

# Minutes

## Planning Committee Meeting

Wednesday, 19th September 2018

**City of Kingston  
Planning Committee Meeting**

**Minutes**

**19 September 2018**

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**Table of Contents**

1.	Apologies .....	3
2.	Confirmation of Minutes of Previous Meetings .....	3
3.	Foreshadowed Declaration by Councillors, Officers or Contractors of any Conflict of Interest .....	3
	<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>	
4.	Planning and Development Reports .....	4
5.	Confidential Items .....	28

**City of Kingston  
Planning Committee Meeting**

**Minutes**

**19 September 2018**

The meeting commenced at 7.00pm in the Council Chamber, 1230 Nepean Highway, Cheltenham.

**Present:** Cr Steve Staikos (Mayor)  
Cr Tamara Barth  
Cr Tamsin Bearsley  
Cr Ron Brownlees OAM  
Cr Geoff Gledhill  
Cr George Hua  
Cr Rosemary West OAM

**In Attendance:** John Nevins, Chief Executive Officer  
Jonathan Guttmann, General Manager Planning and Development  
Ian Nice, Manager City Development  
Phil DeLosa, Manager Governance  
Gabrielle Pattenden, Governance Officer  
Lindsay Holland, Facilities Officer

**1. Apologies**

Apologies from Cr Eden and Cr Oxley were submitted to the meeting.

**Moved: Cr Gledhill**

**Seconded: Cr Bearsley**

That the apologies from Cr Eden and Cr Oxley be received.

**CARRIED**

**2. Confirmation of Minutes of Previous Meetings**

**Moved: Cr Bearsley**

**Seconded: Cr Brownlees**

That the Minutes of the Planning Committee Meeting held on 22 August 2018 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. Planning and Development Reports**

**4.1 Town Planning Application Decisions - August 2018**

**Moved: Cr Barth**

**Seconded: Cr Gledhill**

That the report be noted.

**CARRIED**

**4.2 KP18/523, 32-60 Linton Street, Moorabbin**

It is recorded that John Atkinson spoke as an objector on the item.

It is recorded that Lorraine Forde spoke as an objector on the item.

It is recorded that Matt Finnis spoke on behalf of the applicant.

**Moved: Cr Brownlees**

**Seconded: Cr Hua**

That Council determine to support the proposal and issue a Notice of Decision to Grant a Permit for buildings and works in a Special Building Overlay, in association with a minor sports and recreation facility and restricted place of assembly and to provide car parking to the satisfaction of the Responsible Authority at Part 32-64 Linton Street, Moorabbin, 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 03 July 2018, but modified to show:
  - a. a note on the plans to state '*No permanent fencing shall be erected on the land to preclude public access to the Moorabbin Reserve unless otherwise agreed in writing by the Responsible Authority*'.
  - b. relocate basketball court west as much as possible to allow vegetation to be retained to the Satisfaction of the Responsible Authority;
  - c. all works must be located within the lease agreement area;
  - d. a monetary contribution to the exercise station (outdoor exercise equipment) to the Satisfaction of Council's Parks and Recreation Department;
  - e. plans to nominate the location of all bicycle parking spaces in accordance with the Traffic Report;
  - f. location of lighting within the proposed car park;
  - g. speed humps and traffic signs, limiting speed to 5km per hour, shall be designed and installed to the satisfaction of the Responsible Authority at each vehicle entry / exit from car parking egressing to Linton Street;

**City of Kingston  
Planning Committee Meeting**

**Minutes**

**19 September 2018**

- h. the vegetation is to reduce light spill from the car park to the residential interface along the western side of Linton Street to the Satisfaction of Council's Parks and Recreation Department;
- i. a note on the plans to read '*The south west corner of the park is to be designated to Water Sensitive Urban Design (WSUD) and no future works are to impact on this section of Moorabbin Reserve*';
- j. increased upper level setbacks provided to the portion of building closest to Linton Street (Classrooms, suites, rehab rooms) to the Satisfaction of the Responsible Authority;
- k. additional landscaping at ground level with larger planter boxes and provision of a vertical green wall to the portion of building closest to Linton Street to emphasise a 'green edge' to the Satisfaction of Council's Parks and Recreation Department;
- l. reduction in foot path to two (2) metres fronting the portion of building closest to Linton Street to allow additional landscaping opportunities to the Satisfaction of Council's Parks and Recreation Department;
- m. bench seating is to be incorporated into the design between the planter boxes adjoining the portion of the building closest to Linton Street to the Satisfaction of Council's Parks and Recreation Department;
- n. tree planting on the mound to be deleted from the plans. A minimum 2 metre wide garden bed to be planted at the base of the mound (outside) to continue from the proposed basketball court to the Linton Street frontage to the Satisfaction of Council's Parks and Recreation Department;
- o. the tree planting at the base of the mound is to include Eucalyptus melliodora and to be planted 15 to 20 metres to the Satisfaction of Council's Parks and Recreation Department;
- p. the toilets located to the south of the Grandstand be resited to be less visually prominent to the satisfaction of the Responsible Authority;
- q. a tree survey plan by a qualified Arborist to assess the proposed tree removal required for the construction of the basketball court. The offset planting (number, location and species) is to be to the satisfaction of Council Parks and Recreation Department;
- r. the provision of a detailed landscape plan incorporating:
  - i. associated planting schedule showing location, species type, mature height and width, pot sizes, densities and number of species.
  - ii. tree species in accordance with recommendations of Council's Parks and Recreation Team.
  - iii. street tree plantings to be in accordance with Council's Street Tree Planting Guidelines.
  - iv. trees to be purchased in 40cm/45L containers
  - v. ground cover densities to be four plants per square metre
  - vi. details of the proposed bio swale adjacent to the car park
- s. a staging plan including, but not limited to, the following information:
  - i. staging of demolition and construction, and
- t. the provision of a Tree Management Plan (TMP) in accordance with

