Agenda

for the

Planning & Amenity Committee Meeting

To be held at the Council Chambers, Civic Centre, Boxshall Street Brighton

on

Tuesday 30 April 2019
at 7:00pm

Chairperson: Cr Rob Grinter
Councillors: Cr Sonia Castelli
            Cr Alex del Porto
            Cr Laurence Evans
            Cr Michael Heffernan (Mayor)
            Cr James Long BM JP
            Cr Clarke Martin
Members of the Gallery

Your attention is drawn to Section 92 of Council's Governance Local Law No 1.

**Section 92 The Chair’s Duties and Discretions**

In addition to other duties and discretions provided in this Local Law, the Chair –

(a) must not accept any motion, question or statement which is derogatory, or defamatory of any Councillor, member of Council staff, or member of the community;

(b) may demand retraction of any inappropriate statement or unsubstantiated allegation;

(c) must ensure silence is preserved in the public gallery during any meeting;

(d) must call to order any member of the public who approaches the Council or Committee table during the meeting, unless invited by the Chair to do so; and

(e) must call to order any person who is disruptive or unruly during any meeting.

An Authorised Officer must, if directed to do so by the Chairman, remove from a meeting any Councillor or other person who has committed such an offence.

Your cooperation is appreciated

**Chairperson of Council**
Planning & Amenity Committee Meeting

Planning & Amenity Committee Charter
To deal with all matters relating to consideration of statutory planning, tree removal applications, traffic and parking matters.

This Committee has the full delegated authority of Council to finally determine upon planning applications.

Membership of the Committee
All Councillors

Order of Business

1. Apologies

2. Declarations of Interest

3. Adoption and Confirmation of the minutes of previous meeting

4. Matters of Decision
   4.1 411 Beach Road, Beaumaris Notice of Decision to Grant a Permit Application No: 2018/357/1 Ward: Southern ......................... 7
   4.2 16 Clonaig Street, Brighton East Notice of Decision to Grant a Permit Application No: 2018/693/1 Ward: Northern................. 55
   4.3 29 Dunoon Court, Brighton East Notice of Decision to Grant a Permit Application No: 2018/680/1 Ward: Northern................. 97
   4.4 8 Valdemar Court, Brighton East Notice of Decision to Grant a Permit Application No: 2018/724/1 Ward: Central ................. 135
   4.5 Firbank Grammar (17-23 & 51 Outer Crescent, Brighton) Notice of Decision to Grant a Permit Application No: 2018/405/1 Ward: Northern ........................................................................ 167
   4.6 303 Reserve Road, Cheltenham Notice of Decision to Grant a Permit Application No: 2018/454/1 Ward: Central .................... 215
   4.7 9 Wilson Street, Highett Secondary Consent - Approve Application No: 2015/666/1 Ward: Central........................................... 339

5. Confidential Business
   Nil
Next Meetings 2019

Tuesday 14 May 2019
Tuesday 11 June 2019
Tuesday 16 July 2019
Tuesday 30 July 2019 (*CANCELLED)
Tuesday 13 August 2019
Tuesday 10 September 2019
Tuesday 8 October 2019
Tuesday 22 October 2019 (*CANCELLED)
Tuesday 12 November 2019
Tuesday 26 November 2019 (*CANCELLED)
Monday 9 December 2019
1. Apologies

2. Declarations of Interest

3. Adoption and Confirmation of the minutes of previous meeting

  3.1 Confirmation of the Minutes of the Planning & Amenity Committee Meeting held on 16 April 2019.
4. Matters of Decision

4.1 411 BEACH ROAD, BEAUMARIS
NOTICE OF DECISION TO GRANT A PERMIT
APPLICATION NO: 2018/357/1 WARD: SOUTHERN

This matter has been reported to the Planning and Amenity Committee for a decision because there are 2 or more trees to be removed in the Vegetation Protection Overlay Schedule 3 (VPO3).

1. Application details

<table>
<thead>
<tr>
<th>Recommendation</th>
<th>Notice of Decision to Grant a Planning Permit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applicant</td>
<td>Lorenzini Group</td>
</tr>
<tr>
<td>Title/Covenant/S173 Agreement</td>
<td>The site is subject to restrictive covenant 1384564. The covenant does not restrict the proposed tree removal.</td>
</tr>
<tr>
<td>Date application received</td>
<td>1 June 2018</td>
</tr>
<tr>
<td>Current statutory days</td>
<td>133 days</td>
</tr>
<tr>
<td>Zoning</td>
<td>Neighbourhood Residential Zone (Schedule 3)</td>
</tr>
<tr>
<td>Overlays</td>
<td>Design and Development Overlay (Schedule 1)</td>
</tr>
<tr>
<td></td>
<td>Vegetation Protection Overlay (Schedule 3)</td>
</tr>
<tr>
<td></td>
<td>Development Contributions Plan Overlay (Schedule 1)</td>
</tr>
<tr>
<td>Site area</td>
<td>2047m²</td>
</tr>
<tr>
<td>Number of outstanding objections</td>
<td>3</td>
</tr>
<tr>
<td>Is a Development Contribution Levy applicable?</td>
<td>No</td>
</tr>
<tr>
<td>Is the site located within an area of cultural heritage sensitivity?</td>
<td>Yes; however, the proposed works are exempt.</td>
</tr>
</tbody>
</table>

Proposal
The application seeks the removal of vegetation native to Australia. Key details of the proposal are as follows:

- Removal of 63 trees, which includes 11 trees that are protected by the Vegetation Protection Overlay Schedule 3, three (3) trees protected by the Local Law and 49 trees that have no protection.

The applicant’s arborist report and plans are provided at Attachment 1.
An aerial image and photographs of the site and surrounds are provided at Attachment 2.

History
There is no planning permit history relevant to this application.
2. Planning controls

Planning Permit requirements
A planning permit is required pursuant to:

- Clause 42.02-2 – Remove, destroy or lop vegetation native to Australia.

Planning Scheme Amendments
There are no Planning Scheme Amendments relevant to this application.

3. Stakeholder consultation

External referrals
There are no external referrals required to be made in accordance with Clause 66 of the Bayside Planning Scheme.

Internal referrals
The application was referred to the following Council departments for comment:

<table>
<thead>
<tr>
<th>Internal Referral</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arborist</td>
<td>No objection, subject to conditions.</td>
</tr>
</tbody>
</table>

Public notification
The application was advertised pursuant to Sections 52(1)(a) and (d) of the Planning and Environment Act 1987 and three (3) objections were received.

Three (3) objections remain outstanding at the time of this report.

The following concerns were raised:

- Native Tree Removal;
- Removal of Oak Trees;
- Neighbourhood Character; and
- Habitat Values.

The number of objections received for this application is consistent across Council’s record management systems.

Consultation meeting
The applicant declined a consultation meeting. The applicant has not advised Council whether or not they have engaged in private consultation with objector parties.

4. Recommendation

That Council resolve to Issue a Notice of Decision to Grant a Permit under the provisions of the Bayside Planning Scheme in respect of Planning application 2018/357/1 for the land known and described as 411 Beach Road, Beaumaris, for the Removal of native vegetation in accordance with the endorsed plans and subject to the following conditions from the standard conditions:

1. Before the removal of any trees, a Revegetation Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions. The plans and tree numbers must be generally in accordance with the Arborist Report, and Landscape Design Plan advertised by Council, prepared by Landscapes By Design, and dated 27/8/2018:
a) The following trees protected under the VPO3 to be retained:
   - Tree 7/78
   - Tree 34
   - Tree 57
   - Tree 82.

b) All trees not protected by the VPO3 or Local Law are to be omitted from the plan, as these trees do not require planning permission to be removed.

c) The replacement planting of four (4) indigenous canopy trees capable reaching a height of at least 8m and canopy spread of at least 4 metres.

d) The replacement planting of one (1) indigenous canopy tree capable of reaching a height of at least 10m and canopy spread of at least 4m at maturity.

e) The replacement planting of one (1) indigenous canopy tree capable of reaching a height of at least 10m and canopy spread of at least 6m at maturity.

f) The replacement planting of one (1) indigenous canopy tree capable of reaching a height of at least 12m and canopy spread of at least 4m at maturity.

g) A minimum of three different indigenous species must be used. All species must be consistent with Table 4: Indigenous Trees of the Bayside Landscape Guidelines 2016.

All to the satisfaction of the Responsible Authority.

2. The planting shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.

3. The layout of the site and the location of vegetation shown on the endorsed plans must not be modified for any reason (unless the Bayside Planning Scheme specifies that a planning permit is not required) without the prior written consent of the Responsible Authority.

4. All planting shown on the endorsed plans must be carried out within six (6) months of the removal of the first tree to the satisfaction of the Responsible Authority.

Permit Expiry

5. This permit will expire if one of the following circumstances applies:

   a) The vegetation removal is not completed within two years of the date of this permit.

   In accordance with Section 69 of the Planning and Environment Act 1987, a request may be submitted to the Responsible Authority within the prescribed timeframes for an extension of the periods referred to in this condition.

Permit Notes:

- This permit does not constitute any authority to carry out any building works or occupy the building or part of the building unless all relevant building permits are obtained.
5. Council Policy

**Council Plan 2017-2021**

Relevant objectives of the Council plan include:

- Where neighbourhood character, streetscapes and heritage is respected and enhanced, and the community has a strong connection to place.

Relevant strategies of the Council plan include:

- Make discretionary planning controls stronger, by advocating for Council’s planning and urban design objectives to state government.

**Bayside Planning Scheme**

- Clause 9 Plan Melbourne
- Clause 12 Environmental and Landscape Values
- Clause 13 Environmental Risks
- Clause 21.02 Bayside Key Issues and Strategic Vision
- Clause 21.04 Environmental and Landscape Values
- Clause 21.05 Environmental Risks
- Clause 22.06 Neighbourhood Character Policy (Precinct H4)
- Clause 32.09 Neighbourhood Residential Zone (Schedule 3)
- Clause 42.02 Vegetation Protection Overlay (Schedule 3)
- Clause 43.02 Design and Development Overlay (Schedule 3)
- Clause 45.06 Development Contributions Plan Overlay
- Clause 65 Decision Guidelines

6. Considerations

In considering this application, regard has been given to the State and Local Planning Policy Frameworks, the provisions of the Bayside Planning Scheme, objections received and the individual merits of the application.

6.1. Neighbourhood character

The site is located within Neighbourhood Character Precinct H4. The proposal is considered to demonstrate an acceptable level of compliance with the preferred future character statement and precinct guidelines for this precinct.

Currently, the subject site is well vegetated with a large presence of scrubby, coastal vegetation. This application seeks to remove 63 trees from the subject site. This amount of vegetation removal ordinarily would have an unacceptable impact on the site’s contribution to the existing landscape character of the neighbourhood. However, 51 of the trees proposed for removal do not require planning or local law permission, and therefore cannot be considered in this application. Only the removal of the 11 trees protected by the VPO3 can be considered and assessed under this application.

Having assessed the proposal, Council’s Arborist is supportive of the removal of seven (7) native trees protected by the VPO3. This is an acceptable outcome for the existing character of the area with the exception of Tree #32, the trees to be removed are relatively small in size and do not provide a significant contribution to the amenity or character of adjoining lots or the wider precinct.

It is considered however that replacement planting of large indigenous trees will adequately maintain or enhance the landscape setting of this site. As such, conditions
requiring substantial indigenous canopy trees be planted throughout the site are included in the recommendation. The imposition of this condition, along with the large canopy trees which are shown as being retained will, over time, enhance the garden setting of the site.

6.2. Landscaping

A more detailed assessment of each individual tree is provided at Attachment 3. Trees that do not require a planning permit for removal under the provisions of the VPO3 have been omitted from this assessment. These trees will be required to be removed from any endorsed documents as they have no statutory weight in the planning considerations for this application.

The objectives of the VPO3 are to retain the amenity, aesthetic character and habitat value of native vegetation by preventing the loss of native (particularly indigenous) vegetation and promoting the regeneration and replanting of indigenous species in the Beaumaris and Black Rock area.

The application plans show the removal of 63 trees from the site including 11 trees protected by the VPO3. The table below identifies those trees protected by the VPO3, those protected by the Local Law and those which are not protected by any statutory mechanism. Indigenous trees are marked with a '*'.

<table>
<thead>
<tr>
<th>VPO3 protected trees</th>
<th>Local Law protected trees</th>
<th>Trees not protected</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proposed for removal</td>
<td>Proposed for retention</td>
<td>Proposed for removal</td>
</tr>
<tr>
<td>1, 22, 23, 29, 32, 34, 36, 41, 57, 7/78, 82.</td>
<td>12, 14, 14A, 44, 60</td>
<td>16, 17, 27</td>
</tr>
<tr>
<td>8, 9, 13</td>
<td>2, 3, 4, 5, 6, 10, 11, 15, 16, 17, 18, 19, 20, 21, 24, 25, 29, 30, 31, 33, 35, 37, 38, 39, 40, 42, 43, 46, 47, 51, 52, 53, 54, 55, 56, 58, 59, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77.</td>
<td></td>
</tr>
</tbody>
</table>

The assessment of the proposed tree removal is broken into three sections, being:

- VPO3 trees recommended for removal (Trees 1, 22, 23, 29, 32, 36 and 41)
- VPO3 trees recommended for retention (Trees 7/78, 34, 57 and 82)
- 59 trees not protected by the VPO3 or Local Law

VPO3 trees recommended for removal

*Trees 1, 22, 23, 29, and 36*

All of the above listed trees are *Pittosporum undulatum* (Sweet Pittosporum) and are located across the subject site. All of these trees are of generally good health and structure. These trees are relatively small canopy trees with heights ranging between 6 and 7 metres. Given the small size of these trees, Council’s Arborist considers that they do not provide any amenity outside the subject site itself. As such they were given low ratings in terms of amenity and retention value.

The removal of these trees will not have a detrimental impact on the existing or preferred
vegetative character of the area, and that suitable replacement planting of indigenous canopy trees will, in time, contribute more positively to the character of the area.

**Tree 32**

Tree 32 is another *Pittosporum undulatum* (Sweet Pittosporum) that is located in the centre of the subject site. This tree is of moderate height (12 metres) with a canopy spread of 8 metres. This tree is of fair health and structure and due to the additional height compared to the trees above, has been given a moderate amenity value.

Despite the above, Council’s Arborist has indicated that the previous poor management of this tree has devalued its contribution, to the point where it has been given a low retention value. Officers are therefore supportive of this tree being removed, provided appropriate, indigenous canopy tree planting is provided in its place.

**Tree 41**

Tree 41 is a mature *Leptospermum laevigatum* (Coastal Tea Tree) that has a height of 5 metres and canopy spread of 8 metres. Council’s Arborist has determined that this tree is dead, and therefore is recommending this tree be removed, and replaced with an appropriate indigenous canopy tree.

VPO3 trees recommended for retention

**Tree 7 & Tree 78**

Council’s Arborist has identified that Tree 7 and Tree 78 are the same tree. The trunk of Tree 78 runs eastwards along the ground until turning upright in the location identified on the plans as Tree 7.

Tree 7 and Tree 78 is a mature *Leptospermum laevigatum* (Coastal Tea Tree). This is an indigenous species which is of good health and fair structure. The tree is 5 metres in height and has a canopy spread of 4 metres.

Council’s Arborist has determined that this tree has a life expectancy of 10-19 years and moderate amenity, habitat and retention value. Given this positive assessment, and the tree’s location near the boundary of the site, Council considers that this tree should be retained, and that its retention would not impact on any potential development in the future.

**Tree 34**

Tree 34 is a young *Banksia Integrifolia* (Coast Banksia). It is 7 metres in height and has a 4 metre wide canopy spread. This is an indigenous species of tree which is expected to reach a height at maturity of at least 15 metres.

Council’s Arborist has determined that this tree is of good health, has good structure and a life expectancy of more than 20 years. The tree provides a moderate amenity value; however, given the age, anticipated growth, health and structure of the tree, it is considered that this tree will provide a high or very high amenity value in the future. Therefore, this tree has a high retention value and its removal is not supported.

**Tree 57**

Tree 57 is a *Melaleuca armillaris* (Bracelet Honey Myrtle) which is a species native to Victoria. This specimen is 5 metres in height and has a canopy spread of 9 metres. It is a mature tree with good health and fair structure. It has a useful life expectancy of between 10 - 19 years and is of moderate amenity and habitat value and has a medium retention value.

It is considered that given the location of this tree, it is unlikely to be impacted by any potential development on the site, and Council’s Arborist does not support the removal of this tree.

**Tree 82**
When conducting a site inspection for this application, Council's Arborist determined that tree 82 was not shown on the plans submitted for consideration. This tree is located to the east of tree 7 and Tree 78, near the eastern boundary of the site.

This tree is an *Acacia Sp.* (Wattle) that is native to Australia. This tree is of a semi-mature age and is of good health and structure. It is 6 metres in height and has a canopy spread of 7 metres. Council's Arborist has determined that it has a useful life expectancy of between 10 - 19 years and has moderate amenity value. While there is no evidence of the tree being used for habitat, the tree was given a medium retention value.

Again, given the location of this tree in close proximity to the boundary of the site, Council’s Arborist considers that its retention will not impact on any future development.

### 59 trees not protected by the VPO3 or Local Law

As is shown in the table above, many of the trees on the subject land are not protected by the VPO3, or Council's Local Law, and therefore are able to be removed at any time without Council approval.

### 6.3. Street tree(s)

This application does not seek to remove any street trees.

### 6.4. Cultural Heritage management plan

The site is located within an area of cultural heritage sensitivity; therefore, an assessment as to whether the proposal is considered a high impact activity has been undertaken. Based on the Aboriginal heritage planning tool questionnaire, a cultural heritage management is not required.

### 6.5. Objector issues not already addressed

**Removal of Oak Trees**

The oak trees are an exotic species and are not protected by the VPO3. Any proposal to remove these trees cannot be considered through this application.

### Support Attachments

1. Decision Plans ↓
2. Site and Surrounds ↓
3. Council Arborist Assessment ↓
17 August 2018

Craig Phillips
411 Beach Road,
Beaumaris,
Victoria 3193

RE: 411 Beach Road, Beaumaris – Arborist Report

Brief
I was contacted by you and asked to provide a revised arboriculture assessment of the trees to this property. I understand there is a development proposal planned for the site. Therefore, this report includes neighbouring or council trees which could be impacted upon by a proposed development, in line with the previous version of this arborist report dated 04th October 2016.

Method
The trees were inspected visually; as per Australian standard 4970 – Protection of Trees on Development Sites (AS 4970), as required to facilitate this report. Heights and canopy spreads estimated, Diameter at Breast Height (DBH) and Diameter at Buttress (DAB) measured within subject site only, unless neighbouring trees are accessible; otherwise their DBH and DAB are estimated. No root excavations were carried out and images were taken as required.

Date Visited – 21st September 2016, and 15 August 2018.

The Site
The site is a large suburban block set back from Beach road with access to the property from Lang Street. The property is roughly divided in to thirds, with the third facing Lang Street and Beach Road flat, separated by a steep embankment. The previous old double storey brick house has recently been removed, as have a shed/ garage and other buildings. Vegetation to the site is a mix of remnant, native, exotic and weed species across the site, with most of the vegetation in a poor condition.

Following a review of the planning overlays on services.land.vic.gov.au it appears there is a VPO Schedule 3 (VPO3) associated with the site, will affect the removal of vegetation from site. Under the VPO3 a permit is required to:

A permit is required to remove, destroy or top any vegetation native to Australia. This does not apply to:

- The removal, destruction or lopping of vegetation which is less than 2 metres high or has a single trunk circumference of less than 0.5 metre at a height of 1 metre above ground level.
- The pruning of vegetation to remove that part of any branch which overhangs an existing dwelling or is within 2 metres of an existing dwelling.

In addition to the above VPO3, Bayside City Council has a local law relating to the retention of trees on private land. Under the Local law a permit is required if a tree:

- Has a single or combined trunk circumference greater than 155cm measured at 1m above ground level.
  If the tree has several trunks, the 4 largest trunks circumferences should be added together; or
- Is planted in accordance with the replacement planting condition of a Local Law permit.

Darrell McLeod - Diploma of Horticulture
Member - Australian Institute of Landscape Designers and Managers -AILDM

Page 16 of 357
Is listed on our significant tree register.

In addition to this it is important to note that Bayside City Council does not consider Palms, Ferns and other ‘non-woody’ plants as trees under the local law.

In considering these above Planning Overlays and Local Laws no vegetation should be removed from site, with out the prior approval from the relevant authority.

The Trees
The site contains a broad diversity of tree species, with a mix of exotic, native, indigenous/ remnant and environmental weed species present on site. Baring this in mind, key groups of trees are outlined below. Trees required a permit for removal are noted in the provided tree legend, and on the attached Site Sketch. Please note: permits must always be sought from the relevant authorities prior to the removal or pruning of existing trees.

Group 1: Trees Removed.
In the previously prepared arborist report, several trees noted on site are no longer present on site. It appears they may have been removed as part of the demolition works for the site. Species are a mix of exotic, native and indigenous trees. Refer Tree Legend: Trees Removed on Pg. 07

Group 2: Trees Dead.
In the initial site visit, it was noted Tree 18 was in serious decline (image centre left) and Tree 47 was already dead. Tree 18 is now dead, and alongside Tree 47 should be removed, due to the potential hazards of falling limbs and to reduce the risk of spreading pathogens. Refer Tree Legend: Dead Trees on pg. 07
Group 3: Trees Recommended for Removal

Across the site there is a range of trees which we have recommended be removed, due to their overall poor condition and low retention value. All trees recommended for removal appear to not require a permit for removal under the VPO3 or Bayside City Council’s Law. Examples of the species suggested for removal are provided in the images on the left. Refer Tree Legend: Recommended Removal on pg. 08-09

Group 4: Trees Neighbouring.

To the south-west and north west of the site are a range of neighbouring trees on private and council land. Only Tree 28 would be impacted by the proposed development. As the proposed development would encroach less than the acceptable 10% into Tree 28’s TPZ the proposal can be built as shown regarding neighbouring trees. As per AS4970 if the proposal is to proceed all neighbouring trees will require protection before any works take place. Tree Protection Fencing (TPF) must be erected to the extent of any neighbouring Trees TPZ present within the site, forming an enclosed and secured space as per AS4970. Examples of the neighbouring trees are given in the two images left. Refer Tree Legend: Neighbouring on pg. 10
Group 5: Trees Permit Required for Removal.
Across the site there are a range of trees present covered under the VPO3 and Bayside City Council Local Law. Any trees retained within the site must be protected prior to the development proceeding. Trees must be protected with TPF as per AS470 to the extent of their TPZ’s prior to any works taking place. Considering the complex nature of the project and number of trees likely to be retained a Tree Management Plan is recommended to provide further information on the protection of trees retained during the development process.

Tree 16, 17, 22, 23, 27, 32, 39, 40, 42, 43 and 55 will required removal to allow for the proposed development. These trees are either located within the building foot print or the level of encroachment is likely to result in their failure if retained or would require modification of the proposal. Several are of a high significance, this is due to their size and should not be taken as a summarization of their retention value.

Tree 12, 14, 14A, 29 and 36 are all Sweet Pittosporum. Sweet Pittosporums represent somewhat of a planning anomaly, in that they are covered under the SLO3 due to being a native to Australia, yet are listed as an environmental weed across southern Victoria. They are particularly invasive in coastal and near coastal riparian corridors, something closely resembling their habitat from East Gippsland east and north-wards. As such they are suggested for removal, following approval from the relevant authority.
Tree 08, 09 and 13 are all in advanced stages of senescence and are unlikely to survive future drought and severe weather events. All have epicormic growth present across their branches with old decayed wood present throughout their canopies. Their retention is possible if formatively pruned and closely monitored and cared for. If retained all propose paving within their Tree Protection Zones (TPZ) must be laid above grade and of a permeable material.

Tree 29, 30, 31, 34, 44, 45, 56, 58 and 60 are a mix of Coastal Tea Tree, Sallow Wattles and Coastal Banksia along the embankment to the south-west of the site. It is recommended these species be retained to help with bank stabilisation, and as part of the future landscaping for the site. Due to the poor soil structure on the site and the high risk of erosion retention of these indigenous species and where possible indigenous ground covers such as Tetragonia implexicoma – Bower Spinach and Rhagodia candelleana – Seaberry Saltbush would be advantageous.

Tree 57, 61 and 78 are all in poor condition and of a lesser retention value, being ornamental native species. All three will mature poorly into the future and are unsightly in their current condition. Their removal and replacement with more suitable species preferably of local provenance would allow for future landscaping to be more cohesive.

Further information on this group can be found in the Tree Legend: Trees Permit for Removal on pg. 11 - 12.
The remaining trees to the site are of a moderate retention value and could be retained at the discretion of the property owner. They are not covered under the VPO3 or Bayside City Council’s Local Law, and can be removed if desired. These include Tree 02, and 72 – 75. Tree 02 is an Orange tree with potential for retention as an ornamental specimen. Tree 72 is a young Coastal Wattle that could be incorporated into a proposed landscape design as too could 73 to 75 who are young Coastal Banksia. Refer Tree Legend: Owners Prerogative Pg. 13

Tree Worksheets as Follows. Site Sketch attached as an A3
### Tree Legend: Removed

<table>
<thead>
<tr>
<th>No</th>
<th>Botanical Name</th>
<th>Common Name</th>
<th>Origin</th>
<th>Height</th>
<th>Canopy</th>
<th>DBH @ 1.4m</th>
<th>TP2</th>
<th>DAS</th>
<th>SR2</th>
<th>Condition</th>
<th>ULE</th>
<th>Significance</th>
<th>Vigor</th>
<th>Structure</th>
<th>Form</th>
<th>Ret Value</th>
<th>Age</th>
</tr>
</thead>
<tbody>
<tr>
<td>04</td>
<td>Cupressus sempervirens</td>
<td>Green Pencil Pine</td>
<td>Exotic</td>
<td>7000</td>
<td>1500</td>
<td>212</td>
<td>2544</td>
<td>310</td>
<td>2024</td>
<td>Not Set</td>
<td>Not Set</td>
<td>Not Set</td>
<td>Not Set</td>
<td>Not Set</td>
<td>Removed</td>
<td>Mature</td>
<td></td>
</tr>
<tr>
<td>07</td>
<td>Leptospermum laevigatum</td>
<td>Coastal Tea Tree</td>
<td>Indigenous</td>
<td>7000</td>
<td>4000</td>
<td>361</td>
<td>4332</td>
<td>370</td>
<td>2180</td>
<td>Not Set</td>
<td>Not Set</td>
<td>Not Set</td>
<td>Not Set</td>
<td>Not Set</td>
<td>Removed</td>
<td>Mature</td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>Cupressus sempervirens</td>
<td>Green Pencil Pine</td>
<td>Exotic</td>
<td>7000</td>
<td>2000</td>
<td>80</td>
<td>2000</td>
<td>100</td>
<td>1500</td>
<td>Not Set</td>
<td>Not Set</td>
<td>Not Set</td>
<td>Not Set</td>
<td>Not Set</td>
<td>Removed</td>
<td>Mature</td>
<td></td>
</tr>
<tr>
<td>11</td>
<td>Cupressus sempervirens</td>
<td>Green Pencil Pine</td>
<td>Exotic</td>
<td>6000</td>
<td>2000</td>
<td>80</td>
<td>2000</td>
<td>100</td>
<td>1500</td>
<td>Not Set</td>
<td>Not Set</td>
<td>Not Set</td>
<td>Not Set</td>
<td>Not Set</td>
<td>Removed</td>
<td>Mature</td>
<td></td>
</tr>
<tr>
<td>19</td>
<td>Cordyline australis</td>
<td>Cabbage Tree</td>
<td>Exotic</td>
<td>5000</td>
<td>1000</td>
<td>100</td>
<td>3000</td>
<td>156</td>
<td>1500</td>
<td>Not Set</td>
<td>Not Set</td>
<td>Not Set</td>
<td>Not Set</td>
<td>Not Set</td>
<td>Removed</td>
<td>Mature</td>
<td></td>
</tr>
<tr>
<td>68</td>
<td>Camellia japonica</td>
<td>Camellia</td>
<td>Exotic</td>
<td>5000</td>
<td>2000</td>
<td>100</td>
<td>2000</td>
<td>100</td>
<td>1500</td>
<td>Not Set</td>
<td>Not Set</td>
<td>Not Set</td>
<td>Not Set</td>
<td>Not Set</td>
<td>Removed</td>
<td>Mature</td>
<td></td>
</tr>
<tr>
<td>69</td>
<td>Camellia japonica</td>
<td>Camellia</td>
<td>Exotic</td>
<td>4000</td>
<td>1000</td>
<td>50</td>
<td>2000</td>
<td>75</td>
<td>3500</td>
<td>Not Set</td>
<td>Not Set</td>
<td>Not Set</td>
<td>Not Set</td>
<td>Not Set</td>
<td>Removed</td>
<td>Mature</td>
<td></td>
</tr>
<tr>
<td>70</td>
<td>Leptospermum laevigatum</td>
<td>Coastal Tea Tree</td>
<td>Indigenous</td>
<td>7000</td>
<td>5000</td>
<td>250</td>
<td>3000</td>
<td>800</td>
<td>1996</td>
<td>Not Set</td>
<td>Not Set</td>
<td>Not Set</td>
<td>Not Set</td>
<td>Not Set</td>
<td>Removed</td>
<td>Dead</td>
<td></td>
</tr>
<tr>
<td>71</td>
<td>Xanthorrhoea australis</td>
<td>Grass Tree</td>
<td>Native</td>
<td>2500</td>
<td>1500</td>
<td>283</td>
<td>3396</td>
<td>100</td>
<td>1996</td>
<td>Not Set</td>
<td>Not Set</td>
<td>Not Set</td>
<td>Not Set</td>
<td>Not Set</td>
<td>Removed</td>
<td>Mature</td>
<td></td>
</tr>
</tbody>
</table>

### Tree Legend: Dead

<table>
<thead>
<tr>
<th>No</th>
<th>Botanical Name</th>
<th>Common Name</th>
<th>Origin</th>
<th>Height</th>
<th>Canopy</th>
<th>DBH @ 1.4m</th>
<th>TP2</th>
<th>DAS</th>
<th>SR2</th>
<th>Condition</th>
<th>ULE</th>
<th>Significance</th>
<th>Vigor</th>
<th>Structure</th>
<th>Form</th>
<th>Ret Value</th>
<th>Age</th>
</tr>
</thead>
<tbody>
<tr>
<td>18</td>
<td>Cedrus atlantica</td>
<td>Atlas Cedar</td>
<td>Exotic</td>
<td>12000</td>
<td>5000</td>
<td>236</td>
<td>2880</td>
<td>250</td>
<td>1849</td>
<td>Not Set</td>
<td>Not Set</td>
<td>Not Set</td>
<td>Not Set</td>
<td>Not Set</td>
<td>Low</td>
<td>Mature</td>
<td></td>
</tr>
<tr>
<td>47</td>
<td>Dead</td>
<td>Dead</td>
<td>Not Set</td>
<td>5000</td>
<td>5000</td>
<td>200</td>
<td>2400</td>
<td>250</td>
<td>1849</td>
<td>Not Set</td>
<td>Not Set</td>
<td>Not Set</td>
<td>Not Set</td>
<td>Not Set</td>
<td>Low</td>
<td>Mature</td>
<td></td>
</tr>
<tr>
<td>No</td>
<td>Botanical Name</td>
<td>Common Name</td>
<td>Origin</td>
<td>Height</td>
<td>Canopy</td>
<td>DBH @ 1.4 m</td>
<td>TP2</td>
<td>DAB</td>
<td>SRZ</td>
<td>Condition</td>
<td>ULE</td>
<td>Significance</td>
<td>Vigor</td>
<td>Structure</td>
<td>Form</td>
<td>Ret Value</td>
<td>Age</td>
</tr>
<tr>
<td>----</td>
<td>---------------</td>
<td>-------------</td>
<td>--------</td>
<td>--------</td>
<td>--------</td>
<td>-------------</td>
<td>-----</td>
<td>------</td>
<td>-----</td>
<td>-----------</td>
<td>-----</td>
<td>--------------</td>
<td>-------</td>
<td>-----------</td>
<td>-----</td>
<td>-----------</td>
<td>-----</td>
</tr>
<tr>
<td>03</td>
<td>Citrus × limon</td>
<td>Lemon</td>
<td>Exotic</td>
<td>4000</td>
<td>4000</td>
<td>149</td>
<td>2000</td>
<td>200</td>
<td>1693</td>
<td>Poor</td>
<td>Removal</td>
<td>Less Significant</td>
<td>Poor</td>
<td>Poor</td>
<td>Poor</td>
<td>Remove</td>
<td>Mature</td>
</tr>
<tr>
<td>05</td>
<td>Hymenocarpus floribundus</td>
<td>Native Frangipani</td>
<td>Native</td>
<td>7000</td>
<td>1500</td>
<td>60</td>
<td>2000</td>
<td>90</td>
<td>1500</td>
<td>Poor</td>
<td>Removal</td>
<td>Less Significant</td>
<td>Poor</td>
<td>Poor</td>
<td>Poor</td>
<td>Low</td>
<td>Mature</td>
</tr>
<tr>
<td>06</td>
<td>Hymenocarpus floribundus</td>
<td>Native Frangipani</td>
<td>Native</td>
<td>6000</td>
<td>2000</td>
<td>80</td>
<td>2000</td>
<td>100</td>
<td>1500</td>
<td>Poor</td>
<td>Removal</td>
<td>Less Significant</td>
<td>Poor</td>
<td>Poor</td>
<td>Poor</td>
<td>Low</td>
<td>Mature</td>
</tr>
<tr>
<td>15</td>
<td>Tectona capensis</td>
<td>Cape Honeysuckle</td>
<td>Exotic</td>
<td>3000</td>
<td>4000</td>
<td>80</td>
<td>2000</td>
<td>100</td>
<td>1500</td>
<td>Average</td>
<td>Removal</td>
<td>Less Significant</td>
<td>Good</td>
<td>Poor</td>
<td>Poor</td>
<td>Remove</td>
<td>Mature</td>
</tr>
<tr>
<td>20</td>
<td>Pittosporum ornamental species</td>
<td>Pittosporum</td>
<td>Exotic</td>
<td>6000</td>
<td>3000</td>
<td>90</td>
<td>2000</td>
<td>150</td>
<td>1500</td>
<td>Poor</td>
<td>Removal</td>
<td>Less Significant</td>
<td>Average</td>
<td>Poor</td>
<td>Poor</td>
<td>Low</td>
<td>Mature</td>
</tr>
<tr>
<td>21</td>
<td>Quercus robur</td>
<td>English Oak</td>
<td>Exotic</td>
<td>7000</td>
<td>4000</td>
<td>280</td>
<td>3360</td>
<td>320</td>
<td>2951</td>
<td>Poor</td>
<td>Removal</td>
<td>Less Significant</td>
<td>Poor</td>
<td>Poor</td>
<td>Poor</td>
<td>Remove</td>
<td>Mature</td>
</tr>
<tr>
<td>24</td>
<td>Pittosporum undulatum</td>
<td>Sweet Pittosporum</td>
<td>Native</td>
<td>3000</td>
<td>2000</td>
<td>75</td>
<td>2000</td>
<td>100</td>
<td>1500</td>
<td>Poor</td>
<td>Removal</td>
<td>Least Significant</td>
<td>Average</td>
<td>Poor</td>
<td>Poor</td>
<td>Weed</td>
<td>Mature</td>
</tr>
<tr>
<td>25</td>
<td>Coprosma repens</td>
<td>Mirror bush</td>
<td>Exotic</td>
<td>3000</td>
<td>5000</td>
<td>306</td>
<td>2472</td>
<td>250</td>
<td>1849</td>
<td>Poor</td>
<td>Removal</td>
<td>Least Significant</td>
<td>Poor</td>
<td>Poor</td>
<td>Poor</td>
<td>Weed</td>
<td>Mature</td>
</tr>
<tr>
<td>26</td>
<td>Coprosma repens</td>
<td>Mirror bush</td>
<td>Exotic</td>
<td>3000</td>
<td>3000</td>
<td>212</td>
<td>2544</td>
<td>250</td>
<td>1849</td>
<td>Poor</td>
<td>Removal</td>
<td>Least Significant</td>
<td>Poor</td>
<td>Poor</td>
<td>Poor</td>
<td>Weed</td>
<td>Mature</td>
</tr>
<tr>
<td>33</td>
<td>Nerium oleander</td>
<td>Oleander</td>
<td>Exotic</td>
<td>5000</td>
<td>3000</td>
<td>106</td>
<td>2000</td>
<td>100</td>
<td>1500</td>
<td>Poor</td>
<td>Removal</td>
<td>Less Significant</td>
<td>Poor</td>
<td>Poor</td>
<td>Poor</td>
<td>Low</td>
<td>Mature</td>
</tr>
<tr>
<td>35</td>
<td>Coprosma repens</td>
<td>Mirror bush</td>
<td>Exotic</td>
<td>6000</td>
<td>2000</td>
<td>100</td>
<td>2000</td>
<td>100</td>
<td>1500</td>
<td>Poor</td>
<td>Removal</td>
<td>Less Significant</td>
<td>Poor</td>
<td>Poor</td>
<td>Poor</td>
<td>Low</td>
<td>Mature</td>
</tr>
<tr>
<td>37</td>
<td>Buddleja crispa</td>
<td>Hemaphysa Butterfly Bush</td>
<td>Exotic</td>
<td>2500</td>
<td>5000</td>
<td>94</td>
<td>2000</td>
<td>150</td>
<td>1500</td>
<td>Poor</td>
<td>Removal</td>
<td>Least Significant</td>
<td>Poor</td>
<td>Poor</td>
<td>Poor</td>
<td>Low</td>
<td>Mature</td>
</tr>
<tr>
<td>38</td>
<td>Coprosma repens</td>
<td>Mirror bush</td>
<td>Exotic</td>
<td>6000</td>
<td>4000</td>
<td>141</td>
<td>2000</td>
<td>150</td>
<td>1500</td>
<td>Poor</td>
<td>Removal</td>
<td>Least Significant</td>
<td>Poor</td>
<td>Poor</td>
<td>Poor</td>
<td>Weed</td>
<td>Mature</td>
</tr>
<tr>
<td>40</td>
<td>Agrice Rhexia</td>
<td>Willow Myrtle</td>
<td>Native</td>
<td>4000</td>
<td>4500</td>
<td>112</td>
<td>2000</td>
<td>150</td>
<td>1500</td>
<td>Poor</td>
<td>Removal</td>
<td>Least Significant</td>
<td>Poor</td>
<td>Poor</td>
<td>Poor</td>
<td>Low</td>
<td>Mature</td>
</tr>
<tr>
<td>45</td>
<td>Coprosma repens</td>
<td>Mirror bush</td>
<td>Exotic</td>
<td>3000</td>
<td>4000</td>
<td>160</td>
<td>2000</td>
<td>150</td>
<td>1500</td>
<td>Poor</td>
<td>Removal</td>
<td>Least Significant</td>
<td>Poor</td>
<td>Poor</td>
<td>Poor</td>
<td>Low</td>
<td>Mature</td>
</tr>
<tr>
<td>51</td>
<td>Ficus carica</td>
<td>Common Figs</td>
<td>Exotic</td>
<td>4000</td>
<td>6000</td>
<td>180</td>
<td>2416</td>
<td>200</td>
<td>1843</td>
<td>Poor</td>
<td>Removal</td>
<td>Least Significant</td>
<td>Poor</td>
<td>Poor</td>
<td>Poor</td>
<td>Low</td>
<td>Mature</td>
</tr>
<tr>
<td>52</td>
<td>Olea species</td>
<td>Olive tree</td>
<td>Exotic</td>
<td>5000</td>
<td>6000</td>
<td>235</td>
<td>2820</td>
<td>250</td>
<td>1849</td>
<td>Poor</td>
<td>Removal</td>
<td>Least Significant</td>
<td>Poor</td>
<td>Poor</td>
<td>Poor</td>
<td>Low</td>
<td>Mature</td>
</tr>
<tr>
<td>53</td>
<td>Olea species</td>
<td>Olive tree</td>
<td>Exotic</td>
<td>5000</td>
<td>5000</td>
<td>206</td>
<td>2472</td>
<td>250</td>
<td>1849</td>
<td>Poor</td>
<td>Removal</td>
<td>Less Significant</td>
<td>Poor</td>
<td>Poor</td>
<td>Poor</td>
<td>Low</td>
<td>Mature</td>
</tr>
<tr>
<td>Item</td>
<td>Species</td>
<td>Type</td>
<td>5000</td>
<td>5000</td>
<td>100</td>
<td>200</td>
<td>242</td>
<td>250</td>
<td>1083</td>
<td>Poor</td>
<td>Removal</td>
<td>Least Significant</td>
<td>Poor</td>
<td>Poor</td>
<td>Poor</td>
<td>Low</td>
<td>Mature</td>
</tr>
<tr>
<td>------</td>
<td>-----------------</td>
<td>-------</td>
<td>------</td>
<td>------</td>
<td>-----</td>
<td>-----</td>
<td>-----</td>
<td>-----</td>
<td>------</td>
<td>------</td>
<td>---------</td>
<td>------------------</td>
<td>-----</td>
<td>-----</td>
<td>-----</td>
<td>-----</td>
<td>--------</td>
</tr>
<tr>
<td>54</td>
<td>Olea species</td>
<td>Exotic</td>
<td>5000</td>
<td>5000</td>
<td>100</td>
<td>200</td>
<td>242</td>
<td>250</td>
<td>1083</td>
<td>Poor</td>
<td>Removal</td>
<td>Least Significant</td>
<td>Poor</td>
<td>Poor</td>
<td>Poor</td>
<td>Low</td>
<td>Mature</td>
</tr>
<tr>
<td>59</td>
<td>Banksia integrifolia</td>
<td>Indigenous</td>
<td>2000</td>
<td>1000</td>
<td>100</td>
<td>200</td>
<td>150</td>
<td>1083</td>
<td>Poor</td>
<td>Removal</td>
<td>Least Significant</td>
<td>Poor</td>
<td>Poor</td>
<td>Poor</td>
<td>Low</td>
<td>Mature</td>
<td></td>
</tr>
<tr>
<td>62</td>
<td>Citrus species</td>
<td>Lemon</td>
<td>Exotic</td>
<td>2000</td>
<td>2000</td>
<td>100</td>
<td>200</td>
<td>200</td>
<td>1083</td>
<td>Poor</td>
<td>Removal</td>
<td>Least Significant</td>
<td>Poor</td>
<td>Poor</td>
<td>Poor</td>
<td>Low</td>
<td>Mature</td>
</tr>
<tr>
<td>63</td>
<td>Citrus species</td>
<td>Lemon</td>
<td>Exotic</td>
<td>2000</td>
<td>2000</td>
<td>100</td>
<td>200</td>
<td>200</td>
<td>1083</td>
<td>Poor</td>
<td>Removal</td>
<td>Least Significant</td>
<td>Poor</td>
<td>Poor</td>
<td>Poor</td>
<td>Low</td>
<td>Mature</td>
</tr>
<tr>
<td>64</td>
<td>Citrus species</td>
<td>Lemon</td>
<td>Exotic</td>
<td>2000</td>
<td>2000</td>
<td>100</td>
<td>200</td>
<td>200</td>
<td>1083</td>
<td>Poor</td>
<td>Removal</td>
<td>Least Significant</td>
<td>Poor</td>
<td>Poor</td>
<td>Poor</td>
<td>Low</td>
<td>Mature</td>
</tr>
<tr>
<td>65</td>
<td>Citrus species</td>
<td>Lemon</td>
<td>Exotic</td>
<td>2000</td>
<td>2000</td>
<td>100</td>
<td>200</td>
<td>200</td>
<td>1083</td>
<td>Poor</td>
<td>Removal</td>
<td>Least Significant</td>
<td>Poor</td>
<td>Poor</td>
<td>Poor</td>
<td>Low</td>
<td>Mature</td>
</tr>
<tr>
<td>66</td>
<td>Citrus species</td>
<td>Orange</td>
<td>Exotic</td>
<td>2000</td>
<td>2000</td>
<td>100</td>
<td>200</td>
<td>200</td>
<td>1083</td>
<td>Poor</td>
<td>Removal</td>
<td>Least Significant</td>
<td>Poor</td>
<td>Poor</td>
<td>Poor</td>
<td>Low</td>
<td>Mature</td>
</tr>
<tr>
<td>67</td>
<td>Citrus species</td>
<td>Lemon</td>
<td>Exotic</td>
<td>2000</td>
<td>2000</td>
<td>100</td>
<td>200</td>
<td>200</td>
<td>1083</td>
<td>Poor</td>
<td>Removal</td>
<td>Least Significant</td>
<td>Poor</td>
<td>Poor</td>
<td>Poor</td>
<td>Low</td>
<td>Mature</td>
</tr>
<tr>
<td>76</td>
<td>Myrtus communis</td>
<td>Native</td>
<td>1000</td>
<td>1000</td>
<td>100</td>
<td>200</td>
<td>100</td>
<td>1500</td>
<td>Poor</td>
<td>Removal</td>
<td>Less Significant</td>
<td>Poor</td>
<td>Poor</td>
<td>Poor</td>
<td>Low</td>
<td>Mature</td>
<td></td>
</tr>
<tr>
<td>77</td>
<td>Acacia decurrens</td>
<td>Native</td>
<td>2000</td>
<td>1000</td>
<td>2000</td>
<td>150</td>
<td>200</td>
<td>375</td>
<td>1592</td>
<td>Poor</td>
<td>Removal</td>
<td>Least Significant</td>
<td>Poor</td>
<td>Poor</td>
<td>Poor</td>
<td>Low</td>
<td>Mature</td>
</tr>
</tbody>
</table>
# Tree Legend: Neighbouring

