item is confidential in accordance with the Local Government Act s89(2) as it relates to proposed developments (s89 2e)

CARRIED

The meeting was closed to members of the public at 8.10pm.

Moved: Cr Brownlees

Seconded: Cr Bearsley

That the meeting be opened to members of the public.

CARRIED

The meeting was opened to members of the public at 8.17pm

The meeting closed at 8.17pm.

Confirmed.....

The Mayor 19 August 2015