condition 36 of this permit

- u. the Sustainable Management Plan (SMP), Built Environment Sustainability Scorecard (BESS) assessment and plans amended to assess Stage 2 development;
- v. the acoustic report amended to also include assess Stage 2 development recommendations to provide noise attenuation to the sports court in accordance with the relevant legislation and / or guidelines;
- w. requirements of VicRoads at conditions 3 and 4 of this planning permit;
- x. requirements of Melbourne Water at condition 6 of this planning permit.
- y. the swimming pool plant and equipment suitably screened and not directly visible from Linton Street

**Endorsed Plans**

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

**VicRoads Conditions**

- 3. Before the development starts, a Functional Layout Plan (FLP) must be submitted to and approved by the Roads Corporation (VicRoads). When approved by the Roads Corporation, the plans may be endorsed by the Responsible Authority and will then form part of the permit. The plans must show appropriate signage to be installed at South Road and Linton Street intersection to ban the right-hand movements out of Linton Street in PM Peak (4:00 to 6:30) period.
- 4. Prior to the commencement of the use of the development hereby approved, the following must be completed to the satisfaction of VicRoads and the Responsible Authority and at no costs to VicRoads:
  - a. Undertake community consultation prior to implementing right turn bans as per approved Functional Layout Plan;
  - b. all works must be completed generally in accordance with approved Functional Layout Plan.
- 5. Unless otherwise agreed in writing by VicRoads, the applicant must implement appropriate traffic management during larger football matches.

**Melbourne Water Conditions**

- 6. Prior to the endorsement of plans, amended plans must be submitted to Council and Melbourne Water addressing Melbourne Water's conditions. Plans must be submitted with surface and floor levels to Australian Height Datum (AHD) and must be modified to show:
  - a. The exact location of Melbourne Water's underground drain is to be located by a licensed surveyor as per the Asset Proving guidelines; The drain must then be plotted on the proposed development plans for further assessment.
- 7. The building/structure including footings, eaves etc. must be set a minimum Prior to the commencement of works, a separate application direct to Melbourne Water must be made for any new or modified storm water connection to Melbourne Water's drains or watercourses. Prior to making the application, evidence must be provided demonstrating that Council considers it is not feasible to connect to the local drainage system.

**City of Kingston  
Planning Committee Meeting**

**Minutes**

**19 September 2018**

8. Prior to the commencement of works, a separate build over application shall be made directly to Melbourne Water's Asset Services Team for assessment and approval of any proposed works over or near Melbourne Water's drain.
9. No buildings or structures are permitted within the easement and any proposed development within the vicinity of the drain must be designed to ensure there is no detrimental impact upon its structural integrity and performance.
10. The depth of the footings must be adequate to satisfy the angle of repose relative to the drain as per Melbourne Water's specification. Refer to the Melbourne Water Web site Standard Drawing: 'Angle of Repose - Footing Design' for details.
11. Prior to Building Permit being issued, a separate Buildover Application shall be made directly to Melbourne Water for detailed terms and conditions. Design plans shall be submitted to include the driveway type, thickness and landscaping.
  - a. 5 metres from the centreline of the pipeline.
12. The building/structure including footings, eaves etc must be set outside any easement or a minimum 5 metres laterally clear of the centre line of the main drain, whichever is greater.
13. No access, construction equipment, storage of materials etc is permitted over Melbourne Water's asset.
14. Prior to the commencement of works, a separate application direct to Melbourne Water must be made and accepted for any new or modified storm water connection to Melbourne Water's drains or watercourses.

**Fencing**

15. No permanent fencing shall be erected on the land to preclude public access to the Moorabbin Reserve unless other wise agreed in writing by the responsible authority.
16. Any temporary fencing required for the management and safety of public at major events shall be detailed, to the satisfaction of the Responsible Authority, in an Events Management Plan.

**Hours of Operation**

17. Any changes required to the hours of operation detailed in Planning permit KP465/2016 as a result of the building works approved shall be amended prior to the occupancy and use of the development permitted by this permit.

**Conditions Required by Melbourne Water**

18. Any new building must be constructed with finished floor levels set no lower than 31.45 metres to Australian Height Datum, which is 300mm above the applicable flood level of 31.15m AHD.
19. The car parking areas must be set at natural surface levels.
20. Imported fill must be kept to a minimum on the property below the applicable flood level and must only be used for the sub floor areas of the buildings.
21. Prior to the commencement of works, a separate application direct to Melbourne Water must be made for the approval of any new or modified storm water connection to Melbourne Water's drains or watercourses. You can now apply using our online application process (<http://melbournewater.com.au/apply>).
22. Pollution and sediment laden runoff must not be discharged directly or indirectly

into Melbourne Water's drains or waterways.