<table>
<thead>
<tr>
<th>No</th>
<th>Botanical Name</th>
<th>Common Name</th>
<th>Origin</th>
<th>Height</th>
<th>Canopy</th>
<th>DBH @ 1.4 m</th>
<th>TPZ</th>
<th>DAB</th>
<th>SRZ</th>
<th>Condition</th>
<th>ULE</th>
<th>Significance</th>
<th>Vigor</th>
<th>Structure</th>
<th>Form</th>
<th>Ret Value</th>
<th>Age</th>
</tr>
</thead>
<tbody>
<tr>
<td>28</td>
<td>Cupressus macrocarpa</td>
<td>Monterey Cypress</td>
<td>Exotic</td>
<td>6000</td>
<td>4000</td>
<td>283</td>
<td>3396</td>
<td>300</td>
<td>1996</td>
<td>Good</td>
<td>Medium (16-29 yrs)</td>
<td>Less Significant</td>
<td>Good</td>
<td>Average</td>
<td>Good</td>
<td>Neighbouring</td>
<td>Mature</td>
</tr>
<tr>
<td>28A</td>
<td>Cupressus macrocarpa</td>
<td>Monterey Cypress</td>
<td>Exotic</td>
<td>6000</td>
<td>4000</td>
<td>283</td>
<td>3396</td>
<td>300</td>
<td>1996</td>
<td>Good</td>
<td>Medium (16-29 yrs)</td>
<td>Less Significant</td>
<td>Good</td>
<td>Average</td>
<td>Good</td>
<td>Neighbouring</td>
<td>Mature</td>
</tr>
<tr>
<td>48</td>
<td>Ceropisma marginata</td>
<td>Mirror bush</td>
<td>Exotic</td>
<td>4000</td>
<td>4000</td>
<td>280</td>
<td>3120</td>
<td>300</td>
<td>1996</td>
<td>Average</td>
<td>Short (5-15 yrs)</td>
<td>Least Significant</td>
<td>Poor</td>
<td>Poor</td>
<td>Poor</td>
<td>Neighbouring</td>
<td>Mature</td>
</tr>
<tr>
<td>49</td>
<td>Callistemon Kings Park Bottlebrush</td>
<td>Kings Park Special</td>
<td>Native</td>
<td>2000</td>
<td>1000</td>
<td>173</td>
<td>2076</td>
<td>300</td>
<td>1683</td>
<td>Average</td>
<td>Short (5-15 yrs)</td>
<td>Less Significant</td>
<td>Good</td>
<td>Average</td>
<td>Poor</td>
<td>Neighbouring</td>
<td>Mature</td>
</tr>
<tr>
<td>50</td>
<td>Banksia integrifolia</td>
<td>Coast Banksia</td>
<td>Indigenous</td>
<td>10000</td>
<td>6000</td>
<td>500</td>
<td>6000</td>
<td>500</td>
<td>2175</td>
<td>Average</td>
<td>Medium (16-29 yrs)</td>
<td>Most Significant</td>
<td>Good</td>
<td>Average</td>
<td>Average</td>
<td>Council</td>
<td>Mature</td>
</tr>
<tr>
<td>79</td>
<td>Myoporum insulare</td>
<td>Coastal Boronia</td>
<td>Indigenous</td>
<td>3000</td>
<td>7000</td>
<td>320</td>
<td>3840</td>
<td>340</td>
<td>2104</td>
<td>Poor</td>
<td>Short (5-15 yrs)</td>
<td>Highly Significant</td>
<td>Good</td>
<td>Poor</td>
<td>Poor</td>
<td>Council</td>
<td>Mature</td>
</tr>
<tr>
<td>80</td>
<td>Myoporum insulare</td>
<td>Coastal Boronia</td>
<td>Indigenous</td>
<td>4000</td>
<td>4000</td>
<td>73</td>
<td>2000</td>
<td>100</td>
<td>1500</td>
<td>Poor</td>
<td>Short (5-15 yrs)</td>
<td>Highly Significant</td>
<td>Good</td>
<td>Poor</td>
<td>Poor</td>
<td>Council</td>
<td>Mature</td>
</tr>
<tr>
<td>81</td>
<td>Banksia integrifolia</td>
<td>Coast Banksia</td>
<td>Indigenous</td>
<td>3000</td>
<td>2000</td>
<td>560</td>
<td>6000</td>
<td>200</td>
<td>1683</td>
<td>Poor</td>
<td>Short (5-15 yrs)</td>
<td>Highly Significant</td>
<td>Good</td>
<td>Poor</td>
<td>Poor</td>
<td>Council</td>
<td>Mature</td>
</tr>
</tbody>
</table>
### Tree Legend: Permit Required for Removal

<table>
<thead>
<tr>
<th>No</th>
<th>Botanical Name</th>
<th>Common Name</th>
<th>Origin</th>
<th>Height</th>
<th>Canopy</th>
<th>DBH @ 1.4 m</th>
<th>TPZ</th>
<th>DAB</th>
<th>SRZ</th>
<th>Condition</th>
<th>ULI</th>
<th>Significance</th>
<th>Vigor</th>
<th>Structure</th>
<th>Form</th>
<th>Ret Value</th>
<th>Age</th>
</tr>
</thead>
<tbody>
<tr>
<td>01</td>
<td>Pittosporum undulatum</td>
<td>Sweet Pittosporum</td>
<td>Native</td>
<td>7000</td>
<td>4000</td>
<td>260</td>
<td>2520</td>
<td>320</td>
<td>2051</td>
<td>Good</td>
<td>Removal</td>
<td>Loss Significant</td>
<td>Good</td>
<td>Good</td>
<td>Average</td>
<td>Weed</td>
<td>Mature</td>
</tr>
<tr>
<td>08</td>
<td>Quercus robur</td>
<td>English Oak</td>
<td>Exotic</td>
<td>9000</td>
<td>11000</td>
<td>532</td>
<td>6384</td>
<td>600</td>
<td>2670</td>
<td>Poor</td>
<td>Removal</td>
<td>Highly Significant</td>
<td>Average</td>
<td>Poor</td>
<td>Poor</td>
<td>Low</td>
<td>Mature</td>
</tr>
<tr>
<td>09</td>
<td>Quercus robur</td>
<td>English Oak</td>
<td>Exotic</td>
<td>10000</td>
<td>18000</td>
<td>450</td>
<td>5400</td>
<td>500</td>
<td>2474</td>
<td>Average</td>
<td>Removal</td>
<td>Highly Significant</td>
<td>Average</td>
<td>Average</td>
<td>Average</td>
<td>Moderate</td>
<td>Mature</td>
</tr>
<tr>
<td>12</td>
<td>Pittosporum undulatum</td>
<td>Sweet Pittosporum</td>
<td>Native</td>
<td>9000</td>
<td>5000</td>
<td>230</td>
<td>2760</td>
<td>280</td>
<td>1939</td>
<td>Good</td>
<td>Short (5-15 yrs)</td>
<td>Less Significant</td>
<td>Good</td>
<td>Average</td>
<td>Good</td>
<td>Weed</td>
<td>Mature</td>
</tr>
<tr>
<td>13</td>
<td>Quercus robur</td>
<td>English Oak</td>
<td>Exotic</td>
<td>11000</td>
<td>8000</td>
<td>600</td>
<td>7200</td>
<td>650</td>
<td>2726</td>
<td>Average</td>
<td>Short (5-15 yrs)</td>
<td>Highly Significant</td>
<td>Average</td>
<td>Poor</td>
<td>Average</td>
<td>Low</td>
<td>Mature</td>
</tr>
<tr>
<td>14</td>
<td>Pittosporum undulatum</td>
<td>Sweet Pittosporum</td>
<td>Native</td>
<td>8000</td>
<td>5000</td>
<td>200</td>
<td>2400</td>
<td>230</td>
<td>1968</td>
<td>Good</td>
<td>Removal</td>
<td>Less Significant</td>
<td>Good</td>
<td>Average</td>
<td>Good</td>
<td>Weed</td>
<td>Mature</td>
</tr>
<tr>
<td>16</td>
<td>Quercus robur</td>
<td>English Oak</td>
<td>Exotic</td>
<td>11000</td>
<td>12000</td>
<td>600</td>
<td>7200</td>
<td>650</td>
<td>2762</td>
<td>Poor</td>
<td>Removal</td>
<td>Highly Significant</td>
<td>Average</td>
<td>Poor</td>
<td>Poor</td>
<td>Low</td>
<td>Mature</td>
</tr>
<tr>
<td>17</td>
<td>Populus simba</td>
<td>White Poplar</td>
<td>Exotic</td>
<td>13000</td>
<td>8000</td>
<td>700</td>
<td>8400</td>
<td>750</td>
<td>2933</td>
<td>Average</td>
<td>Medium (16-39 yrs)</td>
<td>Less Significant</td>
<td>Good</td>
<td>Average</td>
<td>Average</td>
<td>High</td>
<td>Mature</td>
</tr>
<tr>
<td>22</td>
<td>Pittosporum undulatum</td>
<td>Sweet Pittosporum</td>
<td>Native</td>
<td>10000</td>
<td>7000</td>
<td>260</td>
<td>3220</td>
<td>300</td>
<td>1996</td>
<td>Average</td>
<td>Removal</td>
<td>Less Significant</td>
<td>Average</td>
<td>Average</td>
<td>Poor</td>
<td>wood</td>
<td>Mature</td>
</tr>
<tr>
<td>23</td>
<td>Pittosporum undulatum</td>
<td>Sweet Pittosporum</td>
<td>Native</td>
<td>5000</td>
<td>7000</td>
<td>283</td>
<td>3396</td>
<td>300</td>
<td>1996</td>
<td>Poor</td>
<td>Removal</td>
<td>Less Significant</td>
<td>Average</td>
<td>Poor</td>
<td>Poor</td>
<td>Weed</td>
<td>Mature</td>
</tr>
<tr>
<td>27</td>
<td>Quercus robur</td>
<td>English Oak</td>
<td>Exotic</td>
<td>10000</td>
<td>8000</td>
<td>450</td>
<td>5600</td>
<td>500</td>
<td>2474</td>
<td>Poor</td>
<td>Removal</td>
<td>Highly Significant</td>
<td>Poor</td>
<td>Poor</td>
<td>Poor</td>
<td>Low</td>
<td>Mature</td>
</tr>
<tr>
<td>29</td>
<td>Pittosporum undulatum</td>
<td>Sweet Pittosporum</td>
<td>Native</td>
<td>7000</td>
<td>4000</td>
<td>308</td>
<td>3696</td>
<td>350</td>
<td>2129</td>
<td>Poor</td>
<td>Removal</td>
<td>Less Significant</td>
<td>Poor</td>
<td>Poor</td>
<td>Poor</td>
<td>Weed</td>
<td>Mature</td>
</tr>
<tr>
<td>30</td>
<td>Leptospermum laevigatum</td>
<td>Coastal tea tree</td>
<td>Indigenous</td>
<td>3000</td>
<td>4000</td>
<td>224</td>
<td>2688</td>
<td>250</td>
<td>1849</td>
<td>Poor</td>
<td>Removal</td>
<td>Less Significant</td>
<td>Poor</td>
<td>Poor</td>
<td>Poor</td>
<td>Low</td>
<td>Mature</td>
</tr>
<tr>
<td>31</td>
<td>Leptospermum laevigatum</td>
<td>Coastal tea tree</td>
<td>Indigenous</td>
<td>8000</td>
<td>5000</td>
<td>200</td>
<td>2400</td>
<td>250</td>
<td>1849</td>
<td>Poor</td>
<td>Removal</td>
<td>Less Significant</td>
<td>Poor</td>
<td>Poor</td>
<td>Poor</td>
<td>Low</td>
<td>Mature</td>
</tr>
<tr>
<td>32</td>
<td>Acmena smithii</td>
<td>Lilly Pilly</td>
<td>Native</td>
<td>8000</td>
<td>5000</td>
<td>300</td>
<td>3600</td>
<td>400</td>
<td>2252</td>
<td>Poor</td>
<td>Short (5-15 yrs)</td>
<td>Less Significant</td>
<td>Poor</td>
<td>Poor</td>
<td>Poor</td>
<td>Low</td>
<td>Mature</td>
</tr>
<tr>
<td>34</td>
<td>Banksia integrifolia</td>
<td>Coast Banksia</td>
<td>Indigenous</td>
<td>7000</td>
<td>4000</td>
<td>300</td>
<td>3600</td>
<td>350</td>
<td>2139</td>
<td>Average</td>
<td>Medium (16-39 yrs)</td>
<td>Highly Significant</td>
<td>Good</td>
<td>Average</td>
<td>Average</td>
<td>Moderate</td>
<td>Mature</td>
</tr>
<tr>
<td>36</td>
<td>Pittosporum undulatum</td>
<td>Sweet Pittosporum</td>
<td>Native</td>
<td>7500</td>
<td>4000</td>
<td>160</td>
<td>2000</td>
<td>200</td>
<td>1683</td>
<td>Average</td>
<td>Removal</td>
<td>Less Significant</td>
<td>Average</td>
<td>Average</td>
<td>Average</td>
<td>Wood</td>
<td>Mature</td>
</tr>
</tbody>
</table>

Darrell Meloed - Diploma of Horticulture  
- Member - Australian Institute of Landscape Designers and Managers -AILDM  
- Diploma of Horticulture - Arboriculture
<table>
<thead>
<tr>
<th>Item Number</th>
<th>Plant Species</th>
<th>Health</th>
<th>Importance</th>
<th>Growth Rate</th>
<th>Mass Function</th>
<th>Aspect</th>
<th>Exposure</th>
<th>Maintenance</th>
<th>Condition</th>
<th>Visual Aesthetic</th>
<th>Planting Date</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>39</td>
<td>Coastal Tea Tree</td>
<td>Poor</td>
<td>High</td>
<td>Slow</td>
<td>Moderate</td>
<td>North</td>
<td>Exposed</td>
<td>Good</td>
<td>Average</td>
<td>High</td>
<td>Moderate</td>
<td>2018</td>
</tr>
<tr>
<td>40</td>
<td>Coastal Tea Tree</td>
<td>Poor</td>
<td>High</td>
<td>Slow</td>
<td>Moderate</td>
<td>North</td>
<td>Exposed</td>
<td>Good</td>
<td>Average</td>
<td>High</td>
<td>Moderate</td>
<td>2018</td>
</tr>
<tr>
<td>41</td>
<td>Coastal Tea Tree</td>
<td>Poor</td>
<td>High</td>
<td>Slow</td>
<td>Moderate</td>
<td>North</td>
<td>Exposed</td>
<td>Good</td>
<td>Average</td>
<td>High</td>
<td>Moderate</td>
<td>2018</td>
</tr>
<tr>
<td>42</td>
<td>Coastal Tea Tree</td>
<td>Poor</td>
<td>High</td>
<td>Slow</td>
<td>Moderate</td>
<td>North</td>
<td>Exposed</td>
<td>Good</td>
<td>Average</td>
<td>High</td>
<td>Moderate</td>
<td>2018</td>
</tr>
<tr>
<td>43</td>
<td>Coastal Tea Tree</td>
<td>Poor</td>
<td>High</td>
<td>Slow</td>
<td>Moderate</td>
<td>North</td>
<td>Exposed</td>
<td>Good</td>
<td>Average</td>
<td>High</td>
<td>Moderate</td>
<td>2018</td>
</tr>
<tr>
<td>44</td>
<td>Coastal Tea Tree</td>
<td>Poor</td>
<td>High</td>
<td>Slow</td>
<td>Moderate</td>
<td>North</td>
<td>Exposed</td>
<td>Good</td>
<td>Average</td>
<td>High</td>
<td>Moderate</td>
<td>2018</td>
</tr>
<tr>
<td>45</td>
<td>Coastal Tea Tree</td>
<td>Poor</td>
<td>High</td>
<td>Slow</td>
<td>Moderate</td>
<td>North</td>
<td>Exposed</td>
<td>Good</td>
<td>Average</td>
<td>High</td>
<td>Moderate</td>
<td>2018</td>
</tr>
<tr>
<td>46</td>
<td>Coastal Tea Tree</td>
<td>Poor</td>
<td>High</td>
<td>Slow</td>
<td>Moderate</td>
<td>North</td>
<td>Exposed</td>
<td>Good</td>
<td>Average</td>
<td>High</td>
<td>Moderate</td>
<td>2018</td>
</tr>
<tr>
<td>47</td>
<td>Coastal Tea Tree</td>
<td>Poor</td>
<td>High</td>
<td>Slow</td>
<td>Moderate</td>
<td>North</td>
<td>Exposed</td>
<td>Good</td>
<td>Average</td>
<td>High</td>
<td>Moderate</td>
<td>2018</td>
</tr>
</tbody>
</table>

**Item 4.1 – Matters of Decision**

**Page 27 of 357**
## Tree Legend: Owners Perogative

<table>
<thead>
<tr>
<th>No</th>
<th>Botanical Name</th>
<th>Common Name</th>
<th>Origin</th>
<th>Height</th>
<th>Canopy</th>
<th>DBH at 1.4m</th>
<th>TPZ</th>
<th>DAB</th>
<th>SRZ</th>
<th>Condition</th>
<th>ULE</th>
<th>Significance</th>
<th>Vigor</th>
<th>Structure</th>
<th>Form</th>
<th>Wet Value</th>
<th>Age</th>
</tr>
</thead>
<tbody>
<tr>
<td>02</td>
<td>Citrus x sinensis</td>
<td>Orange</td>
<td>Exotic</td>
<td>4000</td>
<td>100</td>
<td>200</td>
<td>200</td>
<td>200</td>
<td>300</td>
<td>Average</td>
<td></td>
<td>Less Significant</td>
<td>Good</td>
<td>Average</td>
<td>Good</td>
<td>Moderate</td>
<td>Mature</td>
</tr>
<tr>
<td>72</td>
<td>Acacia longifolia</td>
<td>Coastal</td>
<td>Indigenous</td>
<td>3000</td>
<td>2000</td>
<td>100</td>
<td>2000</td>
<td>150</td>
<td>1500</td>
<td>Good</td>
<td>Medium (16-39 yrs)</td>
<td>Less Significant</td>
<td>Average</td>
<td>Average</td>
<td>Average</td>
<td>Moderate</td>
<td>Mature</td>
</tr>
<tr>
<td>73</td>
<td>Banksia integrifolia</td>
<td>Coast</td>
<td>Indigenous</td>
<td>3000</td>
<td>1500</td>
<td>100</td>
<td>2000</td>
<td>125</td>
<td>1500</td>
<td>Good</td>
<td>Long (40+ yrs)</td>
<td>Less Significant</td>
<td>Good</td>
<td>Average</td>
<td>Good</td>
<td>Moderate</td>
<td>Mature</td>
</tr>
<tr>
<td>74</td>
<td>Banksia integrifolia</td>
<td>Coast</td>
<td>Indigenous</td>
<td>3000</td>
<td>1500</td>
<td>100</td>
<td>2000</td>
<td>125</td>
<td>1500</td>
<td>Good</td>
<td>Long (40+ yrs)</td>
<td>Less Significant</td>
<td>Good</td>
<td>Average</td>
<td>Good</td>
<td>Moderate</td>
<td>Mature</td>
</tr>
<tr>
<td>75</td>
<td>Banksia integrifolia</td>
<td>Coast</td>
<td>Indigenous</td>
<td>3000</td>
<td>1500</td>
<td>100</td>
<td>2000</td>
<td>125</td>
<td>1500</td>
<td>Average</td>
<td>Long (40+ yrs)</td>
<td>Less Significant</td>
<td>Good</td>
<td>Average</td>
<td>Good</td>
<td>Moderate</td>
<td>Mature</td>
</tr>
</tbody>
</table>
Definitions
As per Australian Standard 4970 – 2009 – Protection of Trees on Development Sites (AS 4970):

**TPZ and SRZ Methodology**

**Determining the Tree Protection Zone (TPZ)**

The radius of the TPZ is calculated for each tree by multiplying its DBH x 1.2. TPZ = DBH x 1.2

Where - DBH = trunk diameter measured at 1.4 metres above ground; radius is measured from the centre of the stem at ground level.

A TPZ should not be less than 2 metres and no greater than 15 metres except where crown protection is required. Some instances may require variations to the TPZ.

The TPZ of palms, other monocots, cycads and tree ferns should not be less than 1 metre outside the crown projection. This area is an estimate of the space required to maintain the health of a tree long term. It is entirely possible to work inside this Zone providing due care is exercised according to AS 4970.

**Determining the Structural Root Zone (SRZ)**

The SRZ is the area required for tree stability. A larger area is required to maintain a viable tree. The SRZ only needs to be calculated when major encroachment into a TPZ is proposed.

There are many factors that affect the size of the SRZ; e.g. tree height, crown area, soil type, soil moisture etc. The SRZ may also be influenced by natural or built structures, such as rocks and footings. An indicative SRZ radius can be determined from the trunk diameter measured immediately above the root buttress using the following formula:

SRZ radius = \((0.4 \times D - 0.42 \times 0.64)\)

Where - \(D\) = trunk diameter, in m, measured above the root buttress.

The SRZ for trees with trunk diameters less than 0.15m will be 1.5m.

It needs to be emphasised that this is an indicative calculation which generalises all the conditions influencing the estimate. SRZ is often less than the indicated calculation. An Exploratory Root Excavation (ERE) or root investigation according to AS 4970 may provide more information on the extent of these roots.

**TPZ and SRZ Encroachment**

Any encroachment into TPZ should be advised and supervised by a qualified Arborist.

AS 4970 says:

\[3.3.2\] Minor encroachment

If the proposed encroachment is less than 10% of the area of the TPZ and is outside the SRZ detailed root investigations should not be required. The area lost to this encroachment should be compensated for elsewhere and contiguous with the TPZ.

AS 4970 also says:

\[3.3.4\] TPZ encroachment considerations

When determining the potential impacts of encroachment into the TPZ, the project arborist should consider the following:

(a) Location and distribution of the roots to be determined through non-destructive investigation methods (pneumatic, hydraulic, hand digging or ground penetrating radar). Photographs should be taken and a root zone map prepared.

Note: Regardless of the method, roots must not be cut, bruised or frayed during the process.

It is imperative that exposed roots are kept moist and the excavation back filled as soon as possible.

(b) The potential loss of root mass resulting from the encroachment: number and size of roots.
(c) Tree species and tolerance to root disturbance.

(d) Age, vigour and size of the tree.

(e) Lean and stability of the tree.

NOTE: Roots on the tension side are likely to be most important for supporting the tree and are likely to extend for a greater distance.

(f) Soil characteristics and volume, topography and drainage.

(g) The presence of existing or past structures or obstacles affecting root growth.

(h) Design factors.

Tree sensitive construction measures such as pier and beam, suspended slabs, cantilevered building sections, screw piles and contiguous piling can minimize the impact of encroachment.

When siting a structure near to a tree, the future growth of the tree, both above and below ground should be taken into account. Precautions should be taken at the planning and design stage to minimize potential conflict between trees and new structures.

When the root zone is reactive clay, techniques such as localized pier and beam (bridged), screw pile footings or root and soil moisture control barriers may be appropriate to minimize effects on structures.

NOTE: Collaboration may be required between the project arborist and the geotechnical or structural engineer.

Landscapes By Design believes it is vital to ensure that construction is strong enough to withstand any encroachment by the tree as it grows. Pro-active measure like root control barriers and moisture barriers before trees grow to maximum size may be considered.

Tree Protection Fencing

Tree Protection Fencing must be erected prior to any works of any nature commencing and before any machinery or materials are brought onto the site. Once erected this protective fencing must not be removed or altered until such time as all works associated with the construction are complete, unless approved and supervised by an Arborist.

Immediately following erection of the Tree Protection Fencing, the Tree Protection Zones are to be weeded and then mulched with 75 mm depth leaf mulch or similar, that has been aged for at least 12 weeks.

No trenching or excavation is to occur within this Tree Protection Zones. If underground services must be routed within the TPZ, they should be installed by directional drilling or in manually excavated trenches. The directional drilling bore should be at least 600 mm deep. The project arborist should assess the likely impacts of boring and bore pits on retained trees. An Exploratory Root Excavation (ERE) may assist in this case. See Later section.

The Tree Protection Fencing Zone should be secured to restrict access.
AS 4687 – Temporary Fencing and Hoardings specifies applicable fencing requirements. Shade cloth or similar should be attached to reduce the transport of dust, other particulate matter and liquids into the protected area. Fence posts and supports should have a diameter greater than 20 mm and be located clear of roots. Existing perimeter fencing and other structures may be suitable as part of the protective fencing.

The image below provides an example of suitable protective fencing:

Legend:

1. Chain wire mesh panels with shade cloth [if required] attached, held in place with concrete feet.
2. Alternative plywood or wooden paling fence panels. This fencing material also prevents building materials or soil entering the TPZ.
3. Mulch installation across surface of TPZ (at the discretion of the project arborist). No excavation, construction activity, grade changes, surface treatment or storage of materials of any kind is permitted within the TPZ. Bracing is permissible within the TPZ. Installation of supports should avoid damaging roots.

If it is necessary to remove the Tree Protection Fencing to allow works to be carried out it must be reinstated on a daily basis immediately following completion of works. If works are carried out within the Tree Protection Zones this work must be supervised by an Arborist. During required work suitable planking should be laid within the Tree Protection Zone to protect against compaction to the roots of the tree / trees from workers and others. It is recommended that machinery does not enter the Tree Protection Zone (see 4.2 from AS 4970 below: “Activities generally excluded”), however rumble boards, plates, or sheets of heavy duty materials over mulch and an impervious membrane can be used if vehicles need to move through the zone. Excavation can be carried out by machine using skilled operators briefed and observed by an Arborist. Mini-excavators should be used and if possible the vehicle located outside the zone with its tool arms moving within the site. In the case of an Exploratory Root Excavation (ERE) being conducted the workmen and their equipment are only in the area for a short time however extreme care must be taken to protect the trunk, canopy and roots of the tree/s.

Irrigation – during warmer periods the Tree Protection Zones should be irrigated with 1 litre of clean water for every 1 cm of trunk girth measured at the soil / trunk interface on a weekly basis.

No persons, vehicles or machinery are to enter the Tree Protection Zones unless authorised to do so, preferably with permission from the Determining Authority.

No fuel, oil dumps or chemicals are allowed to be used or stored within the Tree Protection Zones; the servicing and refuelling of equipment and vehicles must be carried out away from the TPZ; no storage of material or equipment is to
take place within them; nothing whatsoever, including temporary services wires, nails, screws or any other fixing device, is to be attached to any tree.

4.2 ACTIVITIES RESTRICTED WITHIN THE TPZ

Activities generally excluded from the TPZ include but are not limited to—

(a) machine excavation including trenching;
(b) excavation for site fencing;
(c) cultivation;
(d) storage;
(e) preparation of chemicals, including preparation of cement products;
(f) parking of vehicles and plant;
(g) refuelling;
(h) dumping of waste;
(i) wash down and cleaning of equipment;
(j) placement of fill;
(k) lighting of fires;
(l) soil level changes;
(m) temporary or permanent installation of utilities and signs, and
(n) physical damage to the tree.

Trunk and Branch Protection

Trees impacted upon by construction works should be protected as per the Sketch 1 below. It is suggested that suitable rubberised padding material be used under 75 by 50 hardwood timber which is strapped with galvanised tin strapping approximately 30 mm wide at 900 mm spacing from bottom of trunk upwards, and nailed or screwed to the hardwood timber with 25 mm long galvanised fasteners. The rubberised padding material should be perforated to allow air to the trunk, and not soak water into itself. No nails or screws are to enter the tree trunk or branches and care must be taken to ensure that no materials bite into the tree surface and scar or damage its surface in any way.

Ground Protection

The planking to the right in the sketch following is an example of the planking that could be used. If temporary access for machinery is required within the TPZ, ground protection measures will be required. The purpose of ground protection is to prevent root damage and soil compaction within the TPZ. Measures should include a permeable membrane such as Geo-textile fabric beneath a layer of mulch or crushed rock, below rumble boards as per sketch 1. Rubber matting and packing plywood may also be used. Under this planking or sheeting within the TPZ, a 75 mm layer of leaf mulch or similar, aged for at least 12 weeks and proven to contain no toxic substances must be installed. These measures may also be applied to root zones beyond the TPZ. Rumble boards should be of a suitable thickness to prevent soil compaction and root damage.
Exploratory Root Excavation

An Exploratory Root Excavation (ERE) or root investigation according to AS 4970 may be conducted to provide more information on the extent of a trees SRZ. The SRZ is an indicative measure and the actual positions and extent of the roots can only be determined by an investigation. A trench is carefully excavated along a pre-determined line (for example, the edge of a proposed slab or decking posts) to a depth of at least 550 mm and no more than 300mm wide. If roots are located they must be carefully exposed without any damage to the root. The position and size of any roots found can be photographed, recorded and mapped. If there are too many large roots or root mats found the Arborist may decide to move the trench further out from centre of trunk. An ERE may indicate that a building can or cannot be placed in the proposed location, or that piers/stumps can be placed between roots, or that roots are non extending far enough to directly damage a building/path/pipe. The ERE map may lead to design and engineering changes to enable a building, extensions, or earthworks that encroach into the TPZ, to proceed or be moved. Where possible the trenching is done by hand but there are times when machinery or water pressure excavation can be used under the supervision of an Arborist.

Root Protection during Works within the TPZ

Darrell Meleod - Diploma of Horticulture
Member - Australian Institute of Landscape Designers and Managers - AILDM
- Diploma of Horticulture - Arboriculture
Some approved works within the TPZ, such as regrading, installation of piers or landscaping may have the potential to damage roots.
If the grade is to be raised the material should be coarser or more porous than the underlying material. Depth and compaction should be minimized.
Manual excavation is the preferred method and should be carried out under the supervision of an arborist to identify roots critical to tree stability and determine the actual extent of the SRZ. An ERE may be used with photographs and maps to serve as a guide for designers and workers. Relocation or redesign of construction works may be required. (See preceding section)
Where the project arborist identifies roots to be pruned within or at the outer edge of the TPZ, they should be pruned with a final cut back to undamaged wood. Pruning cuts should be made with sharp tools such as secateurs, pruners, handsaws or chainsaws. Pruning wounds should not be treated with dressings or paints. It is not acceptable for roots within the TPZ to be 'pruned' with machinery such as backhoes or excavators.
Where roots within the TPZ are exposed by excavation, temporary root protection should be installed to prevent them drying out. This may include jute mesh or hessian sheeting as multiple layers over exposed roots and excavated soil profile, extending to the full depth of the root zone. Root protection sheeting should be pegged in place and kept moist during the period that the root zone is exposed.
Other excavation works in proximity to trees, including landscape works such as paving, irrigation and planting can adversely affect root systems. The project arborist should be consulted and supervise any works.

**TPZ Encroachment Over 10%**

If the proposed building footprint encroaches into the TPZ more than 10%; either the building footprint will have to change to reduce the encroachment to 10% or an Exploratory Root Excavation (ERE) could be carried out by an Arborist to determine the exact location of any roots present. Prior to an ERE make certain to contact the Determining Authority to see if permission is required. If roots are discovered belonging to the tree that are under 40 mm diameter they could be cut by an arborist to allow either the entire building footprint to be accommodated, or if that is not possible, a smaller redesigned building footprint to be accommodated. If the TPZ is varied following an ERE (as per AS4970) room must be allowed for the lost area to be compensated for elsewhere. Roots greater than 40 mm diameter and fibrous root mats or clumps greater than 50mm diameter should not be cut, but need to be worked around. A well qualified arborist may cut a root greater than 40 mm diameter, but not greater than 50 mm diameter unless given permission to cut from the Determining Authority.
Alternatively, if an ERE shows it is impossible to vary the TPZ, alternative “tree friendly” construction methods could be employed, such as installing a building slab above grade, pier and beam methods, or building on stumps. Piers and stumps can be relocated to avoid damage to any significant roots discovered by the ERE. These alternative building methods should be specified by a suitably qualified person.

**Installing Underground Services within TPZ**

All services should be routed outside the TPZ. If underground services must be routed within the TPZ, they should be installed by directional drilling or in manually excavated trenches. The directional drilling bore should be at least 600 mm deep. The project arborist should assess the likely impacts of boring and bore pits on retained trees.
For manual excavation of trenches, the project arborist should advise on roots to be retained and should monitor the works. Manual excavation may include the use of pneumatic and hydraulic tools.

**Crown protection**

Darrell Meled - Diploma of Horticulture
Member - Australian Institute of Landscape Designers and Managers - AIIDMN
- Diploma of Horticulture - Arbouriculture
Tree crowns may be injured by machinery such as excavators, drilling rigs, cranes, trucks, hoarding installation and scaffolding. The TPZ may need to include additional protection of above ground parts of the tree. Where crown protection is required, it will usually be located at least one metre outside the perimeter of the crown (see Figure 2). The erection of scaffolding may require an additional setback from the edge of the crown. Crown protection may include pruning, tying-back of branches or other measures. If pruning is required, requirements are specified in AS 4373 and should be undertaken before the establishment of the TPZ. NOTE: Pruning may require approval from the Determining Authority. See following section on Pruning and Removal of Trees

Pruning and Removal of Trees
If pruning is required, it should be carried out in accordance with Australian Standard 4373 - Pruning of Amenity Trees (AS4373) and any root pruning also as per AS 4973 – Specialist advice from a person with a minimum AQF Level 4 in Arboriculture should be sought before any root pruning occurs. Prior to the pruning of or removal of any tree the Determining Authority, usually the local council must be consulted to be certain the pruning or removal is allowed by them and is lawful. In any development seek approval for tree removal and encroachment into the TPZ of trees from the Determining Authority; before planning or building preparation and drawings are completed. This is to ensure that building or other drawings are not prepared on the basis of this report, when a relevant Determining Authority does not allow the trees nominated in our report to be removed, or their TPZ’s encroached into.

Scaffolding
Where scaffolding is required, it should be erected outside the TPZ. Where it is essential for scaffolding to be erected within the TPZ, branch removal should be minimized. This can be achieved by designing scaffolding to avoid branches or
tying back branches. Where pruning is unavoidable it must be specified by the project arborist in accordance with AS 4970 and 4373.

NOTE: Pruning works may require approval by the determining authority.

Ground below the scaffolding should be protected by boarding (e.g. scaffold board or plywood sheeting) as shown in Trunk and Branch Protection earlier. Where access is required, a board walk or other surface material should be installed to minimize soil compaction. Boarding should be placed over a layer of mulch and impervious sheeting to prevent soil contamination. The boarding should be left in place until the scaffolding is removed.

There is a risk of materials falling off the scaffold decking and into the TPZ, damaging the tree. Care must be exercised and solid walls or mesh barriers be installed on any scaffolding over the TPZ.

Impervious membrane, mulch, boards or plywood must be used under the scaffold soleplates and no excavation is to be performed for the soleplates. It may be possible to erect secondary fencing inside the general TPZ fencing to further protect the tree from damage.
Parameters – Used as required:

**Condition, Viability, Structure and Form** - Each has four parameters: Excellent, Good, Average and Poor.

**ULE – Useful Life Expectancy** - Has four parameters – Long (40+ years), Medium (16 to 39 years), Short (5 to 15 years) and Removal

**Significance** - Has five parameters – Most, Highly, Less, Least and Hazardous

**Age** - Has four parameters:
- Young – Less than one third of expected life span
- Semi Mature – into second third of expected life span
- Mature – into last third of expected life span
- Over Mature – Beyond normal life span or age related state of decline

**Retention Value** - has six parameters: High, Moderate, Low, Weed, Neighbouring, Council and Hazardous when required following other parameter. Generally Neighbouring Trees must be retained and protected unless suitable arrangements can be made for their removal with the owner, and that removal is legal. Council trees to streets or neighbouring parks are that Council’s responsibility. After a tree report is submitted that includes Council trees, it is suggested that council should inspect their trees to ensure they are safe and worthy of retention.

Definitions - Terms:

**Acute Branch Crotch** – Angle on the inner side of the branch crotch is less than 90 degrees.

**Apical Dominance** - the main central stem of the plant is dominant over the other branches.

**Branch Union** - point where a branch originates from the trunk or another branch; may be referred to as a crotch.

**Co-dominant Stems** - Co-dominant stems are two stems or trunks of equal size that develop from 2 apical buds at the tip of the same stem. Each co-dominant stem is a direct extension of the stem below its origin. There are no branch collars or trunk collars at the base of co-dominant stems’ (Dr Alex Shigo) – Similar to Bi-furcated meaning two and Tri-furcated meaning three.

**Compartmentalise** - (CODIT: Compartmentalization of Decay in Trees. Dr Alex Shigo) natural process of defence in trees by which they wall off decay in wood and heal wounds.

**De-current** - growth habit developing a more rounded form with multiple scaffold branches

**Determining Authority** - Usually refers to the Council responsible for the property being assessed but includes any government or semi-governmental authority that has control or liability under common law, and the role to encourage and enforce the developmental process including legislation relating to trees and plants.

**Epiconcetric Shoots** - An epiconcetric shoot is a shoot growing from an epicormic bud which lies underneath the bark of a trunk, stem, or branch of a plant. In older wood, epiconcetric shoots can result from severe defoliation or radical pruning.

**Etiolation** is a process in plants grown in partial or complete absence of light. It is characterized by long, weak stems; smaller, sparser leaves due to longer internodes; and a pale yellow colour (chlorosis).

**Ex-current** - growth habit with pyramidal crown and a central leader

**Fall Zone** – area under a tree or adjacent to it where if it failed it could impact upon.

**Frass** – Granular wood particles produced by borer insects that can be fine, medium or coarse depending on the type of insect.

**Flush Cut** - Pruning technique in which both branch and stem tissue are removed; generally considered poor practice. Flush cuts can allow decay to enter back into the main trunk or branch.

**Gall** - abnormal outgrowth of tissues and can be caused by various parasites, from fungi and bacteria, to insects and mites. Sometimes called a burl.
Hedges – Are not assessed as trees; therefore, a canopy dimension is represented in drawings not the TPZ. 

Included Bark - bark that becomes embedded in a crotchet between branch and trunk or Co-Dominant Stems and causes a weak structure. 

Indigenous – a plant occurring naturally in the area or region of the subject site. 

Obtuse Branch Crotchet – where the angle on the inner side of the union is greater than 90 degrees. 

Phototropism or Phototrophic Lean - is the phenomenon in which plants follow or grow towards a light source, most commonly the sun. 

Reaction Wood - tree wood formed as a result of mechanical stress helping to provide strength to affected areas as in leaning trees, wind exposure, over weighting, compartmentalisation of decay etc. 

Scaffold Branch – the permanent or structural branches of a tree 

Senescence – the condition or process of growing old especially the condition resulting from the transitions and accumulations of the deleterious aging process. 

Torsional Loading – When a tree generally by the wind has had part of its structure twisted as it grows. 

22 – After a tree’s name means identity of species may not be exact. 

Tree – As defined by AS 4970: A long lived woody perennial plant greater than (or usually greater than) 3 m in height with one or relatively few main stems or trunks (or as defined by the determining authority). Landscapes by Design believes that the definition is too loose and too general to include all the plants that we would include in the definition of a tree, however it serves to encompass most plants that we assess. We also assess where required, neighbouring plants other than trees.

Disclaimer etc.

No examination of any sort has been carried out to the root systems of these trees. Given factors like environmental, vegetative and other overlays and local or other planning controls it is difficult to accommodate or satisfy all parties when assessing trees and other vegetation. It is very difficult to establish clear outcomes and impossible to determine that a tree can be deemed safe under all circumstances. No guarantee can be given that a tree is totally safe or will remain healthy given short term adverse weather conditions or long term climatic conditions or other environmental and physical factors. No guarantees can be given for any part of a trees current or future stability. The writer and Landscapes by Design Pty Ltd does not accept any responsibility for any tree or part of it assessed, with regard to its ongoing stability and safety, or its capacity to damage property, other assets or people. Any dead trees have not been included within this report but should be removed immediately.

Darrell Mcleod

Darrell Mcleod - Diploma of Horticulture 
Member - Australian Institute of Landscape Designers and Managers - AILDM 
- Diploma of Horticulture - Arboriculture
ATTACHMENT 2
Site Surrounds and Imagery

Figure 1. Aerial overview of the site and surrounds

<table>
<thead>
<tr>
<th>Legend</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subject site</td>
</tr>
<tr>
<td>Objector(s)</td>
</tr>
</tbody>
</table>

3 objections were received, however none of these objectors gave residential addresses that can be shown on this map.
Figure 2. A photo of the subject site as viewed from Lang Street.
Figure 3. View of the subject site from Beach Road.
Attachment 3 – Council Arborist Assessment

<table>
<thead>
<tr>
<th>Tree No</th>
<th>1</th>
</tr>
</thead>
<tbody>
<tr>
<td>Botanical Name:</td>
<td>Pittosporum undulatum</td>
</tr>
<tr>
<td>Common Name:</td>
<td>Sweet Pittosporum</td>
</tr>
<tr>
<td>Height / Canopy:</td>
<td>7mX4m</td>
</tr>
<tr>
<td>Trunk Circ.@1m:</td>
<td>&gt;50cm</td>
</tr>
<tr>
<td>Location 1</td>
<td>See plan</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Location 2</th>
<th></th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Origin:</th>
<th>Indigenous</th>
<th>Victorian</th>
<th>Australian</th>
<th>Exotic</th>
</tr>
</thead>
<tbody>
<tr>
<td>Age:</td>
<td>Young</td>
<td>Semi-mature</td>
<td>Mature</td>
<td>Over-mature</td>
</tr>
<tr>
<td>Health:</td>
<td>Good</td>
<td>Fair</td>
<td>Poor</td>
<td>Dead</td>
</tr>
<tr>
<td>Structure:</td>
<td>Good</td>
<td>Fair</td>
<td>Poor</td>
<td>Hazardous</td>
</tr>
<tr>
<td>Amenity Value:</td>
<td>High</td>
<td>Moderate</td>
<td>Low</td>
<td>None</td>
</tr>
<tr>
<td>Life Expectancy:</td>
<td>20 years +</td>
<td>10-19 years</td>
<td>4-9 years</td>
<td>0 - 3 years</td>
</tr>
<tr>
<td>Retention Value:</td>
<td>High</td>
<td>Medium</td>
<td>Low</td>
<td>None</td>
</tr>
<tr>
<td>Habitat value:</td>
<td>High</td>
<td>Moderate</td>
<td>Low</td>
<td></td>
</tr>
<tr>
<td>Support for removal:</td>
<td>Yes</td>
<td>No</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tree No.</td>
<td>22</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>-----------------------------</td>
<td>-----</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Botanical Name:</strong></td>
<td><em>Pittosporum undulatum</em></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Common Name:</strong></td>
<td>Sweet Pittosporum</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Height / Canopy:</strong></td>
<td>6mX7m</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Trunk Circ. @1m:</strong></td>
<td>&gt;50cm</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Location 1</strong></td>
<td>See plan</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Location 2</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Origin:</strong></th>
<th>Indigenous</th>
<th>Victorian</th>
<th>Australian</th>
<th>Exotic</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Age:</strong></td>
<td>Young</td>
<td>Semi-mature</td>
<td><strong>Mature</strong></td>
<td>Over-mature</td>
</tr>
<tr>
<td><strong>Health:</strong></td>
<td><strong>Good</strong></td>
<td>Fair</td>
<td>Poor</td>
<td>Dead</td>
</tr>
<tr>
<td><strong>Structure:</strong></td>
<td><strong>Good</strong></td>
<td>Fair</td>
<td>Poor</td>
<td>Hazardous</td>
</tr>
<tr>
<td><strong>Amenity Value:</strong></td>
<td>High</td>
<td>Moderate</td>
<td><strong>Low</strong></td>
<td>None</td>
</tr>
<tr>
<td><strong>Life Expectancy:</strong></td>
<td><strong>20 years</strong></td>
<td>10-19 years</td>
<td>4-9 years</td>
<td>0 - 3 years</td>
</tr>
<tr>
<td><strong>Retention Value:</strong></td>
<td>High</td>
<td>Medium</td>
<td><strong>Low</strong></td>
<td>None</td>
</tr>
<tr>
<td><strong>Habitat value:</strong></td>
<td>High</td>
<td><strong>Moderate</strong></td>
<td>Low</td>
<td></td>
</tr>
<tr>
<td><strong>Support for removal:</strong></td>
<td>Yes</td>
<td>No</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tree No.</td>
<td>23</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>----------</td>
<td>----</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Botanical Name:</td>
<td><em>Pittosporum undulatum</em></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Common Name:</td>
<td>Sweet Pittosporum</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Height / Canopy:</td>
<td>6mX7m</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Trunk Circ.@1m:</td>
<td>&gt;50cm</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location 1</td>
<td>See plan</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location 2</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

- **Origin:** Indigenous, Victorian, Australian, Exotic
- **Age:** Young, Semi-mature, Mature, Over-mature
- **Health:** Good, Fair, Poor, Dead
- **Structure:** Good, Fair, Poor, Hazardous
- **Amenity Value:** High, Moderate, Low, None
- **Life Expectancy:** 20 years +, 10-19 years, 4-9 years, 0 - 3 years
- **Retention Value:** High, Medium, Low, None
- **Habitat value:** High, Moderate, Low
- **Support for removal:** Yes, No
<table>
<thead>
<tr>
<th>Tree No.</th>
<th>29</th>
</tr>
</thead>
<tbody>
<tr>
<td>Botanical Name:</td>
<td>Pittosporum undulatum</td>
</tr>
<tr>
<td>Common Name:</td>
<td>Sweet Pittosporum</td>
</tr>
<tr>
<td>Height / Canopy:</td>
<td>7mX4m</td>
</tr>
<tr>
<td>Trunk Circ@1m:</td>
<td>&gt;50cm</td>
</tr>
<tr>
<td>Location 1</td>
<td>See plan</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Location 2</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Origin:</th>
<th>Indigenous</th>
<th>Victorian</th>
<th>Australian</th>
<th>Exotic</th>
</tr>
</thead>
<tbody>
<tr>
<td>Age:</td>
<td>Young</td>
<td>Semi-mature</td>
<td>Mature</td>
<td>Over-mature</td>
</tr>
<tr>
<td>Health:</td>
<td>Good</td>
<td>Fair</td>
<td>Poor</td>
<td>Dead</td>
</tr>
<tr>
<td>Structure:</td>
<td>Good</td>
<td>Fair</td>
<td>Poor</td>
<td>Hazardous</td>
</tr>
<tr>
<td>Amenity Value:</td>
<td>High</td>
<td>Moderate</td>
<td>Low</td>
<td>None</td>
</tr>
<tr>
<td>Life Expectancy:</td>
<td>20 years +</td>
<td>10-19 years</td>
<td>4-9 years</td>
<td>0 - 3 years</td>
</tr>
<tr>
<td>Retention Value:</td>
<td>High</td>
<td>Medium</td>
<td>Low</td>
<td>None</td>
</tr>
<tr>
<td>Habitat value:</td>
<td>High</td>
<td>Moderate</td>
<td>Low</td>
<td></td>
</tr>
<tr>
<td>Support for removal:</td>
<td>Yes</td>
<td>Moderate</td>
<td>Low</td>
<td>No</td>
</tr>
</tbody>
</table>
### Tree No.
32

### Botanical Name:
Acmena smithii

### Common Name:
Sweet Pittosporum

### Height / Canopy:
12m x 8m

### Trunk Circ @ 1m:
> 50cm

### Location 1
See plan

### Location 2

<table>
<thead>
<tr>
<th>Origin</th>
<th>Indigenous</th>
<th>Victorian</th>
<th>Australian</th>
<th>Exotic</th>
</tr>
</thead>
<tbody>
<tr>
<td>Age</td>
<td>Young</td>
<td>Semi-mature</td>
<td>Mature</td>
<td>Over-mature</td>
</tr>
<tr>
<td>Health</td>
<td>Good</td>
<td>Fair</td>
<td>Poor</td>
<td>Dead</td>
</tr>
<tr>
<td>Structure</td>
<td>Good</td>
<td>Fair</td>
<td>Poor</td>
<td>Hazardous</td>
</tr>
<tr>
<td>Amenity Value</td>
<td>High</td>
<td>Moderate</td>
<td>Low</td>
<td>None</td>
</tr>
<tr>
<td>Life Expectancy</td>
<td>20 years +</td>
<td>10-19 years</td>
<td>4-9 years</td>
<td>0 - 3 years</td>
</tr>
<tr>
<td>Retention Value</td>
<td>High</td>
<td>Medium</td>
<td>Low</td>
<td>None</td>
</tr>
<tr>
<td>Habitat Value</td>
<td>High</td>
<td>Moderate</td>
<td>Low</td>
<td>None</td>
</tr>
<tr>
<td>Support for removal</td>
<td>Yes</td>
<td>None</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tree No.</td>
<td>34</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>----------</td>
<td>-----</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Botanical Name:</td>
<td><em>Banksia integrifolia</em></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Common Name:</td>
<td>Coastal Banksia</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Height / Canopy:</td>
<td>7mX4m</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Trunk Circ.@1m:</td>
<td>&gt;50cm</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location 1</td>
<td>See plan</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Location 2**

<table>
<thead>
<tr>
<th>Origin:</th>
<th>Indigenous</th>
<th>Victorian</th>
<th>Australian</th>
<th>Exotic</th>
</tr>
</thead>
<tbody>
<tr>
<td>Age:</td>
<td>Young</td>
<td>Semi-mature</td>
<td>Mature</td>
<td>Over-mature</td>
</tr>
<tr>
<td>Health:</td>
<td>Good</td>
<td>Fair</td>
<td>Poor</td>
<td>Dead</td>
</tr>
<tr>
<td>Structure:</td>
<td>Good</td>
<td>Fair</td>
<td>Poor</td>
<td>Hazardous</td>
</tr>
<tr>
<td>Amenity Value:</td>
<td>High</td>
<td>Moderate</td>
<td>Low</td>
<td>None</td>
</tr>
<tr>
<td>Life Expectancy:</td>
<td>20 years *</td>
<td>10-19 years</td>
<td>4-9 years</td>
<td>0 - 3 years</td>
</tr>
<tr>
<td>Retention Value:</td>
<td>High</td>
<td>Medium</td>
<td>Low</td>
<td>None</td>
</tr>
<tr>
<td>Habitat value:</td>
<td>High</td>
<td>Moderate</td>
<td>Low</td>
<td></td>
</tr>
<tr>
<td>Support for removal:</td>
<td>Yes</td>
<td>No</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Tree No. 36

<table>
<thead>
<tr>
<th>Botanical Name</th>
<th>Pittosporum undulatum</th>
</tr>
</thead>
<tbody>
<tr>
<td>Common Name</td>
<td>Sweet Pittosporum</td>
</tr>
<tr>
<td>Height / Canopy</td>
<td>7mX3m</td>
</tr>
<tr>
<td>Trunk Circ.@1m</td>
<td>&gt;50cm</td>
</tr>
<tr>
<td>Location 1</td>
<td>See plan</td>
</tr>
<tr>
<td><strong>Location 2</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Origin:</strong></td>
<td>Indigenous Victorian Australian Exotic</td>
</tr>
<tr>
<td><strong>Age:</strong></td>
<td>Young Semi-mature Mature Over-mature</td>
</tr>
<tr>
<td><strong>Health:</strong></td>
<td>Good Fair Poor Dead</td>
</tr>
<tr>
<td><strong>Structure:</strong></td>
<td>Good Fair Poor Hazardous</td>
</tr>
<tr>
<td><strong>Amenity Value:</strong></td>
<td>High Moderate Low None</td>
</tr>
<tr>
<td><strong>Life Expectancy:</strong></td>
<td>20 years + 10-19 years 4-9 years 0 - 3 years</td>
</tr>
<tr>
<td><strong>Retention Value:</strong></td>
<td>High Medium Low None</td>
</tr>
<tr>
<td><strong>Habitat value:</strong></td>
<td>High Moderate Low</td>
</tr>
<tr>
<td><strong>Support for removal:</strong></td>
<td>Yes No</td>
</tr>
</tbody>
</table>

### Tree No. 41
### Botanical Name: Leptospermum laevigatum

<table>
<thead>
<tr>
<th>Common Name:</th>
<th>Coastal TeaTree</th>
</tr>
</thead>
<tbody>
<tr>
<td>Height / Canopy:</td>
<td>5mX8m</td>
</tr>
<tr>
<td>Trunk Circ.@1m:</td>
<td>&gt;50cm</td>
</tr>
</tbody>
</table>

#### Location 1
- See plan

#### Location 2

<table>
<thead>
<tr>
<th>Origin:</th>
<th>Indigenous</th>
<th>Victorian</th>
<th>Australian</th>
<th>Exotic</th>
</tr>
</thead>
<tbody>
<tr>
<td>Age:</td>
<td>Young</td>
<td>Semi-mature</td>
<td>Mature</td>
<td>Over-mature</td>
</tr>
<tr>
<td>Health:</td>
<td>Good</td>
<td>Fair</td>
<td>Poor</td>
<td>Dead</td>
</tr>
<tr>
<td>Structure:</td>
<td>Good</td>
<td>Fair</td>
<td>Poor</td>
<td>Hazardous</td>
</tr>
<tr>
<td>Amenity Value:</td>
<td>High</td>
<td>Moderate</td>
<td>Low</td>
<td>None</td>
</tr>
<tr>
<td>Life Expectancy:</td>
<td>20 years +</td>
<td>10-19 years</td>
<td>4-9 years</td>
<td>0 - 3 years</td>
</tr>
</tbody>
</table>

| Retention Value: | High | Medium | Low | None |
| Habitat value: | High | Moderate | Low | None |

| Support for removal: | Yes | No |
### Tree No. 57

<table>
<thead>
<tr>
<th>Botanical Name:</th>
<th>Melaleuca armillaris</th>
</tr>
</thead>
<tbody>
<tr>
<td>Common Name:</td>
<td>Bracelet Honey Myrtle</td>
</tr>
<tr>
<td>Height / Canopy:</td>
<td>5mX9m</td>
</tr>
<tr>
<td>Trunk Circ.@1m:</td>
<td></td>
</tr>
<tr>
<td>Location 1</td>
<td>As per plan</td>
</tr>
<tr>
<td>Location 2</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Origin:</th>
<th>Indigenous</th>
<th>Victorian</th>
<th>Australian</th>
<th>Exotic</th>
</tr>
</thead>
<tbody>
<tr>
<td>Age:</td>
<td>Young</td>
<td>Semi-mature</td>
<td>Mature</td>
<td>Over-mature</td>
</tr>
<tr>
<td>Health:</td>
<td>Good</td>
<td>Fair</td>
<td>Poor</td>
<td>Dead</td>
</tr>
<tr>
<td>Structure:</td>
<td>Good</td>
<td>Fair</td>
<td>Poor</td>
<td>Hazardous</td>
</tr>
<tr>
<td>Amenity Value:</td>
<td>High</td>
<td>Moderate</td>
<td>Low</td>
<td>None</td>
</tr>
<tr>
<td>Life Expectancy:</td>
<td>20 years +</td>
<td>10-19 years</td>
<td>4-9 years</td>
<td>0 - 3 years</td>
</tr>
<tr>
<td>Retention Value:</td>
<td>High</td>
<td>Medium</td>
<td>Low</td>
<td>None</td>
</tr>
<tr>
<td>Habitat value:</td>
<td>High</td>
<td>Moderate</td>
<td>Low</td>
<td></td>
</tr>
<tr>
<td>Align with NCP:</td>
<td>Yes</td>
<td>No</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Support for removal:</td>
<td>Yes</td>
<td>No</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tree No.</td>
<td>61</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>----------</td>
<td>----</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Botanical Name:</td>
<td>Melaleuca leucadendron</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Common Name:</td>
<td>Snow in Summer</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Height / Canopy:</td>
<td>4mX3m</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Trunk Circ.@1m:</td>
<td>47</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location 1</td>
<td>As per plan</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Location 2</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Origin:</th>
<th>Indigenous</th>
<th>Victorian</th>
<th>Australian</th>
<th>Exotic</th>
</tr>
</thead>
<tbody>
<tr>
<td>Age:</td>
<td>Young</td>
<td>Semi-mature</td>
<td>Mature</td>
<td>Over-mature</td>
</tr>
<tr>
<td>Health:</td>
<td>Good</td>
<td>Fair</td>
<td>Poor</td>
<td>Dead</td>
</tr>
<tr>
<td>Structure:</td>
<td>Good</td>
<td>Fair</td>
<td>Poor</td>
<td>Hazardous</td>
</tr>
<tr>
<td>Amenity Value:</td>
<td>High</td>
<td>Moderate</td>
<td>Low</td>
<td>None</td>
</tr>
<tr>
<td>Life Expectancy:</td>
<td>20 years +</td>
<td>10-19 years</td>
<td><strong>4-9 years</strong></td>
<td>0 - 3 years</td>
</tr>
<tr>
<td>Retention Value:</td>
<td>High</td>
<td>Medium</td>
<td>Low</td>
<td>None</td>
</tr>
</tbody>
</table>

Not protected by VPO – measured to be undersize
**Bayside City Council - Planning & Amenity Committee Meeting - 30 April 2019**

**Attachment 3**

**BAYSIDE CITY COUNCIL - STATUTORY PLANNING DEPARTMENT - INTERNAL REFERRAL**

<table>
<thead>
<tr>
<th>Tree No.</th>
<th>7/78</th>
</tr>
</thead>
<tbody>
<tr>
<td>Botanical Name:</td>
<td>Leptospermum laevigatum</td>
</tr>
<tr>
<td>Common Name:</td>
<td>Coastal TeaTree</td>
</tr>
<tr>
<td>Height / Canopy:</td>
<td>5mX4m – 8m from base of trunk to east canopy</td>
</tr>
<tr>
<td>Trunk Circ.@1m:</td>
<td></td>
</tr>
<tr>
<td>Location 1</td>
<td>As per plan</td>
</tr>
<tr>
<td>Location 2</td>
<td></td>
</tr>
<tr>
<td>Origin:</td>
<td>Indigenous</td>
</tr>
<tr>
<td>Age:</td>
<td>Young</td>
</tr>
<tr>
<td>Health:</td>
<td>Good</td>
</tr>
<tr>
<td>Structure:</td>
<td>Good</td>
</tr>
<tr>
<td>Amenity Value:</td>
<td>High</td>
</tr>
<tr>
<td>Life Expectancy:</td>
<td>20 years +</td>
</tr>
<tr>
<td>Retention Value:</td>
<td>High</td>
</tr>
<tr>
<td>Habitat value:</td>
<td>High</td>
</tr>
<tr>
<td>Align with NCP:</td>
<td>Yes</td>
</tr>
<tr>
<td>Support for removal:</td>
<td>Yes</td>
</tr>
</tbody>
</table>

Item 4.1 – Matters of Decision

Page 52 of 357
<table>
<thead>
<tr>
<th>Tree No.</th>
<th>82</th>
</tr>
</thead>
<tbody>
<tr>
<td>Botanical Name:</td>
<td><em>Acacia sp.</em></td>
</tr>
<tr>
<td>Common Name:</td>
<td>Wattle</td>
</tr>
<tr>
<td>Height / Canopy:</td>
<td>6mX7m</td>
</tr>
<tr>
<td>Trunk Circ. @ 1m:</td>
<td>67</td>
</tr>
<tr>
<td>Location 1</td>
<td>South of tree 7/78</td>
</tr>
<tr>
<td>Location 2</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Origin:</th>
<th>Indigenous</th>
<th>Victorian</th>
<th>Australian</th>
<th>Exotic</th>
</tr>
</thead>
<tbody>
<tr>
<td>Age:</td>
<td>Young</td>
<td>Semi-mature</td>
<td>Mature</td>
<td>Over-mature</td>
</tr>
<tr>
<td>Health:</td>
<td>Good</td>
<td>Fair</td>
<td>Poor</td>
<td>Dead</td>
</tr>
<tr>
<td>Structure:</td>
<td>Good</td>
<td>Fair</td>
<td>Poor</td>
<td>Hazardous</td>
</tr>
<tr>
<td>Amenity Value:</td>
<td>High</td>
<td>Moderate</td>
<td>Low</td>
<td>None</td>
</tr>
<tr>
<td>Life Expectancy:</td>
<td>20 years +</td>
<td>10-19 years</td>
<td>4-9 years</td>
<td>0 - 3 years</td>
</tr>
<tr>
<td>Retention Value:</td>
<td>High</td>
<td>Medium</td>
<td>Low</td>
<td>None</td>
</tr>
<tr>
<td>Habitat Value:</td>
<td>High</td>
<td>Moderate</td>
<td>Low</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Align with NCP</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Support for removal:</td>
<td>Yes</td>
<td>No</td>
</tr>
</tbody>
</table>
16 CLONAIG STREET, BRIGHTON EAST
NOTICE OF DECISION TO GRANT A PERMIT
APPLICATION NO: 2018/693/1  WARD: NORTHERN

City Planning & Amenity - Development Services
File No: PSF/19/962 – Doc No: DOC/19/90370

1. Application details

<table>
<thead>
<tr>
<th>Recommendation</th>
<th>Notice of Decision to Grant a Permit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applicant</td>
<td>Acorn Planning</td>
</tr>
<tr>
<td>Title/Covenant/S173 Agreement</td>
<td>The title is not subject to any restrictive covenants.</td>
</tr>
<tr>
<td>Date application received</td>
<td>22 October 2018</td>
</tr>
<tr>
<td>Current statutory days</td>
<td>104 days</td>
</tr>
<tr>
<td>Zoning</td>
<td>Neighbourhood Residential Zone (Schedule 3)</td>
</tr>
<tr>
<td>Overlays</td>
<td>Design and Development Overlay (Schedule 3)</td>
</tr>
<tr>
<td></td>
<td>Development Contribution Plan Overlay (Schedule 1)</td>
</tr>
<tr>
<td>Site area</td>
<td>1055.5 meters square</td>
</tr>
<tr>
<td>Number of outstanding objections</td>
<td>4 (including one petition which has fourteen signatures)</td>
</tr>
<tr>
<td>Is a Development Contribution Levy applicable?</td>
<td>Yes – a fee of $4040 is applicable as it is proposed to create two (2) additional dwellings</td>
</tr>
<tr>
<td>Is the site located within an area of cultural heritage sensitivity?</td>
<td>Yes (Watercourse) – but the activity is exempt from a Cultural Management Plan pursuant to Regulation 10 of the Aboriginal Heritage Regulations 2018</td>
</tr>
</tbody>
</table>

Proposal

Key details of the proposal are as follows:

- Development of three (3) double storey dwellings with basement (including car parking) and a 1.9 metre high front fence.

For the purposes of identifying the dwellings in this report, they will be referred to as 16, 16A and 16B as shown on the development plans. This does not however indicate the future street addressing.

Basement

- Six (6) car spaces for residents (two car spaces per dwelling) will be accessed via a minimum 3.6 metre wide access aisle and driveway ramp to Clonaig Street;
- Storage, kitchen, W.C. and home theatre areas; and
- Lift/stair core.

Ground Floor

- Removal of existing crossover located to the south of the site and upgrading of the existing northern crossover;
A garden area of 38%;
One (1) dwelling will have a frontage to Clonaig Street, with the other two dwellings located to the rear;
Pedestrian access will be provided by a path located along the southern boundary, accessed from Clonaig Street;
Each dwelling will be provided with open space which range in size from 29.7sqm to 174sqm; and
Each dwelling with an open plan kitchen/dining area/living area, Guest bedrooms to No16 and 16B with a study area for No 16A, laundry and associated wet areas.

First Floor
Allocation of two bedrooms for No16 and No16B with three bedrooms proposed for 16A;
A study for No 16 and 16B;
Associated wet areas for each dwelling; and
A lift/stair core which extends directly through each dwelling from the basement level to the first floor level.

Built Form
The proposed building will have a total height of approximately 7.54 metres above natural ground level (from the front) to 5.526 metres to the rear;
The proposed built form comprises a flat roof form; and
The facades are proposed to be finished in a low lustre smooth concrete finish.

The application plans are provided at Attachment 1.
An aerial image and photographs of the site and surrounds are provided at Attachment 2.

History
There have not been any previous planning permit applications in relation to this site.

2. Planning controls
Planning Permit requirements
A planning permit is required pursuant to:

Clause 32.09-6 (Neighbourhood Residential Zone) – Construction of two or more dwellings on a lot and a front fence greater than 1.2 metres in height.

Note: Clause 32.09-4 requires that for the construction of a dwelling or residential building on a lot greater than 650 square metres, a lot must provide a minimum of 35% garden area at ground floor level.

The development plans confirm that the development has a garden area of 37.95%, which exceeds the minimum 35% garden area required by the Clause.

Planning Scheme Amendments
There are no Planning Scheme Amendments relevant to this application.

3. Stakeholder consultation
External referrals
There are no external referrals required to be made in accordance with Clause 66 of the Bayside Planning Scheme.
Internal referrals

The application was referred to the following Council departments for comment:

<table>
<thead>
<tr>
<th>Internal Referral</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arborist</td>
<td>No objection, subject to conditions.</td>
</tr>
<tr>
<td>Drainage Assets Engineer</td>
<td>No objection, subject to conditions.</td>
</tr>
<tr>
<td>Open Space Arborist</td>
<td>No objection, subject to conditions.</td>
</tr>
<tr>
<td>Traffic Engineer</td>
<td>No objection, subject to conditions.</td>
</tr>
</tbody>
</table>

Public notification

The application was advertised pursuant to Sections 52(1)(a) and (d) of the Planning and Environment Act 1987 and four objections were received which includes one petition containing 14 signatures.

All objections remain outstanding at the time of this report.

The following concerns were raised:

- Neighbourhood character;
- Overlooking/Loss of privacy;
- Overshadowing;
- Parking / Traffic both on site and off site;
- Density/number of dwellings;
- Noise impacts;
- Overdevelopment of the site; and
- Property values.

The number of objections received for this application is consistent across Council’s record management systems.

Consultation meeting

A consultation meeting was held on 28 March 2019 attended by the permit applicant and five objectors. As a resolution could not be reached, all objections remain outstanding.

4. Recommendation

That Council resolve to issue a Notice of Decision to Grant a Permit under the provisions of the Bayside Planning Scheme in respect of Planning application 2018/693/1 for the land known and described as 16 Clonaig Street, Brighton East, for the construction of three double storey dwellings and a front fence exceeding 1.2 metres in height in accordance with the endorsed plans and subject to the following conditions from the standard 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 generally in accordance with the plans advertised prepared by Studio 1 Architects and 21 December 2018 but modified to show:

   a) A front fence not greater than 1.8 metres in height.
b) The ground floor guest room, ensuite and powder room of dwelling 16 must be setback a minimum of 1.2 metres from the north boundary of the site.

c) The west elevation to show the front door accessing dwelling 16B.

d) Compliance with Standard B22 (Overlooking) of the Bayside Planning Scheme.

e) Compliance with Standard B18 (Walls on boundaries) of the Bayside Planning Scheme.

f) The use of two different tones or colours of render to be applied on the southern elevation to provide improved articulation.

g) The sectional diagrams amended to show a gradient ramp of 1 in 10 for the first 2 metres at the top of the ramp.

h) The internal driveway, where it intersects with the footpath and the new crossover, must be 3.6 metres wide with a 1 metre offset away from the northern boundary line.

i) Sightlines, where the driveway intersects with the front footpath, must be in accordance with AS2890.1

j) A schedule of construction materials, external finishes and colours (incorporating for example paint samples).

k) Water Sensitive Urban Design measures in accordance with Condition 8 of this permit.

l) A Landscaping Plan in accordance with Condition 10 of this permit.

m) A Tree Management Plan in accordance with Condition 13 of this permit.

n) An Arboricultural Impact Assessment (report) in accordance with Condition 17 of this permit.

o) Provision of the development contributions fee in accordance with Condition 21.

All to the satisfaction of the Responsible Authority.

2. The layout of the site and the size, levels, design and location of buildings and works shown on the endorsed plans must not be modified for any reason (unless the Bayside Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.

3. Before the occupation of the site commences or by such later date as is approved in writing by the Responsible Authority, all buildings and works must be carried out and completed to the satisfaction of the Responsible Authority.

4. No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the building/s without the written consent of the Responsible Authority.

5. All pipes (excluding downpipes), fixtures, fittings and vents servicing any building on the site must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.

6. Before the occupation of the site commences, screening of windows including fixed privacy screens be designed to limit overlooking as required by Standard B22 and be installed and maintained to the satisfaction of the Responsible Authority thereafter for the life of the building.

7. The walls on the boundary of the adjoining properties shall be cleaned and
finished to the satisfaction of the Responsible Authority.

**Water Sensitive Urban Design**

8. Prior to the endorsement of plans pursuant to Condition 1, detailed plans to the satisfaction of the Responsible Authority must be submitted to and be endorsed by the Responsible Authority. The plan must be drawn to scale with dimensions and three copies must be provided. The plans must show:

   a) The type of water sensitive urban design stormwater treatment measures to be used.

   b) The location of the water sensitive urban design stormwater treatment measures in relation to buildings, sealed surfaces and landscaped areas.

   c) Design details of the water sensitive urban design stormwater treatment measures, including cross sections.

   These plans must be accompanied by a report from an industry accepted performance measurement tool which details the treatment performance achieved and demonstrates the level of compliance with the Urban Stormwater Best Practice Environmental Management Guidelines, CSIRO 1999.

9. The water sensitive urban design stormwater treatment system as shown on the endorsed plans must be retained and maintained at all times in accordance with the Urban Stormwater - Best Practice Environmental Management Guidelines, CSIRO 1999, to the satisfaction of the Responsible Authority.

**Landscaping**

10. Prior to the endorsement of plans pursuant to Condition 1, a detailed landscape plan to the satisfaction of the Responsible Authority must be submitted to and be endorsed by the Responsible Authority. The plan must be generally in accordance with the landscape concept plan drawn by Keystone Alliance Pty Ltd dated 17 April 2018 and be drawn to scale with dimensions and three copies must be provided. The plan must show:

    a) A survey including botanical names, Tree Protection Zones (TPZ’s) and Structural Root Zones (SRZ’s) 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.

    b) A planting schedule of all proposed trees and shrubs, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.

    c) Landscaping and/or planting within all areas of the site not covered by buildings or hard surfaces.

    d) Details of surface finishes of pathways and driveways.

11. Before the occupation of the development, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.

12. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.

**Tree Management and Protection Plan**

13. Prior to the endorsement of plans pursuant to Condition 1, including any related demolition or removal of vegetation, a Tree Management
Plan/Construction Impact Report prepared by a qualified Arborist in accordance with AS4970 Protection of Trees on Development Sites (2009) for all trees on neighbouring properties which have a Tree Protection Zone which extends into the subject site.

The report should demonstrate construction methods and materials proposed to ensure trees to be retained will remain viable post development to the satisfaction of the Responsible Authority which addresses (but not necessarily limited to) Trees 4, 5, 6, 7, 11, 12, 14, 15 and 16.

14. All protection measures identified in the Construction Impact Report must be implemented, and development works undertaken on the land must be undertaken in accordance with the Construction Impact Report to the satisfaction of the Responsible Authority.

15. Before the development starts, including demolition or removal of vegetation, the name and contact details of the Project Arborist responsible for preparing and implementing the Construction Impact Report must be submitted to the Responsible Authority.

16. Any pruning that is required to be done to the canopy of any tree to be retained (specify particular tree/s) is to be done by a qualified Arborist to Australian Standard – Pruning of Amenity Trees AS4373-1996. Any pruning of the root system of any tree to be retained (specify particular tree/s) is to be done by hand by a qualified Arborist.

Street tree protection

17. Prior to the endorsement of plans pursuant to Condition 1, provision of an Arboricultural Impact Assessment and a Tree Management Plan/Construction Impact Report prepared by a qualified Arborist in accordance with Australian Standard 4970-2009 Protection of Trees on Development Sites to be provided to include (but not limited to) a non-destructive root investigation to ensure Tree No. T2 remains viable post construction.

18. Before the development starts, tree protection fencing is to be established around the street trees 1, 2 and 3 marked for retention prior to demolition and maintained until all works on site are complete. The fencing is to be constructed and secured so its positioning cannot be modified by site workers. The fencing is to encompass the entire nature strip under the drip line of the tree. The Tree Protection Zone is to be established and maintained in accordance with AS 4970-2009. During construction of the crossover, tree protection fencing may be reduced to the edge of the Council approved crossover to facilitate the construction of the crossover.

Drainage

19. Before the development starts, the permit holder must apply to Council for the Legal Point of Discharge for the development from where stormwater is drained under gravity to the Council network.

20. Before the development, detailed plans indicating, but not limited to, the method of stormwater discharge to the nominated Legal Point of Discharge (and On-Site Detention System where applicable) must be submitted to and approved by Council’s City Assets and Projects Department.

Development Contribution

21. Prior to endorsement of the plan/s required under Condition 1 of this permit, the permit holder must pay a drainage levy in accordance with the amount specified under the Bayside Drainage Development Contributions Plan. The
levy amount payable will be adjusted to include the Building Price Index applicable at the time of payment.

The levy payment shall be submitted to Council with the Bayside Drainage Development Levy Charge Sheet and it must include the Building Price Index applicable at the time of payment.

**Permit Expiry**

22. This permit will expire if one of the following circumstances applies:

   a) The development is not started within two years of the date of this permit.

   b) The development is not completed within four years of the date of this permit.

In accordance with Section 69 of the Planning and Environment Act 1987, a request may be submitted to the Responsible Authority within the prescribed timeframes for an extension of the periods referred to in this condition.

**Permit Notes:**

- This permit does not constitute any authority to carry out any building works or occupy the building or part of the building unless all relevant building permits are obtained.

- A permit must be obtained from Council for all vehicular crossings. These must be constructed under Council's supervision for which 24 hours' notice is required.

- Construction of any fence / wall / letterbox structures may necessitate removal / damage of some sections of footpath. If this is the case, a ‘Road Opening Permit’ must be obtained to facilitate such work.

- A ‘Road Opening / Stormwater Tapping Permit’ is to be obtained from the Infrastructure Department prior to the commencement of the connection to the Council Drain / kerb / channel.

5. **Council Policy**

**Council Plan 2017-2021**

Relevant objectives of the Council plan include:

- Where neighbourhood character, streetscapes and heritage is respected and enhanced, and the community has a strong connection to place.

- Where development contributes to a high visual amenity, is ecologically sustainable, demonstrates high quality compliant design, and responds to the streetscape and neighbourhood context.

- Where a range of housing types is provided to accommodate the changing needs of the community, enabling people to age in place and providing opportunities for young adults and families to live and remain in the municipality.

Relevant strategies of the Council plan include:

- Make discretionary planning controls stronger, by advocating for Council’s planning and urban design objectives to state government.

**Bayside Planning Scheme**

- Clause 11 Settlement
- Clause 12 Environmental and Landscape Values
6. Considerations

In considering this application, regard has been given to the State and Local Planning Policy Frameworks, the provisions of the Bayside Planning Scheme, objections received and the individual merits of the application.

6.1. Neighbourhood character

The site is located within Neighbourhood Character Precinct B5. The proposal is considered to demonstrate an appropriate level of compliance with the preferred future character statement and precinct guidelines as contained in Attachment 3.

The surrounding area contains a mix of dwelling styles, with a variety of single and double storey buildings and some multi-unit development ranging between 2 and 3 dwellings on a lot. The area does not represent one particular housing type but is gradually being developed with newer housing stock with a tendency towards larger building footprints. The unifying factor within the streetscape are the *Platanus x acerifolia* street trees which are reminiscent of streetscapes found within the more established suburbs of Melbourne.

It is noted that the immediate context predominantly includes single dwellings with double storey forms of varying architectural styles. It is considered that the proposed development achieves an acceptable design response to the prevailing and preferred neighbourhood character, aligning with the objectives outlined in Precinct B5 by restricting the scale of the building to a modest double height and featuring a contemporary architectural style which reduces visual bulk and massing impacts to the street and adjoining neighbours. The dwellings themselves are appropriately modulated and incorporate separation between the adjoining dwelling along the southern boundary at the ground floor level, providing a genuine visual separation. The proposal provides for an appropriate opportunity for canopy tree planting to reflect the detached grain of the immediate streetscape and the garden setting within side and rear setbacks.

The building envelopes, with recessive and articulated first floor elements, with appropriate side and rear setbacks, are considered acceptable and do not rely on walls constructed on boundaries, except for minimal areas along the angled boundaries, particularly to the rear of the site, along the southern boundary. Further, the visually interesting façade treatments facing Clonaig Street feature good levels of articulation and materials that respect the surrounding built form detail.
As varied as the architectural expression is within the street, so too are the fencing styles both in terms of heights and finishes ranging from high solid fencing to low and visually permeable fences.

The scale and mass of the proposed development is considered to be similar to the scale and mass of existing development in the immediate context. It is clearly evident that new development is emerging within the area. Whilst the proposal is for three (3) dwellings within a two storey development, the building has been designed to only have one of the three dwellings, facing the streetscape, to mimic the dominant single dwelling presentation to the streetscape. The width and proportion of the built form is reflective of the grain size of the pattern of the streetscape, particularly through the utilisation of side setbacks and further articulation gained from the offsets at the first floor level to provide visual interest when viewed from the streetscape.

The heights and setbacks proposed will result in a built form which will not be overbearing upon other buildings in the streetscape. On balance, the proposed built form is well articulated and that the proposed building height and side setbacks are appropriate to the site context. The positioning of the built form along the middle of the subject site has resulted in a built form which will sit comfortably within its context.

The fenestration detailing is extensive and provides for an interesting façade that is well proportioned and respectful of the existing streetscape rhythm. The setbacks from the side boundaries, particularly at first floor, are reflective of the building pattern within the street and assist to reduce the visual mass when viewed from the streetscape and adjoining properties. The tapering shape of the allotment ensures that the built form steps away from the neighbouring allotments.

Materials and finishes evident within the character area have also been utilised in this proposal by the use of light grey render finishes throughout the development, reducing the visual prominence of the development and increasing the visual impact of the landscaping proposed to be used within the garden areas, peripheral areas of the site and the planter boxes within the building itself. A condition has been included requiring the use of either two different colours or tones of the same colour are introduced along the south elevation in order to minimise the perception of bulk to the neighbouring property located at 14 Clonaig Street.

Roof forms of dwellings within the street are generally hipped or pitched tiled roofs, with the use of flat roof forms utilised in new contemporary development emerging in the area, including the development at No. 38 and 40 Clonaig Street. The use of a flat roof form assists to reduce the visual presence of the built form and potential visual bulk when viewed from the street and adjoining properties.

The front setbacks of the streetscape recognise a general pattern of approximately 7.63m to approximately 9 metres on the eastern side of the street whilst much smaller setbacks are evident to properties located on the western side of Clonaig Street. A front setback of 7.095 is proposed at the extreme most edge of the living room wall, in lieu of the required setback of 9 metres. The objective found at Clause 55.03-1 (street setback objective) states that buildings must respect either the existing or preferred neighbourhood character and make efficient use of the site. Although the proposed development fails on the numerical grounds set out under the Standard of Clause 55.03-1, it is considered that the broader objective is met.

Due to the orientation of the site, the private open spaces will be primarily located on the northern and eastern sides of the building. This is considered to be reasonable given that it will allow northern solar access to these areas of secluded private open space areas. The setbacks will also allow for appropriate landscaping throughout the site, which will not only provide screening to the proposed building but reflective of an integral character of the area.
The use of a single crossover for each dwelling fronting the street is a common feature of the neighbourhood character. Only one crossover is proposed, this conforms with the single crossover per dwelling character of the area. Importantly, the design allows the retention of the substantial street tree.

Fencing styles in the street are varied in both height and style, in line with the varied styles of dwellings and include semitransparent fences as well as solid fences. It is considered that the rendered fence is reflective of the area and will sit comfortably within the streetscape.

6.2. Compliance with Clause 55 (ResCode)

An assessment against the requirements of Clause 55 is provided at Attachment 4. Those non-compliant standards are discussed below:

Street setback (Standard B6)

<table>
<thead>
<tr>
<th></th>
<th>Required</th>
<th>Proposed</th>
<th>Variation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clonaig Street</td>
<td>9m</td>
<td>7.095m</td>
<td>1.905m</td>
</tr>
</tbody>
</table>

The objective of the street setback is to ensure the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of a site. A street setback from Clonaig Street of 7.095m is proposed, when a setback of 9 metres is required to achieve this standard.

The area of non-compliant setback largely derives from the highly irregular shaped allotment and in particular the angled nature of the street alignment. It should be noted that the area of non-compliance relates only to one part of the living room wall, leaving the net balance of the elevation either compliant or far exceeding the required setback of 9 metres. On balance, it is considered that the proposed variable setback which ranges between 7.095 metres to 12.533 metres is acceptable and will give the appearance of providing a transition between the dwellings located on either side of the development site, providing a respectful interface to the streetscape. Additionally, the development makes efficient use of the site as the building mass has been centrally located to the subject site with good circulation around the built form and minimal reliance of constructing on the boundary. A sufficiently sized front garden is proposed which will be able to the planting of substantial vegetation such as, canopied trees and also the incorporation of smaller planting around the peripheral areas which will contribute to the valued garden characteristics evident within the street.

The non-compliance with Standard B6 is largely justified taking into consideration the varied front setbacks found within Clonaig Street. Further, it should be noted that the area of non-compliance only relates to a 4 metre length of the living room wall. Taking into consideration the irregular shape of the subject allotment, the proposal does make effective use of the site and will sit comfortably between the Dwellings located at No 19 Clonaig Street and No 14 Clonaig Street which have setbacks of 7.63 metres and 9.15 metres at the closest point to the street alignment. The majority of the elevation in fact exceeds the numerical requirement described under standard B6. On balance, it is considered that the form of the development is appropriately setback away from the street alignment and not present as an unreasonable mass to the street. The proposed front setback reflects the pattern in the street, makes efficient use of an irregular site and is respectful of the existing neighbourhood character.

On balance, the proposal is respectful of the existing neighbourhood character and will make efficient use of an irregularly shaped allotment.
Side and rear setbacks (Standard B17)

<table>
<thead>
<tr>
<th></th>
<th>Ground floor</th>
<th></th>
<th>First Floor</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Requirement</td>
<td>Proposed</td>
<td>Requirement</td>
<td>Proposed</td>
<td></td>
</tr>
<tr>
<td>North (side)</td>
<td>0m or 2m</td>
<td>0m, 1.29m, 2m, 0.2-0.4m</td>
<td>3.32m</td>
<td>3.1m</td>
</tr>
<tr>
<td></td>
<td></td>
<td>All other setbacks</td>
<td>3.5m – 4.38m</td>
<td>4.934m-6.053m</td>
</tr>
<tr>
<td></td>
<td></td>
<td>are in excess of</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>2m.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>South (side)</td>
<td>0m or 2m</td>
<td>0m - (variable</td>
<td>3.08m – 4.38m</td>
<td>3.32m - 6.592m</td>
</tr>
<tr>
<td></td>
<td></td>
<td>setbacks)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>East (rear)</td>
<td>0m or 3m</td>
<td>4.1m – 11.822m</td>
<td>4.14m (Bedroom 2) - 4.32m (Study)</td>
<td>4.818m (Bedroom 2) – 6.968m (Study)</td>
</tr>
</tbody>
</table>

There are two minor areas of non-compliance with regard to the development at ground floor level on the north side. These relate to the ensuite/guest wall of the first dwelling addressing the street and laundry wall belonging to the last dwelling. The non-compliance arises due to the irregular shape of the subject site and alignment of the dwelling with the southern boundary, which ensures most effective use of the subject site.

The objective of the standard is to ensure the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.

In both instances, the area of non-compliance is quite minimal, relating to only one part of each wall. An average wall height of 3.55 metres is proposed for the guest/ensuite room and is largely derived from the fall of the land. It is located in proximity to the side setback area belonging to the land at 18 Clonaig Street. This section of wall will abut a carport and brick boundary wall therefore resulting in minimal impact to the abutting property. A condition is imposed however to provide a minimum 1 metre setback along this boundary for the guest bedroom, ensuite and powder windows to achieve compliance with building regulation fire rating.

The laundry wall of the third dwelling sits 2.689 metres above the natural ground line and is located in proximity to the private open space area on the adjoining land at 18 Clonaig Street. The section of wall will be marginally visible over the common boundary fence, due to the site cut, and is considered that it will not result in any undue amenity impacts.