**Stormwater Management Conditions**

23. Unless with the prior written consent of the Responsible Drainage Authority, before the development commences, the following Integrated Stormwater Management documents must be prepared, by a suitably qualified person, to the satisfaction of the Responsible Authority:
- a. Stormwater Management/drainage (drainage) Plan(s) must be prepared, with supporting computations. Showing the stormwater (drainage) works to the nominated point of discharge. The plan(s) must show all details of the proposed stormwater (drainage) works including all existing and proposed features that may have an impact on the stormwater (drainage) works, including landscaping details.
  - b. The Stormwater Management (drainage) Plan(s) must address the requirements specified within Council's "Civil Design Requirements for Developers – Part A – Integrated Stormwater Management" to the satisfaction of the Council.
  - c. The Stormwater Management/drainage (drainage) Plan(s) must incorporate an appropriate management of 1 in 100 year flow paths from/through the subject site to Council's satisfaction.
  - c. The Stormwater Management/drainage (drainage) Plan(s) must include details of how the existing stormwater drainage system will be relocated clear of the proposed building, or an alternative acceptable solution, to Council's satisfaction.
  - d. The overall outflow of the development to Council drainage system must be limited to a discharge rate calculated as per Council's "Civil Design Requirements for Developers – Part A - Integrated Stormwater Management" and acceptable to Council.
  - e. A MUSIC modelling report must be prepared with results demonstrating water sensitive urban design treatments that achieve Victorian best practice objectives, such as rainwater tanks connected for reuse and based on a utilization level of water demand approved by Council, and bio-retention systems.
24. The approved water sensitive urban design treatments must be implemented on-site, unless an alternative agreement for stormwater quality in-lieu contribution, or partial treatment/ contribution combination, is agreed to the satisfaction of Council.
25. All stormwater/drainage works must be implementing and maintained in accordance with the approved stormwater management/drainage (drainage) Plan(s) to the satisfaction of the Responsible Authority at the developer's cost.

**Road Infrastructure Conditions**

26. Prior to the commencement of works detailed engineering design drawings must be submitted to the satisfaction of and approved by the Responsible Authority showing all levels and storm water flows for the proposed carpark, paths and all civil infrastructure.
27. Vehicle crossings must be constructed at a 90 degree alignment with the kerb on Linton Street and all internal driveways must align with the existing / proposed vehicle crossing.



**City of Kingston  
Planning Committee Meeting**

**Minutes**

**19 September 2018**

28. The replacement of all footpaths, including offsets, must be constructed to the satisfaction of the Responsible Authority.
29. All reinstatements and vehicle crossings must be constructed to the satisfaction of the Responsible Authority.
30. Vehicle crossings and other reinstatements must be constructed to Council's industrial strength specifications.
31. All redundant vehicle crossings not in accordance with the endorsed plan must be removed (including redundant portions of vehicle crossings) and kerb reinstated to the satisfaction of the Responsible Authority.

**Traffic and Event Management Conditions**

32. Any changes required to the Traffic and Event Management plan detailed in Planning permit KP465/2016 as a result of the building works approved shall be amended prior to the occupancy and use of the development permitted by this permit.

**Construction Management Conditions**

33. Prior to the commencement of any buildings and works on the land (including demolition), a Construction Management Plan (CMP), to the satisfaction of the Responsible Authority, must be submitted to and approved by the Responsible Authority. The CMP must be prepared in accordance with the City of Kingston Construction Management Policy, July 2015 and Construction Management Guidelines, 1 November 2015 (and any superseding versions and / or documents). The CMP must specify and deal with, but is not limited to, the following elements:
  - a. Public Safety, Amenity and Site Security
  - b. Traffic Management
  - c. Stakeholder Management
  - d. Operating Hours, Noise and Vibration Controls
  - e. Air Quality and Dust Management
  - f. Stormwater and Sediment Control
  - g. Waste and Materials Re-use
34. When approved, the plan will be endorsed and will then form part of the permit and shall thereafter be complied with during the undertaking of all works.

**Ecologically Sustainable Development**

35. Prior to the occupation of any building approved under this permit, a report from the author of the SMP report, approved pursuant to this permit, or similarly qualified person or company. This report must be submitted to the satisfaction of the Responsible Authority. The report must confirm that all measures specified in the SMP have been implemented in accordance with the approved Plan.

**Tree Protection Conditions**

36. Prior to the endorsement of plans under condition 1 of this permit, a Tree Management Plan (TMP) must be submitted to show how trees 2, 4, 5, 11, 16, 29, 48-52 and 86-90 as nominated in the submitted arborist report will be protected pre, during and post construction, to the satisfaction of the responsible authority. The approved TMP will be endorsed and form part of the planning permit.