At first floor level, there is a small area of non-compliance of 0.22m on the northern corner of the master bedroom for the front dwelling. This relates to the section of wall adjacent to the planter box on the front elevation. As the northern boundary then splays out away from the built form, the remainder of the elevation is compliant. This minor encroachment is adjacent to the driveway of the dwelling to the north and will not have any adverse impact.

On balance, the elevations in their entirety are well articulated and provide a high degree of visual interest when viewed from the adjoining property. The employment of the recessive breaks within the built form will create a depth of light and shade and visually activate the presentation of the built form, and therefore considered reasonable.

It is further noted that the proposed landscaping within both setbacks (and throughout the site) will contribute to softening the built form when viewed from the adjoining properties to the north and south.
Walls on boundaries (Standard B18)

The objective of Standard B18 seeks to ensure that the location, length and height of walls on a boundary respects the existing or preferred neighbourhood character and limits amenity impacts to adjoining dwellings.

Although the location and length of walls is respectful of the existing neighbourhood character, the proposed average wall height of 3.55 metres along the northern boundary in relation to the guest bedroom is considered excessive and inappropriate taking into consideration the interface of the wall against the side boundary of the adjoining Dwelling at 18 Clonaig Street. A condition should be included in any permit issued requiring that the wall height is reduced to meet the required average wall height of 3.2 metres. This will assist in reducing visual bulk to the adjoining dwelling to the north.

Front Fences (Standard B32)

<table>
<thead>
<tr>
<th>Clonaig Street</th>
<th>Required</th>
<th>Proposed</th>
<th>Variation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.2m</td>
<td>1.9m</td>
<td>700 mm</td>
<td></td>
</tr>
</tbody>
</table>

A 1.9 metre high rendered front fence with a metal pickett finish is proposed to the front boundary of the site on Clonaig Street. Pursuant to Standard B32, a front fence to a maximum of 1.2 metres in height is preferred. The objective of this standard is to encourage front fence design that respects the existing or preferred neighbourhood character.

Front fences within the immediate area vary in their style and generally exceed 1.2 metres in height. The proposed front fence will sit comfortably between the 0.8 metre high front fence to the north of the site and the 1.8 metre high front fence located at 18 Clonaig Street. It should be noted that the front fence provides for transparency and does not run along the entire length of the front boundary but terminates at the driveway point, ensuring a good connection between the public and private realm. The landscaping beds situated in front of the fence will reduce the perception of the solidity of the high front fence and will contribute positively to the valued garden characteristics of the area.

Additionally, the fence is highly articulated with one section located approximately 1.5 metres away from the street alignment whilst the second part of the fence is recessed further to eliminate the perception of an enclosed presentation to the streetscape. An improved contextual response could be achieved if the proposed fence were reduced to a maximum height of 1.8 metres to match the height of the adjoining fence to the south, at 14 Clonaig Street. A condition has been included in the recommendation requiring this minor reduction to the height of the front fence.

6.3. Landscaping

Council’s Arborist has advised that the existing vegetation on the subject site has a low amenity value and is not protected by any Local Law. There is no objection to removing on-site vegetation provided it is replaced with appropriate canopy tree planting in accordance with the Bayside Landscape Design Guidelines (2016).

There is a level of concern however that the proposed works may potentially adversely impact trees located on the adjacent land to the north, east and the south of the subject site. As a result, a condition is included in the recommendation requiring the provision of a Construction Impact Report and Tree Protection and Management Plan to ensure the post construction viability of those trees.

6.4. Street tree

The Plane Tree otherwise known as a *Platanus x acerfolia* noted as Tree No. T2 is located within the nature strip and is proposed for retention. Council’s Street Tree Arborist has advised that retention of the tree is possible subject to the inclusion of
conditions requiring the submission of an Arboricultural Impact Assessment demonstrating how the tree will be managed and its viability ensured for the duration of the entire construction process. This has been included as a condition in the recommendation.

6.5. Car parking and traffic

Pursuant to the car parking requirements at Clause 52.06, the proposal requires car parking to be provided at a rate of 2 car spaces per dwellings. This has been provided by way of a basement car park which is to be accessed via an updated crossover located to the north of the site. It is proposed to remove the existing crossover located to the south of the subject site.

The application was referred to Council’s Traffic Engineer who expressed no concern with the development subject to the inclusion of permit conditions relating to vehicle access, driveway gradients, sightlines and internal parking dimensions. These are included as conditions of the permit.

Whilst it is acknowledged that the development will generate some additional vehicle movements on the local road network, it is not considered that such additional movements would necessarily result in detriment to the road users and residents of Clonaig Street.

The proposal has been reviewed by Council’s Traffic Engineer who is satisfied that the site can accommodate the traffic numbers generated by the development in a safe manner without leading to unreasonable congestion across the area.

6.6. Cultural Heritage management plan

The site is located within an area of cultural heritage sensitivity, therefore an assessment as to whether the proposal is considered a high impact activity has been undertaken. Based on the Aboriginal heritage planning tool questionnaire, a cultural heritage management is not required.

6.7. Development contributions levy

The subject site is located within catchment area 4B.

Based on the proposed application and the below recommendation, a payment of $4040 is required. The payment of the development contributions is included as a condition of permit.

6.8. Objector issues not already addressed

Overshadowing

The submitted shadow diagrams comply with the requirements of Clause 55 (ResCode). At least 75% or 40m² with a minimum dimension of 3.0m of the secluded private open space located on adjacent land will receive a minimum of five hours of sunlight between 9:00am and 3:00pm on 22 September (September Equinox). The shadow diagrams submitted by the applicant have been checked. Shadows cast by the development will be largely contained within the development site itself or within the shadow cast by the common boundary fencing in addition to locating the development well below the natural ground level within the rear part of the site.

Density

The objectors have raised concern with the fundamental nature of the application, seeking to introduce three dwellings within a streetscape which contains mostly single dwellings and the follow on effects with particular regard to the individual traffic impacts and demands associated with each dwelling. In the absence of a planning mechanism which would prohibit or restrict the development of three dwellings, is a matter for Council’s consideration based on the merits of this particular planning application and its compliance with the relevant planning controls.
Density of the development is determined from a quantitative assessment of a development’s compliance with a series of criteria set out in the Bayside Planning Scheme. This includes an assessment of the design’s ability to provide for the amenity of future residents, protect the amenity of existing residents and respond to the attributes and constraints of the site. It should also be noted that there are not any covenants which apply to the site which would restrict the number of dwellings allowed to be constructed at the subject site.

**Noise impacts**

Concerns have been raised with regard to unreasonable noise impacts emanating from the proposed dwellings. The level and type of noise expected to be generated by the development is expected to be of a type and to a level which is normally associated with a residential use. Residential noise associated with a dwelling is considered normal and reasonable in a suburban setting.

**Overdevelopment**

The proposal satisfies the substantive requirements of Clause 55 in respect to site coverage, setbacks, permeability, car parking, and open space provision and therefore the proposal is not considered to be an over development of the site.

Overdevelopment is a commonly used expression to dismiss development proposals which seek to remove existing buildings and to introduce significant new built form into particular neighbourhoods. An assessment against State and Local planning policies and the provisions of Clause 55 can often demonstrate that a proposal is not an overdevelopment despite being more intensive than what existed before.

**Property values**

The Victorian Civil and Administrative Tribunal has consistently found that property values are speculative and not a planning matter. Fluctuations in property prices are not a relevant consideration in assessing an application under the provisions of the *Planning & Environment Act 1987* or the Bayside Planning Scheme.

---

**Support Attachments**

1. Development Plans
2. Site Surrounds and Images
3. Neighbourhood Character Assessment
4. Clause 55 Assessment
Item 4.2 – Matters of Decision
Item 4.2 – Matters of Decision
Item 4.2 – Matters of Decision
Item 4.2 – Matters of Decision
ATTACHMENT 1
Site and Surrounds

Figure 1. Aerial overview of the site and surrounds

<table>
<thead>
<tr>
<th>Legend</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Subject site</td>
<td>⭐️</td>
</tr>
<tr>
<td>Objector(s)</td>
<td>🍋</td>
</tr>
</tbody>
</table>

Figure 2. View of subject site as seen from Clonaig Street
Figure 3. 14 Clonaig Street

Figure 4. 18 Clonaig Street
ATTACHMENT 3
Neighbourhood Character Policy (Precinct B5)

Preferred Future Character Statement

The area retains a predominance of pre WW2 dwellings, and in Meyer Crt, 1950s brick dwellings. The new pitched roof dwellings sit within established, largely exotic gardens and respect the older dwellings while not replicating these styles. Dwellings are well articulated in plan and elevation, use simple detailing and contain a variety of materials within the front façade. They are also low in scale and do not dominate the streetscape. Space for the planting of vegetation is provided in front yards by the provision of generous front and side setbacks and locating car ports and garages behind the line of the dwelling. Fences are open in style and appropriate to the era of the dwelling. In Meyer Crt front fences are not provided.

Downes Avenue and Meyer Court are areas of significant neighbourhood character.

Precinct Guidelines

<table>
<thead>
<tr>
<th>Objectives</th>
<th>Design Responses</th>
<th>Avoid</th>
<th>Planning Officer Assessment</th>
</tr>
</thead>
</table>
| To encourage the retention of dwellings that contribute to the valued character of the Precinct in the design of development proposals. | • Attempt to retain wherever possible intact and good condition dwellings that contribute to the valued character of the Precinct in designing new development.  
• Alterations and extensions should retain the front of these dwellings and be appropriate to the building era. | • Demolition of dwellings that contribute to the valued character of the Precinct. | Responds  
The existing dwelling does not have a heritage overlay or a neighbourhood character overlay which may have otherwise required retention of at least a part of the existing dwelling, which appears to be the original dwelling constructed at the site.  
The proposed building is of a contemporary design and is satisfactorily articulated through the use of a combination of recessed areas and projecting elements.  
The proposal presents with a high level of fenestration detailing and the form is simple and balanced. This combination provides visual interest and breaks up the built form. The design incorporates flat roof forms and the reduced natural ground line will reduce any visual bulk issues which could be associated with a form which occupies much |

Item 4.2 – Matters of Decision  
Page 84 of 357
<table>
<thead>
<tr>
<th>Objectives</th>
<th>Design Responses</th>
<th>Avoid</th>
<th>Planning Officer Assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td>To maintain and enhance the garden settings of the dwellings.</td>
<td>• Prepare a landscape plan to accompany all applications for new dwellings that includes substantial trees and shrubs.</td>
<td>• Lack of landscaping and substantial vegetation.</td>
<td>Responds</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>The proposed development will consist of a double storey building which has been setback as much as practicable from all title boundaries to ensure visual separation and to minimise any off-site impacts to adjoining neighbours. The building has been setback away from the south side, mimicking the predominant single dwelling presentation pattern of development. A landscape plan has been provided demonstrating the integrated approach of the built form with regard to the landscaping vision for the development. The development allows for appropriate levels of landscaping to be incorporated within the front setback, along the side areas and to the rear of the site, with appropriate consideration given to the planting of canopied trees particularly within the front setback.</td>
</tr>
<tr>
<td>To provide adequate space for front gardens.</td>
<td>• Buildings should be sited to allow space for the planting of trees and shrubs.</td>
<td>• Loss of front garden space.</td>
<td>Responds</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>The extent of the front yard space is not dissimilar in terms of area when compared to front gardens on adjoining sites despite the non-compliance with the numerical aspect of Standard B6 (Front setback). The built form has been sited to reduce the</td>
</tr>
<tr>
<td>Objectives</td>
<td>Design Responses</td>
<td>Avoid</td>
<td>Planning Officer Assessment</td>
</tr>
<tr>
<td>------------</td>
<td>------------------</td>
<td>-------</td>
<td>-----------------------------</td>
</tr>
<tr>
<td>To maintain the rhythm of spacios visual separation between buildings.</td>
<td>Buildings should be sited to create the appearance of space between buildings and accommodate substantial vegetation.</td>
<td>Responds</td>
<td></td>
</tr>
</tbody>
</table>

visual impacts which can be associated with forms which run along the site as is the case with this particular development. Nonetheless, there is ample opportunity to incorporate landscaping within the front, rear and along most aspects of the side boundaries which will assist in softening the impact of the built form when viewed from the street and the side and rear elevations. On balance, the proposal provides for adequate garden areas including within the front area, facing the street. The canopyed trees located behind the front fence as well as the smaller sized tree and low lying vegetation will ensure that the valued garden characteristics will continue to be maintained within the streetscape.
<table>
<thead>
<tr>
<th>Objectives</th>
<th>Design Responses</th>
<th>Avoid</th>
<th>Planning Officer Assessment</th>
</tr>
</thead>
</table>
| - To minimise the loss of front garden spaces and the dominance of car parking structures. | - Locate garages and carports behind the line of the dwelling.  
- Provide only one single width driveway crossover per typical site frontage.  
- Minimise paving in front garden areas including driveways. | - Car parking structures that dominate the façade or view of the dwelling  
- Front setbacks dominated by impervious surfaces. | discussed, a landscaping plan has been provided demonstrating adequate areas within which to plant trees of varying sizes, formal garden beds and low lying plant species. |
| - To ensure that buildings and extensions do not visually dominate the streetscape. | - Recess upper level elements from the front façade. | Responds | All parking is proposed to be located at basement level and therefore will have a minimal outward presentation to the streetscape. The first floor component of the first dwelling has been deliberately brought forward over the basement carpark to further reduce the visual impact associated with the garage door over the basement.  
A single width crossover is proposed in accordance with the dominant pattern found within Clonag Street. |

Item 4.2 – Matters of Decision
<table>
<thead>
<tr>
<th>Objectives</th>
<th>Design Responses</th>
<th>Avoid</th>
<th>Planning Officer Assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td>To encourage modern and contemporary architectural responses to surrounding dominant building forms.</td>
<td>Adopt, adapt or reinterpret existing building forms (e.g., Façade proportions and articulation, roof forms and plan forms) without copying period design details.</td>
<td>Reproduction of historic building styles.</td>
<td>Responds The proposed developments architecture is considered to be contemporary. The proposed development responds to the surrounding emerging and preferred building form.</td>
</tr>
<tr>
<td>To respect the identified heritage qualities of adjoining buildings.</td>
<td>Where adjoining an identified heritage building, respect the height, building forms, siting and materials of the heritage building/s in the new building design.</td>
<td>Buildings that dominate heritage buildings by height, siting or building massing.</td>
<td>N/A The proposed development does not adjoin an identified heritage building.</td>
</tr>
<tr>
<td>To use a variety of building materials and finishes that reflect those in the streetscape.</td>
<td>Incorporate a variety of building materials such as brick, render, timber and non-masonry into the building design.</td>
<td>Exclusive use of one material on external wall surfaces.</td>
<td>Period reproduction detailing. The proposed development achieves its articulation predominantly as it is setback appropriately away from the title boundary and traverses along the central area of the site.</td>
</tr>
<tr>
<td>Objectives</td>
<td>Design Responses</td>
<td>Avoid</td>
<td>Planning Officer Assessment</td>
</tr>
<tr>
<td>------------</td>
<td>------------------</td>
<td>-------</td>
<td>----------------------------</td>
</tr>
<tr>
<td>• Use simple building details.</td>
<td></td>
<td></td>
<td>The form is simple in its detailing, appropriately proportioned and will present in a minimal manner. The light grey coloured render is considered to compliment the streetscape of Clonaig Street and will present in a neutral manner, providing a good backdrop for the landscaping elements. The use of the single colour is considered inappropriate along the southern elevation which has the least amount of articulation and as such, a condition has been included requiring the introduction of either an additional colour or a use of a different tone of the same colour to provide additional articulation along that elevation.</td>
</tr>
<tr>
<td>• To maintain the openness of the streetscape.</td>
<td>• Provide open style front fences, other than along heavily trafficked roads. • Front fence style should be appropriate to the building era.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• High, solid front fencing.</td>
<td>Responds</td>
<td>Fencing within the immediate vicinity of the site is generally of the solid brick variety and exceeds 1.2m in height. The proposed fencing is made up of two sections which are offset against each other and also the street alignment creating an opportunity for the landscaping component to soften the impacts which can be associated with a high solid fence. The use of the light grey render will also ensure that the trees and lower lying vegetation will provide a greater...</td>
</tr>
<tr>
<td>Objectives</td>
<td>Design Responses</td>
<td>Avoid</td>
<td>Planning Officer Assessment</td>
</tr>
<tr>
<td>------------</td>
<td>------------------</td>
<td>-------</td>
<td>-----------------------------</td>
</tr>
<tr>
<td>colour impact and visually make the garden areas stand out more. The design of the fencing is considered appropriate and will integrate well within the streetscape. However an overall height of 1.9 metres is considered somewhat excessive, taking into account that the neighbouring fence to the south is 1.8 metres high and as such, a condition has therefore included in the recommendation requiring the height to be reduced to 1.6m in keeping with the neighbouring fence</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### ResCode (Clause 55) Assessment

<table>
<thead>
<tr>
<th>Title and Objective</th>
<th>Complies with Standard?</th>
<th>Comments</th>
</tr>
</thead>
</table>
| **B1 Neighbourhood Character**                | Complies                | Refer to Attachment 3 for further discussion.  
The development will contribute to the preferred neighbourhood character of the street and wider surrounds. |
| Design respects existing neighbourhood character or contributes to a preferred neighbourhood character.  
Development responds to features of the site and surrounding area. |                         |                                                                          |
| **B2 Residential Policy**                     | Complies                | The subject site is appropriately located with regard to services and facilities to support the construction of multiple dwellings on a lot of this size. |
| Residential development is consistent with housing policies in the SPPF, LPPF including the MSS and local planning policies.  
Support medium densities in areas to take advantage of public transport and community infrastructure and services. |                         |                                                                          |
| **B3 Dwelling Diversity**                     | N/A                     |                                                                          |
| Encourages a range of dwelling sizes and types in developments of ten or more dwellings. |                         |                                                                          |
| **B4 Infrastructure**                         | Complies                | The proposal will make use of existing infrastructure servicing the site. The developer will be responsible for upgrading this infrastructure if necessary to accommodate the development.  
The developer will be required to pay a development contributions levy in accordance with the requirements of Clause 45.06 of the Bayside Planning Scheme. |
| Provides appropriate utility services and infrastructure without overloading the capacity. |                         |                                                                          |
| **B5 Integration with the Street**            | Complies                | The development would integrate appropriately with the street. Notably, the development will predominantly present as a single dwelling when viewed from the streetscape.  
The multi-unit nature of the development is revealed through the use of signifiers which includes elements such as letterboxes, large pedestrian gate to the south of the site, expressed pavers and indented front porches in front of each dwelling and use of low level lighting along the pedestrian pathways. |
<p>| Integrate the layout of development with the street |                         |                                                                          |
| <strong>B6 Street Setback</strong>                         | Non-compliant           | Requirement: 9m                                                          |
|                                                                                         |                         |                                                                          |</p>
<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.2</td>
<td><strong>Matters of Decision</strong></td>
<td></td>
</tr>
<tr>
<td><strong>B7 Building Height</strong></td>
<td>Building height should respect the existing or preferred neighbourhood character.</td>
<td>Complies</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>B8 Site Coverage</strong></td>
<td>Site coverage should respect the existing or preferred neighbourhood character and respond to the features of the site.</td>
<td>Complies</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>B9 Permeability</strong></td>
<td>Reduce the impact of stormwater run-off on the drainage system and facilitate on-site stormwater infiltration.</td>
<td>Complies</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>B10 Energy Efficiency</strong></td>
<td>Achieve and protect energy efficient dwellings and residential buildings. Ensure orientation and layout reduces fossil fuel energy use and makes appropriate use of daylight and solar energy.</td>
<td>Complies</td>
</tr>
<tr>
<td><strong>B11 Open Space</strong></td>
<td>Integrate layout of development with any public and communal open space provided in or adjacent to the development.</td>
<td>N/A</td>
</tr>
<tr>
<td><strong>B12 Safety</strong></td>
<td>Layout to provide safety and security for residents and property.</td>
<td>Complies</td>
</tr>
</tbody>
</table>
| **B13 Landscaping** | To provide appropriate landscaping. To encourage:  
- Development that respects the landscape character of the neighbourhood.  
- Development that maintains and enhances habitat for plants and animals in locations of habitat importance. | Complies subject to conditions | The siting of the development is generally considered to be appropriate to create opportunities for meaningful landscaping. The site does not contain any trees which are considered to be significant and trees on the adjoining land. Additional conditions of permit would require an amended landscape plan and tree protection measures to be submitted to the satisfaction of the Responsible Authority. |
- The retention of mature vegetation on the site.
  
**B14 Access**
Ensure the safe, manageable and convenient vehicle access to and from the development.
Ensure the number and design of vehicle crossovers respects neighbourhood character.

| Complies |

**B15 Parking Location**
Provide resident and visitor vehicles with convenient parking.
Avoid parking and traffic difficulties in the development and the neighbourhood.
Protect residents from vehicular noise within developments.

| Complies |

**B17 Side and Rear Setbacks**
Ensure the height and setback respects the existing or preferred neighbourhood character and limits the amenity impacts on existing dwellings.

| Does Not Comply |

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Proposed</th>
<th>Requirement</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>North (side)</td>
<td>0m or 2m</td>
<td>1.29 metres (Guest/Ensuite/Powder Room) 200mm-600mm (Laundry)</td>
<td>3.32m 3.5m – 4.38m</td>
</tr>
<tr>
<td>East (rear)</td>
<td>0m or 3m</td>
<td>4.1m – 11.822m</td>
<td>4.14m (Bedroom 2) - 4.32m (Study)</td>
</tr>
<tr>
<td>South (side)</td>
<td>0m or 2m</td>
<td>0m– 3.98m (variable setbacks)</td>
<td>3.08m – 4.38m</td>
</tr>
</tbody>
</table>

On site car parking is provided within a basement which provides for secure and convenient parking. Council’s Traffic Engineer has viewed the proposal and has not raised any concerns subject to the inclusion of conditions.

Refer to the report for further discussion.

Areas of non-compliance are underlined.

Refer to the report for further discussion.
| Item 4.2 – Matters of Decision | Page 94 of 357 |

| B18 Walls on Boundaries | Complies subject to conditions | With regard to walls on boundaries, all walls meet the length and maximum height criteria of this standard. However, the average height criteria, of 3.2m, is exceeded as specified below: Northern boundary Guest: average height of 3.6m Refer to the report for further discussion. |

| B19 Daylight to Existing Windows | Complies | The dwellings are appropriately setback from property boundaries to ensure daylight to existing windows on the adjoining properties are not compromised. |

| B20 North Facing Windows | Complies | The development is in excess of 3.6 metres away from the proposal and complies with the numerical requirement expressed under this standard. |

| B21 Overshadowing Open Space | Complies | All surrounding properties will retain acceptable levels of sunlight to their secluded private open space. It is noted that Bay Road is to the south of the development. |

| B22 Overlooking | Complies subject to conditions | All habitable room windows have been screened to a minimum height 1.7 metres above finished floor level or have been sited appropriately in accordance with this Standard. |

| B23 Internal Views | Complies | As noted above, all habitable room windows have or will be screened to a minimum height 1.7 metres or have been sited appropriately in accordance with this Standard. |

| B24 Noise Impacts | Complies | It is anticipated that the level of noise which will be emitted from the dwellings will not exceed levels otherwise expected or normally associated with a residential use. |

<p>| B25 Accessibility | Complies | The dwellings are provided with level accesses and have bedrooms, along with all essential amenities, at ground floor level. In addition, the development could be further retrofitted to accommodate people with limited mobility in the future if required. |</p>
<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>Complies</th>
<th>Decision</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>B26 Dwelling Entry</strong></td>
<td>Provide a sense of identity to each dwelling/residential building.</td>
<td>Complies</td>
<td>The development fronts the street and includes a clearly identifiable entry. The entry provides shelter, a sense of personal address and a transitional space around the building entry.</td>
</tr>
<tr>
<td><strong>B27 Daylight to New Windows</strong></td>
<td>Allow adequate daylight into new habitable room windows.</td>
<td>Complies</td>
<td>All habitable windows will open out onto a space clear to the sky.</td>
</tr>
<tr>
<td><strong>B28 Private Open Space</strong></td>
<td>Provide reasonable recreation and service needs of residents by adequate private open space.</td>
<td>Complies</td>
<td><strong>Minimum:</strong> 40m² of total private open space; with a minimum of 25m² to be secluded private open space, with a minimum dimension of 3m and convenient access from a living room. <strong>Proposed:</strong> All of the dwellings meet the requirements of this standard and are provided with adequate private open space.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Total Private Open Space</th>
<th>Secluded Private Open Space</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dwelling 16</td>
<td>66.56m²</td>
<td>29.7m²</td>
</tr>
<tr>
<td>Dwelling 16A</td>
<td>63.85m²</td>
<td>62.85m²</td>
</tr>
<tr>
<td>Dwelling 16B</td>
<td>174m²</td>
<td>174m²</td>
</tr>
</tbody>
</table>

<p>| <strong>B29 Solar Access to Open Space</strong> | Allow solar access into the secluded private open space of new dwellings/buildings. | Complies | The bulk of the secluded private open space for both dwellings would be north facing. |
| <strong>B30 Storage</strong> | Provide adequate storage facilities for each dwelling. | Complies, subject to condition | Both dwellings have sufficient space to accommodate appropriate storage; this has been included as a permit condition. |
| <strong>B31 Design Detail</strong> | Encourage design detail that respects the existing or preferred neighbourhood character. | Complies | Refer to Attachment 3 and the report for further discussion. |
| <strong>B32 Front Fences</strong> | Encourage front fence design that respects the existing or preferred neighbourhood character. | Non-Compliant | Maximum: 1.2m  Proposed: 1.9m  See report |
| <strong>B33 Common Property</strong> | Ensure car parking, access areas and other communal open space is practical, attractive and easily maintained. Avoid future management difficulties in common ownership areas. | Complies | Public and private areas are clearly delineated as are communal areas within the development. The amount of common areas is clearly defined and identifiable. |</p>
<table>
<thead>
<tr>
<th><strong>B34 Site Services</strong></th>
<th>Complies</th>
<th>All appropriate site services can be easily catered for on-site.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ensure site services and facilities can be installed and easily maintained and are accessible, adequate and attractive.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Avoid future management difficulties in common ownership areas.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
1. Application details

<table>
<thead>
<tr>
<th>Recommendation</th>
<th>Notice of Decision to Grant a Planning Permit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applicant</td>
<td>Fredman Malina Planning</td>
</tr>
<tr>
<td>Title/Covenant/S173 Agreement</td>
<td>The title is not subject to any restrictive covenants.</td>
</tr>
<tr>
<td>Date application received</td>
<td>16 October 2018</td>
</tr>
<tr>
<td>Current statutory days</td>
<td>32 days (as of 14 May 2019)</td>
</tr>
<tr>
<td>Zoning</td>
<td>Neighbourhood Residential Zone (Schedule 3)</td>
</tr>
<tr>
<td>Overlays</td>
<td>Development Contributions Plan Overlay(Schedule 1)</td>
</tr>
<tr>
<td></td>
<td>Design and Development Overlay (Schedule 3)</td>
</tr>
<tr>
<td></td>
<td>Special Building Overlay</td>
</tr>
<tr>
<td>Site area</td>
<td>895 square metres</td>
</tr>
<tr>
<td>Number of outstanding objections</td>
<td>Three (3)</td>
</tr>
<tr>
<td>Is a Development Contribution Levy applicable?</td>
<td>Yes - $4,040 Catchment area 4B</td>
</tr>
<tr>
<td>Is the site located within an area of cultural heritage sensitivity?</td>
<td>No.</td>
</tr>
</tbody>
</table>

Proposal

The application seeks approval for the construction of three (3) double storey attached dwellings on a lot and in the Special Building Overlay. Key details of the proposal are as follows:

- Three (3) double storey attached dwellings in a tandem arrangement along the length of the property, each containing four bedrooms.
- A maximum building height of 7.712 metres and two storeys.
- Site coverage of 50.12 percent and permeability of 35 per cent.
- Each dwelling is provided with a double car garage at ground floor level, accessed via a communal driveway located along the southern boundary of the site, with vehicle access to the site proposed via the existing crossover to the south of the Dunoon Court frontage.
- No visitor car parking is required as there is less than five (5) dwellings proposed.
- Materials and finishes including vertical timber cladding, horizontal timber cladding, rendered brickwork, matrix cladding, steel sheet cladding, aluminium frame windows, glass balustrades and timber picket fence.

The application plans are provided at Attachment 1.
An aerial image and photographs of the site and surrounds are provided at Attachment 2.

History
There is no planning permit history relevant to this application.

2. Planning controls

Planning Permit requirements
A planning permit is required pursuant to:
- Clause 32.09-6 (Neighbourhood Residential Zone) – Construction of two or more dwellings on a lot.
- Clause 44.05-2 (Special Building Overlay) – Construct a building or to construct or carry out works.

Planning Scheme Amendments
There are no Planning Scheme Amendments relevant to this application.

3. Stakeholder consultation

External referrals
The application was referred to the following authorities:

<table>
<thead>
<tr>
<th>Referral Authority</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Melbourne Water</td>
<td>No objection, subject to conditions.</td>
</tr>
</tbody>
</table>

Internal referrals
The application was referred to the following Council departments for comment:

<table>
<thead>
<tr>
<th>Internal Referral</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arborist</td>
<td>No objection, subject to conditions.</td>
</tr>
<tr>
<td>Drainage assets engineer</td>
<td>No objection, subject to conditions.</td>
</tr>
<tr>
<td>Open space arborist</td>
<td>No objection, subject to conditions.</td>
</tr>
<tr>
<td>Traffic engineer</td>
<td>No objection, subject to conditions.</td>
</tr>
</tbody>
</table>

Public notification
The application was advertised pursuant to Sections 52(1)(a) and (d) of the Planning and Environment Act 1987 and three objections were received.

Three objections remain outstanding at the time of this report.

The following concerns were raised:
- Overdevelopment of the site.
- Neighbourhood character.
- Excessive site coverage.
- Lack of landscaping.
- Increased car parking congestion.
- Increased traffic movements.

The number of objections received for this application is consistent across Council’s record management systems.
Consultation meeting

A consultation meeting was held on 25 March 2019 attended by the permit applicant and one objector (representing two objectors). As a result of this meeting no objections were withdrawn.

Section 57A amendment

In response to objector concerns raised at the consultation meeting, officer concerns and comments from referral authorities following advertising, the applicant submitted amended plans on 12 April 2019 pursuant to Section 57A of the Planning and Environment Act 1987.

The Section 57A amended plans (the decision plans) make the following changes:

- The setback of the garages to the southern boundary increased from 5.8 metres to 6.44 metres.
- The width of landscaping between southern boundary and common driveway increased from 1 metre to 1.64 metres.
- A notation that bedroom 1, bathroom 1 and the laundry on the ground floor of Dwelling 1 on the western boundary are to have raised floor on concrete stumps and bearers and to be above the natural ground level.
- The ground floor finished floor level of Dwelling 1 increased from 17.8 to 18.0.
- The ground floor finished floor level of Dwelling 2 increased from 18.0 to 18.1.
- The ground floor finished floor level of Dwelling 3 increased from 18.2 to 18.28.
- The ceiling of bedroom 2 and 3 on the first floor of Dwelling 1 dropped in height opposite to the western rear boundary.
- The first floor setbacks of Dwellings 1 and 2 to the southern boundary increased from 5.4 metres to 5.9 metres.
- The first floor setback of Dwelling 3 to the northern (eastern) boundary reduced from 3.767 metres to 3.272 metres.
- The first floor setback of Dwelling 3 from the front boundary increased from 8.55 metres to 9 metres.
- The maximum wall height of Dwelling 1 opposite the rear western boundary varied from 5.956 metres to 5.5 metres and 6.15 metres.
- The maximum height increased from 7.507 metres to 7.712 metres to accommodate the increased floor levels required by Melbourne Water.

As the Section 57A amended plans have been formally substituted within the application material, they supersede the originally submitted plans and form the application plans. For the purpose of assessment and recommendation throughout the body of this report, they are referred to as the decision plans.

This Section 57A amendment has been specifically exempted from the advertising provisions under Section 57B of the Planning and Environment Act 1987 as the amendment would not cause any additional material detriment to any person or adjoining property.
4. Recommendation

That Council resolve to issue a **Notice of Decision to Grant a Permit** under the provisions of the Bayside Planning Scheme in respect of planning application 2018/680/1 for the land known and described as **29 Dunoon Court, Brighton East** for the **construction of three (3) double storey attached dwellings in the Special Building Overlay** in accordance with the endorsed plans and subject to the following conditions from the standard conditions:

**Amended Plans**

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 generally in accordance with the amended plans prepared by DGD Architecture, referenced as SP1-SP14, dated April 2019 and revision number 3, but modified to show:

   a) Bollard lighting along the common driveway.
   b) The first floor south-facing habitable room windows screened in accordance with Standard B22 of Clause 55.04-6 of the Bayside Planning Scheme.
   c) The first floor west-facing habitable room windows of Dwelling 1 screened in accordance with Standard B22 of Clause 55.04-6 of the Bayside Planning Scheme.
   d) A minimum of 6 cubic metres of externally accessible, secure storage space to each dwelling.
   e) The garage of each dwelling with a minimum garage door width of 5.2 metres.
   f) The driveway, where it intersects with the footpath, to be 3 metres wide, with a minimum 1 metre offset from the southern property boundary.
   g) Sight lines provided where the driveway intersects with the footpath as per the diagram shown in the AS2890.1 and or Clause 52.06-9 of the Bayside Planning Scheme, to the satisfaction of the Responsible Authority.
   h) The removal and replacement of the existing vehicle crossover with a new 3 metre wide crossover, constructed with a 1 metre offset from the southern property boundary along with a 1 metre wide new separator in accordance with Council’s Vehicle Crossing Policy.
   i) The rainwater tanks as identified in the STORM report, dated 4 December 2018.
   j) A schedule of construction materials, external finishes and colours (incorporating for example paint samples).
   k) A landscaping plan in accordance with condition 10 of this permit.
   l) Provision of the development contributions fee in accordance with condition 21.
   m) Compliance with Melbourne Water’s conditions of this permit.

All to the satisfaction of the Responsible Authority.
2. The layout of the site and the size, levels, design and location of buildings and works shown on the endorsed plans must not be modified for any reason (unless the Bayside Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.

3. Before the occupation of the site commences or by such later date as is approved in writing by the Responsible Authority, all buildings and works must be carried out and completed to the satisfaction of the Responsible Authority.

4. No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the building/s without the written consent of the Responsible Authority.

5. All pipes (excluding downpipes), fixtures, fittings and vents servicing any building on the site must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.

6. Before the occupation of the site commences, screening of windows including fixed privacy screens be designed to limit overlooking as required by Standard B22 and be installed and maintained to the satisfaction of the Responsible Authority thereafter for the life of the building.

7. The walls on the boundary of the adjoining properties shall be cleaned and finished to the satisfaction of the Responsible Authority.

8. Before the occupation of the development starts, new or altered vehicle crossing(s) servicing the development must be constructed to the satisfaction of the Responsible Authority and any existing disused or redundant crossing or crossing opening must be removed and replaced with footpath/nature strip/kerb and channel, to the satisfaction of the Responsible Authority.

Water Sensitive Urban Design

9. The water sensitive urban design stormwater treatment system as shown on the endorsed plans must be retained and maintained at all times in accordance with the Urban Stormwater - Best Practice Environmental Management Guidelines, CSIRO 1999, to the satisfaction of the Responsible Authority.

Landscaping

10. Prior to the endorsement of plans pursuant to condition 1, an amended landscape plan to the satisfaction of the Responsible Authority must be submitted to and be endorsed by the Responsible Authority. The plan must be generally in accordance with the landscape concept plan drawn by John Patrick Landscape Architects, reference TP01, dated 21 November 2018, revision A and be drawn to scale with dimensions and three copies must be provided. The plan must show:

   a) A survey, including, botanical names of all existing trees to be retained on the site including Tree Protection Zones calculated in accordance with AS4970-2009.

   b) 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.

   c) A planting schedule of all proposed trees and shrubs, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.
d) Landscaping and/or planting within all areas of the site not covered by buildings or hard surfaces.

e) Details of all landscaping, water sensitive urban design elements (as applicable), surface finishes of pathways and driveways.

f) The removal of the proposed Ornamental Pear within the tree protection zone of neighbouring tree 13.

g) Detail replacement planting including:
   i. Within the private open space of each dwelling, one (1) small canopy tree species which will grow to a minimum 8 metres height at maturity.

11. Before the occupation of the development, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.

12. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.

Tree Management and Protection Plan

13. All protection measures identified in the endorsed tree management and protection plans prepared by John Patrick Landscape Architects, dated 20 November 2018 must be implemented, and development works undertaken on the land must be undertaken in accordance with the tree management and protection plans, to the satisfaction of the Responsible Authority.

14. Before the development starts, including demolition or removal of vegetation, the name and contact details of the project arborist responsible for implementing the tree management plan must be submitted to the Responsible Authority.

15. Any pruning that is required to be done to the canopy of any tree to be retained is to be done by a qualified arborist to Australian Standard – Pruning of Amenity Trees AS4373-1996. Any pruning of the root system of any tree to be retained is to be done by hand by a qualified arborist.

Street tree protection

16. Before the development starts, tree protection fencing is to be established around the street tree marked for retention prior to demolition and maintained until all works on site are complete. The fencing is to be constructed and secured so its positioning cannot be modified by site workers. The fencing is to encompass the entire nature strip under the drip line of the tree. The Tree Protection Zone is to be established and maintained in accordance with AS 4970-2009. During construction of the crossover, tree protection fencing may be reduced to the edge of the Council approved crossover to facilitate the construction of the crossover.

17. Street trees must not be removed, lopped, damaged or pruned by any party other than Bayside City Council authorised tree care contractors. There is to be no soil excavation within 2.8 metres of the Melaleuca linariifolia street tree asset measured from the edge of the trunk. Any installation of services and drainage within the tree protection zone must be undertaken using root-sensitive, non-destructive techniques.

18. Before the development starts, tree protection fencing is to be established around the reserve trees prior to demolition and maintained until all works on site are complete. The fencing is to be constructed and secured so its
positioning cannot be modified by site workers. The tree protection zone is to be established and maintained in accordance with AS 4970-2009.

**Drainage**

19. Before the development starts, the permit holder must apply to Council for the legal point of discharge for the development from where stormwater is drained under gravity to the Council network.

20. Before the development, detailed plans indicating, but not limited to, the method of stormwater discharge to the nominated legal point of discharge (and on-site detention system where applicable) must be submitted to and approved by Council’s city assets and projects department.

**Development Contribution**

21. Prior to endorsement of the plan(s) required under condition 1 of this permit, the permit holder must pay a drainage levy in accordance with the amount specified under the Bayside Drainage Development Contributions Plan. The levy amount payable will be adjusted to include the Building Price Index applicable at the time of payment. The levy payment shall be submitted to Council with the Bayside Drainage Development Levy Charge Sheet and it must include the Building Price Index applicable at the time of payment.

**Melbourne Water conditions**

22. Prior to the development plans being endorsed, 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 show:

   a) Finished floor levels of dwelling 1 must be set no lower than 18.00 metres to AHD.
   b) Finished floor levels of dwelling 2 must be set no lower than 18.1 metres to AHD.
   c) Finished floor levels of dwelling 3 must be set no lower than 18.28 metres to AHD.
   d) Finished flood levels of the garage 1 must be set no lower than 17.85 metres to AHD.
   e) Finished flood levels of the garage 2 must be set no lower than 17.95 metres to AHD.
   f) Finished flood levels of the garage 3 must be set no lower than 18.13 metres to AHD.
   g) Plans must include an annotation indicating that the decking is open and unenclosed.

23. Finished floor levels of the dwelling 1 must be constructed no lower than 18.00 metres to Australian Height Datum (AHD) (minimum of 300mm above the applicable flood level).

24. Finished floor levels of the dwelling 2 must be constructed no lower than 18.10 metres to Australian Height Datum (AHD) (minimum of 300mm above the applicable flood level).

25. Finished floor levels of the dwelling 3 must be constructed no lower than 18.28 metres to Australian Height Datum (AHD) (minimum of 300mm above the applicable flood level).
26. Finished floor levels of the garage 1 must be constructed no lower than 17.85 metres to AHD (a minimum of 150mm above the applicable flood level).

27. Finished floor levels of the garage 2 must be constructed no lower than 17.95 metres to AHD (a minimum of 150mm above the applicable flood level).

28. Finished floor levels of the garage 3 must be constructed no lower than 18.13 metres to AHD (a minimum of 150mm above the applicable flood level).

29. The open space areas and landscaping within the property must be constructed at natural surface levels and no fill or retaining walls should be used in the development of this land.

30. The building setbacks shown to site boundaries must not be further reduced without the further review and written approval by Melbourne Water, to ensure adequate open space areas to allow for the passage of overland flood flow.

31. Imported fill must be kept to a minimum on the property and must only be used for the sub floor areas of the buildings and driveways.

32. The rear decking to Dwelling 1 to 3 must be constructed unenclosed underneath to allow for the conveyance of overland flow.

33. Any new fencing must be open style (50%) of construction or timber paling to allow for the conveyance of overland flow.

34. Any new or modified stormwater connection to Melbourne Water's drainage system must obtain separate approval from Melbourne Water's Asset Services Team.

35. The storage of plant, equipment or materials and the passage of construction vehicles along or across Elster Creek Main Drain is not permitted. All construction works must be undertaken from Dunoon Crescent.

36. A temporary security fence must be erected along the northern title boundary (Union Street frontage) prior to the commencement of the works for the duration of the construction period.

Permit Expiry

37. This permit will expire if one of the following circumstances applies:
   a) The development is not started within two years of the date of this permit.
   b) The development is not completed within four years of the date of this permit.

In accordance with Section 69 of the Planning and Environment Act 1987, a request may be submitted to the Responsible Authority within the prescribed timeframes for an extension of the periods referred to in this condition.

Permit Notes:

- This permit does not constitute any authority to carry out any building works or occupy the building or part of the building unless all relevant building permits are obtained.

- A permit must be obtained from Council for all vehicular crossings. These must be constructed under Council’s supervision for which 24 hours’ notice is required.

- Construction of any fence / wall / letterbox structures may necessitate removal / damage of some sections of footpath. If this is the case, a road opening permit must be obtained to facilitate such work.
- A road opening / stormwater tapping permit is to be obtained from Council’s infrastructure department prior to the commencement of the connection to the Council drain / kerb / channel.

5. Council Policy

Council Plan 2017-2021

Relevant objectives of the Council plan include:

- Where neighbourhood character, streetscapes and heritage is respected and enhanced, and the community has a strong connection to place.
- Where development contributes to a high visual amenity, is ecologically sustainable, demonstrates high quality compliant design, and responds to the streetscape and neighbourhood context.
- Where a range of housing types is provided to accommodate the changing needs of the community, enabling people to age in place and providing opportunities for young adults and families to live and remain in the municipality.

Relevant strategies of the Council plan include:

- Make discretionary planning controls stronger, by advocating for Council’s planning and urban design objectives to state government.
- Develop and review structure plans to ensure localities are developed in line with Council’s Housing Strategy.
- Improve housing affordability (including social housing) and housing needs of various life stages through advocacy.