**City of Kingston  
Planning Committee Meeting**

**Minutes**

**19 September 2018**

37. 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 *Eucalyptus scoparia* (Wallangarra White Gum) street tree located within the road narrowing treatment at the front of the site.
38. Any noise emitted from the site must comply with State Environment Protection Policy N-1 (Control of noise from commerce industry and trade) and State Environment Protection Policy N-2 (Control of music noise from public premises).
39. Parking areas and access lanes must be kept available for these purposes at all times and maintained to the satisfaction of the Responsible Authority.

**Amenity Conditions**

40. The amenity of the area must not be detrimentally affected by the development and/or use, through the:
  - a. transport of materials, goods or commodities to or from the land
  - b. appearance of any building, works or materials
  - c. emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam
  - d. soot, ash, dust, waste water, waste products, grit or oil
  - e. presence of vermin, or
  - f. any other way
41. The loading and unloading of goods to and from vehicles must only be carried out on the land.
42. 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.
43. The swimming pool plant and equipment must not cause nuisance or be detrimental to the amenity of the neighbourhood by the emission of noise. In this regard the emission of noise must comply with the provisions of the Environmental Protection Authority

**Completion of the Development**

44. 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 Responsible Authority's satisfaction.
45. 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.
46. 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:
  - 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 with an all-weather sealcoat to the satisfaction of the Responsible Authority.

**City of Kingston  
Planning Committee Meeting**

**Minutes**

**19 September 2018**

- d. Drained to the satisfaction of the Responsible Authority.
  - e. Line-marked to indicate each car space, all access lanes and, if necessary, the direction in which vehicles are to travel to the satisfaction of the Responsible Authority.
  - f. In accordance with any Council adopted guidelines for the construction of car parks.
2. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.

**Permit Expiry**

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

**Note:** The applicable flood level for the location of the building that has a probability of occurrence of 1% in any one year is 31.15 metres to Australian Height Datum (AHD).

**Note:** If further information is required in relation to Melbourne Water's permit conditions shown above, please contact Melbourne Water on 9679 7517, quoting Melbourne Water's reference 255903.

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

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

**Note:** Areas relating to food handling, storage and sales must be designed as per Australian Standard for the Design, Construction and Fit-out of Food Premises. By providing detailed plans for these areas to Councils Health Department for approval prior to construction and fit out, it will ensure the areas are compliant with the Food Act.

**Note:** All food premises must be registered with Council prior to the commencement of the use.

**Note:** The fee for the implementation of the Residential Parking Scheme \$10,000 plus GST.

**City of Kingston  
Planning Committee Meeting**

**Minutes**

**19 September 2018**

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

**Note:** The owner(s), occupiers and visitors of the development allowed by this permit may not be eligible for Council resident or visitor parking permits.

**VicRoads Note:** No work must be commenced in, on, under or over the road reserve without having first obtaining all necessary approval under the Road Management Act 2004, the Road Safety Act 1986, and any other relevant acts or regulations created under those Acts.

**Amendment**

**Moved: Cr West**

**Seconded: Cr Barth**

That the recommendation be adopted subject to the following addition to clause 43:

“and must be available to community and social groups when not in use by the club”

**LOST**

**A Division was Called:**

**DIVISION:**

**FOR:** Cr West (1)

**AGAINST:** Crs Barth, Bearsley, Brownlees, Gledhill, Hua and Staikos (6)

**LOST**

**The Substantive Motion was put and CARRIED**

**A Division was Called:**

**DIVISION:**

**FOR:** Crs Barth, Bearsley, Brownlees, Gledhill, Hua and Staikos (6)

**AGAINST:** Cr West (1)

**CARRIED**

**4.3 KP-2017/983 - 86 Albert Street, Mordialloc**

It is recorded that Mark Grange spoke on behalf of objectors.

It is recorded that Nick Robins spoke on behalf of the applicant.

Cr Hua left the meeting at 7:46pm

**Moved: Cr West**

**Seconded: Cr Gledhill**

That the Planning Committee determine to support the proposal and issue a Notice of Decision to Grant a Permit to develop the land for the construction of five (5) dwellings with basement car parking and associated works at No. 86 Albert Street, Mordialloc, subject to the following conditions:

1. Before the development starts amended plans to the satisfaction of the

**City of Kingston  
Planning Committee Meeting**

**Minutes**

**19 September 2018**

Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be substantially in accordance with the plans submitted to Council on the 27<sup>th</sup> April, 2018, but modified to show:

- a. the provision of a landscape plan in accordance with the submitted development plan and with such plans to be prepared by a suitably qualified landscape professional to the satisfaction of the Responsible Authority and incorporating:
  - i. A planting schedule of all proposed trees and shrubs, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant;
  - ii. A survey, including, botanical names of all existing trees to be retained or removed on the site including Tree Protection Zones for trees to be retained calculated in accordance with AS4970-2009;
  - iii. A survey including botanical names, of all existing trees on neighbouring properties where the Tree Protection Zones of such trees calculated in accordance with AS4970-2009 fall partially within the subject site;
  - iv. The delineation of all garden beds, paving, grassed area, retaining walls, fences and other landscape works;
  - v. A range of plant types from ground covers to large shrubs and trees, species must comprise a minimum 80% indigenous coastal species by total numbers and plant type;
  - vi. The provision of two (2) indigenous canopy trees to be planted within the front setback of the site capable of reaching a mature height of 9 metres in height and a width of at least 3 metres, a further one (1) indigenous canopy tree to be planted within the private open space area of each dwelling capable of reaching a mature height of 6 metres and a width of at least 2 metres;
  - vii. All trees provided at a minimum of 2 metres in height at time of planting, medium to large shrubs to be provided at a minimum pot size of 200mm;
  - viii. No trees with a mature height over five (5) metres are to be planted over the proposed or existing easements;
  - 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;
  - x. The location of any tree protection measures including for street trees accurately drawn to scale and labelled and notations referring to any endorsed Tree Management Plan;
- b. the third level balconies of Dwellings 2 and 4 reduced by 1m at the north side and Dwellings 3 and 5 at the south side;
- c. the third level Living 2 areas of Dwellings 2, 3, 4 and 5 inset an additional 1m at the east side;
- d. the provision of a longitudinal section of the basement ramp showing gradients, levels, distances, with headroom clearances complying with

- AS2890.1:2004 and flood apex;
- e. the provision of the required 150mm high apex above the existing back of footpath level along the entire Albert Street frontage of the subject site;
  - f. the provision of security lighting adjacent to the basement access ramp and the pedestrian pathway on the northern side of the proposed development;
  - g. the street tree to be shown as removed tree on the site/floor plan;
  - h. any changes/notation required under condition 4 of this permit; and
  - i. the surface material of all driveways/accessways and car parking spaces nominated in all-weather coloured concrete sealcoat, or similar.
  - j. The deletion of the third storey from units 2, 3, 4 and 5.

#### 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 *Callistemon sp.* (Bottlebrush) street tree located in the Albert Street nature strip, payment must be made to Kingston City Council's customer service in accordance with Council's Street Tree Removal Procedures. This fee includes the removal and replacement of this tree and that must be undertaken by Council at the expense of the Owner/Developer.

#### Sustainable Design Assessment

- 4. 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.

#### Drainage and Water Sensitive Urban Design

- 5. Unless with the prior written consent of the Responsible Authority, before the development commences, the following Integrated Stormwater Management documents must be prepared, by a suitably qualified person, to the satisfaction of the Responsible Authority.
  - a. Stormwater Management/drainage (drainage) Plan(s) must be prepared, with supporting computations, showing the stormwater (drainage) works to the nominated point of discharge. The plan(s) must show all details of the proposed stormwater (drainage) works including all existing and proposed features that may have impact on the stormwater (drainage) works, including landscaping details.
  - b. The Stormwater Management (drainage) Plan must address the requirements specified within Council's "Civil Design requirements for Developers – Part A: Integrated Stormwater Management".
  - c. A STORM modelling report with results demonstrating water sensitive urban design treatments that achieve Victorian best practice objectives with a minimum 100% rating must be provided as part of the Stormwater

**City of Kingston  
Planning Committee Meeting**

**Minutes**

**19 September 2018**

- Management (drainage) Plan to the satisfaction of the Responsible Authority. These may include the use of an infiltration or bio-retention system, rainwater tanks connected for reuse, or other treatments to the satisfaction of the Responsible Authority.
- d. The water sensitive urban design treatments as per Conditions 5a), 5b) & 5c), above must be implemented on-site, unless an alternative agreement is reached with the Responsible Authority.
6. Stormwater/drainage works must be implemented in accordance with the approved stormwater management/drainage plan(s) and to the satisfaction of the Responsible Authority including the following:
    - a. All stormwater/drainage works must be provided on the site so as to prevent overflows onto adjacent properties.
    - b. The implementation of stormwater/drainage detention system(s) which restricts stormwater discharge to the maximum allowable flowrate of 7.4L/s.
    - c. All stormwater/drainage works must be maintained to the satisfaction of the Responsible Authority.
  7. A flood proof apex (ridge level) protecting the property from any overland flows must be provided. This apex is to be a minimum 150mm above the back of footpath level along the entire Albert Street frontage of the site. This apex is to continue through any driveways or pathways that may cross it. The apex is to be a permanent structure (e.g. rise 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.
  8. A groundwater assessment report (GAR) must be prepared by a qualified hydro-geologist to assess any possible impacts the proposed development has on the ground water table, surrounding land and buildings to the satisfaction of Responsible Authority. Should the findings of the submitted GAR demonstrate that the site is likely to experience issues associated with ground water management, a ground water management plan (GMP) must be submitted to and approved by the Responsible Authority.
  9. The basement structure must be designed to respond to the findings of the GAR and GMP required under Condition 8 of this permit and constructed to the satisfaction of the Responsible Authority.

**Parking and Traffic Management**

10. 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.