Bayside Planning Scheme

- Clause 11 Settlement
- Clause 13 Environmental Risks
- Clause 15 Built Environment and Heritage
- Clause 16 Housing
- Clause 21.02 Bayside Key Issues and Strategic Vision
- Clause 21.03 Settlement and Housing
- Clause 21.06 Built Environment and Heritage
- Clause 22.06 Neighbourhood Character Policy (Precinct D2)
- Clause 32.09 Neighbourhood Residential Zone (Schedule 3)
- Clause 43.02 Design and Development Overlay (Schedule 3)
- Clause 44.05 Special Building Overlay
- Clause 45.06 Development Contributions Plan Overlay (Schedule 1)
- Clause 52.06 Car Parking
- Clause 53.18 Stormwater Management in Urban Development
- Clause 55 Two or more dwellings on a lot
- Clause 65 Decision Guidelines
6. Considerations

In considering this application, regard has been given to the State and Local Planning Policy Frameworks, the provisions of the Bayside Planning Scheme, objections received and the individual merits of the application.

6.1. Neighbourhood character

The site is located within Neighbourhood Character Precinct D2. The proposal is considered to demonstrate an acceptable level of compliance with the preferred future character statement and precinct guidelines as contained in Attachment 3.

The proposed development is considered to achieve a suitable setback from the street, providing a consistent transition between the building line of the adjacent dwelling to the south. The proposal is also considered to achieve suitable gaps between buildings and to fit comfortably within its context. Low level fencing is proposed within the front setback area which would maintain openness and conditions are recommended to ensure the landscaping scheme is achieved.

Additionally, Clause 32.09-4 of the Neighbourhood Residential Zone requires a minimum garden area requirement of 35 per cent for a lot size of more than 650 square metres. The proposed development as depicted in the decision plans achieves the minimum garden area requirement, providing 35 per cent garden area. This further assists in ensuring the proposed development responds to the neighbourhood character of the surrounding area.

Given the above, the proposal is considered to be acceptable in terms of neighbourhood character.

6.2. Compliance with Clause 55 (ResCode)

An assessment against the requirements of Clause 55 is provided at Attachment 4. Those non-compliant standards are discussed below:

Site Coverage (Standard B8)

<table>
<thead>
<tr>
<th>Required</th>
<th>Proposed</th>
<th>Variation</th>
</tr>
</thead>
<tbody>
<tr>
<td>50%</td>
<td>50.12%</td>
<td>0.12%</td>
</tr>
</tbody>
</table>

Clause 55.03-3 aims to ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site. Specifically, site area covered by buildings should not exceed 50 per cent.

The proposed development marginally exceeds this requirement and proposes a site coverage of 50.12 per cent. This variation is considered appropriate in this instance as it is a minor variation and the proposal incorporates a high site permeability of 35 per cent.

Parking Location (Standard B15)

Clause 55.03-10 aims to provide convenient parking for residents and to protect residents from vehicular noise within developments. Specifically, shared accessways should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.

The ground floor bedroom windows of Dwellings 1 and 3 are located within 1.5 metres of the communal driveway. However, due to the limited number of vehicle movements expected to be generated by the proposed dwellings, it is considered that no unreasonable noise will result.
Side and Rear Setbacks (Standard B17)

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Proposed</th>
<th>Requirement</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>0m or 2m</td>
<td>0m</td>
<td>3.762m</td>
</tr>
<tr>
<td>(laundry and hall of D3)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>North</td>
<td>0m or 2m</td>
<td>3.499m minimum</td>
<td>3.762m - 3.978m</td>
</tr>
<tr>
<td>(rear of D1-3)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>East-facing</td>
<td>0m or 2m</td>
<td>0m</td>
<td>3.717m - 3.949m</td>
</tr>
<tr>
<td>(side of D3)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>South</td>
<td>0m or 2m</td>
<td>4.17m</td>
<td>3.78mm</td>
</tr>
<tr>
<td>(side)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>West</td>
<td>0m or 3m</td>
<td>0m, 3m</td>
<td>4.14m - 4.803m</td>
</tr>
<tr>
<td>(rear)</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The objective of the standard is to ensure the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.

**Northern Side Boundary:**

To the front section of the northern side boundary, a small portion of the first floor (landing area of dwelling 3) fails the minimum setback requirement by 0.49 metres. The eastern elevation of dwelling 3 also requires a variation at first floor level of between 1.152 metres to 1.83 metres. There is also a small variation of 0.152 metres required for the first floor elevation at the rear of the dwellings.

However, the proposed variation to these required setbacks will not result in any unreasonable off-site amenity impacts to the north as the adjoining land is a Council owned reserve, located within the Public Park and Recreation Zone. Furthermore, it is considered that the variation is acceptable as the positioning of the dwellings will also provide for greater passive surveillance of this public park and public access way.

**Southern Side Boundary:**

To the southern side boundary, the proposed ground and first floor setbacks all comply with the standard.

**Western Rear Boundary:**

To the rear (western) boundary, a setback of up to 4.97 metres is required at first floor. A small portion of the first floor at the rear of the proposed development fails the minimum setback requirement. The variation at the first floor is between 0.58 metres and 0.653 metres.

This variation to the western boundary setback is considered acceptable as it will not result in any unreasonable off-site amenity impacts on the adjoining properties to the west. The boundary treatment with the neighbouring property consists of a row of mature trees, which provide screening and reduce the visual bulk of the proposal.
Walls on Boundaries (Standard B18)
Clause 55.04-2 seeks to ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.

The proposed development contains walls on the front section of the northern boundary and the eastern side boundary, both of which fail the average height of a wall allowed on a boundary. However, the proposed boundary walls will not result in any unreasonably off-site amenity impacts to the north as the adjoining land is a Council owned reserve located within the Public Park and Recreation Zone.

Overlooking (Standard B22)

The proposal includes a number of first floor windows serving habitable rooms that are within 9 metres of the habitable room windows at 27 Dunoon Court. These windows do not appear to be screened in accordance with Standard B22. A condition contained within the recommendation section of this report requires these first floor windows to be screened in accordance with the standard.

Additionally, a notation on the western elevation indicates that the first floor west-facing windows of Dwelling 3 that are below 1.7 metres from the finished floor level are to be obscured glass or have a fixed privacy screen. A condition contained within the recommendation section of this report requires the specific details of these overlooking control measures to be shown on the plans.

Private Open Space (Standard B28)
Clause 55.05-4 seeks to provide adequate private open space for the reasonable recreation and service needs of residents. Dwellings 1 and 3 are provided with private open space that complies with the standard.

However, Dwelling 2 is only provided with 36 square metres of private open space. This is considered acceptable in this instance as the private open space is all considered secluded private open space, is conveniently accessed from the living area of the dwelling and is appropriately oriented to the north. Moreover, the variation is minor in nature at only 4 square metres.

Storage (Standard B30)
Clause 55.05-6 requires that each dwelling has convenient access to at least 6 cubic metres of externally accessible, secure storage space. The proposed development does not appear to include any external storage for any of the dwellings. However, storage areas are able to be provided within the rear private open space areas or garage of each dwelling. A condition contained within the recommendation section of this report ensures appropriate storage is provided.

6.3. Landscaping

The application plans show the removal of vegetation from the site, including one native tree. The table below identifies those trees protected by the Local Law and those which are not protected by any statutory mechanism. Native trees are marked with a ‘*’.

<table>
<thead>
<tr>
<th>Local Law protected trees</th>
<th>Trees not protected</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proposed for removal</td>
<td>Proposed for retention</td>
</tr>
<tr>
<td>None</td>
<td>None</td>
</tr>
</tbody>
</table>

The application does not propose to remove any trees protected by the Local Law. Council's arborist advised in their referral response that there is no objection the vegetation removal proposed if replaced with new canopy tree plantings in accordance with Bayside City Council Landscape Guidelines (2016).
A group of trees (Tree 12) is located on adjoining sites, their tree protection zones (TPZ) extending into the subject site. As such, consideration must be given to the impact of the development upon these trees. Council’s arborist advised that further information was required to ensure these trees remain viable. The applicant subsequently submitted an amended tree management plan and revised development plans addressing the concerns raised by Council’s arborist.

In addition, Council’s arborist has reviewed the submitted landscape plan and advised that it is considered acceptable, subject to conditions contained within the recommendation section of this report. The landscape plan includes the planting of twelve canopy trees (trees with mature heights of 8 metres or greater) in the front, side and rear setbacks. Based on the submitted landscape plan it is considered that the planting of these canopy trees will contribute to the preferred future neighbourhood character of the surrounding area.

6.4. Street tree(s)

The street tree located in front of the site on Dunoon Court will not be affected by the design provided that the landscaping works occur at the existing grade and the materials are permeable. The street tree will require protection during demolition and construction.

A number of trees are also located in proximity to the subject site within Little Brighton Reserve to the north of the site. Council’s open space arborist has commented on the application and is satisfied that the proposed development will not impact on these trees, subject to conditions contained within the recommendation section of this report.

6.5. Car parking and traffic

Pursuant to the car parking requirements at Clause 52.06, a dwelling requires car parking to be provided at a rate of two car parking spaces per three or more bedroom dwelling. Each dwelling contains four bedrooms and is provided with a double car garage, meeting the requirements of Clause 52.06-5.

The application was referred to Council’s traffic engineer who expressed no concern with the development subject to the inclusion of permit conditions relating to garage door widths, driveway setback from southern boundary and adequate sight lines. These are included as conditions in the recommendation section of this report.

Concerns have been raised in relation to increased traffic and car parking congestion within Dunoon Court. However, it is considered that the proposed development will not unreasonably impact on the traffic and car parking network in the street. The volume of additional traffic generated by the proposed development is not unduly high and should not have an adverse impact on the surrounding road network. In addition, traffic and car parking congestion were not raised as a concern by Council’s traffic engineer.

6.6. Stormwater Management in Urban Development

Clause 53.18 of the Bayside Planning Scheme seeks to ensure that stormwater in urban development, including retention and reuse, is managed to mitigate the impacts of stormwater on the environment, property and public safety, and to provide cooling, local habitat and amenity benefits.

The applicant submitted a STORM report with the application which details the stormwater management measures to be implemented in the proposed development. These measures include a 2,000 litre rain water tank provided to each dwelling and connected to toilets for flushing. This is considered adequate to respond to Council’s stormwater management objectives. However, the rainwater tanks do not appear to be shown on the plans. Therefore, a condition contained within the recommendation section of this report requires the rainwater tanks to be shown on the plans.

6.7. Cultural heritage management plan

The site is not located within an area of cultural heritage sensitivity and therefore a
cultural heritage management plan is not required.

6.8. Development contributions levy

The subject site is located within catchment area 4B. Based on the proposed application and the below recommendation, a payment of $4,040 is required. The payment of the development contributions is included as a condition of planning permit.

6.9. Melbourne Water conditions

The subject site is located within the Special Building Overlay. Pursuant to Clause 44.05-6, an application must be referred to the relevant floodplain management authority (Melbourne Water) under Section 55 of the Planning and Environment Act 1987. Melbourne Water had no objection to the proposed development, subject to conditions, including:

- Finished floor levels for each dwelling 300mm above the applicable flood level.
- Finished floor levels for each garage 150mm above the applicable flood level.
- The rear decking to Dwellings 1 to 3 constructed unenclosed underneath to allow for the conveyance of overland flow.
- Any new fencing must be open style (50 per cent) of construction or timber paling to allow for the conveyance of overland flow.

The revised plans submitted as part of the Section 57A amendment generally achieve the requirements of Melbourne Water’s conditions. Nevertheless, as Melbourne Water are a determining referral authority, their conditions are contained within the recommendation section of this report to ensure compliance is achieved.

6.10. Objector issues not already addressed

Outstanding concerns raised in the objections and not addressed previously in this report are discussed below, and relate to:

**Overdevelopment of the site.**

Overdevelopment is a commonly used expression to dismiss development proposals which seek to remove existing buildings and to introduce new built form into particular neighbourhoods. An assessment against State and local planning policies and the provisions of Clause 55 can often demonstrate that a proposal is not an overdevelopment despite being more intensive than what existed before. An assessment against Clause 55 is detailed in the assessment section of this report and **Attachment 4**.

**Lack of landscaping.**

Council’s arborist reviewed the landscape plan submitted with the application and noted that the built form and surface treatments do not need to reduced or modified to improve landscape opportunities.

**Support Attachments**

1. Development Plans
2. Site, Surrounds and Imagery
3. Neighbourhood Character Assessment
4. ResCode Assessment (Clause 55)
Attachment 2: Site and Surrounds

Figure 1 Aerial overview of the site and surrounds

<table>
<thead>
<tr>
<th>Legend</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Subject site</td>
<td>⭐</td>
</tr>
<tr>
<td>Objector(s)</td>
<td>⬜</td>
</tr>
</tbody>
</table>
Figure 2 View towards the site from the south east.
Neighbourhood Character Precinct D2

Preferred Future Character Statement

The simple, articulated dwellings sit within landscaped gardens. Buildings are occasionally built to the side boundary; however the overall impression of the streetscape is of buildings within a garden setting due to the regular front setbacks and additional tree planting within the area. New buildings blend with the existing, by following these patterns and using materials that harmonise, where brick colours are consistent in a street. Front fences are low or open retaining the openness of the streetscape and view of the front gardens. On properties that adjoin the golf course, buildings are sited and designed so as not to overwhelm the open space. Consistent street tree planting has assisted in unifying the appearance of the area.

Precinct Guidelines

<table>
<thead>
<tr>
<th>Objectives</th>
<th>Design Responses</th>
<th>Avoid</th>
<th>Planning Officer Assessment</th>
</tr>
</thead>
</table>
| To maintain and enhance the garden settings of the dwellings. | • Prepare a landscape plan to accompany all applications for new dwellings that includes substantial trees and vegetation.  
• Retain existing large trees, wherever possible.  
• Buildings should be sited to allow space for the planting of trees and shrubs. | Lack of landscaping and substantial vegetation.  
Removal of large trees.  
Loss of front garden space | Responds  
The siting of the buildings and structures allow for planting to the front and sides of the property. The planning permit will be conditioned requiring an updated landscape plan, which will ensure the garden setting character is maintained with appropriate replacement landscaping. |
| To maintain the rhythm of visual separation between buildings. | • Buildings should be sited to create the appearance of space between buildings and accommodate substantial vegetation. |                                                | Responds  
The proposed development includes sufficient setbacks which will maintain the rhythm of visual separation between buildings. |
| To ensure that buildings do not dominate the streetscape. | • Incorporate articulated roof forms, plan form and wall surfaces in new buildings visible from the street.  
• Recess second storey elements from the front façade. | Large bulky buildings with poorly articulated front or side wall surfaces. | Responds  
The first floor level would incorporate appropriate setbacks from the northern and southern side boundaries and western rear boundary, providing a recess from the ground floor level. The proposed development demonstrates an acceptable setback from the street, which in conjunction with the scale, addressing issues of dominance. The proposal features an interesting façade which incorporates recessed portions, a |
<table>
<thead>
<tr>
<th>Objectives</th>
<th>Design Responses</th>
<th>Avoid</th>
<th>Planning Officer Assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td>To reflect the building materials in locations where there is a particular consistency.</td>
<td>- Where consistent brick colours are present in the streetscape, use similar tonings in the colours of new buildings.</td>
<td>Brightly coloured external building materials in areas of consistent brick materials.</td>
<td>Responds</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>The area is characterised by a variety of materials and colours and is not considered to possess a particular consistency. The materials palette is considered to be complimentary to the wider area.</td>
</tr>
<tr>
<td>To maintain the openness of the streetscape.</td>
<td>- Provide open style front fencing, other than along heavily trafficked roads. Where no front fencing predominates, use vegetation as an alternative.</td>
<td>High, solid fencing.</td>
<td>Responds</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>The fencing proposed within the front setback area of the property is 1.2m in height which is considered adequate to maintain a sense of openness.</td>
</tr>
<tr>
<td>To encourage development that responds to its location adjacent to the golf course.</td>
<td>- Where development directly borders the golf course, recess upper levels from the boundary nearest the open space.</td>
<td>Poorly articulated or dominating development fronting the golf course.</td>
<td>NA</td>
</tr>
</tbody>
</table>
### Attachment 4

**ResCode Clause 55 (Two or More Dwellings on a Lot and Residential Buildings)**

<table>
<thead>
<tr>
<th>CLAUSE 55.02 NEIGHBOURHOOD CHARACTER AND INFRASTRUCTURE</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Title and Objective</strong></td>
</tr>
<tr>
<td><strong>Complies with Standard?</strong></td>
</tr>
<tr>
<td><strong>Comments</strong></td>
</tr>
<tr>
<td><strong>B1 Neighbourhood Character</strong></td>
</tr>
<tr>
<td>Design respects existing neighbourhood character or contributes to a preferred neighbourhood character.</td>
</tr>
<tr>
<td>Development responds to features of the site and surrounding area.</td>
</tr>
<tr>
<td><strong>B2 Residential Policy</strong></td>
</tr>
<tr>
<td>Residential development is consistent with housing policies in the SPPF, LPPF including the MSS and local planning policies.</td>
</tr>
<tr>
<td>Support medium densities in areas to take advantage of public transport and community infrastructure and services.</td>
</tr>
<tr>
<td><strong>B3 Dwelling Diversity</strong></td>
</tr>
<tr>
<td>Encourages a range of dwelling sizes and types in developments of ten or more dwellings.</td>
</tr>
<tr>
<td><strong>B4 Infrastructure</strong></td>
</tr>
<tr>
<td>Provides appropriate utility services and infrastructure without overloading the capacity.</td>
</tr>
<tr>
<td><strong>B5 Integration with the Street</strong></td>
</tr>
<tr>
<td>Integrate the layout of development with the street</td>
</tr>
</tbody>
</table>

### CLAUSE 55.03 SITE LAYOUT AND BUILDING MASSING
<table>
<thead>
<tr>
<th>Title and Objective</th>
<th>Complies with Standard?</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>B6 Street Setback</strong>&lt;br&gt;The setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site.</td>
<td>Complies</td>
<td>Requirement: 9m&lt;br&gt;Proposed: 9m (ground floor)&lt;br&gt;9m (first floor)</td>
</tr>
<tr>
<td><strong>B7 Building Height</strong>&lt;br&gt;Building height should respect the existing or preferred neighbourhood character.</td>
<td>Complies</td>
<td>Maximum: 9m&lt;br&gt;Proposed: 7.712m</td>
</tr>
<tr>
<td><strong>B8 Site Coverage</strong>&lt;br&gt;Site coverage should respect the existing or preferred neighbourhood character and respond to the features of the site.</td>
<td>Does not comply</td>
<td>Maximum: 50%&lt;br&gt;Proposed: 50.12%&lt;br&gt;Refer to Section 6.2 of this report.</td>
</tr>
</tbody>
</table>
| **B9 Permeability**<br>Reduce the impact of stormwater run-off on the drainage system and facilitate on-site stormwater infiltration. | Complies | Minimum: >20%
Proposed: 35% |
| **B10 Energy Efficiency**<br>Achieve and protect energy efficient dwellings and residential buildings. Ensure orientation and layout reduces fossil fuel energy use and makes appropriate use of daylight and solar energy. | Complies | All habitable areas, including habitable rooms and secluded private open space areas have been located to maximise solar access and no habitable rooms rely on secondary light sources. |
| **B11 Open Space**<br>Integrate layout of development with any public and communal open space provided in or adjacent to the development. | Complies | The proposed dwellings generally front the communal driveway and provide passive surveillance opportunities. |
| **B12 Safety**<br>Layout to provide safety and security for residents and property. | Complies | The pedestrian entry points are clearly recognisable while ground floor bedroom windows allow for the passive surveillance of the street and the communal driveway. |
| **B13 Landscaping**<br>To provide appropriate landscaping. To encourage:<li>Development that respects the landscape character of the neighbourhood.</li><li>Development that maintains and enhances habitat for plants and animals in locations of habitat importance.</li><li>The retention of mature vegetation on the site. | Complies | Refer to Section 6.3 of this report. |
### B14 Access
Ensure the safe, manageable and convenient vehicle access to and from the development.
Ensure the number and design of vehicle crossovers respects neighbourhood character.

| Complies | An appropriate access from Dunoon Court has been provided that is less than 40% of the site frontage. Council’s traffic engineer has recommended conditions relating to garage door widths, driveway setback from southern boundary and adequate sight lines to improve access and are included as conditions contained in the recommendation section of this report. Refer to Section 6.5 of this report. |

### B15 Parking Location
Provide resident and visitor vehicles with convenient parking.
Avoid parking and traffic difficulties in the development and the neighbourhood.
Protect residents from vehicular noise within developments.

| Does not comply | Refer to Section 6.2 and 6.5 of this report |

## CLAUSE 55.04 AMENITY IMPACTS

<table>
<thead>
<tr>
<th>Title and Objective</th>
<th>Complies with Standard?</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>B17 Side and Rear Setbacks</strong></td>
<td>Does not comply</td>
<td>Refer to Section 6.2 of this report.</td>
</tr>
<tr>
<td>Ensure the height and setback respects the existing or preferred neighbourhood character and limits the amenity impacts on existing dwellings.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Does not comply</th>
</tr>
</thead>
</table>

| **B18 Walls on Boundaries**        | Does not comply | Length:  
| Ensure the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the amenity impacts on existing dwellings. |

### Does not comply |

<table>
<thead>
<tr>
<th>Length:</th>
</tr>
</thead>
</table>
| **West (rear):** 14.8m maximum  
8.5m proposed  
**North (front side):** 10.9m maximum  
4.5m proposed  
**East (side):** 10.4m maximum  
8.2m proposed  
**Height:** 3.2m average and 3.6m maximum:  
**West (rear):** 3.050m to 3.350m  
**North (front side):** 3.6m  
**East (side):** 3.362m to 3.598m |
| **B19 Daylight to Existing Windows** | Complies | The development has been sufficiently setback from all habitable room windows on abutting properties. |
| **B20 North Facing Windows** | Complies | The setbacks to the southern boundary exceed the requirement for walls opposite north-facing windows on an abutting property. |
| **B21 Overshadowing Open Space** | Complies | Additional overshadowing will occur over the adjoining driveway to the south, which does not result in any amenity impacts. Additional overshadowing extends into the secluded private open space of the dwellings to the west before midday. However, sufficient secluded private open space remains in daylight to meet the standard. |
| **B22 Overlooking** | Complies subject to conditions. | Refer to Section 6.2 of this report. |
| **B23 Internal Views** | Complies | All habitable room windows have been sited appropriately in accordance with this standard. |
| **B24 Noise Impacts** | Complies | It is anticipated that the level of noise which will be emitted from the dwellings will not exceed levels otherwise expected from residential uses. |

**CLAUSE 55.05 ON-SITE AMENITY AND FACILITIES**

<table>
<thead>
<tr>
<th>Title and Objective</th>
<th>Complies with Standard?</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>B25 Accessibility</strong></td>
<td>Complies</td>
<td>Entries are accessible for people with limited mobility and each dwelling has a bedroom, living areas and a bathroom on the ground floor. The development could also be further retrofitted to accommodate people with limited mobility in the future if required.</td>
</tr>
</tbody>
</table>
### B26 Dwelling Entry
Provide a sense of identity to each dwelling/residential building.

**Complies**

The development fronts Dunoon Court and includes a clearly identifiable entry with dedicated pedestrian pathway for Dwelling 1. The entry porch to Dwellings 2 and 3 are both visible from Dunoon Court. The entries all provide shelter, a sense of personal address and a transitional space around the dwelling entry, consistent with the standard.

### B27 Daylight to New Windows
Allow adequate daylight into new habitable room windows.

**Complies**

All habitable windows will open out onto a space clear to the sky.

### B28 Private Open Space
Provide reasonable recreation and service needs of residents by adequate private open space.

**Does not comply.**

Minimum: 25sqm secluded, 40sqm overall with a minimum dimension of 3m

**Proposed:**

Dwelling 1 – 32sqm of SPOS, 47sqm total.
Dwelling 2 – 36sqm of SPOS
Dwelling 3 – 75sqm of SPOS

Refer to Section 6.2 of this report.

### B29 Solar Access to Open Space
Allow solar access into the secluded private open space of new dwellings/buildings.

**Complies**

The secluded private open space of each dwelling is appropriately oriented to face north.

### B30 Storage
Provide adequate storage facilities for each dwelling.

**Does not comply.**

Refer to Section 6.2 of this report.

### CLAUSE 55.06 DESIGN DETAIL

<table>
<thead>
<tr>
<th>Title and Objective</th>
<th>Complies with Standard?</th>
<th>Comments</th>
</tr>
</thead>
</table>

### B31 Design Detail
Encourage design detail that respects the existing or preferred neighbourhood character.

**Complies**

While the site is located within the Neighbourhood Residential Zone and the proposal incorporates a contemporary design, the proposed development is considered to respond well to the preferred neighbourhood character through the separation to boundaries and the landscaping opportunities provided.

### B32 Front Fences
Encourage front fence design that respects the existing or preferred neighbourhood character.

**Complies**

**Required:** 1.2m

**Proposed:** 1.2m
<table>
<thead>
<tr>
<th>B33 Common Property</th>
<th>Complies</th>
<th>The designated common property and communal areas of the proposed development are practical and easily maintained. The private areas (e.g. bedrooms) are clearly delineated from the communal areas, which are functional and capable of efficient management.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ensure car parking, access areas and other communal open space is practical, attractive and easily maintained. Avoid future management difficulties in common ownership areas.</td>
<td>Complies</td>
<td>All appropriate site services can be easily catered for on-site.</td>
</tr>
<tr>
<td>B34 Site Services</td>
<td>Complies</td>
<td>All appropriate site services can be easily catered for on-site.</td>
</tr>
<tr>
<td>Ensure site services and facilities can be installed and easily maintained and are accessible, adequate and attractive. Avoid future management difficulties in common ownership areas.</td>
<td>Complies</td>
<td>All appropriate site services can be easily catered for on-site.</td>
</tr>
</tbody>
</table>
4.4  **8 VALDEMAR COURT, BRIGHTON EAST**  
**NOTICE OF DECISION TO GRANT A PERMIT**  
**APPLICATION NO: 2018/724/1 WARD: CENTRAL**

City Planning & Amenity - Development Services  
File No: PSF/19/962 – Doc No: DOC/19/97470

### 1. Application details

<table>
<thead>
<tr>
<th><strong>Recommendation</strong></th>
<th>Notice of Decision to Grant a Planning Permit</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Applicant</strong></td>
<td>Squareback Pty Ltd.</td>
</tr>
<tr>
<td><strong>Title/Covenant/S173 Agreement</strong></td>
<td>The title is not subject to any restrictive covenants.</td>
</tr>
</tbody>
</table>
| **Date application received** | 1 November 2018  
Application amended under Section 57A of the *Planning and Environment Act 1987* on 14 March 2019. |
| **Current statutory days** | Day 46 |
| **Zoning** | Neighbourhood Residential Zone (Schedule 3) |
| **Overlays** | Design and Development Overlay (Schedule 3)  
Special Building Overlay (Schedule 1)  
Development Contributions Plan Overlay (Schedule 1) |
| **Site area** | 592.31m² |
| **Number of outstanding objections** | 3 |
| **Is a Development Contribution Levy applicable?** | Yes.  
A fee of $2020.00 is required. |
| **Is the site located within an area of cultural heritage sensitivity?** | Yes; however, the proposed works are exempt. |

**Proposal**

The application seeks permission for the construction of two (2) dwellings and a front fence in excess of 1.2m height on a lot in a Special Building Overlay. Key details of the proposal are as follows:

- Construction of two side by side dwellings.
- Maximum height of 8.47m and two storeys.
- Garden Area 32.79%
- Site coverage 52%
- Permeability 27.74%
- Each dwelling is provided with two on site car parking spaces.

The application plans are provided at **Attachment 1**.

An aerial image and photographs of the site and surrounds are provided at **Attachment 2**.
History
There is no planning permit history relevant to this application.

2. Planning controls

Planning Permit requirements
A planning permit is required pursuant to:

- Clause 32.09-6 (Neighbourhood Residential Zone) – Construction of two or more dwellings and a front fence that exceeds 1.2m in height on a lot.
- Clause 44.05-2 (Special Building Overlay) – Construct a fence within a Special Building Overlay.

Planning Scheme Amendments
There are no Planning Scheme Amendments relevant to this application.

3. Stakeholder consultation

External referrals
The application was referred to the following authorities:

<table>
<thead>
<tr>
<th>Referral Authority</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Melbourne Water</td>
<td>No objection, subject to conditions.</td>
</tr>
</tbody>
</table>

Internal referrals
The application was referred to the following Council departments for comment:

<table>
<thead>
<tr>
<th>Internal Referral</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arborist</td>
<td>No objection, subject to conditions.</td>
</tr>
<tr>
<td>Drainage Assets Engineer</td>
<td>No objection.</td>
</tr>
<tr>
<td>Traffic Engineer</td>
<td>No objection, subject to conditions.</td>
</tr>
<tr>
<td>Street Tree</td>
<td>No objection, subject to conditions.</td>
</tr>
</tbody>
</table>

Public notification
The application was advertised pursuant to Sections 52(1)(a) and (d) of the *Planning and Environment Act 1987* and five (5) objections were received.

The following concerns were raised:

- Neighbourhood character;
- Overdevelopment;
- Overlooking;
- Overshadowing;
- Walls on boundary;
- Visual Bulk;
- Protection for neighbouring trees; and,
- Parking.

The number of objections received for this application is consistent across Council’s record management systems.
Consultation meeting

A consultation meeting was held on 21 February 2018 attended by the permit applicant and one (1) objector. As a result of this meeting this amended plans were formally lodged with Council. Following these plans being circulated, two (2) objections were withdrawn, which included the objection from the only objector party who attended the consultation meeting.

Three (3) objections remain outstanding at the time of this report.

4. Recommendation

That Council resolve to issue a Notice of Decision to Grant a Permit under the provisions of the Bayside Planning Scheme in respect of Planning application 2018/724/1 for the land known and described as 8 Valdemar Court, Brighton East to construct two (2) dwellings and a front fence in excess of 1.2m height on a lot in a Special Building Overlay in accordance with the endorsed plans and subject to the following conditions from the standard 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 generally in accordance with the formally amended plans prepared by IN-2 referenced 1808, date July 2018 and revision D but modified to show:
   a) The garage for dwelling 8 converted into an open sided carport.
   b) Deletion of the pantry for dwelling 8.
   c) The pedestrian footpath to dwelling 8A to of a permeable material.
   d) A reduction in the paving with the private open space of each dwelling to allow for increased planting.
   e) Location of all plant and equipment, including hot water services and air conditioners etc. Plant equipment is to be located away from habitable room windows of dwellings and the habitable rooms of adjoining properties.
   f) A schedule of construction materials, external finishes and colours (incorporating for example paint samples).
   g) Water Sensitive Urban Design measures in accordance with Condition 8 of this permit.
   h) A Landscaping Plan in accordance with Condition 10 of this permit.
   i) A Tree Management and Protection Plan in accordance with Condition 13 of this permit.
   j) Receipt of payment of the Development Plan Contribution Levy in accordance with Condition 22 of this permit.

All to the satisfaction of the Responsible Authority.

2. The layout of the site and the size, levels, design and location of buildings and works shown on the endorsed plans must not be modified for any reason (unless the Bayside Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. Before the occupation of the site commences or by such later date as is approved in writing by the Responsible Authority, all buildings and works must be carried out and completed to the satisfaction of the Responsible Authority.

4. No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the building/s without the written consent of the Responsible Authority.

5. All pipes (excluding downpipes), fixtures, fittings and vents servicing any building on the site must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.

6. Before the occupation of the site commences, screening of windows including fixed privacy screens be designed to limit looking as required by Standard B22 and be installed and maintained to the satisfaction of the Responsible Authority thereafter for the life of the building.

7. The walls on the boundary of the adjoining properties shall be cleaned and finished to the satisfaction of the Responsible Authority.

**Water Sensitive Urban Design**

8. Prior to the endorsement of plans pursuant to Condition 1, detailed plans to the satisfaction of the Responsible Authority must be submitted to and be endorsed by the Responsible Authority. The plan must be drawn to scale with dimensions and three copies must be provided. The plans must show:
   a) The type of water sensitive urban design stormwater treatment measures to be used.
   b) The location of the water sensitive urban design stormwater treatment measures in relation to buildings, sealed surfaces and landscaped areas.
   c) Design details of the water sensitive urban design stormwater treatment measures, including cross sections.

These plans must be accompanied by a report from an industry accepted performance measurement tool which details the treatment performance achieved and demonstrates the level of compliance with the Urban Stormwater Best Practice Environmental Management Guidelines, CSIRO 1999.

9. The water sensitive urban design stormwater treatment system as shown on the endorsed plans must be retained and maintained at all times in accordance with the Urban Stormwater - Best Practice Environmental Management Guidelines, CSIRO 1999, to the satisfaction of the Responsible Authority.

**Landscaping**

10. Prior to the endorsement of plans pursuant to Condition 1, a detailed landscape plan to the satisfaction of the Responsible Authority must be submitted to and be endorsed by the Responsible Authority. The plan must generally be in accordance with the reviewed drawing (Wallbrink 2067TP01 Issue D, dated 7.12.18) and drawn to scale with dimensions. The plan must show:
   a) Any development changes as required by condition 1.
   b) A reduction in paving and excavated area within the private open space of both dwellings to facilitate the planting of the proposed Ornamental
Pear trees. An area of 9m² of deep soil area, free from hard landscaping is required for each tree.

c) A survey, including botanical names, of all existing trees on neighbouring properties where their Tree Protection Zones (calculated in accordance with AS4970-2009) encroach into the subject site including:

- The Tree Protection Zone of Tree 10 shown as 3.4m diameter; and
- The Tree Protection Zone of the Pyrus Calleryana (Ornamental Pear) located within the rear open space of No. 7 Tuxen Court (now referred to as Tree 22).

d) A survey including botanical names of all existing trees to be retained on the site including Tree Protection Zones calculated in accordance with AS4970-2009.

e) A planting schedule of all proposed trees and shrubs, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.

f) Landscaping and/or planting within all areas of the site not covered by buildings or hard surfaces.

g) Details of surface finishes of pathways and driveways.

11. Before the occupation of the development, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.

12. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.

Tree Management and Protection Plan

13. Prior to the endorsement of plans pursuant to Condition 1, including any related demolition or removal of vegetation, a Tree Management Plan (report) and Tree Protection Plan (drawing), to the satisfaction of the Responsible Authority, must be submitted to and be endorsed by the Responsible Authority.

The Tree Management Plan must be specific to the trees shown on the Tree Protection Plan, in accordance with AS4970-2009, prepared by a suitably qualified Arborist and provide details of tree protection measures that will be utilised to ensure all trees to be retained remain viable post-construction. Stages of development at which inspections are required to ensure tree protection measures are adhered to must be specified.

The Tree Protection Plan must be in accordance with AS4970-2009, be drawn to scale and provide details of:

a) The Tree Protection Zone and Structural Root Zone for all trees to be retained on the site and for all trees on neighbouring properties where any part of the Tree Protection Zone falls within the subject site.

b) The location of tree protection measures to be utilised.

14. All protection measures identified in the Tree Management and Protection Plans must be implemented, and development works undertaken on the land must be undertaken in accordance with the Tree Management and Protection Plans, to the satisfaction of the Responsible Authority.
15. Before the development starts, including demolition or removal of vegetation, the name and contact details of the project Arborist responsible for implementing the Tree Management Plan must be submitted to the Responsible Authority.

16. Any pruning that is required to be done to the canopy of any tree to be retained is to be done by a qualified Arborist to Australian Standard – Pruning of Amenity Trees AS4373-1996. Any pruning of the root system of any tree to be retained is to be done by hand by a qualified Arborist.

Street tree protection

17. A tree protection fence is for the protection of a tree’s canopy and root zone. Conditions for street tree protection fencing during development are as follows:
   a) Fencing is to be secured and maintained prior to demolition and until all site works are complete.
   b) Fencing must be installed to comply with AS4970-2009, Protection of trees on development sites.
   c) Fencing should encompass the Tree Protection Zone (TPZ) for all street trees adjacent to the development.
   d) Fencing is to be constructed and secured so its positioning cannot be modified by site workers.
   e) If applicable, prior to construction of the Council approved crossover, TPZ fencing may be reduced to the edge of the new crossover to facilitate works.

18. Prior to soil excavation for a Council approved crossover within the TPZ, a trench must be excavated along the line of the crossover adjacent to the tree using root sensitive non-destructive techniques. All roots that will be affected by must correctly pruned.

19. Any installation of services and drainage within the TPZ must be undertaken using root sensitive non-destructive techniques.

Drainage

20. Before the development starts, the permit holder must apply to Council for the Legal Point of Discharge for the development from where stormwater is drained under gravity to the Council network.

21. Before the development, detailed plans indicating, but not limited to, the method of stormwater discharge to the nominated Legal Point of Discharge (and On-Site Detention System where applicable) must be submitted to and approved by Council’s City Assets and Projects Department.

Development Contributions

22. Prior to endorsement of the plan/s required under Condition 1 of this permit, the permit holder must pay a drainage levy of $2020.00 in accordance with the Bayside Drainage Development Contributions Plan. The levy amount payable will be adjusted to include the Building Price Index applicable at the time of payment.

The levy payment shall be submitted to Council with the Bayside Drainage Development Levy Charge Sheet and it must include the Building Price Index applicable at the time of payment.
Melbourne Water Conditions

23. The dwellings must be constructed with finished floor levels set no lower than 25.1 metres to Australian Height Datum, which is 300mm above the applicable flood level of 24.8m to AHD.

24. The garages must be constructed with finished floor levels set no lower than 24.95 metres to Australian Height Datum, which is 150mm above the applicable flood level of 24.8 metres to AHD.

25. The proposed front fence must be of an open style of construction (minimum 50% open) unless with the written consent of Melbourne Water, to allow for the passage of floodwaters/overland flows.

26. Prior to the issue of an Occupancy Permit, a certified survey plan, showing finished floor levels (as constructed) reduced to the Australian Height Datum, must be submitted to Melbourne Water to demonstrate that the floor levels have been constructed in accordance with Melbourne Water’s requirements.

Permit Expiry

27. This permit will expire if one of the following circumstances applies:
   a) The development is not started within two years of the date of this permit.
   b) The development is not completed within four years of the date of this permit.

In accordance with Section 69 of the Planning and Environment Act 1987, a request may be submitted to the Responsible Authority within the prescribed timeframes for an extension of the periods referred to in this condition.

Permit Notes:

- This permit does not constitute any authority to carry out any building works or occupy the building or part of the building unless all relevant building permits are obtained.

- A permit must be obtained from Council for all vehicular crossings. These must be constructed under Council’s supervision for which 24 hours’ notice is required.

- Construction of any fence / wall / letterbox structures may necessitate removal / damage of some sections of footpath. If this is the case, a ‘Road Opening Permit’ must be obtained to facilitate such work.

- A ‘Road Opening / Stormwater Tapping Permit’ is to be obtained from the Infrastructure Department prior to the commencement of the connection to the Council Drain / kerb / channel.

- Before the development starts, the applicant must pay $2,020.00 to the Responsible Authority for the removal and replacement of an existing street tree. This amount has been determined in accordance with Council’s current policy for the removal of street tree(s). This amount may be increased by the Responsible Authority if an extension of time to commence work is granted and the amenity value of the street tree has increased. The Responsible Authority, or a contractor or agent engaged by the Responsible Authority, must undertake the removal and replacement of the street tree. Any replacement planting will be at the discretion of the Responsible Authority.
5. Council Policy

Council Plan 2017-2021

Relevant objectives of the Council plan include:

- Where neighbourhood character, streetscapes and heritage is respected and enhanced, and the community has a strong connection to place.
- Where development contributes to a high visual amenity, is ecologically sustainable, demonstrates high quality compliant design, and responds to the streetscape and neighbourhood context.

Relevant strategies of the Council plan include:

- Ensure new development responds to preferred neighbourhood character in activity centres.

Bayside Planning Scheme

- Clause 9 Plan Melbourne
- Clause 11 Settlement
- Clause 13 Environmental Risks and Amenity
- Clause 15 Built Environment and Heritage
- Clause 16 Housing
- Clause 21.02 Bayside Key Issues and Strategic Vision
- Clause 21.03 Settlement and Housing
- Clause 21.05 Environmental Risks
- Clause 21.06 Built Environment and Heritage
- Clause 22.06 Neighbourhood Character Policy (Precinct D2)
- Clause 22.08 Water Sensitive Urban Design
- Clause 32.09 Neighbourhood Residential Zone (Schedule 3)
- Clause 43.02 Design and Development Overlay (Schedule 3)
- Clause 44.05 Special Building Overlay (Schedule 1)
- Clause 52.06 Car Parking
- Clause 55 Two or more dwellings on a lot
- Clause 65 Decision Guidelines

6. Considerations

In considering this application, regard has been given to the State and Local Planning Policy Frameworks, the provisions of the Bayside Planning Scheme, objections received and the individual merits of the application.

6.1. Neighbourhood character

The site is located within Neighbourhood Character Precinct D2. The proposal is considered to demonstrate an appropriate level of compliance with the preferred future character statement and precinct guidelines as contained in Attachment 3.
The preferred future character statement of Precinct D2 is as follows:

The simple, articulated dwellings sit within landscaped gardens. Buildings are occasionally built to the side boundary, however the overall impression of the streetscape is of buildings within a garden setting due to the regular front setbacks and additional tree planting within the area. New buildings blend with the existing, by following these patterns and using materials that harmonise, where brick colours are consistent in a street. Front fences are low or open retaining the openness of the streetscape and view of the front gardens. On properties that adjoin the golf course, buildings are sited and designed so as not to overwhelm the open space. Consistent street tree planting has assisted in unifying the appearance of the area.

The proposal will sit comfortably within the existing streetscape, and demonstrates an appropriate level of compliance with the preferred future character statement for this precinct. The front setbacks proposed reflect the existing pattern of large front setbacks and allow for generous planting of vegetation to maintain and enhance the garden setting of dwellings within the area.

The new building is to be constructed of a mixture of brick and metal cladding. These materials are commonly found in the wider precinct and the existing conditions of this particular streetscape and are considered appropriate. The proposal also includes articulated roof forms with recessed elements to ensure that the building will not loom over or dominate the streetscape.

This design does include walls on both boundaries, which does not appropriately maintain the sense of visual separation between buildings along the streetscape. A condition has been included on the recommendation requiring the garage to dwelling 8 to be converted into a carport. This conversion will provide a visual break between the buildings when viewed from the streetscape and maintain the required visual separation in accordance with the preferred neighbourhood character statement for this precinct.

6.2. Compliance with Clause 55 (ResCode)

An assessment against the requirements of Clause 55 is provided at Attachment 4. Those non-compliant standards are discussed below:

**Site coverage (Standard B8)**

<table>
<thead>
<tr>
<th>Required</th>
<th>Proposed</th>
<th>Variation</th>
</tr>
</thead>
<tbody>
<tr>
<td>50%</td>
<td>50.73%</td>
<td>0.73%</td>
</tr>
</tbody>
</table>

The proposed 0.73% variation is not considered by Council to be unreasonable in this instance. The proposal still achieves compliance with minimum garden area requirements, permeability requirements and is largely compliant with the setback requirements set out in the Bayside Planning Scheme. A 0.73% variation is considered indiscernible and will not result in any unreasonable amenity or neighbourhood character impacts.

**Side and rear setbacks (Standard B17)**

<table>
<thead>
<tr>
<th></th>
<th>Ground Floor</th>
<th>First Floor</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Required</td>
<td>Proposed</td>
</tr>
<tr>
<td>North (side)</td>
<td>0m or 2m</td>
<td>0m or 1.3m</td>
</tr>
<tr>
<td>South (side)</td>
<td>0m or 2m</td>
<td>0m or 2.4m</td>
</tr>
<tr>
<td>East (rear)</td>
<td>0m or 3m</td>
<td>4.1m, 1.9m, 4.7m</td>
</tr>
</tbody>
</table>
The objective of the standard is to ensure the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.