**Infrastructure and Road Works**

11. 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, at the cost of the owner/developer.
12. Vehicle crossings must be constructed at a 90 degree alignment with the kerb on Albert Street and all internal driveways must align with the existing / proposed vehicle crossing.
13. Prior to the commencement of the development hereby approved, property boundary, footpath and vehicle crossing levels must be obtained from Council's Roads and Drains Department with all levels raised to the satisfaction of the Responsible Authority.
14. The internal driveway must be at least 500mm from the side boundary at the front boundary.
15. The proposed vehicle crossing must be kept separate from the neighbour's vehicle crossing to create a pedestrian refuge of no less than 1.0 metre wide.
16. The replacement of all footpaths, including offsets, must be constructed to the satisfaction of the Responsible Authority.
17. All reinstatements and vehicle crossings must be constructed to the satisfaction of the Responsible Authority.
18. Vehicle crossings and other reinstatements must be constructed to Council's industrial strength specifications.
19. All redundant vehicle crossings must be removed (including redundant portions of vehicle crossings) to the satisfaction of the Responsible Authority.
20. All proposed fencing must be contained wholly within the title property boundaries of the subject land.

**General amenity conditions**

21. 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.
22. 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.
23. 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.

**Lighting**

24. Exterior lighting must be installed in such positions as to effectively illuminate all communal areas to the satisfaction of the Responsible Authority. Such lighting must be designed, baffled and located to the satisfaction of the Responsible Authority to prevent any adverse effect on neighbouring land, to the satisfaction of the Responsible Authority.



**City of Kingston  
Planning Committee Meeting**

**Minutes**

**19 September 2018**

Completion of Works

25. 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.
26. 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.
27. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.

Time Limits

28. 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.

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**Note:** The owner(s), occupiers and visitors of the development allowed by this permit will not be eligible for Council resident or visitor parking permits.

**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 fee for removal of the street tree(s) from the nature strip is **\$1017.42** (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:** Environment Protection Authority (EPA) Victoria set out the requirements

**City of Kingston  
Planning Committee Meeting**

**Minutes**

**19 September 2018**

pertaining to site construction hours and permissible noise levels.

**Note:** Council's Rates Department is responsible for determining and assigning property address details, which include dwelling/unit/apartment and street numbers and/or street names. The onus is on the Permit Applicant/Land Owner to contact Council's Rates Department to determine dwelling/unit/apartment and street numbers, and street name details for the approved development. Any reference to dwelling numbers on endorsed plans is indicative and should not be relied upon for dwelling/unit/apartment and street numbers and/or street name purposes.

**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*).

Cr Hua returned to the meeting at 7:51pm

**Procedural Motion**

**Moved: Cr Brownlees**

**Seconded: Cr Hua**

That consideration of this matter be deferred until the Ordinary Meeting of Council on 24 September 2018.

**CARRIED**

**4.4 7-11 Maude Street, Cheltenham**

It is recorded that Andrew Bromley spoke on behalf of the applicant.

**Moved: Cr Brownlees**

**Seconded: Cr Gledhill**

That Planning Committee determine to support the proposal and issue a Notice of Decision to Grant a Permit to develop the land for the construction of thirty-four (34) dwellings within a four (4) storey high building with associated works at No. 7-11 Maude 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

**City of Kingston  
Planning Committee Meeting**

**Minutes**

**19 September 2018**

submitted to Council on 5 June 2018, but modified to show:

- a. the the provision of a landscape plan in accordance with the submitted landscape by John Patrick Landscape Architecture, Revision B, dated 25/07/2018 but amended to show:
    - i) The removal of all three street trees in the Maude Street nature strip  
**Note:** The fee for removal of the three street tree(s) from the Maude Street nature strip is \$ 1 344.75 (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.
  - b. the provision of a Construction Management Plan (CMP) to be submitted to and approved to the satisfaction of the Responsible Authority, in accordance with Condition 13 of the permit;
  - c. the provision of a Waste Management Plan (WMP) to be submitted to and approved to the satisfaction of the Responsible Authority, in accordance with Condition 14 of the permit;
  - 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 dwellings; and
  - f. 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.

Roads & Drains Department

3. Vehicle crossings must constructed at a 90 degree alignment with the kerb on Maude Street and all internal driveways must align with the existing / proposed vehicle crossing.
4. The internal driveway must be at least 500mm from the side boundary at the front boundary.
5. The proposed double vehicle crossing must have a common layback with a triangle of grass between the infill sections of the vehicle crossings to create a pedestrian refuge of no less than 1 metre and must be constructed to the satisfaction of the Responsible Authority.
6. Property boundary and footpath levels must not be altered without the prior written consent from Council's Roads & Drains Department.
7. All reinstatements and vehicle crossings are to be constructed to the satisfaction of the relevant authority.
8. The replacement of all footpaths, including offsets, must be constructed to the satisfaction of Council's Roads and Drains Department.
9. All redundant vehicle crossings must be removed (including redundant portions of vehicle crossings) to the satisfaction of the Responsible Authority.
10. Vehicle crossings and other reinstatements must be constructed to Council's industrial strength specifications.
11. All front and side fences must be constructed wholly within the title property

boundaries of the subject land.

12. All works on or facing the boundaries of adjoining properties must be finished and surface cleaned to a standard that is well presented to neighbouring properties in a manner to the satisfaction of the Responsible Authority.