The non-compliance on the northern side of the dwelling is 0.7m. This area of non-compliance is located behind a proposed wall on the northern boundary, towards the rear of the site, and adjoins the neighbouring garage. It is considered that the location of this variation adjoining the garage, means that this will not have any unreasonable impact on the neighbouring dwellings amenity. This is further evidenced by the fact that this property withdrew their objection, indicating that they agree they will not suffer adverse amenity impacts.

From a neighbourhood character perspective, the proposed variation will not be visible from the streetscape and will have no impact on how this proposal interacts with the existing or preferred future character of the area.

To the rear, a variation of 1.1m is proposed for the pantry of the kitchen to Dwelling 8. Given the relatively small size of the rear garden area and the fact that a reasonable amount of deep soil is required for the planting of the canopy trees, a condition is included in the recommendation requiring the removal of the pantry. This will allow for an increased level of landscaping within the rear garden.

**Front Fences (Standard B32)**

<table>
<thead>
<tr>
<th></th>
<th>Required</th>
<th>Proposed</th>
<th>Variation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Valdemar Court</td>
<td>1.2m</td>
<td>1.6m</td>
<td>400 mm</td>
</tr>
</tbody>
</table>

A front fence of 1.6 metres in height is proposed to the front boundary of the site on Valdemar Court. Pursuant to Standard B32 a front fence to a maximum of 1.2 metres in height is provided preferred. The objective of this standard is to encourage front fence design that respects the existing or preferred neighbourhood character.

A 400mm non-compliance is considered minor, although noticeable. In this instance the proposed fence is to be of a picket design which will be visually permeable and allow views of and into the front garden spaces. The preferred neighbourhood character statement for the D2 precinct requires open front fencing and seeks to avoid high solid front fencing. The proposed front fence is not too high or solid, and is of an open design that still maintains the openness of the streets, and therefore is consistent with the preferred future character of the area.

### 6.3. Landscaping

The application does not propose to remove any trees protected by the Local Law.

There is a *Pyrus calleryana* (Ornamental Pear) located within the private open space of 7 Tuxen Court. The Tree Protection Zones (TPZ) extends into the subject site. As such consideration must be given to the impact of the development upon these trees. Council’s Arborist has advised that a Tree Protection Plan and Tree Management Plan will be required to be submitted to ensure all trees on adjoining land remain viable both during and post construction. A condition to this effect is included in the recommendation.

### 6.4. Street tree(s)

Tree No. 20 is located within the nature strip and is proposed for retention. This application was referred to Council’s street tree arborist who advised that they supported the proposal subject to tree protection measures being used during construction. A condition requiring this has been included on the recommendation.

### 6.5. Car parking and traffic

Pursuant to the car parking requirements at Clause 52.06, a dwelling requires car parking to be provided at a rate of 1 car space per one or two bedroom dwellings and 2 car
spaces per three or more bedroom dwellings.

Dwelling 1 comprises three (3) bedrooms and is afforded two (2) car parking spaces in the form of a single garage and tandem outdoor parking. Dwelling 2 comprises four bedrooms and has a double garage. The proposed on site car parking meets the requirements of Clause 52.06-5.

6.6. Special Building Overlay

The southernmost section of the proposed front fence is located within a Special Building Overlay. The proposed front fence is an open, 1.6m high picket design which Council considers will not disrupt any overland flows.

The application was referred to Melbourne Water for comment, in accordance with Section 55 of the Planning and Environment Act. As noted above, they did not object to the granting of a planning permit subject to conditions being included on any permit. These conditions have been included on the recommendation.

6.7. Cultural Heritage management plan

The site is located within an area of cultural heritage sensitivity, therefore an assessment as to whether the proposal is considered a high impact activity has been undertaken. Based on the Aboriginal heritage planning tool questionnaire, a cultural heritage management is not required.

6.8. Development contributions levy

The subject site is located within catchment area 8B.

Based on the proposed application and the below recommendation, a payment of $2,020.00 is required. The payment of the development contributions is included as a condition of permit.

6.9. Objector Issues

All issues raised by objectors have been discussed within the report.

Support Attachments

1. Development Plans ↓
2. Site and Surrounds ↓
3. Neighbourhood Character ↓
4. Clause 55 Assessment ↓
Item 4.4 – Matters of Decision
ATTACHMENT 2
Site Surrounds and Imagery

Figure 1. Aerial overview of the site and surrounds

<table>
<thead>
<tr>
<th>Legend</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Subject site</td>
<td>🌟</td>
</tr>
<tr>
<td>Objector(s)</td>
<td>🟠</td>
</tr>
<tr>
<td>Withdrawn</td>
<td>▲</td>
</tr>
</tbody>
</table>
Figure 2. A photo of the subject site as viewed from 3 Valdemar Court.
Attachment 3 – Neighbourhood Character Assessment

Neighbourhood Character Precinct D2

Preferred Future Character Statement

The simple, articulated dwellings sit within landscaped gardens. Buildings are occasionally built to the side boundary; however the overall impression of the streetscape is of buildings within a garden setting due to the regular front setbacks and additional tree planting within the area. New buildings blend with the existing, by following these patterns and using materials that harmonise, where brick colours are consistent in a street. Front fences are low or open retaining the openness of the streetscape and view of the front gardens. On properties that adjoin the golf course, buildings are sited and designed so as not to overwhelm the open space. Consistent street tree planting has assisted in unifying the appearance of the area.

Precinct Guidelines

<table>
<thead>
<tr>
<th>Objectives</th>
<th>Design Responses</th>
<th>Avoid</th>
<th>Planning Officer Assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td>To maintain and enhance the garden settings of the dwellings.</td>
<td>• Prepare a landscape plan to accompany all applications for new dwellings that includes substantial trees and vegetation.&lt;br&gt;• Retain existing large trees, wherever possible.&lt;br&gt;• Buildings should be sited to allow space for the planting of trees and shrubs.</td>
<td>Lack of landscaping and substantial vegetation. Removal of large trees. Loss of front garden space</td>
<td>Responds&lt;br&gt;This application does not seek to remove any existing large trees from the site. Currently, no landscape plan has been submitted with this application, however indicative landscaping shown on the development plans demonstrates that there is adequate space to accommodate appropriate levels of vegetation to maintain the garden setting of dwellings. Council has recommended a condition that requires a landscape plan be prepared prior to any development commencing.</td>
</tr>
</tbody>
</table>

<p>| To maintain the rhythm of visual separation between buildings. | • Buildings should be sited to create the appearance of space between buildings and accommodate substantial vegetation. | Responds&lt;br&gt;The proposal does contain built form on both side boundaries, which, while set back from the front of the site, does not appropriately respond to the preferred future character statement for this precinct. A condition has been included on the recommendation requiring the garage of Unit 8B to be |</p>
<table>
<thead>
<tr>
<th>Objectives</th>
<th>Design Responses</th>
<th>Avoid</th>
<th>Planning Officer Assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td>To ensure that buildings do not dominate the streetscape.</td>
<td>• Incorporate articulated roof forms, plan form and wall surfaces in new buildings.</td>
<td>Large bulky buildings with poorly articulated front or side wall surfaces.</td>
<td>Responds: The proposed dwellings contain an articulated roof form and well-articulated front facade. The first floor is recessed on all sides from the ground floor below to ensure that the proposal does not dominate the streetscape.</td>
</tr>
<tr>
<td></td>
<td>• Recess second storey elements from the front façade</td>
<td></td>
<td></td>
</tr>
<tr>
<td>To reflect the building materials in locations where there is a particular consistency.</td>
<td>• Where consistent brick colours are present in the streetscape, use similar tonings in the colours of new buildings.</td>
<td>Brightly coloured external building materials in areas of consistent brick materials.</td>
<td>Responds: The proposed materials are respectful of the surrounding materials and colours. The development plans show the use of colours and tones which are found in the existing streetscape ensuring the materials will not look out of place for this development.</td>
</tr>
<tr>
<td>To maintain the openness of the streetscape.</td>
<td>• Provide open style front fencing, other than along heavily trafficked roads. Where no front fencing predominates, use vegetation as an alternative.</td>
<td>High, solid fencing.</td>
<td>Responds: While a 1.6m high front fence is proposed, this fence is to be of an open design, which will allow for an open streetscape and allow views in to the front garden.</td>
</tr>
<tr>
<td>To encourage development that responds to its location adjacent to the golf course.</td>
<td>• Where development directly borders the golf course, recess upper levels from the boundary nearest the open space.</td>
<td>Poorly articulated or dominating development fronting the golf course.</td>
<td>Responds: The subject site does not border the golf course.</td>
</tr>
</tbody>
</table>
## ATTACHMENT

### ResCode (Clause 55) Assessment

**ResCode Clause 55 (Two or More Dwellings on a Lot and Residential Buildings)**

<table>
<thead>
<tr>
<th>Title and Objective</th>
<th>Complies with Standard?</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>B1 Neighbourhood Character</strong></td>
<td>Yes</td>
<td>Refer Attachment 2.</td>
</tr>
<tr>
<td>Design respects existing neighbourhood character or contributes to a preferred neighbourhood character. Development responds to features of the site and surrounding area.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>B2 Residential Policy</strong></td>
<td>Yes</td>
<td>The subject site is appropriately located with regard to services and facilities to support two dwellings.</td>
</tr>
<tr>
<td>Residential development is consistent with housing policies in the SPPF, LPPF including the MSS and local planning policies. Support medium densities in areas to take advantage of public transport and community infrastructure and services.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>B3 Dwelling Diversity</strong></td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>Encourages a range of dwelling sizes and types in developments of ten or more dwellings.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>B4 Infrastructure</strong></td>
<td>Yes</td>
<td>Any upgrades required will be the responsibility of the developer.</td>
</tr>
<tr>
<td>Provides appropriate utility services and infrastructure without overloading the capacity.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>B5 Integration with the Street</strong></td>
<td>Yes</td>
<td>The dwellings appropriately address the street and entries are clearly identifiable from either the streetscape.</td>
</tr>
<tr>
<td>Integrate the layout of development with the street.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>B6 Street Setback</strong></td>
<td>Yes</td>
<td>Minimum: 8.3m Proposed: 8.3m</td>
</tr>
<tr>
<td>The setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Item</td>
<td>Description</td>
<td>Yes</td>
</tr>
<tr>
<td>------</td>
<td>-------------</td>
<td>-----</td>
</tr>
<tr>
<td>B7 Building Height</td>
<td>Building height should respect the existing or preferred neighbourhood character</td>
<td>Yes</td>
</tr>
<tr>
<td>B8 Site Coverage</td>
<td>Site coverage should respect the existing or preferred neighbourhood character and respond to the features of the site.</td>
<td>Yes</td>
</tr>
<tr>
<td>B9 Permeability</td>
<td>Reduce the impact of stormwater run-off on the drainage system and facilitate on-site stormwater infiltration.</td>
<td>Yes</td>
</tr>
<tr>
<td>B10 Energy Efficiency</td>
<td>Achieve and protect energy efficient dwellings and residential buildings. Ensure orientation and layout reduces fossil fuel energy use and makes appropriate use of daylight and solar energy.</td>
<td>Yes</td>
</tr>
<tr>
<td>B11 Open Space</td>
<td>Integrate layout of development with any public and communal open space provided in or adjacent to the development.</td>
<td>N/A</td>
</tr>
<tr>
<td>B12 Safety</td>
<td>Layout to provide safety and security for residents and property.</td>
<td>Yes</td>
</tr>
<tr>
<td>B13 Landscaping</td>
<td>To provide appropriate landscaping. To encourage: Development that respects the landscape character of the neighbourhood. Development that maintains and enhances habitat for plants and animals in locations of habitat importance. The retention of mature vegetation on the site.</td>
<td>Yes</td>
</tr>
</tbody>
</table>
### B14 Access
Ensure the safe, manageable and convenient vehicle access to and from the development. Ensure the number and design of vehicle crossovers respects neighbourhood character.

<table>
<thead>
<tr>
<th></th>
<th>Yes</th>
<th>Appropriately vehicular access is provided.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Maximum: 40% of street frontage</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Proposed: 39% of street frontage</td>
</tr>
</tbody>
</table>

### B15 Parking Location
Provide resident and visitor vehicles with convenient parking. Avoid parking and traffic difficulties in the development and the neighbourhood. Protect residents from vehicular noise within developments.

<table>
<thead>
<tr>
<th></th>
<th>Yes</th>
<th>The proposed car parking areas are appropriately located.</th>
</tr>
</thead>
</table>

### B17 Side and Rear Setbacks
Ensure the height and setback respects the existing or preferred neighbourhood character and limits the amenity impact on existing dwellings.

<table>
<thead>
<tr>
<th></th>
<th>No</th>
<th>Refer report and table below. Areas of non-compliance are underlined.</th>
</tr>
</thead>
</table>

#### Ground Floor

<table>
<thead>
<tr>
<th></th>
<th>Proposed</th>
<th>Required</th>
<th>Proposed</th>
<th>Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>North (side)</td>
<td>0m or 2m</td>
<td>0m or 1.3m</td>
<td>2.86m – 3.67m</td>
<td>3.62m</td>
</tr>
<tr>
<td>South (side)</td>
<td>0m or 2m</td>
<td>0m or 2.4m</td>
<td>3.38m, 3.12m, 3.19</td>
<td>3.54m, 3.17m, 4.2m</td>
</tr>
<tr>
<td>East (rear)</td>
<td>0m or 3m</td>
<td>4.1m, 1.9m, 4.7m</td>
<td>4.32m</td>
<td>5.6m, 6.0m</td>
</tr>
</tbody>
</table>

#### B18 Walls on Boundaries
Ensure the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the amenity impacts on existing dwellings.

<table>
<thead>
<tr>
<th></th>
<th>Yes</th>
<th>Northern Boundary Wall</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Maximum Height: 3.6m</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Proposed: 2.82m</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Maximum Average Height: 3.2m</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Proposed: less than 3.2m</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Maximum Length: 16.6m</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Proposed: 6.92m</td>
</tr>
</tbody>
</table>

**Southern Boundary Wall**

<table>
<thead>
<tr>
<th></th>
<th>Yes</th>
<th>Southern Boundary Wall</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Maximum Height: 3.6m</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Proposed: 3.06m</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Maximum Average Height: 3.2m</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Proposed: 3.20m</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Maximum Length: 16.6m</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Proposed: 9.3m</td>
</tr>
</tbody>
</table>

### B19 Daylight to Existing

<table>
<thead>
<tr>
<th></th>
<th>Yes</th>
<th>The proposal is well setback from property</th>
</tr>
</thead>
</table>

---

Item 4.4 – Matters of Decision

Page 164 of 357
<table>
<thead>
<tr>
<th>Item</th>
<th>Category</th>
<th>Description</th>
<th>Action Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Item 4.4</td>
<td>Matters of Decision</td>
<td><strong>Windows</strong>&lt;br&gt;Allow adequate daylight into existing habitable room windows.</td>
<td>Delegate Officer Report</td>
</tr>
<tr>
<td>B20 North Facing Windows</td>
<td></td>
<td>Yes</td>
<td>No north facing windows on adjoining properties are affected.</td>
</tr>
<tr>
<td>B21 Overshadowing Open Space</td>
<td></td>
<td>Yes</td>
<td>Shadow diagrams submitted with the application demonstrate that at least 75%/40m² of adjoining dwellings secluded private open space receives at least five hours of sunlight between 9am and 3pm on 22 September.</td>
</tr>
<tr>
<td>B22 Overlooking</td>
<td></td>
<td>Yes</td>
<td>All habitable room windows with opportunities for overlooking, are appropriately screened, or have a minimum sill height in compliance with Standard B22.</td>
</tr>
<tr>
<td>B23 Internal Views</td>
<td></td>
<td>Yes</td>
<td>At ground level, fencing to a height of 1.8m will prevent internal overlooking, whilst windows at first floor have been adequately located and designed to limit internal overlooking to less than 50%.</td>
</tr>
<tr>
<td>B24 Noise Impacts</td>
<td></td>
<td>Yes</td>
<td>The development will not generate any noise above that typically expected from a residential building.</td>
</tr>
<tr>
<td>B25 Accessibility</td>
<td></td>
<td>Yes</td>
<td>Entries are easily accessible for people with limited mobility. The development could be retrofitted to accommodate people with limited mobility in the future if required.</td>
</tr>
<tr>
<td>B26 Dwelling Entry</td>
<td></td>
<td>Yes</td>
<td>The entries to both dwellings are easily identifiable from the street.</td>
</tr>
<tr>
<td>B27 Daylight to New Windows</td>
<td></td>
<td>Yes</td>
<td>All habitable windows have direct access to daylight.</td>
</tr>
<tr>
<td>B28 Private Open Space</td>
<td></td>
<td>Yes</td>
<td>Minimum: 25m² secluded, 40m² overall.&lt;br&gt;&lt;br&gt;Proposed: Each dwelling is provided with at least 51m² of secluded private open space in compliance with this standard.</td>
</tr>
<tr>
<td>B29 Solar Access to Open Space</td>
<td></td>
<td>Yes</td>
<td>Appropriate solar access to the private open space areas is provided.</td>
</tr>
<tr>
<td>Item</td>
<td>Description</td>
<td>Decision</td>
<td>Details</td>
</tr>
<tr>
<td>------</td>
<td>-------------</td>
<td>----------</td>
<td>---------</td>
</tr>
<tr>
<td>B30 Storage</td>
<td>Provide adequate storage facilities for each dwelling.</td>
<td>Yes</td>
<td>Each dwelling is provided with storage facilities of at least 6m² within the garage.</td>
</tr>
<tr>
<td>B31 Design Detail</td>
<td>Encourage design detail that respects the existing or preferred neighbourhood character.</td>
<td>Yes</td>
<td>Refer Attachment 1.</td>
</tr>
<tr>
<td>B32 Front Fences</td>
<td>Encourage front fence design that respects the existing or preferred neighbourhood character.</td>
<td>No</td>
<td>Required: 1.2m in height. Proposed: 1.6m in height. Refer to report</td>
</tr>
<tr>
<td>B33 Common Property</td>
<td>Ensure car parking, access areas and other communal open space is practical, attractive and easily maintained. Avoid future management difficulties in common ownership areas.</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>B34 Site Services</td>
<td>Ensure site services and facilities can be installed and easily maintained and are accessible, adequate and attractive.</td>
<td>Yes</td>
<td>Plans show clotheslines, mailboxes and storage areas as required. Space for meters has been provided alongside the entries of each dwelling.</td>
</tr>
</tbody>
</table>
4.5 FIRBANK GRAMMAR (17-23 & 51 OUTER CRESCENT, BRIGHTON)
NOTICE OF DECISION TO GRANT A PERMIT
APPLICATION NO: 2018/405/1 WARD: NORTHERN

City Planning & Amenity - Development Services
File No: PSF/19/962 – Doc No: DOC/19/85508

1. Application details

<table>
<thead>
<tr>
<th>Recommendation</th>
<th>Notice of Decision to Grant a Planning Permit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applicant</td>
<td>Urbis</td>
</tr>
<tr>
<td>Title/Covenant/S173 Agreement</td>
<td>The title is not subject to any restrictive covenants.</td>
</tr>
<tr>
<td>Date application received</td>
<td>29 June 2018 (Amended on 18th March 2019)</td>
</tr>
<tr>
<td>Current statutory days</td>
<td>43 days</td>
</tr>
<tr>
<td>Zoning</td>
<td>General Residential Zone (Schedule 2)</td>
</tr>
<tr>
<td></td>
<td>Neighbourhood Residential Zone (Schedule 3)</td>
</tr>
<tr>
<td>Overlays</td>
<td>Design and Development Overlay (Schedule 3)</td>
</tr>
<tr>
<td></td>
<td>Design and Development Overlay (Schedule 10)</td>
</tr>
<tr>
<td></td>
<td>Heritage Overlay (Schedule 558)</td>
</tr>
<tr>
<td></td>
<td>Development Contributions Plan Overlay</td>
</tr>
<tr>
<td></td>
<td>(Schedule 1)</td>
</tr>
<tr>
<td>Site area</td>
<td>55,240 square metres</td>
</tr>
<tr>
<td>Number of outstanding objections</td>
<td>16</td>
</tr>
<tr>
<td>Is a Development Contribution Levy applicable?</td>
<td>No</td>
</tr>
<tr>
<td>Is the site located within an area of cultural heritage sensitivity?</td>
<td>No</td>
</tr>
</tbody>
</table>

Proposal

The application proposes use of land and buildings and works associated with the existing education centre (section 2 use), buildings and works, including partial demolition in a Heritage Overlay and display of business identification signage.

Key details of the proposal are as follows:

- Partial demolition of existing dining hall at 51 Outer Crescent in Heritage Overlay Schedule 558 and demolition of No’s 17, 19, 21 and 23 Outer Crescent.
- Construction of double-storey pavilion comprising ground floor changing facilities, WC’s and store and first floor multi-purpose room and balcony/viewing area.
- Construction of three (3) multi-purpose (tennis, netball and basketball) courts with a court height varying from natural ground level at the rear of the site to 2.75 metres at the front of the site, adjacent to Outer Crescent.
- Construction of three (3) multi-purpose rooms with pedestrian access from Outer Crescent and basement storage and workshop with vehicle access from Outer Crescent.
Crescent below multi-purpose courts.

- Construction of sport curtain and metal balustrades around the multi-purpose courts.
- Installation of twelve flood lights of up to 10 metres in height.
- Display of one business identification sign on the front of the site facing the intersection of Outer Crescent and Cochrane Street.

The application plans are provided at Attachment 1.

An aerial image and photographs of the site and surrounds are provided at Attachment 2.

History

Planning Permit 1985/2184 was granted on 25 October 1985 to use land for the purpose of a creative arts theatre, netball court and SEC substation.

Planning Permit 1994/4387 was granted on 27 September 1994 for the use and development of a physical education centre, comprising gymnasium, indoor-swimming pool, training rooms, staff rooms and amenities and relocation of car parking areas as part of an education centre.

Planning permit 2014/81/1 was granted on 16 June 2015 for Works to oval to accommodate playing fields in a school in a Neighbourhood Residential Zone.

Planning Permit 2018/406/1 was granted on 20 December 2018 for Neighbourhood Residential Zone Schedule 3: Buildings and works associated with an existing Education Centre comprising construction of a pavilion and flood lighting and display of two electronic business identification signs.

This application seeks to re-locate the existing tennis courts to be removed to facilitate works to the school oval under planning permit 2014/81.

There are numerous other previous permit applications on the site; however, these are not specifically relevant to the current application.

2. Planning controls

Planning Permit requirements

A planning permit is required pursuant to:

- Clause 32.01-2 (General Residential Zone) – Section 2 use.
- Clause 32.08-9 (General Residential Zone) – Buildings and works associated with an existing education centre (Section 2 use).
- Clause 32.09-9 (Neighbourhood Residential Zone) – Buildings and works associated with an existing education centre (Section 2 use).
- Clause 43.01 (Heritage Overlay) – Partial demolition of a building and construction of buildings and works.
- Clause 52.05-13 (Advertising Signage) – Category 3 (High Amenity Areas), Display business identification signage.

Planning Scheme Amendments

Planning Scheme Amendment C153 was gazetted on 31 January 2019. The Amendment removes the Land Subject to Inundation Overlay from the Bayside Planning Scheme and updates the boundaries of the Special Building Overlay (SBO) to reflect revised flood modelling undertaken by Melbourne Water.

It is noted that when the application was received, the north-eastern corner of the site adjacent to Outer Crescent was located within the SBO, and thus the application was
referred to Melbourne Water as the determining referral authority. However, amendment C153 removed the SBO from the site. Notwithstanding this, Melbourne Water have provided a response of no objection to the proposal.

3. Stakeholder consultation

External referrals

The application was referred to the following authorities:

<table>
<thead>
<tr>
<th>Referral Authority</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Melbourne Water</td>
<td>No objection.</td>
</tr>
</tbody>
</table>

Internal referrals

The application was originally referred to the Council departments noted below for comment. The formally amended plans were also referred to Council’s Arborist and Open Space Arborist for comments as it is considered that these changes may be of relevance to these Council officers.

<table>
<thead>
<tr>
<th>Internal Referral</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arborist</td>
<td>Raise concerns relating impact on neighbouring trees and landscaping within the site which are addressed by way of recommended conditions.</td>
</tr>
<tr>
<td>Drainage Assets Engineer</td>
<td>No objection, subject to conditions.</td>
</tr>
<tr>
<td>Open Space Arborist</td>
<td>No objection, subject to conditions.</td>
</tr>
<tr>
<td>Traffic Engineer</td>
<td>Raise concerns relating to access and sightlines which are addressed by way of recommended conditions.</td>
</tr>
</tbody>
</table>

Public notification

The application was advertised pursuant to Sections 52(1)(a) and (d) of the Planning and Environment Act 1987 and sixteen (16) objections were received.

16 objections remain outstanding at the time of this report.

The following concerns were raised:

- Neighbourhood character;
- Visual bulk;
- Overlooking;
- Overshadowing;
- Noise;
- Light pollution;
- Hours of use;
- Lack of vegetation;
- Impact on neighbouring trees;
- Basement construction; and
- Parking / Traffic.

The number of objections received for this application is consistent across Council’s record management systems.
Consultation meeting

The applicant declined a consultation meeting and chose to carry out their own public consultation. Council’s Officers are aware that some conversations have been had between the applicant and objectors, but are unaware of the nature and extent of the conversations. As a result of this private consultation, no objections were withdrawn.

Amendment

The application was amended pursuant to Section 57A of the Planning and Environment Act 1987 to include the following changes:

- Basement set-back increased to a minimum of 1.2 metres from the eastern boundary of the site;
- Multi-purpose rooms reduced in number from four (4) to three (3);
- Multi-purpose courts set back from Outer Crescent by up to 2.17 metres;
- Removal of shared boundary fencing and rendered wall along the eastern site boundary to allow for lower level landscaping; and
- Additional landscaping to the northern site boundary adjacent to Outer Crescent.

It is noted that the amended plans were not advertised as it is considered that the changes would not result in any material detriment to any persons.

4. Recommendation

That Council resolve to issue a Notice of Decision to Grant a Permit under the provisions of the Bayside Planning Scheme in respect of Planning application 2018/405/1 for the land known and described as 17, 19, 21, 23 and 51 Outer Crescent, Brighton for use and development of the site (multi-purpose rooms and multi-purpose courts) associated with the existing education centre, including the partial demolition of a building within a heritage overlay and the erection of business identification signage in accordance with the endorsed plans and subject to the following conditions from the standard 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 generally in accordance with the plans (amended) prepared by Peddle Thorpe referenced TP001 – TP201, dated March 2019 but modified to show:
   a) A minimum of 2.1 metres headroom clearance to be provided to the vehicle entrance to the basement.
   b) The crossover to the basement to have a maximum width of 3 metres.
   c) Pedestrian sightlines to be provided to the vehicle access to the basement in accordance with AS2890.1.
   d) Floodlighting to be relocated away from the tree canopy of Tree 2.
   e) Additional nature strip tree planting to be removed from the development plans.
   f) Removal of reference to final light pole and lighting details to be subject to product provider specifications.
   g) Details of the proposed floodlights.
h) Details of the material proposed for the metal balustrade.
i) A schedule of construction materials, external finishes and colours (incorporating for example paint samples).
j) Water Sensitive Urban Design measures in accordance with Condition 11 of this permit.
k) A Landscaping Plan in accordance with Condition 13 of this permit.
l) An Impact Assessment Report in Accordance with Condition 16 of this permit.
m) A Tree Protection and Tree Management Plan in accordance with Condition 17 of this permit.
n) A public realm improvement plan in accordance with Condition 27.

All to the satisfaction of the Responsible Authority.

2. The layout of the site and the size, levels, design and location of buildings and works shown on the endorsed plans must not be modified for any reason (unless the Bayside Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.

3. Before the occupation of the site commences or by such later date as is approved in writing by the Responsible Authority, all buildings and works must be carried out and completed to the satisfaction of the Responsible Authority.

4. No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the building/s without the written consent of the Responsible Authority.

5. The walls on the boundary of the adjoining properties shall be cleaned and finished to the satisfaction of the Responsible Authority.

Floodlighting

6. The external floodlighting may only be illuminated between the hours of 7:00am and 8:30pm Monday to Sunday.

7. The external lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land to the satisfaction of the Responsible Authority.

Use

8. The courts must not be used between 10:30pm and 7:30 am.

9. No mechanical equipment such as ball-throwing machines may be operated between 7:00pm and 8:00am.

Signage

10. Before the display of the signs begins, the existing Business Identification Sign located on the site frontage adjacent to Outer Crescent must be removed.

Water Sensitive Urban Design

11. Prior to the endorsement of plans pursuant to Condition 1, detailed plans to the satisfaction of the Responsible Authority must be submitted to and be endorsed by the Responsible Authority. The plan must be drawn to scale with dimensions and three copies must be provided. The plans must show:
   a) The type of water sensitive urban design stormwater treatment measures to be used.
b) The location of the water sensitive urban design stormwater treatment measures in relation to buildings, sealed surfaces and landscaped areas.

c) Design details of the water sensitive urban design stormwater treatment measures, including cross sections.

These plans must be accompanied by a report from an industry accepted performance measurement tool which details the treatment performance achieved and demonstrates the level of compliance with the Urban Stormwater Best Practice Environmental Management Guidelines, CSIRO 1999.

12. The water sensitive urban design stormwater treatment system as shown on the endorsed plans must be retained and maintained at all times in accordance with the Urban Stormwater - Best Practice Environmental Management Guidelines, CSIRO 1999, to the satisfaction of the Responsible Authority.

**Landscaping**

13. Prior to the endorsement of plans pursuant to Condition 1, a detailed landscape plan to the satisfaction of the Responsible Authority must be submitted to and be endorsed by the Responsible Authority. The plan must be generally in accordance with the landscape concept plan reference LA-01, dated 05/03/2019 and be drawn to scale with dimensions and three copies must be provided. The plan must show:

a) A survey including botanical names of all existing trees to be retained on the site including Tree Protection Zones calculated in accordance with AS4970-2009.

b) 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.

c) A planting schedule of all proposed trees and shrubs, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.

d) Landscaping and/or planting within all areas of the site not covered by buildings or hard surfaces.

e) Details of surface finishes of pathways and driveways.

f) Canopy tree planting to be provided adjacent to the proposed pavilion.

14. Before the occupation of the development, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.

15. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.

**Impact Assessment Report**

16. Prior to the endorsement of plans pursuant to Condition 1, provision of an Arboricultural Impact Assessment report in accordance with Australian Standard 4970-2009 Protection of Trees on Development Sites to be provided to include a non-destructive root investigation to ensure Tree No. 2 remains viable post construction.
Tree Management and Protection Plan

17. Prior to the endorsement of plans pursuant to Condition 1, including any related demolition or removal of vegetation, a Tree Management Plan (report) and Tree Protection Plan (drawing), to the satisfaction of the Responsible Authority, must be submitted to and be endorsed by the Responsible Authority.

The Tree Management Plan must be specific to the trees shown on the Tree Protection Plan, in accordance with AS4970-2009, prepared by a suitably qualified Arborist and provide details of tree protection measures that will be utilised to ensure all trees to be retained remain viable post-construction. Stages of development at which inspections are required to ensure tree protection measures are adhered to must be specified.

The Tree Protection Plan must be in accordance with AS4970-2009, be drawn to scale and provide details of:

a) The Tree Protection Zone and Structural Root Zone for all trees to be retained on the site and for all trees on neighbouring properties where any part of the Tree Protection Zone falls within the subject site.

b) The location of tree protection measures to be utilised.

18. All protection measures identified in the Tree Management and Protection Plans must be implemented, and development works undertaken on the land must be undertaken in accordance with the Tree Management and Protection Plans, to the satisfaction of the Responsible Authority.

19. Before the development starts, including demolition or removal of vegetation, the name and contact details of the project Arborist responsible for implementing the Tree Management Plan must be submitted to the Responsible Authority.

20. Any pruning to the canopy of Tree 2 to be to a maximum of 15% of the overall canopy, unless otherwise agreed in writing by the Responsible Authority.

21. Any pruning that is required to be done to the canopy of any tree to be retained (specify particular tree/s) is to be done by a qualified Arborist to Australian Standard – Pruning of Amenity Trees AS4373-1996. Any pruning of the root system of any tree to be retained is to be done by hand by a qualified Arborist.

Street tree protection

22. Soil excavation must not occur within 3 metres from the edge of the street tree assets stems at ground level.

23. A tree protection fence is for the protection of a tree’s canopy and root zone. Conditions for street tree protection fencing during development are as follows:

a) Fencing is to be secured and maintained prior to demolition and until all site works are complete.

b) Fencing must be installed to comply with AS4970-2009, Protection of trees on development sites.

c) Fencing should encompass the Tree Protection Zone (TPZ) for all street trees adjacent to the development.

d) Fencing is to be constructed and secured so its positioning cannot be modified by site workers.
e) If applicable, prior to construction of the Council approved crossover, TPZ fencing may be reduced to the edge of the new crossover to facilitate works.

24. Prior to soil excavation for a Council approved crossover within the TPZ, a trench must be excavated along the line of the crossover adjacent to the tree using root sensitive non-destructive techniques. All roots that will be affected by must correctly pruned.

Drainage

25. Before the development starts, the permit holder must apply to Council for the Legal Point of Discharge for the development from where stormwater is drained under gravity to the Council network.

26. Before the development, detailed plans indicating, but not limited to, the method of stormwater discharge to the nominated Legal Point of Discharge (and On-Site Detention System where applicable) must be submitted to and approved by Council’s City Assets and Projects Department.

Public realm improvement plan

27. Prior to the endorsement of plans pursuant to Condition 1, a Public Realm Improvement Plan must be prepared and developed in collaboration with Council. It must be submitted and approved to the satisfaction of the Responsible Authority, showing:
   a) Details of additional street tree planting on the Outer Crescent street frontage in accordance with Council Standards;
   b) Details of the location of new vehicle crossings and the reinstatement of any existing crossovers;
   c) Details of the relocation of existing street parking signs;

When approved, such plan will form part of the endorsed plans under this permit.

28. Prior to the occupation of the site associated with the development hereby approved, all public works associated with that stage must be completed in accordance with the endorsed Public Works Plan to the satisfaction of the Responsible Authority. The cost of all works associated with the endorsed plan must be borne by the developer/owner of the land.

Construction Management Plan

29. Prior to commencement of any building works (including demolition works in a Heritage Overlay) and/or the issue of a Building Permit a Construction Management Plan (CMP) prepared 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 form part of this permit.

The plan must provide for (but not limited to):
   a) A pre-conditions survey (dilapidation report) of the land and all adjacent Council roads frontages and nearby road infrastructure.
   b) Adjoining residential properties shall be notified before any works are undertaken within 2 metres of the boundary.
   c) Works necessary to protect road and other infrastructure.
   d) Remediation of any damage to road and other infrastructure.
e) Containment of dust, dirt and mud within the land and method and frequency of clean up procedures to prevent the accumulation of dust, dirt and mud outside the land.

f) Facilities for vehicle washing, which must be located on the land.

g) The location of loading zones, site sheds, materials, cranes and crane/hoisting zones, gantries and any other construction related items or equipment to be located in any street.

h) Site security.

i) Management of any environmental hazards including, but not limited to:
   i) contaminated soil and ground water
   ii) materials and waste
   iii) dust
   iv) stormwater contamination from run-off and wash-waters
   v) sediment from the land on roads
   vi) washing of concrete trucks and other vehicles and machinery
   vii) spillage from refuelling cranes and other vehicles and machinery.

j) The construction program.

k) Preferred arrangements for trucks delivering to the land, including delivery and unloading points and expected duration and frequency.

l) Parking facilities for construction workers.

m) Measures to ensure that all work on the land will be carried out in accordance with the Construction Management Plan.

n) An outline of requests to Council/Public authorities to occupy public footpaths or roads, or anticipated disruptions to local services.

o) An emergency contact that is available for 24 hours per day for residents and the Responsible Authority in the event of relevant queries or problems experienced.


q) Any stormwater discharged into the stormwater drainage system must be in compliance with Environment Protection Authority guidelines.

r) Stormwater drainage system protection measures must be installed as required to ensure that no solid waste, sediment, sand, soil, clay or stones from the land enters the stormwater drainage system.

s) Vehicle borne material must not accumulate on the roads abutting the land.
t) The cleaning of machinery and equipment must take place on the land and not on adjacent footpaths or roads.

u) All litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly.

If required, the Construction Management Plan may be approved in stages. Construction of each stage must not commence until a Construction Management Plan has been endorsed for that stage, to the satisfaction of the Responsible Authority

**Signage Expiry**

30. This permit expires 15 years from the date of issue.

**Permit Expiry**

31. This permit will expire if one of the following circumstances applies:
   a) The development is not started within two years of the date of this permit.
   b) The development is not completed within four years of the date of this permit.
   c) The use is not started within five years of the date of this permit.
   d) The use is discontinued for a period of two years or more.

In accordance with Section 69 of the *Planning and Environment Act 1987*, a request may be submitted to the Responsible Authority within the prescribed timeframes for an extension of the periods referred to in this condition.

**Permit Notes:**

- This permit does not constitute any authority to carry out any building works or occupy the building or part of the building unless all relevant building permits are obtained.

- A permit must be obtained from Council for all vehicular crossings. These must be constructed under Council’s supervision for which 24 hours’ notice is required.

- A ‘Road Opening / Stormwater Tapping Permit’ is to be obtained from the Infrastructure Department prior to the commencement of the connection to the Council Drain / kerb / channel.

- Council records indicate that there is no easement drainage and sewerage easement in the area of works on the property.

- Subsurface water must be treated in accordance with Council’s Policy for “Works on Assets within the Road Reserve Policy 2018”.
5. Council Policy

Council Plan 2017-2021

Relevant objectives of the Council plan include:

- Where significant development is directed to specified and planned activity centres and strategic locations, providing a transition to surrounding residential areas and incorporating improved infrastructure and open space.
- Where neighbourhood character, streetscapes and heritage is respected and enhanced, and the community has a strong connection to place.
- Where development contributes to a high visual amenity, is ecologically sustainable, demonstrates high quality compliant design, and responds to the streetscape and neighbourhood context.

Relevant strategies of the Council plan include:

- Make discretionary planning controls stronger, by advocating for Council’s planning and urban design objectives to state government.
- Ensure new development responds to preferred neighbourhood character in activity centres.

Bayside Planning Scheme

- Clause 12 Environmental and Landscape Values
- Clause 15 Built Environment and Heritage
- Clause 21.02 Bayside Key Issues and Strategic Vision
- Clause 21.04 Environmental and Landscape Values
- Clause 21.06 Built Environment and Heritage
- Clause 21.11 Local Areas (Bay Street Major Activity Centre)
- Clause 22.05 Heritage Policy
- Clause 22.06 Neighbourhood Character Policy (Precinct B2)
- Clause 22.07 Discretionary Uses in Residential Areas
- Clause 22.08 Water Sensitive Urban Design
- Clause 32.08 General Residential Zone (Schedule 2)
- Clause 32.09 Neighbourhood Residential Zone (Schedule 3)
- Clause 43.02 Design and Development Overlay (Schedule 3)
- Clause 43.02 Design and Development Overlay (Schedule 10)
- Clause 43.01 Heritage Overlay (Schedule 558)
- Clause 45.06 Development Contributions Plan Overlay (Schedule 1)
- Clause 52.05 Signs
- Clause 53.18 Stormwater Management in Urban Development
- Clause 65 Decision Guidelines
6. Considerations

In considering this application, regard has been given to the State and Local Planning Policy Frameworks, the provisions of the Bayside Planning Scheme, objections received and the individual merits of the application.

6.1. Land Use

No. 51 Outer Crescent has had a permit for the use as an Education Centre since 25th October 1985 as noted in the planning history section of this report and therefore a permit is not required for the use of this part of the site.

The applicant has advised that No’s 17, 19, 21 and 23 Outer Crescent have been used by the school for various purposes including for Caretakers accommodation, and a school uniform shop since 2004 through to 2015.

These properties are located in the General Residential Zone. The final purpose of which reads “To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations”.

Under the Bayside Planning Scheme, an education facility is a discretionary use in a residential area. Clause 22.07 of the Bayside Planning Scheme provides a set of guiding principles for assessing the appropriateness of the location for the intended use. The guiding principles includes ‘preferred’ locations which are not mandatory, nevertheless an assessment against these criteria is as follows:

<table>
<thead>
<tr>
<th>Policy:</th>
<th>Response:</th>
</tr>
</thead>
<tbody>
<tr>
<td>The discretionary use abuts a Road Zone or collector road. Other locations may only be favourably considered where it can be demonstrated that residential amenity will not be unreasonably compromised.</td>
<td>The sites directly abut Outer Crescent and are located close to Bay Street. Furthermore, they are adjacent to the established education facility and will be used in conjunction with it.</td>
</tr>
<tr>
<td>Site consolidation is encouraged to ensure adequate on-site parking, landscaping and setbacks are provided.</td>
<td>The sites will be consolidated into the existing large school site and thus, will be capable of providing adequate separation between buildings.</td>
</tr>
<tr>
<td>The discretionary use is on a corner site.</td>
<td>Whilst the site is not located on a corner, it is located adjacent to an intersection in the road.</td>
</tr>
<tr>
<td>The discretionary use is located on the periphery of commercial areas or adjacent to other discretionary uses to provide a transition between commercial and residential areas.</td>
<td>The sites are located on the periphery of the commercial zoned land to the north. The use is already established on the site.</td>
</tr>
<tr>
<td>The discretionary use is located near similar community and support facilities.</td>
<td>The sites are located immediately adjacent to the already established education centre on the site.</td>
</tr>
<tr>
<td>The discretionary use is located within walking distance of public transport and promotes safe and convenient pedestrian access.</td>
<td>There are bus stops located on Bay Road and St Andrews Street close to the site as well as North Brighton Station which is in close proximity.</td>
</tr>
</tbody>
</table>

6.2. Neighbourhood character

The site is also located in the Bay Street Major Activity Centre, where three storey development is acceptable as prescribed by DDO10. The objectives of the DDO seek...
more intense development on this site and thus there is some contrast in character between the preferred neighbourhood character guidelines for the precinct and those buildings constructed under the current planning controls.

It is noted that the Policy section of Clause 22.03-6 ‘Exercising Discretion’ states:
Where a permit is required to develop or subdivide land in residential areas it is policy to take into account:

- The preferred future character and the precinct guidelines including objectives, design responses and avoid statements for each precinct as described in this policy.
- The extent to which the characteristics of the built and natural environment in the immediate vicinity of the site may determine a preferred future character that is different from that applying to the remainder of the precinct in which the site is located.
- Whether the site is located within a residential opportunity area as shown on the Strategic Framework Plan of the Municipal Strategic Statement and the extent to which this may alter the relevance of the design responses to consideration of the proposal.

The underlined section above applies to the development given it is located in the Bay Street Activity Centre, and the relevance of the Neighbourhood Character Precinct B2 is diminished somewhat, nevertheless, the design must be responsive to the neighbourhood character.

An assessment has therefore been undertaken against the Neighbourhood Character guidelines for the Precinct (B2) and the proposal is considered to demonstrate an appropriate level of compliance with the preferred future character statement and precinct guidelines for the following reasons:

- The proposed two-storey pavilion will be set back from Outer Crescent such that it will not appear dominant within the streetscape. The pavilion building will be appropriately articulated with a variety of materials that will reflect the materials at existing school buildings within the site.
- The proposed multi-purpose courts will be located on or within 2.7 metres, at an elevated level to the front building line of the site. Whilst this will increase the built form adjacent to the street, the planting of one (1) tree in the north-eastern corner of the site, adjacent to Court 1 and four (4) trees approximately in the centre of the northern boundary of the site, adjacent to Court 3 will maintain a sense of the garden setting of the area.
- The orientation of the site and the curved nature of Outer Crescent means that the built form will be primarily viewed on an angle and the proposed vegetation will provide some screening and break up the appearance of the built form.
- The proposed multi-purpose rooms will be setback, beneath the multi-purpose courts, at a distance of between approximately 3.8 and 4.1 metres from the front of the site, facing Outer Crescent. The front façade of the multi-purpose rooms will be highly glazed ensuring that this does not appear overly dominant when viewed from the Street.
- A metal frame is proposed in a curved wave-like design, to enclose the multi-purpose courts facing Outer Crescent and will present a modern attention-grabbing façade to the street. The nets and lights located above the courts will be lightweight in their design, ensuring that the built form does not appear dominating within the streetscape.
- The existing vehicle access points to the site will be reduced in number from 5 to 2 along this stretch of Outer Crescent, reducing the appearance of car parking.

- The proposed business identification sign will replace the existing sign adjacent to Outer Crescent. This element is considered to be appropriate in terms of its scale, siting and materials to ensure that the advertisement will not appear overly dominant within the street scape.

A more detailed assessment against the precinct guidelines is contained in Attachment 3.

6.3. Heritage Overlay (HO558)

The site is affected by Schedule 558 of the Heritage Overlay (HO558). This applies to the original building at Firbank, described in the citation as a large symmetrically planned, double-storey building constructed of red brick with gambrel roofs. The building citation for HO558 also notes that there have been many additional new buildings which have since been constructed and extended throughout the school grounds.

This application seeks to demolish a small portion at the eastern-most point of the student dining hall, located within the Heritage Overlay. The student dining hall building is not a contributory or original building and the demolition is proposed for a small portion of the building to allow ease of access and egress to the site. It is considered that this demolition would be appropriate as this would not adversely affect the significance or character of the heritage place.

The proposed pavilion and a small part of the western edge of the proposed multi-purpose courts and rooms will be partially located within the Heritage Overlay. These elements will be located some way from the original building at Firbank. The pavilion will be constructed in materials proposed to reflect the varied materials used within the site and includes a combination of brick and render with some metal panels and glazed balconies. This combination of materials and the relatively modest scale of the pavilion in relation to other school buildings on the site is considered to be appropriate to ensure that this will not overwhelm the nearby heritage buildings. The low scale of the multi-purpose courts is considered to be appropriate in the context of the heritage school. It is also noted that some of the additions will be obscured from view from the heritage buildings behind other school buildings within the site.

On balance, the location, form and appearance of the additions would be in keeping with the nearby heritage buildings and would ensure that the heritage significance of the place is not adversely affected.

6.4. Landscaping

Council's Arborist has raised concerns with the development as the proposal will encroach into the TPZ of Tree 2, located on the neighbouring property by more than 26%. In addition, Council's Arborist has raised concerns based on the impact of the construction process on the canopies of the trees at No. 15 Outer Crescent.

A requirement to submit an Impact Assessment Report and Tree Management and Tree Protection Plans has been included in the recommendation. This will require the applicant to demonstrate the methods of protection to be provided to these neighbouring trees to ensure that they remain viable throughout the construction process and for the lifetime of the development and that the proposed development does not encroach more than the Australian Standard into the TPZ.

The modified footprint of will reduce the impact on this neighbouring tree and these recommended conditions will ensure that the concerns of the Arborist are addressed.

In addition, the permit applicant has advised that they are willing to relocate the floodlight away from the canopy of this tree to limit the amount of pruning that will be required and
furthermore keep any pruning to 15% of the tree canopy. These are included as conditions in the recommendation.

A landscape plan will also be required to be provided to demonstrate that the proposed planting will maintain a sufficient response to the neighbourhood character guidelines for the precinct by maintaining the garden setting of the site.

6.5. Street trees

Tree No’s 1 (*Melaleuca linariifolia*) and 7 (*Lophostemon confertus*) are located within the nature strip and are proposed for retention. Council’s Street Tree Arborist has advised that both trees are mature and have a fair health and structure and their retention is supported. The trees will be required to be protected during demolition and construction. Conditions are recommended requiring tree protection measures to be provided.

Whilst it is noted that the amended plans show additional street tree planting within the nature strip, Council will generally only plant public asset trees. It is more appropriate to require a public realm improvement plan to improve public nature strips. Accordingly a condition has been imposed to improve the nature strip in front of the site given the level of vehicle crossing removal and the opportunity afforded for nature strip tree planting. This plan will be required to be developed by the applicant and approved by Council. The costs of works will be borne by the applicant but undertaken by Council.

6.6. Lighting

Floodlights are proposed to be located around the edge of the three courts to enable the school facilities to be used for evening sports activities up until 8:30pm.

The lighting proposal comprises twelve light poles with lights oriented towards the three new courts. The light poles will be 8 metres in height, located on the proposed courts. Given that the court level will vary from the natural ground level, the overall height of the light poles will be up to 10 metres above natural ground level as a result of the sloping topography of the site.

The information provided to support the application refers to the Code of Practice for Private Tennis Courts Development Revision 1 March 1999. Whilst this document is not specifically relevant, this is considered to be an appropriate guide for the consideration of floodlights in a residential area. The proposal is for the level of light emanating outside of the site not to exceed 12 lux or an average of 10 lux when measured 3 metres outside of the site boundary.

Whilst it is noted that the lights are to be oriented towards the courts, as there are lights proposed to be located on and close to the eastern boundary of the site, adjacent to residential properties, there is the potential for light spill. A condition is recommended requiring the lighting to be baffled to ensure that light spill to neighbouring properties is minimised.

A further condition will restrict the hours of use to between 7:00am and 8:30pm. Subject to these conditions, the proposed floodlights are considered to be reasonable to enable the school to make efficient use of the site, whilst ensuring that the use of the lights does not have an undue impact on the amenity of neighbouring residents.

6.7. Assessment of Courts

The Code of Practice for Private Tennis Courts sets out objectives for the construction of tennis courts. As stated above, whilst not strictly applicable in this instance, it provides a mechanism for assessing the construction of the proposed multi-use sports courts. The relevant aspects are considered below, taking into account that it relates to private tennis court and not a multi-use sports court.
Court location
The court must be at least:
- 3 metres from a street frontage;
- 3 metres from an adjoining dwelling if the court is to be illuminated; and
- 20 metres from a Melbourne Water declared main drain.

The proposed multi-use courts are setback between 0-2.71m from the street frontage and 3.2m from the nearest residential property at the closest point. The impact of the courts on the neighbourhood character has been discussed in Section 6.2 above of this report. There is no Melbourne Water declared main drain in the vicinity of the site.

Fencing and enclosures
If less than 1 metre from a property boundary, the court fencing or other enclosure:
- Must not be more than 3 metres above the court surface;
- Must be of a maintenance-free material and use non-intrusive colours; and
- Must not be solid or enclosed for a height of more than 2 metres above the court surface.

The proposed fencing for the multi-use courts would be to a height of 3.6 metres above the court and would be a retractable curtain of an open style nature. The courts will be elevated above ground level, so the fencing will be at a higher level than stipulated above. However, the interface with adjoining residential dwellings is along the eastern boundary, where there is an access driveway for the six dwellings located at 15 Outer Crescent. This, together with the open and retractable nature of the fencing, will limit the impact of the fencing.

Site works
- The site on which the court is to be constructed must not have a slope of more than 20 percent overall.
- Excavation or filling must not exceed 1 metre in depth within 1 metre of a property boundary.
- Filling must not exceed 2.5 metres in depth at any point on the court site.
- Drainage resulting from the court must be intercepted to avoid any overflow and must be connected to an approved point of discharge.

From the information submitted with the application, the first three points will be complied with, however, technically the court sits on a basement (not fill) which is 2.75 metres above natural ground level. The height of the top of the courts is considered to be acceptable in the context. The final point will be covered under the drainage requirements through the building process.

Privacy
- The court must not be used between 10.30pm and 7.30am.
- No mechanical equipment such as ball-throwing machines may be operated between 7pm and 8am.

Conditions are included in the recommendation to ensure that the above requirements are secured and adhered to.

Construction methods
- Adjoining residential properties shall be notified before any works are undertaken within 2 metres of the boundary.
• Temporary barriers must be provided to protect areas of vegetation which are outside the works site.

These requirements are included as a recommended condition.

6.8. Signage

Pursuant to Clauses 32.09-14 and 52.05-13 of the Bayside Planning Scheme, the north-western part of the site is located in a Category 3- High amenity area. A permit is required for business identification signs under Clause 52.05-13 of the Bayside Planning Scheme.

The proposed signage is to be located on the façade of the courts, above the multi-purpose rooms at the intersection of Outer Crescent in approximately the same location as the existing business identification sign located on the brick front fence at the site.

The proposed sign comprises individual lettering to be affixed to the frontage of the building containing the multi-purpose rooms/ courts with have the following dimensions:

• 8.8 metres (width) and 0.91 metres height.

• The total overall area of the proposed sign will be 8 square metres.

The proposed business identification sign will be appropriate in scale and form in relation to the site and will be located such that it will sit appropriately within the streetscape. The sign will not be electronic or illuminated.

The proposed sign will replace an existing sign in approximately the same location and will be located on the existing fence line, will not unreasonably clutter the streetscape and will pose minimal impact to the amenity of neighbours.

6.9. Special Building Overlay (SBO)

It is noted that the application was referred to Melbourne Water who raised no objection to the proposal. However, at the time of report writing, the Special Building Overlay is no longer applicable to the site as a result of amendment C153 as noted above.

6.10. Stormwater Management in Urban Development

Clause 53.18 of the Bayside Planning Scheme requires an application for the construction of a building exceeding 50 square metres in area to manage and mitigate the impacts of stormwater on the environment, property and public safety, and to provide cooling, local habitat and amenity benefits.

The proposed pavilion, multi-purpose courts with associated storage and multi-purpose rooms below, have an area of approximately 232 square metres, as such, Clause 53.18 is applicable to this application.

Indicative rainwater tanks are shown on the plans, however, a condition is recommended requiring stormwater treatment measures to be provided in accordance with an industry accepted performance measurement tool and best practice. Details of the treatment method to be used will be required to be provided to Council’s satisfaction.

6.11. Car parking and traffic

Pursuant to the car parking requirements at Clause 52.06, the proposed development does not seek to increase the number of students or employees at the site and therefore no additional on-site parking is required to be provided. Whilst it is noted that concerns have been raised in relation to increased car parking congestion, this is not a requirement of the planning scheme.

The application was referred to Council’s Traffic Engineer who raised concerns with the application due to a lack of information. Conditions have been recommended in relation to vehicle access and sightlines to address this.
6.12. Cultural Heritage management plan

The site is not located within an area of cultural heritage sensitivity and therefore a cultural heritage management plan is not required.

6.13. Development contributions levy

Based on the proposed application, no development contribution is required as the application is for a non-government school. Under the Ministerial Direction on the Preparation and Content of Development Contribution Plans Part A, dated October 11th 2016, the development contributions plan does not therefore apply to a non-government school.

6.14. Objector issues not already addressed

**Basement construction**

Construction techniques and effects are not a consideration under the Planning & Environment Act or Bayside Planning Scheme.

**Noise**

The noise levels generated by the development, will not be significantly above that of the surrounding area and the measures proposed to the fencing to the tennis courts will ensure that the development will not unreasonably impact the occupiers of the surrounding dwellings and businesses with respect to noise.

**Support Attachments**

1. Development Plans ↓
2. Site and Surrounds ↓
3. Neighbourhood Character Assessment ↓
Item 4.5 – Matters of Decision
Item 4.5 – Matters of Decision
Item 4.5 – Matters of Decision
Item 4.5 – Matters of Decision

Bayside City Council
Planning & Amenity Committee Meeting
30 April 2019

Attachment 1

Page 197 of 357
NORTH ELEVATION: STREETSCE

NOTE:
ELEVATIONS MAY INDICATIVE DUE TO THE CURVED SHAPE OF THE STREETSCE

PEDDLE THORP

FIRBANK GIRLS’ GRAMMAR SCHOOL
SPORTS COURTS

PROPOSED ELEVATION
SPORTS COURTS

TP100A
Item 4.5 – Matters of Decision
Item 4.5 – Matters of Decision
Item 4.5 – Matters of Decision

Page 204 of 357
Item 4.5 – Matters of Decision
Site and Surrounds

Figure 1 Aerial overview of the site and surrounds

Legend

<table>
<thead>
<tr>
<th>Subject site</th>
<th>🟠</th>
</tr>
</thead>
<tbody>
<tr>
<td>Objectors</td>
<td>🟢</td>
</tr>
</tbody>
</table>

Further objections were received from the following addresses located outside of the map area:
PO Box 107 Doncaster Vic, 3108
8/4 Were Street, Brighton Vic, 3186
31 Balmain Street, Cremorne, Vic, 3121
Figure 2 View towards the existing business identification sign and vehicle access to 51 Outer Crescent from the north

Figure 3 View towards the site including 17,19,21,23 and 51 Outer Crescent from the northwest
Figure 4 View to the site including 17, 19, 21, 23 and 51 Outer Crescent from the northeast

Figure 5 View to the site including 17 Outer Crescent and the adjoining property at 15 Outer Crescent from the north
Figure 6 View to trees on neighbouring property No. 15 Outer Crescent from the north

Figure 7 View towards nature strip adjacent to the site
Figure 8 View to the single storey part of the existing dining hall to be demolished at 51 Outer Crescent from the north.
**Neighbourhood Character Precinct B2**

**Preferred Future Character Statement**

The diverse dwelling styles, with a continued presence of pre WWII dwellings, sit within established gardens with occasional tall canopy trees. Side setbacks on both sides, and the setting back of car ports/garages from the dwelling, allows for vegetation to flow around the dwellings. New buildings blend with the existing, through using a variety of materials or colours within front façades, and by respecting the older building styles and scales without replicating them. Open style front fencing improves the visual connection between the dwelling and the street. Street tree planting consistency is improved to provide a unifying element to the area.

**Precinct Guidelines**

<table>
<thead>
<tr>
<th>Objectives</th>
<th>Design Responses</th>
<th>Avoid</th>
<th>Planning Officer Assessment</th>
</tr>
</thead>
</table>
| To encourage the retention of dwellings that contribute to the valued character of the Precinct in the design of development proposals. | - Attempt to retain wherever possible intact and good condition dwellings that contribute to the valued character of the Precinct in designing new development.  
- Alterations and extensions should retain the front of these dwellings. | Demolition of dwellings that contribute to the valued character of the Precinct. | Responds  
No's 17-21 Outer Crescent are not listed as heritage buildings and their removal is acceptable. |
| To maintain and enhance the garden settings of the dwellings.              | * Prepare a landscape plan to accompany all applications for new dwellings that includes substantial trees and shrubs. | Lack of landscaping and substantial vegetation.                     | Responds  
The application proposes to remove a number of trees from within the site. The plans show the inclusion of trees adjacent to Outer Crescent which will soften the appearance of the multi-purpose rooms and courts.  
Conditions are recommended requiring an Impact Report and a Tree Management and Tree Protection Plan to be provided to ensure that trees on neighbouring properties are protected. Additional planting will also be required to be shown on a landscape plan demonstrating that there will be sufficient replacement planting within the site to ensure that the development maintains and enhances the character of the area. |
| To maintain the rhythm of spacious visual separation between buildings and provide space for front gardens. | * Buildings should be sited to allow space for the planting of trees and shrubs.  
* Buildings should be sited to create the appearance of space between buildings and accommodate substantial vegetation. | Loss of front garden space.                                       | Responds  
The proposed multi-purpose rooms will be set sufficiently away from the neighbouring building at No. 15 to the east and the school dining hall to the west, separated by vehicle accessway on both sides. The multi-purpose rooms will also be set back |
<table>
<thead>
<tr>
<th>Objectives</th>
<th>Design Responses</th>
<th>Avoid</th>
</tr>
</thead>
<tbody>
<tr>
<td>To minimise the loss of front garden space and the dominance of car parking facilities.</td>
<td>• Locate garages and carports behind the line of the dwelling.</td>
<td>Planning Officer Assessment from the front of the site at varying distances, and trees and shrubs will be planted in front of the building adjacent to Outer Crescent. The design of the proposed multi-purpose rooms includes metal balustrades which will allow for climbing shrubs to soften the appearance of the building from the street. The proposed double-storey pavilion building will be set back within the site, so that it does not appear dominant within the streetscape.</td>
</tr>
<tr>
<td></td>
<td>• Provide only one vehicular crossover per typical site frontage.</td>
<td>Car parking facilities that dominate the façade or view of the dwelling.</td>
</tr>
<tr>
<td></td>
<td>• Underground car parking accessed from the front of the site should only be provided where other options are not possible due to site constraints, the garage doors do not dominate the façade and the front setback area is retained as predominantly garden space.</td>
<td>Responds The proposal includes a sub-basement area with vehicle access. This will be accessed via a new single crossover. The existing single crossover to 51 Outer Crescent will also be retained. Three crossovers to 17-21 Outer Crescent will be removed, such that the overall number of access points will be reduced. The vehicle access to the sub-basement car park will be via a till garage door.</td>
</tr>
<tr>
<td></td>
<td>• Articulate the form of buildings and elevations, particularly front facades</td>
<td>Large buildings with poorly articulated facades.</td>
</tr>
<tr>
<td></td>
<td>• Recess upper storey elements from the front façade.</td>
<td>Responds The proposed double-storey pavilion has a first floor balcony and includes a variety of materials ensuring that it does not appear overly dominant. The proposed multi-purpose rooms will be articulated through the use of an innovative, curved wave-like metal screen/ balustrade providing a level of interest when the building is viewed from Outer Crescent. The proposed floodlighting poles will be dispersed around the site, and the net curtains will be transparent.</td>
</tr>
<tr>
<td></td>
<td>• Where adjoining an identified heritage building, respect the height, building forms, siting and materials of the heritage building/s, in the new building design.</td>
<td>Buildings that dominate heritage buildings by height, siting or massing. Imitation or reproduction of historic</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Responds The proposed double-storey pavilion will not dominate the appearance of the heritage buildings at the school. The proposed multi-purpose rooms, lighting, net curtains and signage are distanced sufficiently from the heritage buildings within the site to</td>
</tr>
<tr>
<td>Objectives</td>
<td>Design Responses</td>
<td>Avoid</td>
</tr>
<tr>
<td>------------</td>
<td>------------------</td>
<td>-------</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>To use a variety of building materials and finishes that provide visual interest in the streetscape.</td>
<td>• Incorporate a variety of building materials such as brick, render, timber and non-masonry into the building design.</td>
<td>Exclusive use of one material on external wall facades. Responds A variety of materials are proposed to be used within the development. The proposed multi-purpose rooms, which will be the primary built form visible from the street, will be glazed from floor to ceiling and include a metal screen balustrade in a wave-like shape which will provide a level of interest within the Outer Crescent Streetscape. The pavilion includes brick, metal paneling, render and large areas of glazing including glazed balcony balustrading and steel doors and aluminium windows. On balance, it is considered that the proposed additions will have an appropriate level of details to present as interesting additions whilst ensuring that they appear as lightweight and respond appropriately to the design and materials use in nearby buildings.</td>
</tr>
<tr>
<td></td>
<td>• Use simple building details.</td>
<td></td>
</tr>
<tr>
<td>To improve the visual connection between the dwellings and the streetscape and encourage views to front gardens.</td>
<td>• Provide open style front fences, other than along heavily trafficked roads.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Front fence style should be appropriate to the building era.</td>
<td></td>
</tr>
</tbody>
</table>

Item 4.5 – Matters of Decision
4.6 303 RESERVE ROAD, CHELTENHAM
NOTICE OF DECISION TO GRANT A PERMIT
APPLICATION NO: 2018/454/1 WARD: CENTRAL

City Planning & Amenity - Development Services
File No: PSF/19/962 – Doc No: DOC/19/99002

1. Application details

<table>
<thead>
<tr>
<th>Recommendation</th>
<th>Notice of Decision to Grant a Permit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applicant</td>
<td>Cots Enterprise P/L, Hernville P/L and Noah Park P/L c/- Ratio</td>
</tr>
<tr>
<td>Title/Covenant/S173 Agreement</td>
<td>The title is not subject to any restrictive covenants.</td>
</tr>
<tr>
<td>Date application received</td>
<td>27 July 2018</td>
</tr>
<tr>
<td>Current statutory days</td>
<td>39 days</td>
</tr>
<tr>
<td>Zoning</td>
<td>Commercial 2 Zone</td>
</tr>
<tr>
<td>Overlays</td>
<td>Development Contributions Plan Overlay, Schedule 1</td>
</tr>
<tr>
<td>Site area</td>
<td>1,764m² (approx.)</td>
</tr>
<tr>
<td>Number of outstanding objections</td>
<td>Six (6)</td>
</tr>
<tr>
<td>Is a Development Contribution Levy applicable?</td>
<td>Yes, $10,500</td>
</tr>
<tr>
<td>Is the site located within an area of cultural heritage sensitivity?</td>
<td>Yes, an approved CHMP was provided to Council on 8 March 2019. Thereby, the statutory clock commenced on 8th March 2019.</td>
</tr>
</tbody>
</table>

Proposal

The application seeks approval for the development of the site with a building (inclusive of a basement for parking), partial use of the land as a food and drink premises and reduction of the standard car parking associated with the food and drink premises.

Key details of the proposal are as follows:

Built Form

- Construction of a new built form, comprising partially four, partially five storey built form, with the lower ground level frontage to Tulip Street and the Ground Floor level frontage to Reserve Road, due to the slope of the land;
- Access provided from a double crossover to Tulip Street, to at-grade car parking spaces and parking within two basement levels;
- A 200m² food and drink premises (café) located at lower ground level. Also located at lower ground are the lobby and services;
- The building is setback 4.6 meters from the northern boundary;
The building is setback from the Reserve Road frontage (east) by a minimum of:
  o 9 metres (ground floor),
  o 7.3 metres (first floor),
  o 9 metres (second & third floor), and
  o 12 metres (fourth floor);

The building is setback from the Tulip Street frontage (south) by:
  o 6.4 to 8.0 metres (lower ground floor),
  o 8.1 to 9.1 metres (ground floor),
  o 6 to 8 metres (first & second floor),
  o 6 to 12.5 metres (third floor), and
  o 9 to 12.5 metres (fourth floor);

The building is setback from the western boundary a minimum of:
  o 10.5 metres (lower ground floor),
  o 6 metres (ground – second floor),
  o 6 to 8 metres (first & second floor),
  o 13 metres (third floor), and
  o 21 metres (fourth floor);

Provision of thirty-six (36) on-site bicycle parking spaces, inclusive of twelve (12) visitor bicycle parking spaces (eight (8) spaces to Reserve Road and four (4) spaces to Tulip Street frontage);

A maximum building height of 21.7 metres above natural ground level, with no greater than five (5) storeys above natural ground level at any point; and

Building materials comprise of feature concrete, bronzed metal, timber and glazing.

Use

The café will operate within the hours of:
  • 7:00am – 5:00pm, 7 days a week;

Liquor is not proposed to be sold or consumed;

The office uses (Section 1 Uses - no permit required) totalling an area of 2,340m² throughout the proposed building; and

Waste will be collected via private contractor.

Car Parking

A total of 83 on site car parking spaces, inclusive of:
  o 76 car parking spaces within basement levels; and
  o 7 at-grade car parking spaces adjacent to the western boundary.

The application plans are provided at Attachment 1.

An aerial image and photographs of the site and surrounds are provided at Attachment 2.
History
There is no planning history specifically relevant to the consideration of this application.

2. Planning controls

Planning Permit requirements
A planning permit is required pursuant to:

- Clause 34.02-1 (Commercial 2 Zone) – Partial use of the land as a Food and Drink Premises exceeding 100 square metres.
- Clause 34.02-4 (Commercial 2 Zone) – Construct a building or construct or carry out works.
- Clause 52.06-5 (Car Parking) – Reduce the number of car parking spaces associated with the food and drink premises.

Planning Scheme Amendments
There are no Planning Scheme Amendments specifically relevant to this application.

3. Stakeholder consultation

External referrals
The application was not required to be referred to any external authorities pursuant to Clause 66 of the Bayside Planning Scheme.

Internal referrals
The application was referred to the following Council departments for comment:

<table>
<thead>
<tr>
<th>Internal Referral</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Drainage Assets Engineer</td>
<td>No objection, subject to conditions.</td>
</tr>
<tr>
<td>Open Space Arborist</td>
<td>No objection, subject to conditions.</td>
</tr>
<tr>
<td>Arborist</td>
<td>No objection, subject to conditions.</td>
</tr>
<tr>
<td>Urban Strategy</td>
<td>No objection.</td>
</tr>
<tr>
<td>Traffic Engineer</td>
<td>Issues raised, in regards to:</td>
</tr>
<tr>
<td></td>
<td>- Café hours of operation;</td>
</tr>
<tr>
<td></td>
<td>- Lack of information regarding waste collection;</td>
</tr>
<tr>
<td></td>
<td>- Insufficient assessment of the availability of short-term (visitor) car parking;</td>
</tr>
<tr>
<td></td>
<td>- Use of car stackers; and</td>
</tr>
<tr>
<td></td>
<td>- Size of services area.</td>
</tr>
<tr>
<td></td>
<td>(These matters are discussed in Section 6.4 of this report.)</td>
</tr>
</tbody>
</table>

Public notification
The application was advertised pursuant to Sections 52(1)(a) and (d) of the Planning and Environment Act 1987 and six (6) objections were received.

All objections remain outstanding at the time of this report.
The following concerns were raised:

- Overall height/number of storeys, resultant visual bulk;
- Overshadowing;
- Overlooking;
- Insufficient car parking provided on site;
- Traffic impacts;
- Waste collection impacts and odour concerns; and
- No provision of delivery on site.

The number of objections received for this application is consistent across Council’s record management systems.

Consultation meeting

A consultation meeting was held at Council Offices, attended by the permit applicant, two (2) objectors and Council Officers. Amended (‘without prejudice’) plans were tabled by the Permit Applicant at the Consultation Meeting and discussed by all parties, which included (amongst others) reduction on the height of the built form and provision of more car parking.

Following the consultation meeting, the amended plans were formally lodged via Section 57A of the Planning and Environment Act, 1987 and were re-advertised in accordance with Section 52 of the Act to adjoining owners and occupiers and all objectors to the application. No objections have been withdrawn as a result of the amended plans.

The amended plans have been formally substituted and have been used to undertake the below assessment.

4. Recommendation

That Council resolve to Issue a Notice of Decision to Grant a Permit under the provisions of the Bayside Planning Scheme in respect of Planning application 2018/454/1 for the land known and described as 303-307 Reserve Road, Cheltenham, for the construction of buildings and works to construct a building above basement parking, partial use of the land as a food and drink premises and reduction of the standard car parking associated with the food and drink premises in accordance with the endorsed plans and subject to the following conditions from the standard 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 generally in accordance with the advertised plans but modified to show:

   a) Allocation of all car parking spaces nominated on the basement plans.
   b) Nomination of two (2) car parking spaces (outside of car stackers) allocated for the food and drink premises.
   c) Deletion of the framing/pergola elements to the southern terrace at Fourth Floor.
   d) A schedule of construction materials, external finishes and colours (incorporating for example paint samples).
e) Water Sensitive Urban Design measures in accordance with Condition 8.
f) A Landscaping Plan in accordance with Condition 10.
g) A Car Parking Management Plan in accordance with Condition 15.
h) A Waste Management Plan in accordance with Condition 16.
i) A Sustainability Management Plan in accordance with Condition 19.

All to the satisfaction of the Responsible Authority.

2. The layout of the site and the size, levels, design and location of buildings and works shown on the endorsed plans must not be modified for any reason (unless the Bayside Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.

3. Before the occupation of the site commences or by such later date as is approved in writing by the Responsible Authority, all buildings and works must be carried out and completed to the satisfaction of the Responsible Authority.

4. No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the building/s without the written consent of the Responsible Authority.

5. All pipes (excluding downpipes), fixtures, fittings and vents servicing any building on the site must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.

**Car Parking**

6. Prior to the occupation of the buildings hereby permitted, areas set aside for parked vehicles and access lanes as shown on the endorsed plans must to the satisfaction of the Responsible Authority be:
   a) Constructed.
   b) Properly formed to such levels that they can be used in accordance with the plans.
   c) Surfaced with an all-weather seal coat.
   d) Drained and maintained.

7. Parking areas and access lanes must be kept available for these purposes at all times.

**Water Sensitive Urban Design**

8. Prior to the endorsement of plans pursuant to Condition 1, detailed plans to the satisfaction of the Responsible Authority must be submitted to and be endorsed by the Responsible Authority. The plan must be drawn to scale with dimensions and three copies must be provided. The plans must show:
   a) The type of water sensitive urban design stormwater treatment measures to be used.
   b) The location of the water sensitive urban design stormwater treatment measures in relation to buildings, sealed surfaces and landscaped areas.
   c) Design details of the water sensitive urban design stormwater treatment measures, including cross sections.

These plans must be accompanied by a report from an industry accepted performance measurement tool which details the treatment performance achieved and demonstrates the level of compliance with the Urban

9. The water sensitive urban design stormwater treatment system as shown on the endorsed plans must be retained and maintained at all times in accordance with the Urban Stormwater - Best Practice Environmental Management Guidelines, CSIRO 1999, to the satisfaction of the Responsible Authority.

Landscaping

10. Prior to the endorsement of plans pursuant to Condition 1, a detailed landscape plan to the satisfaction of the Responsible Authority must be submitted to and be endorsed by the Responsible Authority. The plan must be generally in accordance with the landscape concept plan drawn by John Patrick, reference TP01-08, dated July 2018 and be drawn to scale with dimensions and three copies must be provided. The plan must show:

   a) A survey, including botanical names, of all existing trees to be retained on the site including Tree Protection Zones calculated in accordance with AS4970-2009.

   b) 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.

   c) A planting schedule of all proposed trees and shrubs, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.

   d) Landscaping and/or planting within all areas of the site not covered by buildings or hard surfaces.

   e) Details of surface finishes of pathways and driveways.

11. Before the occupation of the development, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.

12. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.

Street tree protection

13. Before the development starts, tree protection fencing is to be established around the street trees prior to demolition and maintained until all works on site are complete. The fencing is to be constructed and secured so its positioning cannot be modified by site workers. The fencing is to encompass the entire nature strip under the drip line of the tree. The Tree Protection Zone is to be established and maintained in accordance with AS 4970-2009. During construction of the crossover, tree protection fencing may be reduced to the edge of the Council approved crossover to facilitate the construction of the crossover.

14. Street trees must not be removed, lopped, damage or pruned by any party other than Bayside City Council authorised tree care contractors. There is to be no soil excavation within 3.0 metres of the street tree assets measured from the edge of their trunks. Any installation of services and drainage within the TPZ must be undertaken using root-sensitive, non-destructive techniques.

Car Parking Management Plan

15. Prior to the endorsement of plans pursuant to Condition 1, a traffic and parking management plan to the satisfaction of the Responsible Authority must be
submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. Traffic and parking operations on and adjacent to the site must conform to this endorsed plan. Three copies of the plan must be submitted. The plan must be generally in accordance with the plan but must include:

a) The means by which the direction of traffic and pedestrian flows to and from car parking areas will be controlled both on- and off-site.
b) Details in regards to the intercom/roller gate usage.
c) Car parking allocations.
d) Servicing of the drainage and maintenance of car parking areas.

Waste Management Plan

16. Prior to the endorsement of plans pursuant to Condition 1, a Waste Management Plan must be submitted to and approved by the Responsible Authority. The Waste Management Plan must clearly indicate that waste collection is to be undertaken on-site via a private contractor, not Council, and include:

a) Dimensions of storage waste areas.
b) Storm water drains in storage areas should be fitted with a litter trap.
c) The number and size of bins to be provided.
d) Facilities for bin cleaning.
e) Method of waste and recyclables collection.
f) Types of waste for collection, including colour coding and labelling of bins.
g) Hours of waste and recyclables collection (to correspond with Council Local Laws and EPA Noise Guidelines).
h) Method of hard waste collection.
i) Method of presentation of bins for waste collection.
j) Sufficient headroom within the basement to accommodate waste collection vehicles.
k) Sufficient turning circles for the waste collection vehicles to enter and exit the site in a forward direction.
l) Strategies for how the generation of waste and recyclables will be minimised.
m) Compliance with relevant policy, legislation and guidelines.

17. When approved, the plan will be endorsed and will then form part of the permit. Waste collection from the development must be in accordance with the plan, to the satisfaction of the Responsible Authority.

Construction Management Plan

18. Before the commencement of works, 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 and will then form part of the permit and shall thereafter be complied with. The CMP must specify and deal with, but not be limited to the following as applicable:

a) A detailed schedule of works including a full project timing.
b) A traffic management plan for the site, including when or whether any access points would be required to be blocked, an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services, preferred routes for trucks delivering to the site, queuing/sequencing, excavation and swept-path diagrams.

c) The location for the parking of all construction vehicles and construction worker vehicles during construction.

d) Delivery of materials including times for loading/unloading, unloading points, expected frequency and details of where materials will be stored and how concrete pours would be managed.

e) Proposed traffic management signage indicating any inconvenience generated by construction.

f) Detailed plan indicating where construction hoardings would be located.

g) A waste management plan including the containment of waste on site: disposal of waste, stormwater treatment and on-site facilities for vehicle washing.

h) Containment of dust, dirt and mud within the site and method and frequency of clean up procedures in the event of build-up of matter outside the site.

i) Site security.

j) Public safety measures.

k) Construction times, noise and vibration controls.

l) Restoration of any Council assets removed and/or damaged during construction.

m) Protection works necessary to road and other infrastructure (limited to an area reasonable proximate to the site).

n) Remediation of any damage to road and other infrastructure (limited to an area reasonably proximate to the site).

o) An emergency contact that is available for 24 hours per day for residents and the Responsible Authority in the event of relevant queries or problems experience.


q) All contractors associated with the construction of the development must be made aware of the requirements of the Construction Management Plan.

r) Details of crane activities, if any.

Sustainability Management Plan

19. Prior to the endorsement of plans pursuant to Condition 1, a Sustainability Management Plan must be submitted to and approved by the Responsible Authority. The plan must be generally in accordance with the plans and include, but not be limited to the following:

a) Water Sensitive Urban Design (WSUD) initiatives to comply with the best practice performance objective set out in the Urban Stormwater

b) A STORM or MUSIC model report demonstrating Best Practice stormwater management to the satisfaction of the responsible authority;

c) Complete Green Star self-assessment demonstrating the initiatives selected to achieve best practice.

d) Complete BESS report demonstrating the initiatives selected to achieve best practice or greater standard committed to in the summary report.

e) Address commercial areas through the provision of a Sustainable Design Scorecard report or equivalent.

f) Preliminary building energy ratings to align with plans.

g) Demonstration that stormwater detention volume requirements are in addition to stormwater retention.

h) Clearly state that in addition to producing a Building User’s Guide that it will be provided to occupants.

Hours of Operation (Café)

20. The use (food and drink premises (café)) allowed under this permit must operate only during the following hours, except with the further written consent of the Responsible Authority:

- All days – 7:00am to 5:00pm

Drainage

21. Before the development starts, the permit holder must apply to Council for the Legal Point of Discharge for the development from where stormwater is drained under gravity to the Council network.

22. Before the development, detailed plans indicating, but not limited to, the method of stormwater discharge to the nominated Legal Point of Discharge (and On-Site Detention System where applicable) must be submitted to and approved by Council’s Infrastructure Assets Department.

23. Council records indicate that there is a council stormwater drain running parallel to the western property boundary. Council consider this asset to be protected by an implied easement, minimum distance of 1m from the asset. The plans indicate no proposals to encroach into the implied easement with any buildings or structures of note. Proposals to be built over the easement will require Build Over Easement consent from the Responsible Authority/Authorities.

24. Council records indicate that there is a 3.05m wide drainage and sewerage easement along the western property boundary as indicated on the drawings provided. The plans indicate no proposals to encroach into the easement with any buildings or structures of note. Proposals to be built over the easement will require Build Over Easement consent from the Responsible Authority/Authorities. Minimum easement width must the greater of; 2m from the boundary or 0.5m from the asset.

Drainage Contributions Levy

25. Prior to endorsement of the plan/s required under Condition 1 of this permit, the permit holder must pay a drainage levy in accordance with the
Bayside Drainage Development Contributions Plan. The levy amount payable will be adjusted to include the Building Price Index applicable at the time of payment.

The levy payment shall be submitted to Council with the Bayside Drainage Development Levy Charge Sheet and it must include the Building Price Index applicable at the time of payment.

**Permit Expiry**

26. This permit will expire if one of the following circumstances applies:

   a) The development is not started within two years of the date of this permit.
   b) The development is not completed within four years of the date of this permit.

   In accordance with Section 69 of the *Planning and Environment Act 1987*, a request may be submitted to the Responsible Authority within the prescribed timeframes for an extension of the periods referred to in this condition.

**Permit Notes:**

- This permit does not constitute any authority to carry out any building works or occupy the building or part of the building unless all relevant building permits are obtained.
- A permit must be obtained from Council for all vehicular crossings. These must be constructed under Council’s supervision for which 24 hours’ notice is required.
- Construction of any fence / wall / letterbox structures may necessitate removal / damage of some sections of footpath. If this is the case, a ‘Road Opening Permit’ must be obtained to facilitate such work.
- A ‘Road Opening / Stormwater Tapping Permit’ is to be obtained from the Infrastructure Department prior to the commencement of the connection to the Council Drain / kerb / channel.

5. **Council Policy**

**Council Plan 2017-2021**

Relevant objectives of the Council plan include:

- Where significant development is directed to specified and planned activity centres and strategic locations, providing a transition to surrounding residential areas and incorporating improved infrastructure and open space.
- Where neighbourhood character, streetscapes and heritage is respected and enhanced, and the community has a strong connection to place.
- Where development contributes to a high visual amenity, is ecologically sustainable, demonstrates high quality compliant design, and responds to the streetscape and neighbourhood context.
- Where a range of housing types is provided to accommodate the changing needs of the community, enabling people to age in place and providing opportunities for young adults and families to live and remain in the municipality.
Relevant strategies of the Council plan include:

- Make discretionary planning controls stronger, by advocating for Council’s planning and urban design objectives to state government.
- Ensure new development responds to preferred neighbourhood character in activity centres.

**Bayside Planning Scheme**

- Clause 11 Settlement
- Clause 12 Environmental and Landscape Values
- Clause 15 Built Environment and Heritage
- Clause 16 Housing
- Clause 18 Transport
- Clause 19 Infrastructure
- Clause 21.02 Bayside Key Issues and Strategic Vision
- Clause 21.03 Settlement and Housing
- Clause 21.06 Built Environment and Heritage
- Clause 34.02 Commercial 2 Zone
- Clause 45.06 Drainage Contributions Plan Overlay
- Clause 52.06 Car Parking
- Clause 52.34 Bicycle Facilities
- Clause 65 Decision Guidelines

**6. Considerations**

In considering this application, regard has been given to the State and Local Planning Policy Frameworks, the provisions of the Bayside Planning Scheme, objections received and the individual merits of the application.

**6.1. Strategic Justification**

The Planning Policy Framework supports the intensification of development in and around public transport nodes and in activity centres. The strategic and policy context in relation to this site has clear support for intensification of the form and use at both a State and Local level. The Commercial 2 Zoning of the land seeks to encourage commercial uses such as offices, appropriate manufacturing and industries, bulky goods retailing, other retail uses, and associated business and commercial services, on balance with ensuring such uses do not affect the safety and amenity of adjacent, more sensitive uses.

At a local level, Clause 21.11 (Local Areas) nominates the Major and Neighbourhood Activity Centres, and the Bayside Business District. This site falls within the Bayside Business District (Clause 21.11-9) in which the Vision for this area is nominated as ‘an effective and unique working environment, one in which a highly skilled workforce and diverse business community can work in an attractive environmental setting, whilst accessing the recreational, leisure and entertainment facilities available in the area’.

Clause 21.11 goes on to note key objectives sought for this area, as follows:

- ‘To transform the Bayside Business District from a traditional industrial precinct into an advanced business services precinct in the south-east region of Melbourne.
- To provide for an ongoing mix of industrial, office and other related business activities.'
activities in high quality buildings with landscaped setbacks and improved and safe access consistent with the evolution of former industrial areas into a modern diversified business area.

- To create a world’s best practice business environment in order to facilitate and enhance the economic base and employment opportunities in the area.

- To establish a consistent and unifying landscape and urban design theme to the area which presents it as a single identifiable precinct consistent with a modern, high amenity business environment.

- To enhance the amenity and appearance of the business employment area to a high level, consistent with the overall amenity of the wider City of Bayside.’

Evidently, Clause 21.11 of the Bayside Planning Scheme seeks to enhance commercial, office and business activities within this area. Complimenting this, Clause 22.04 (Bayside Business District Policy) seeks to assist ‘transition to a business services hub to provide future employment opportunities suited to the local skill base’, by way of implementing Objectives including (amongst others):

- ‘To promote the comparative locational advantages of the area for professional services.

- To transform the area from a primarily industrial precinct into a key advanced business services node within the south-east region of Melbourne.

- To help nurture and grow local businesses and industries.

- To encourage improvement of built form and broader urban design outcomes within the area.

- To maximise local employment opportunities.

- To encourage and support the redevelopment of vacant sites and underutilised sites with appropriate businesses.

- To consolidate and intensify business uses within the Bayside Business District.

- To facilitate developments which incorporate a mix of compatible commercial and industrial uses.

- To ensure that built form leasable floor areas are of an appropriate size and diversity and capable of accommodating a diverse range of active, job rich industries.

- To facilitate upgrading and regeneration of obsolete assets, improve access and car parking, improve streetscapes and protect environmentally significant flora and fauna assets.’

Of particular relevance is the objective of this Policy to maximise local employment opportunities, particularly for “professional” (office) services, on balance with providing a built form outcomes which improve urban design outcomes within the area.

Clause 22.11 goes on to identify discretionary built form performance standards for each sub-precinct within the area, which will be discussed within Section 6.3 of this report.

However, it can clearly be established from a policy and strategic context that intensification of the site for office uses and ancillary food and drink premises responds to the State and Local Planning Policy Provisions.

6.2. Consideration of Use

Whilst the use of the site as an Office is an ‘as-of-right’ (Section 1) use, the consideration of the ancillary food and drink premises does require consideration given it is a Section 2 Use.
As outlined within the previous Section of this report, the area is evidently earmarked for commercial and business growth, including both office and business uses. The proposed use of the site for the establishment of a food and drink premises (Café) is considered to be an ancillary and necessary service to provide for and to support the staff and visitors to this businesses district (now and into its future state). The proposed 200m² area café will provide convenient access to those within the building (the primary office use) as well as being easily accessible for staff and visitors of the surrounding businesses (including the child care centre and leisure centre).

The café is proposed to operate within the following business hours:

- 7:00am to 5:00pm, seven (7) days a week.