Construction Management

13. Prior to the commencement of any buildings and works on the land (including demolition), a Construction Management Plan (CMP), to the satisfaction of the Responsible Authority, must be submitted to and approved by the Responsible Authority. The CMP must be prepared in accordance with the City of Kingston Construction Management Policy, July 2015 and Construction Management Guidelines, 1 November 2015 (and any superseding versions and / or documents). The CMP must specify and deal with, but is not limited to, the following elements:

- a) Public Safety, Amenity and Site Security
- b) Traffic Management
- c) Stakeholder Management
- d) Operating Hours, Noise and Vibration Controls
- e) Air Quality and Dust Management
- f) Stormwater and Sediment Control
- g) Waste and Materials Re-use.

When approved, the plan will be endorsed and will then form part of the permit and shall thereafter be complied with during the undertaking of all works.

Waste Management Plan

14. 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.

Environmentally Sustainable Design (ESD)

15. Prior to the endorsement of the Plans required pursuant to Condition 1 of this permit, the provision of an improved ESD report prepared by a suitably qualified professional, to the satisfaction of the Responsible Authority, 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. The ESD report must include, but is not limited to, how the development will achieve a minimum 5 star and average 6 star energy rating, detailed initiatives for stormwater harvesting, insulation, daylighting, collective rainwater tanks and/or individual rainwater tanks, public and private landscape irrigation, energy efficient concepts, waste and recycling, building materials, glazing and internal/ cross-flow ventilation and the like where appropriate and relevant to the satisfaction of the Responsible Authority.

**Drainage and Water Sensitive Urban Design**

16. 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 detention system must have a restricted outflow limit.
17. 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 Plan must be prepared as per "Council's Civil Design Requirements for Developers – Part A – Integrated Stormwater Management".
18. Stormwater works must be provided on the site so as to prevent overflows onto adjacent properties.
19. A STORM report demonstrating water sensitive urban design treatments and achieving Victorian best practice objectives with 100% rating must be provided as part of the Stormwater Management Plan to the satisfaction of the Responsible Authority.

**Parking and Traffic Management**

20. 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.

**City of Kingston  
Planning Committee Meeting**

**Minutes**

**19 September 2018**

- e) Line-marked to indicate each car space and all access lanes and, if necessary, the direction in which vehicles are to travel 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.

**Infrastructure and Road Works**

21. Any redundant vehicular crossing must be removed and the nature strip, kerb and channel, and footpath must be reinstated to the Responsible Authority's standard specifications and to the satisfaction of the Responsible Authority.
22. 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, at the cost of the owner/developer.

**General amenity conditions**

23. 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.
24. 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.
25. 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.

**Lighting**

26. Exterior lighting must be installed in such positions as to effectively illuminate all communal areas to the satisfaction of the Responsible Authority. Such lighting must be designed, baffled and located to the satisfaction of the Responsible Authority to prevent any adverse effect on neighbouring land, to the satisfaction of the Responsible Authority.

**Completion of Works**

27. 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.
28. 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.

**Environmental Audit**

29. Prior to the commencement of any buildings and works associated with the dwelling use (planning unit) shown on plans submitted to Council on 5

**City of Kingston  
Planning Committee Meeting**

**Minutes**

**19 September 2018**

June 2018 either:

29.1 subject to condition 29 of this permit:

29.1.1 an environmental auditor must be engaged to undertake an environmental audit of the land pursuant to section 53U of the *Environment Protection Act 1970*; and

29.1.2 the environmental audit must be completed by an environmental auditor pursuant to section 53W of the *Environment Protection Act 1970*;

29.2 the following documents issued upon completion of the environmental audit required by conditions 29.1.1 and 29.1.2 of this permit must be provided to the Responsible Authority: -

i) the environmental audit report issued by the environmental auditor pursuant to section 53X of the *Environment Protection Act 1970*; and

ii) any clean up to the extent practicable submission made by the environmental auditor pursuant to clause 19 of the *State Environment Protection Policy (Groundwaters of Victoria)* as varied on 21 March 2002; and

iii) any clean up to the extent practicable determination made by the Environment Protection Authority pursuant to clause 19 of the *State Environment Protection Policy (Groundwaters of Victoria)* as varied on 21 March 2002; and

iv) any certificate of environmental audit issued by an environmental auditor pursuant to section 53Y of the *Environment Protection Act 1970*; and

v) any statement of environmental audit issued by an environmental auditor pursuant to section 53Z of the *Environment Protection Act 1970* confirming to the satisfaction of Council that the land is suitable for the development and use allowed by this permit;

29.3 the requirement in conditions 29.10 and 29.2 does not apply to:

i) works necessarily forming part of the site investigation or an environmental audit process including any investigation, clean up or remediation; or

ii) any works or use permitted with the written consent of the Responsible Authority;

30 Prior to the commencement of the use of the land or the issue of an occupancy permit under the *Building Act 1993* a letter prepared and signed by an environmental auditor in respect of the land must be submitted to the Responsible Authority verifying that any conditions attached to the certificate of environmental audit or statement of environmental audit issued for the land have been satisfied to the extent necessary for the commencement of the use of the development of the land allowed by this permit or the safe occupancy of the development.

31 Any development and/or use permitted by this permit must comply with conditions attached to any certificate of environmental audit or statement of environmental audit for the land.

32 Before the use or development starts the land owner must enter into an

**City of Kingston  
Planning Committee Meeting**

**Minutes**

**19 September 2018**

agreement with the Council under section 173 of the Planning and Environment Act 1987 to provide for the following:

- a. compliance with the conditions attached to any certificate of environmental audit or statement of environmental audit issued for the land;
  - b. notification to future occupiers and purchasers of the land or any part of the land of any conditions attached to any certificate of environmental audit or statement of environmental audit; and
  - c. the agreement must be prepared by or on behalf of the Council and must contain terms and conditions to the satisfaction of the Council.
- 33 The owner must pay the reasonable costs of the preparation, execution and registration of the agreement required by condition 32 of this permit.
- 34 Written notice of the engagement or termination of the engagement of an environmental auditor to undertake an environmental audit of the land required by conditions 29.1 and 29.2 of this permit must be provided to the Council within 30 days of that engagement or termination.
- 35 Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.

**Time Limits**

- 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 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.

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**Note:** The owner(s), occupiers and visitors of the development allowed by this permit will not be eligible for Council resident or visitor parking permits.

**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



**City of Kingston  
Planning Committee Meeting**

**Minutes**

**19 September 2018**

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

**Note:** Council's Rates Department is responsible for determining and assigning property address details, which include dwelling/unit/apartment and street numbers and/or street names. The onus is on the Permit Applicant/Land Owner to contact Council's Rates Department to determine dwelling/unit/apartment and street numbers, and street name details for the approved development. Any reference to dwelling numbers on endorsed plans is indicative and should not be relied upon for dwelling/unit/apartment and street numbers and/or street name purposes.

**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 three street tree(s) from the Maude Street nature strip is \$1,344.75 (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**

**4.5 KP17/930 - 22 - 24 Pietro Road Heatherton**

**Moved: Cr Hua**

**Seconded: Cr Barth**

That the Planning Committee determine to support the proposal and issue a Planning Permit to develop the land for an extension to an existing single storey dwelling, 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 Plans prepared by Metro Drafting Sheets 1 of 5, 3-5 of 5 (dated 25 March 2014) & 2 of 5 (dated 12 March 2014) received by Council 28 November 2017 and Landscape Plan prepared by Gardenique, dated March 2015, Sheet 1 of 1 received by Council 28 November 2017 but modified to show:
  - a. the provision of a rainwater tanks, with a minimum capacity of 2000L

- connected for toilet flushing.
- b. finished floor levels to A.H.D
- c. a modified landscape that incorporates:
  - i. A survey, including, botanical names of all existing trees to be retained or removed on the site including Tree Protection Zones for trees to be retained calculated in accordance with AS4970-2009;
  - ii. A survey including botanical names, of all existing trees on neighbouring properties where the Tree Protection Zones of such trees calculated in accordance with AS4970-2009 fall partially within the subject site;
  - iii. Trees provided minimum of 2 metres in height at time of planting, medium to large shrubs to be provided at a minimum pot size of 200mm;

**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 conditions**

- 3. Tree Protection Fencing is to be established around the street trees prior to demolition and maintained until all works on site are complete.
  - a. The fencing is to be a 1.8 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.
  - b. The fencing is to encompass the entire nature strip with each end 3 metres from the base of the tree.

**Stormwater Management**

- 4. Stormwater drainage of the site must be provided so as to prevent any overflows onto adjacent properties and be directed to the nominated point of discharge.

**Roads Engineering**

- 5. Prior to the commencement of development, property boundary, 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.
- 6. All reinstatements and vehicle crossings must be constructed to the satisfaction of the Responsible Authority.
- 7. The existing crossover at the north of the site nominated to be reinstated to the satisfaction of the Responsible Authority.
- 8. The proposed crossover must be constructed in accordance with the requirements of the Responsible Authority.
- 9. The proposed crossover must be at a 90 degree alignment with the kerb with the internal driveway to align with the proposed vehicle crossing.

**Prior to Occupation**

- 10. Prior to the occupation of the dwelling extension 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 dwelling extension 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 dwelling extension hereby permitted, all noise attenuation works must be completed in accordance with AS2021-2000 to the satisfaction of the Responsible Authority.
13. Prior to the occupation of the dwelling extension hereby permitted, or by such later date as is approved by the Responsible Authority in writing, the nature strip, kerb and channel, vehicle crossover and footpath must be reinstated to the satisfaction of the Responsible Authority.
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.
15. Prior to the occupation of the dwelling extension 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.

#### **Completion of Development**

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. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.

#### **Permit Expiry**

18. 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:

**City of Kingston  
Planning Committee Meeting**

**Minutes**

**19 September 2018**

- 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.

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

**Note:** The building is located within the 20-25 ANEF (Australian Noise Exposure Forecast system) requiring noise attenuation (please refer to AS2021-2000 section 2 and 3). Please note that housed, homes, units and plans are unacceptable when the ANEF is greater than 25.

**CARRIED**

**4.6 Notice of Application (Advertising) Policy Review**

**Moved: Cr Barth**

**Seconded: Cr West**

That the Notice of Application (Advertising) Policy at Appendix 1 be adopted.

**CARRIED**

**5. Confidential Items**

The meeting closed at 8.10pm.

**Confirmed.....**

**The Mayor 17 October 2018**