The hours of operation will accord with other business activities within the area. The use of the café and proposed hours will not have an unreasonable impact on any sensitive uses. It is also noted that liquor is not proposed to be sold or consumed on site. Car parking and traffic considerations of the café will be discussed at Section 6.4 of this report.

The partial use of the site as a food and drink premises will accord with the purpose of the Commercial 2 Zone, by way of ‘commercial areas for offices, … other retail uses, and associated business and commercial services’ and ‘to ensure that uses do not affect the safety and amenity of adjacent, more sensitive uses’ and considered acceptable.

6.3. Built Form

Given the site’s location within the Commercial 2 Zone, Clause 22.11 (Local Areas) and Clause 22.04 (Bayside Business District Policy) will set the criteria to which the built form is assessed.

The Commercial 2 Zone (Clause 34.02-7) nominates Decision Guidelines in regards to Buildings and works, consideration be given to:

- ‘The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.
- The provision of car parking.
- The streetscape, including the conservation of buildings, the design of verandahs, access from the street front, protecting active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and landscaping of land adjoining a road.
- Defining the responsibility for the maintenance of buildings, landscaping and paved areas.
- The availability of and connection to services.
- Any natural or cultural values on or nearby the land.
- Outdoor storage, lighting, and stormwater discharge.
- The design of buildings to provide for solar access.’

Clause 21.11 (Locals Areas) nominates built form considerations for the Bayside Business District, as follows:

- ‘Ensure that parking and streetscape improvements are undertaken to improve the appearance, amenity and functionality of the area.
- Ensure that all private redevelopment includes appropriate landscaping, built form and a quality of development that complements the business employment character identified for the area.
- Encourage state of the art environmental management through all aspects of
• Ensure appropriate interfaces are provided between commercial and residential properties in order to improve residential amenity and reduce land use conflicts.’

Further to the above, Clause 22.04 (Bayside Business District Policy) recognises the importance of the area in providing for the future business and commercial growth for Bayside. This Policy provides discretionary built form and urban design guidelines for new development and differentiates between the sub-precincts within the area, with this site falling within “Large Lots South of Bay Road”. The preferred urban design outcome for these lots are:

• ‘A maximum building height of 14 metres.
• A minimum building setback of 15 metres from the street frontage.’

The proposed development of the site will result in a built form that will seek a variation to the preferred but discretionary controls. As indicated above the proposed development will have:

• An overall building height of 21.7 metres; and
• A setback of 9.0 metre from the Reserve Road frontage.

While the building form will exceed the policy preferences, it is considered that such variations would be acceptable for the following reasons:

• The proposed built form will provide frontages to both Reserve Road and Tulip Street, thereby activating both street frontages rather than ‘turning its back’ to one. The café will be located within a lower ground level fronting Tulip Street, with the main office lobby located at Ground Level fronting Reserve Road, providing pedestrian entrances and lobbies at both frontages.

• Due to providing the two street frontages, the design employs a transitioned form which steps with a slope of the land. By doing so, the built form steps down from the east to the west, stepping down so as to be, on the whole, approximately one (1) storey above the preferred 14 metre height control, as indicated by the yellow dotted line below.

• Due to the transitional stepping of the form, the built form will have a four storey podium, with the upper levels setback and absorbed within the podium level. The four storey podium has a maximum height of 15.23 metres, exceeding the preferred height guidelines by 1.23m.
• The upper levels are setback from the podium form, by way of a 21 metre setback from the western boundary, 12 metres to the Reserve Road frontage and a stepped setback of 12.5 metres from the Tulip Street frontage.

However, it is noted that southern façade includes five frames at the upper level which protrude into the southern setback, aligning with the podium form below. It is considered that the extension of these framing elements to the upper level defeats the purpose of the upper level's southern setback from the podium in order to reduce its visual bulk. As such, it is recommended that a condition be included requiring these frames at Fourth Floor be deleted.

• The existing character of the area comprises a variety of built form, including emerging higher built form and hard paving areas utilised for at-grade car parking within street frontages. Whilst the proposal does exceed the heights of adjoining built forms, the height is ameliorated through the recessed upper levels and use of balconies and modularisation of the façade in order to read as that of a four storey podium.

• The design response utilises a balanced architectural form, which is broken into two modulated forms when viewed from Tulip Street, by use of a centralised glazing break in the form. The two modulated forms then comprise feature concrete framing, with glazing beyond, and with intermittent use of vertical metal bronze treatment. The use of the framing, with glazing beyond, contributes to visually interesting facades which provide depth, contrast and elements of light and shade when viewed from the streetscape and adjoining properties.

It is considered that the proposal includes appropriate articulation through the varied materiality and recessing of the upper level. The building’s bulk is tempered through its articulation from front and side boundaries, further complemented by the contrasting wall materials.

• The use of glazing at ground floor and lower ground floor, with glazing at upper levels, will provide for appropriate connection between the public and private realms and provide for an approved urban design response to the corner by way of encouraging ‘eyes on the street’.

• This design response, accompanied with the stepped form of the upper levels, results in a carefully considered design response which will provide an acceptable architectural response for this corner and for future developments within the business precinct as shown in the below concept render.

[Image: Concept render of southern elevation]
- The provision of vehicle access via the western boundary, accessing two levels of basement parking, reduces the extent of hard paving at-grade and maximises the opportunities for genuine landscaping opportunities within the side and rear setbacks. The Landscape Plan, prepared by John Patrick Pty Ltd, is found at Attachment 3.

- The proposed built form is considered to have had due regard to the existing and preferred built form for the Bayside Business District. Given the location of the site within a Commercial 2 Zone the building has been positioned to maximise setbacks from abutting land uses to ensure that future development rights of the abutting commercially zoned properties are protected.

The building form has been designed to minimise the visual bulk though its generous side setbacks and use of materials. It is noted that in a Commercial 2 Zone a building could be constructed on the boundary. This application has provided setback and opportunities for landscaping which will reduce the building bulk when viewed from abutting properties.

Furthermore the location and design of the building will minimise solar impacts on abutting properties with all shadow cast from the building contained on site or within the road reserve from 11 am onwards.

Whilst not strictly compliant with the discretionary height and setback controls of Clause 22.04, it is considered that the provision of generous front and side setbacks allows for the provision of vegetation on the site and includes opportunity to incorporate substantial landscaping to respond to the landscaped character of the area, including the adjacent golf course.

The subject site is located on the south eastern corner of the Bayside Business District and located in a prominent position. It is considered that the proposed site lends itself to a development that will provided a visual book end/gateway treatment to mark the precinct. It is considered that the proposed design and built form achieves this. The building will deliver a high quality built and landscape outcome both complementing the existing the leisure based uses (golf course and leisure centre) located to the south and east of the site while setting the expected standards for future development in the area.

For the above reasons, it is considered that the proposal is acceptable.

### 6.4. Car Parking and Traffic

#### Car Parking

The proposed car parking requirements are noted in the below table.

<table>
<thead>
<tr>
<th>Use</th>
<th>Size</th>
<th>Rate</th>
<th>Requirement</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Office</td>
<td>2,340sqm</td>
<td>3.5 spaces to each 100sqm of leasable floor area.</td>
<td>81</td>
<td>81</td>
</tr>
<tr>
<td>Food and Drink Premises</td>
<td>200sqm</td>
<td>4 spaces to each 100sqm of leasable floor area.</td>
<td>8</td>
<td>2</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td></td>
<td><strong>89</strong></td>
<td><strong>83</strong>   (reduction of 6 spaces)</td>
</tr>
</tbody>
</table>
Pursuant to Clause 52.06-5 of the Bayside Planning Scheme, the proposal has a statutory requirement to provide 89 car parking spaces. The application has provision for 83 car spaces, allocated as 81 office car spaces and two (2) food and drink premises car spaces. On this basis, the statutory requirement of car parking for the office use is entirely met, however a statutory car parking reduction for six (6) car spaces is sought associated with the food and drink premises. Given the rate associated with the office is provided, only the reduction associated with the food and drink premises will be discussed below.

The café tenancy will be located at the lower ground level (fronting Tulip Street) and directly compliment the office tenancies above. As such, it would be expected that much of the customers generated by the café will be internal to the development (i.e. walk up trade). This would similarly be the case for pedestrian traffic from local businesses, such as the child care centre and leisure centre (i.e. parents getting a coffee after dropping a child at the child care centre).

The staff parking demands of a food and drink premises are typically generated at a rate of one (1) car space per 100 square metres of floor area, indicating a potential staff demand for two (2) staff car spaces. The provision of two (2) spaces allocated for the café use would therefore provide the long-term car parking provision of staff parking. A condition of permit will be included requiring that the two (2) car parking spaces allocated to the café be provided for staff (long-term) parking only. The remaining six (6) spaces proposed to be reduced would therefore be associated with customer demands which are of a short-term nature, and typically generated during the day.

The car parking demand assessment prepared by Ratio Traffic Consultants and parking surveys undertaken outside of school holidays nominated that proximate to the site no fewer than 108 short-term spaces were available throughout the day.

In regards to a weekday, Ratio Traffic Consultants noted that:

- ‘The occupancies of up to 356 car parking spaces were recorded within the area surveyed. The 356 publicly available car parking spaces comprised of 101 on-street spaces and 255 off-street spaces.
- The overall demand for parking during the survey period was moderate, ranging between 33% and 68% occupancy.
- The peak period occurred at 10:00am, when 237 parking spaces were recorded occupied out of an available supply of 350 suitable spaces. During this peak parking demand, there were never fewer than 113 car spaces available.
- The parking demand remained relatively consistent throughout the day, which is expected given the mix of uses in the area.’

Counts were also undertaken on a Saturday, nominating that weekend counts (also outside of school holidays) found that:

- ‘The supply of suitable car parking spaces increased to 358 spaces available during the period surveyed. The 358 publicly available car parking spaces comprised of 103 on-street spaces and 255 off-street spaces.
- The overall demand for parking during the survey period was moderate, ranging between 45% and 70% occupancy.
- The peak period occurred during the morning survey when 250 car spaces were recorded occupied out of an available supply of 358 suitable spaces. During this peak parking demand, there were no fewer than 108 car spaces available.
- The parking surveys indicate that car parking demands relax during the mid-afternoon period.’

The parking demand assessment demonstrates that on both a weekday and weekend the reduction of six (6) spaces on site will be readily able to be absorbed within the area.
The proposal was referred to Council’s Traffic Engineers who raised concern in relation to:

*Café hours of operation*

The café is proposed to operate within the hours of 7:00am to 5:00pm, seven (7) days a week and, as further discussed within Section 6.2 of this report, the hours of operation will accord with the hours of operation of the uses within the area. Further, the car parking considerations associated with the hours have been discussed previously in this section with the car parking reduction able to be absorbed within the area during these hours.

*Use of car stackers*

Car stackers are a recognised form of car parking used to meet car parking requirements and have been approved on numerous occasions by Council and the Victorian Civil Administrative Tribunal (VCAT). Office workers will become familiar with the use of the stackers and utilise them as required.

*Size of services area*

The ‘Service’ area at lower ground level is to accommodate bin storage, the 20,000L water tank (to be connected to toilets) and possible landscape irrigation systems. This is incorporated and absorbed within the Lower Ground floor level and is not considered to impact on car parking movements or arrangements.

*Traffic Generation*

Whilst it is acknowledged that the development will generate some additional vehicle movements on the local road network, it is not considered that such additional movements would necessarily be concentrated or conflict substantially with existing traffic. The Traffic Impact Assessment undertaken by Ratio Consultants noted that marginal increases to queues and delays at the intersection will occur, however the SIDRA results suggest that the intersection will continue to operate under ‘fair’ and ‘good’ conditions in the morning and afternoon peak periods, respectively demonstrating that the additional traffic can be accommodated without material impact to the operation or performance of the intersection.

The TIA also notes that “given the access’ proximity to the Reserve Road/Tulip Street signals, it is expected that vehicles turning right-out or right-in of the site, will be afforded a courtesy gap to enter/exit the site by eastbound vehicles approaching the signals.

In reality, during peak times exiting vehicles may preferentially elect to exit left-out onto Tulip Street, rather than wait for a gap in eastbound queues. The connectivity of the surrounding network would support access to the broader network.

Considering the foregoing assessment, the projected development generated traffic movements are not expected to adversely impact on the performance of the Reserve Road / Tulip Street intersection or the surrounding road network. In fact, the above assessment is considered conservative given the historical use would have generated a level of traffic onto the road network”.

The Traffic Impact Assessment Report, prepared by Ratio Traffic Engineers, can be found at Attachment 4.

6.5. Bicycle Facilities

The application has a statutory requirement to provide 11 bicycle parking spaces, comprising:

- Office: 8 spaces for employees and 2 spaces for visitors
- Food and Drink Premises: 1 space
The application has provision of 36 bicycle parking spaces within a bicycle parking hub at ground floor. Bicycle parking devices comprise 14 vertical ‘Ned Kelly’ styled wall mounted spaces and 22 horizontal bicycle spaces.

The provision exceeds the statutory requirement of Clause 52.34 of the Bayside Planning Scheme. Shower and change room facilities are also provided to encourage cycling trips to and from the subject site, and these end of trip facilities provided exceed the minimum required by the Bayside Planning Scheme.

6.6. Cultural Heritage management plan

The site is located within an area of cultural heritage sensitivity and therefore a cultural heritage management plan is required.

An approved CHMP was submitted with the Section 57A Amendment, thereby starting to the statutory clock from 8th March 2019.

6.7. Development contributions levy

The subject site is located within catchment area 16B.

Based on the proposed application and the below recommendation, a payment of $10,500 is required (based on an additional ‘commercial’ floor of 2000m² within a Commercial Zone). The payment of the development contributions is included as a condition of permit.

6.8. Objector issues not already addressed

Overall height/number of storeys, resultant visual bulk

Consideration of the design, form and materials are addressed within the assessment section of this report with particular focus on the relevant considerations of the Planning Scheme. The proposal and built form are considered to be consistent with the purpose of the Zone, Clause 21.11 and Clause 22.04 of the Bayside Planning Scheme, as outlined in Sections 6.1-6.3 of this report.

Overshadowing

The shadow diagrams submitted by the applicant demonstrate that shadows cast by the development will be largely contained within the public realm, being the footpath on the northern side of Tulip Street and western side of Reserve Road at 3:00pm.

The planning scheme does not afford protection of sunlight to the footpaths, and based on the context of the site it is considered that shadow impacts to the footpath on the northern side of the street, and western side of Reserve Road at 3:00pm, is not unreasonable and will not unreasonably impact the pedestrian experience in the public realm.

Whilst the childcare centre to the west of the site will receive some additional shadow between 9:00am and 11:00am, it is noted that the existing conditions of the outdoor play space receives shadow from its own building, yet will continue to receive uninterrupted solar access from 11:00am onwards. This is considered acceptable given the commercial context and within an area earmarked for business and built form intensification.

Overlooking

Notwithstanding that the Bayside Planning Scheme does not require consideration of overlooking between commercial or business uses, it is noted that the proposal utilises metal louvres on the western façade, providing a provision of screening to the west-facing windows proximate to the child care outdoor playspace. This goes beyond the requirements of the Planning Scheme and considered acceptable.
Waste collection impacts and odour concerns

A Waste Management Plan will be required to be provided via condition of permit, with waste collected on-site via a private waste contractor. As part of the required WMP, waste storage will be required to be screened, treated to prevent odours and presence of vermin.

No provision of delivery on site

The Traffic Impact Assessment report prepared by Ratio Traffic Consultants notes that ‘the size and nature of the food and drink premises are likely to result in deliveries that are of a small and infrequent nature and undertaken by vans or small rigid vehicles (SRVs). The office is expected to generate some deliveries (couriers etc.) on an ad-hoc and occasional basis via vans and standard vehicles. Tulip Street provides for a number of short term parking spaces on the north side of Tulip Street within close proximity of the site.’

These on-street facilities are expected to be adequate to meet the loading demands of the proposed development and is consistent with the loading and delivery activities of the proposal.

Support Attachments

1. Architectural Plans ↓
2. Site and Surrounds ↓
3. Concept Landscape Plans ↓
4. Traffic Impact Assessment (Report) ↓
Item 4.6 – Matters of Decision
Item 4.6 – Matters of Decision
Item 4.6 – Matters of Decision
Item 4.6 – Matters of Decision

Bayside City Council
Planning & Amenity Committee Meeting - 30 April 2019

Attachment 1
Figure 1 Aerial overview of the site and surrounds

<table>
<thead>
<tr>
<th>Legend</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Subject site</td>
<td>⭐</td>
</tr>
<tr>
<td>Objector(s)</td>
<td>●</td>
</tr>
<tr>
<td>(4x out of screen)</td>
<td></td>
</tr>
</tbody>
</table>
Figure 2 The site as viewed from southern side of Tulip Street

Figure 3 The site as viewed from Reserve Road
Figure 4 Western boundary and the site’s interface to the western Child Care centre (left)

Figure 5 Looking east from Tulip Street to the Tulip Street and Reserve Road intersection and the golf course beyond.
Figure 6 Interface to the north to No. 309 Reserve Road (right)

Figure 7 The northern common boundary as viewed from the No. 309 Reserve Road frontage.
Figure 8 The western side of Reserve Road, looking north, as viewed from the eastern side.
Item 4.6 – Matters of Decision
Report Prepared for
Cots Enterprise Pty Ltd, Hernville
Pty Ltd and Noah Park Pty Ltd

7 March 2019

Mixed-Use Development

307 Reserve Road, Cheltenham
Chapter / Section | Page No.
---|---
1 Introduction: | 4
2 Existing Conditions: | 5
  2.1 Site Locale | 5
  2.2 Road Network | 6
  2.3 Sustainable Transport | 7
  2.4 Parking Conditions | 10
3 The Proposal: | 15
  3.1 Development Schedule | 15
  3.2 Parking & Access | 15
  3.3 Bicycle / Motorcycle Parking | 15
4 Car Parking Assessment: | 16
  4.1 Clause 52.06 Car Parking Requirements | 16
  4.2 Car Parking Demand Assessment | 17
  4.3 Anticipated Parking Demands | 17
  4.4 Allowing Fewer Spaces to be Provided | 17
  4.5 Adequacy of Parking Supply | 18
5 Access and Car Parking Layout: | 20
  5.1 Clause 52.06 Design Standard Assessment | 20
6 Bicycle Facilities: | 25
7 Loading: | 26
  7.1 Loading Arrangements | 26
8 Traffic Assessment: | 27
  8.1 Traffic Generation & Impact | 27
9 Conclusion: | 31

Appendices:

- Appendix A Car Parking Survey Results
- Appendix B Product Data Sheets
- Appendix C Swept Path Diagrams
- Appendix D Sidra Results
1 Introduction:

Ratco Consultants Pty Ltd has been retained by Cots Enterprise Pty Ltd, Hernville Pty Ltd and Noah Park Pty Ltd to review amendments to the development plan which have been borne through discussions held with Council since submission of a request for further information (RFI), dated 17 August 2018.

This report should be read in conjunction with our updated report responding to Council’s RFI, dated 17 October 2018.

Since submission of the RFI traffic report, the application has namely sought to increase the car parking provision for the commercial office.

The following traffic report provides an updated car parking and traffic review of the proposed amendments, and addresses any implications associated with the proposed increase to the on-site car parking provision.
2.1 Site Locale

The subject site is located on the north-west corner of the Reserve Road and Tulip Street intersection in Cheltenham.

The site's location relative to the surrounding road network is shown at Figure 2.1 following.

Figure 2.1 Site Location and Surrounding Road Network

The subject land is rectangular in shape and has site frontages to Reserve Road of approximately 28 metres, Tulip Street of approximately 57 metres, covering a site area of approximately 1,880 square metres.

The site was historically occupied by a motor vehicle repair centre trading as “Swire Automotive”. However, it does not appear that the business is currently operating.

Informal parking was provided within setbacks to road frontages, accommodating a number of car spaces.

The site is currently served by a wide crossover to Reserve Road.

The subject site is zoned Commercial 2 Zone (C2Z), subject to a Development Contributions Plan Overlay – Schedule 1 (DCP01). Land uses surrounding the site is predominantly a mix of commercial, residential and open space uses, with some key land uses detailed below:

- Early Learning Centre (Kids on Tulip), located immediately to the site’s west;
- Sandringham Leisure Centre and Bayside Dirt Tracks, located opposite the site on the southwest corner of Reserve Road and Tulip Street;
— Tulip Street Early Learning Centre, located approximately 260 metres west of the subject site;
— Victoria Golf Club, located opposite the site on Reserve Road to the site’s east;
— Cheltenham Memorial Park, located approximately 280 metres north of the subject site;
— Sandringham Golf Links, located approximately 100 metres south of the subject site; and,
— Royal Melbourne Golf Club, located approximately 560 metres generally to the south.

An aerial view of the site in the context of its surroundings is provided at Figure 2.2.

**Figure 2.2: Aerial Photograph of Site and Surrounding**

Source: www.tanmap.com

### 2.2 Road Network

**Reserve Road** is classified as a Major Road and is under the management of Council. Aligned in a north to south direction, it provides a connection between Bay Road in Highett with Beach Road in Beaumaris.

Reserve Road accommodates a lane of traffic and on-road bicycle lanes in each direction. ‘No Stopping’ restrictions apply to both sides of Reserve Road adjacent the subject site.

Reserve Road is configured as a signalised T-intersection with Tulip Street. Turning movements on the approaches to Tulip Street are facilitated by dedicated turn lanes.

A posted speed limit of 60km/hr applies to Reserve Road adjacent the subject site.

**Tulip Street** is a local road under the management of Council. Tulip Street is aligned in an east to west direction, and connects Reserve Road in the east with Bluff Road in the west.
Tulip Street has an approximately carriageway width of 10.0 metres and accommodated a lane of traffic and kerbside parallel parking in each direction.

Informal bicycle line marking is provided within car parking lanes to signify to drivers that the road is shared with cyclists. Watt’s profile speed humps are installed at regular intervals along Tulip Street.

2.3 Sustainable Transport

Public Transport

The site has reasonably good access to public transport services within convenient walking distance. A number of bus routes operate within walking distance, which connect the site to Southland and Cheltenham Railway Stations.

The public transport services in the vicinity of the site are graphically illustrated in Figure 2.3 and summarised at Table 2.1.

Figure 2.3: PTV Public Transport Map for Bayside

Source: ptv.vic.gov.au
## Table 2.1 Public Transport Services

<table>
<thead>
<tr>
<th>Service</th>
<th>Route No.</th>
<th>Route</th>
<th>Nearest Stop</th>
<th>Approximate Walking Distance</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Bus</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>822</td>
<td></td>
<td>Chadstone - Sandringham via Munruben &amp; Southland</td>
<td>Jack Road / Park Road</td>
<td>550 metres</td>
</tr>
<tr>
<td>922</td>
<td></td>
<td>Southland SC - St Kilda Station</td>
<td>Reserve Road / Westerall Road</td>
<td>700 metres</td>
</tr>
<tr>
<td>600</td>
<td></td>
<td>Southland Shopping Centre - St Kilda Station</td>
<td>Bluff Road / Tulip Street</td>
<td>1.5 kilometres</td>
</tr>
<tr>
<td>825</td>
<td></td>
<td>Moorabbin - Southland</td>
<td></td>
<td></td>
</tr>
<tr>
<td>923</td>
<td></td>
<td>Southland Shopping Centre - St Kilda Station</td>
<td></td>
<td></td>
</tr>
<tr>
<td>811</td>
<td></td>
<td>Dandenong - Brighton via Heatherston Road, Springvale</td>
<td>Cheltenham Railway Station</td>
<td>1.8 kilometres (via Bus Route 822)</td>
</tr>
<tr>
<td>812</td>
<td></td>
<td>Dandenong - Brighton via Parkmore Shopping Centre</td>
<td></td>
<td></td>
</tr>
<tr>
<td>828</td>
<td></td>
<td>Hampton - Berwick Station via Southland SC, Dandenong</td>
<td></td>
<td></td>
</tr>
<tr>
<td>923</td>
<td></td>
<td>Southland SC - St Kilda Station</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Train</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Frankston Line</td>
<td></td>
<td>Cheltenham Railway Station</td>
<td>1.8 kilometres</td>
<td></td>
</tr>
<tr>
<td>Frankston Line</td>
<td></td>
<td>Southland Railway Station</td>
<td>2.0 kilometres</td>
<td></td>
</tr>
</tbody>
</table>

Source: ptv.vic.gov.au

### Bicycle Network

The subject site has very good access to the surrounding bicycle network, with the following bicycle routes located proximate the site:

- On-road bicycle lanes along Reserve Road, Tulip Street and Weatherall Road;
- Informal bicycle routes along Talanga Road, Spring Street and George Street.

Access to the nearby bicycle network is available via the surrounding road network and shown below in Figure 2.4.

The Principal Bicycle Network (PBN) is a network of proposed and existing bicycle routes that provide access to major destinations in the Melbourne Metropolitan area. The primary purpose of the PBN is to guide investment in bicycle facilities that support cycling for transport. Notably, Reserve Road and Tulip Street are listed under the VicRoads’ PBN, as illustrated at Figure 2.4 below.
The City of Bayside is well served by the Principal Bicycle Network (PBN), with on-road and off-road bicycle facilities directly linking the site with surrounding municipalities, and popular cycling trails like Beach Road.

The map at Figure 2.5 illustrates the surrounding bicycle network located in proximity to the subject site.

Figure 2.4: VicRoads PBN


Figure 2.5: Bicycle Routes

![Map of Bicycle Routes](image-url)
2.4 Parking Conditions

To understand the prevailing car parking conditions proximate the site, Ratio Consultants commissioned surveys of the parking supply and demand on Thursday 19 April 2018 between 8:00am to 6:00pm at hourly intervals and on Saturday 21 April 2018 at 11:30am and at 2:30pm.

The extent of the survey area is shown in Figure 2.5, and included suitable car parking resources within approximately 200 metres of the subject site. A summary of the parking results is provided following, and the detailed survey results have been annexed at Appendix A.

---

1 The parking analysis includes parking resources allowing for long-term car parking only i.e. 3P or longer.
The results of the parking surveys revealed the following.

**Thursday 19 April 2018**

- The occupancies of up to 356 car parking spaces were recorded within the area surveyed. The 356 publicly available car parking spaces comprised of 101 on-street spaces and 255 off-street spaces.

- The overall demand for parking during the survey period was moderate, ranging between 33% and 68% occupancy.

- The peak period occurred at 10:00am, when 237 parking spaces were recorded occupied out of an available supply of 350 suitable spaces. During this peak parking demand, there were never fewer than 113 car spaces available.

- The parking demand remained relatively consistent throughout the day, which is expected given the mix of uses in the area.

Figure 2.6 provides a graphical summary of the parking demands during the period surveyed.

**Figure 2.6: Thursday 19 April 2018 Parking Survey Summary**

![Parking Survey Summary Chart]

**Saturday 21 April 2018**

- The supply of suitable car parking spaces increased to 358 spaces available during the period surveyed. The 358 publicly available car parking spaces comprised of 103 on-street spaces and 255 off-street spaces.

- The overall demand for parking during the survey period was moderate, ranging between 45% and 70% occupancy.

- The peak period occurred during the morning survey when 250 car spaces were recorded occupied out of an available supply of 358 spaces. During this peak parking demand, there were never fewer than 108 car spaces available.

- The parking surveys indicate that car parking demands relax during the mid-afternoon period.

Figure 2.7 provides a graphical summary of the parking demands during the period surveyed.
1.1 Traffic Conditions

To understand prevailing traffic conditions of the adjacent road network, VicRoads’ SCATS data has been sourced. The traffic volumes for Thursday 16 August 2018 were sourced for the intersection of Reserve Road and Tulip Street.

The review of the data indicates the morning and afternoon periods occur between the hours of 8:15am-9:15am and 5:00pm-6:00pm, respectively. The peak hour turning movements recorded by the SCATS system at the intersection of Reserve Road and Tulip Street are illustrated at Figure 2.8.

Figure 2.7: Saturday 21 April 2018 Parking Survey Summary

![Parking Survey Summary Diagram]

Figure 2.8: Peak Hour Turning Movements – Thursday 16 August 2018

![Turning Movements Diagram]
In summary, the survey results reveal that Reserve Road carries a two-way peak hour volume of some 1,468 and 993 traffic movements in the morning and afternoon peak hour periods, respectively. Tulip Street recorded a two-way traffic volume of 493 and 410 movements in the morning and afternoon peak periods, respectively.

Traffic Analysis – SIDRA

General

A peak hour intersection analysis has been undertaken for the Malvern Road/Karana Place intersection, using the intersection analysis program SIDRA.

SIDRA Parameters

The key parameters used to determine the operational capacity of an intersection are queue length, average delay and degree of saturation (or volume to capacity ratio).

Degree of Saturation is a ratio of arrival (or demand) flow to capacity. Degrees of saturation above 1.0 represent oversaturated conditions and degrees of saturation below 1.0 represent under-saturated conditions. The operational rating associated with the degree of saturation is summarised in Table 2.2.

<table>
<thead>
<tr>
<th>Degree of Saturation (DOS)</th>
<th>Rating</th>
</tr>
</thead>
<tbody>
<tr>
<td>Up to 0.6</td>
<td>Excellent</td>
</tr>
<tr>
<td>0.61 – 0.70</td>
<td>Very Good</td>
</tr>
<tr>
<td>0.71 – 0.80</td>
<td>Good</td>
</tr>
<tr>
<td>0.81 – 0.90</td>
<td>Fair</td>
</tr>
<tr>
<td>0.91 – 1.00</td>
<td>Poor</td>
</tr>
<tr>
<td>Greater than 1.00</td>
<td>Very poor</td>
</tr>
</tbody>
</table>

The 95th percentile queue length is the value below which 95 percent of all observed cycle queue lengths fall, or 5 percent of all observed queue lengths exceed.

Average Delay is the average time, in seconds, that all vehicles making a particular movement can expect to wait at an intersection.

Results – SIDRA

To determine the existing operating conditions of the Reserve Road / Tulip Street intersection, the traffic volumes have been input to SIDRA intersection and analysed for both the morning and afternoon peak periods.

The results of the SIDRA analysis for the Reserve Road / Tulip Street intersection are attached as Appendix D and a summary is provided at Table 2.3 following.
Table 2.3: SIDRA Results – Malvern Road/Karana Place Existing Conditions

<table>
<thead>
<tr>
<th>Approach</th>
<th>Movement</th>
<th>Existing AM Peak</th>
<th></th>
<th>Existing PM Peak</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>D.O.S</td>
<td>95%ile Queue (m)</td>
<td>Ave. Delay (s)</td>
<td>D.O.S</td>
</tr>
<tr>
<td>Reserve Road (South)</td>
<td>Left</td>
<td>0.87</td>
<td>268</td>
<td>27</td>
<td>0.73</td>
</tr>
<tr>
<td></td>
<td>Through</td>
<td>0.87</td>
<td>268</td>
<td>22</td>
<td>0.73</td>
</tr>
<tr>
<td>Reserve Road (North)</td>
<td>Through</td>
<td>0.46</td>
<td>60</td>
<td>9</td>
<td>0.58</td>
</tr>
<tr>
<td></td>
<td>Right</td>
<td>0.83</td>
<td>36</td>
<td>52</td>
<td>0.40</td>
</tr>
<tr>
<td>Tulip Street (West)</td>
<td>Left</td>
<td>0.81</td>
<td>45</td>
<td>50</td>
<td>0.46</td>
</tr>
<tr>
<td></td>
<td>Right</td>
<td>0.48</td>
<td>24</td>
<td>44</td>
<td>0.43</td>
</tr>
<tr>
<td>Intersection</td>
<td></td>
<td>0.87</td>
<td>268</td>
<td>52</td>
<td>0.73</td>
</tr>
</tbody>
</table>

Based on the above results, the intersections currently have ‘good’ to ‘fair’ operating conditions in either the AM and PM peak hours.
3.1 Development Schedule

The application proposes to develop the site for the purposes of a multi-storey mixed use development plus associated car parking. More specifically, the schedule at Table 3.1 details the proposal.

Table 3.1: Development Summary

<table>
<thead>
<tr>
<th>Land Use</th>
<th>No. / Area</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commercial Office</td>
<td>2,340m²</td>
<td>Podium levels</td>
</tr>
<tr>
<td>Food &amp; Drink Premises (Café)</td>
<td>200m²</td>
<td>Single ground floor tenancy</td>
</tr>
</tbody>
</table>

3.2 Parking & Access

The application proposes a car parking provision of 83 car spaces in the form of conventional and mechanical parking spaces. In summary the quantum of car parking is comprised of:

— 16 conventional spaces comprising 7 spaces on grade (inclusive of an accessible space) and 9 spaces within lower basement;
— 66 mechanical stacker spaces provided within a two and three-tiered system, arranged in tandem.

Access to the site is proposed to/from Tulip Street at the southwestern corner of the site via a two-way accessway. A security gate and intercom system will be provided at the access ramp to basement levels.

Pedestrian access to the offices is proposed primarily via Reserve Road with secondary access whilst access to the food and drink tenancy is provided via Tulip Street.

The application proposes to allocate the 83 car spaces as:

— 81 car spaces for the commercial office, including 3 car pool spaces (3.5 spaces per 100m² of NFA); and
— 2 car spaces for the food and drink premises (1 space per 100m² of NLA).

No visitor car parking is proposed on the subject site. In turn, appropriate signage will be provided at the Tulip Street entrance to inform visitors that on-site parking is available only to tenants.

Three (3) carpool vehicles are proposed. The carpool spaces could be managed internally via an intranet system (or similar) amongst staff and be leased to staff who carpool with other staff members on a day to day basis. Alternatively, the spaces could be leased to office tenancies that require a multi-user vehicle for everyday business trips like meetings, site inspections etc.

3.3 Bicycle / Motorcycle Parking

A total of 36 bicycle parking spaces are proposed comprising, 24 spaces within a bicycle hub (10 spaces provided in the form of floor mounted horizontal rails and 14 spaces provided in the form of wall mounted vertical rails), and 12 floor mounted horizontal rails within setbacks to Reserve Road (8 spaces) and Tulip Street (4 spaces).

Two (2) motorcycle spaces are also provided within lower basement.
4.1 Clause 52.06 Car Parking Requirements

The required provision of car parking spaces for the specified uses is listed under Column A of Table 1 in Clause 52.06-5 of the Bayside Planning Scheme. The purpose of Clause 52.06 is:

— To ensure that car parking is provided in accordance with the State Planning Policy Framework and Local Planning Policy Framework.

— To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.

— To support sustainable transport alternatives to the motor car.

— To promote the efficient use of car parking spaces through the consolidation of car parking facilities.

— To ensure that car parking does not adversely affect the amenity of the locality.

— To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.

With consideration to the above, the following car parking assessment for the proposal is detailed in Table 4.1.

Table 4.1: Statutory Parking Requirements

<table>
<thead>
<tr>
<th>Use</th>
<th>Size</th>
<th>Parking Rate</th>
<th>Statutory Parking Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Office</td>
<td>2,340 sqm</td>
<td>3.5 spaces to each 100 sqm of leasable floor area</td>
<td>83 spaces</td>
</tr>
<tr>
<td>Food &amp; Drink Premises (Cafe)</td>
<td>200 sqm</td>
<td>4 spaces to each 100 sqm of leasable floor area</td>
<td>8 spaces</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td></td>
<td>91 spaces</td>
</tr>
</tbody>
</table>

*Car parking spaces rounded down as per Clause 52.06

Based on the results above, the proposal has a statutory requirement to provide 89 car parking spaces. The application has provision for 83 car spaces, allocated as 81 office car spaces and two (2) food and drink premises car spaces. On this basis, a statutory car parking reduction for six (6) car spaces is sought by the application.

Under the proposed car parking allocation, the sought reduction is for six (6) food and drink premises spaces.

Under the provisions of Clause 52.06, the responsible authority is able to reduce the parking requirements (including reduced to zero), provided the applicant satisfies the responsible authority that the provision of car parking is justified on the basis of:

— The car parking demand likely to be generated by the use;

— Whether it is appropriate to allow fewer spaces to be provided than the number likely to be generated by the use.

An assessment of the expected parking demand and the appropriateness of allowing a reduction of parking for the proposed development is discussed following.
4.2 Car Parking Demand Assessment

Clause 52.06-7 states that an application to reduce the number of car parking spaces required under Clause 52.06-6 must be accompanied by a Car Parking Demand Assessment which must address the following matters:

— The variation of car parking demand likely to be generated by the proposed use over time.
— The short-stay and long-stay car parking demand likely to be generated by the proposed use.
— The availability of public transport in the locality of the land.
— The convenience of pedestrian and cyclist access to the land.
— The provision of bicycle parking and end of trip facilities for cyclists in the locality of the land.
— The anticipated car ownership rates of likely or proposed visitors to or occupants (residents or employees) of the land.
— Any empirical assessment or case study.

4.3 Anticipated Parking Demands

Office
The application proposes to provide car parking to meet the statutory office car parking requirement of Clause 52.06 of the Bayside Planning Scheme. Therefore, the car parking demands that would be generated by the office component of the application is expected to be met by the on-site car parking provision.

Food & Drink Premises (Café)
The café tenancy will directly compliment the office tenancies. In this regard, a lot of the custom generated by the café will be internal to the development i.e. walk up trade. The café tenancy will also attract a number of customers of local businesses and be walk-up trade.

Nevertheless, the statutory rate of 4 spaces per 100 square metres has been conservatively adopted for the purposes of the assessment. Application of this rate results in a car parking demand of 8 spaces which is inclusive of staff and customer parking demands.

Shop staff parking demands are typically generated at a rate of 1 car space per 100 square metres of floor area. This would indicate a potential staff demand for 2 staff car spaces. The balance of six (6) spaces would therefore be associated with customer demands which are of a short-term nature, and typically generated during the day.

Total
Based on the preceding, the development is projected to be reliant on up to six (6) spaces during business hours and on a weekend, across standard café hours.

4.4 Allowing Fewer Spaces to be Provided

Clause 52.06-7 sets out a range of factors to be considered when determining the appropriateness of allowing fewer car parking spaces to be provided. Some of the relevant factors are:

— The Car Parking Demand Assessment;
— The availability of alternative car parking in the locality of the land, including:
  o On street parking in non residential zones;
  o Streets in residential zones specifically managed for non-residential parking.
— Access to or provision of alternate transport modes to and from the land; and
— Any relevant considerations.

The Availability of Public Transport in the Locality of the Land
As discussed, the site is accessible to public transport services with a range of bus services operating within proximity to the subject site. The site has access to multiple bus routes along Reserve Road, Jack Road and Bluff Road.

Accordingly, the public transport opportunities are expected to be utilised by a portion of staff, as well as by some customers of the café tenancy.

The Convenience of Pedestrian and Cyclist Access
The site has good connectivity to the pedestrian network with footpaths provided on both sides of the site’s frontages.

The site has very good access to surrounding bicycle network in convenient proximity of the site providing a viable alternative for travelling to/from the subject site.

These facilities are expected to encourage sustainable transport behaviour and reduce the future reliance on the private motor vehicle for office and café staff.

The Provision of Bicycle Parking and End of Trip Facilities for Cyclists
The proposal includes a generous provision of 36 bicycle spaces, provided within horizontal and vertically accessible bicycle rails. End of trips facilities provided (lockers, showers, changerooms and repair kits) will help encourage cycling trips.

Availability of Car Parking
The results of the parking surveys outlined in Section 2.4 highlight there is ample opportunity provided by on-street public parking resources to absorb a level of overflow car parking.

During the daytime period, there were never fewer than 108 suitable car spaces available. The projected short-term car parking demands generated by the development (~6 spaces) during this period could be readily accommodated within the surrounding car parking supply.

During the evening period and outside operating times, the food and drink tenancy is expected to generate limited car parking demands.

On this basis, the expected demand of six (6) retail customer car parking spaces and the intermittent visitor demands that could be generated by the office can be absorbed by the availability of suitable off-site parking within proximity of the site.
4.5 Adequacy of Parking Supply

The proposal has provision for 83 car parking spaces, and seeks a car parking reduction for six (6) car spaces. This level of parking provision is considered adequate for the following reasons:

— The site is accessible to public transport alternatives and other viable means of alternate transport modes. The site is located within reasonable walking distance to bus routes;

— The site has very good access to on and off-road bicycle lanes, and the pedestrian footpath network. This will encourage staff to cycle and walk to and from work; and

— Parking surveys demonstrate that there is an adequate supply of suitable on-street car parking within close proximity of the subject site to accommodate visitor/customer demands associated with the proposed development.

On the basis of the reasons discussed above, it is considered that the proposed level of car parking is suitable for the nature, location and scale of the proposed development.
5.1 Clause 52.06 Design Standard Assessment

Design Standard 1 – Accessways

Design Standard 1 of Clause 52.06-9 relates to the design of accessways. The requirements of Design Standard 1 are assessed against the proposal in Table 5.1.

Table 5.1: Design Standard 1 Assessment – Accessways

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Must be at least 3m wide.</td>
<td>Satisfied – All accessways are generally 6.1-9.6 metres wide, wall to wall/column. Where single lanes are provided, a minimum accessway width of 3.6 metres is provided between wall and/or columns.</td>
</tr>
<tr>
<td>Have an internal radius of at least 4m at changes of direction or intersection or be at least 4.2m wide.</td>
<td>Principally Satisfied – The swept paths discussed in Section 5.2 demonstrate suitable provision is made for convenient circulation within the car park.</td>
</tr>
<tr>
<td>Allow vehicles parked in the last space of a dead-end accessway in public car parks to exit in a forward direction with one manoeuvre.</td>
<td>N/A - The proposed car park is not a public car park.</td>
</tr>
<tr>
<td>Provide at least 2.1m headroom beneath overhead obstructions, calculated for a vehicle with a wheelbase of 2.8m.</td>
<td>Satisfied – A minimum headroom of 2.2 metres is provided beneath overhead obstructions.</td>
</tr>
<tr>
<td>If the accessway serves four or more car spaces or connects to a road in a Road Zone, the accessway must be designed so that cars can exit the site in a forward direction.</td>
<td>Satisfied – All vehicles can enter and exit the site in a forward direction.</td>
</tr>
<tr>
<td>Provide a passing area at the entrance at least 5m wide and 7m long, if the accessway serves ten or more car parking spaces and is either more than 50m long or connects to a road in a Road Zone.</td>
<td>N/A – Whilst this is not technically required, the entrance and accessways are designed to allow for passing opportunities throughout the car park.</td>
</tr>
<tr>
<td>Have a corner splay or area at least 50% clear of visual obstructions extending at least 2m along the frontage road from the edge of an exit lane and 2.5m along the exit lane from the frontage, to provide a clear view of pedestrians on the footpath of the frontage road. The area clear of visual obstructions may include an adjacent entry or exit lane where more than one lane is provided, or adjacent landscaped areas, provided the landscaping in those areas is less than 900mm in height.</td>
<td>Satisfied – A pedestrian sight splay measuring 2.0 metres along the boundary and 2.5 metres along the access ramp has been provided on the departure side of the vehicle access to Tulip Street. Any landscaping or other objects located within this area will not exceed a height of more than 900mm.</td>
</tr>
<tr>
<td>If an accessway to four or more car parking spaces is from land in a Road Zone, the access to the car spaces must be at least 4m from the road carriageway.</td>
<td>N/A – Access is provided via Tulip Street, which is not a road within a Road Zone.</td>
</tr>
<tr>
<td>If entry to the car space is from a road, the width of the accessway may include the road.</td>
<td>N/A – Car parking spaces are not directly accessible from the access road.</td>
</tr>
</tbody>
</table>
Design Standard 2 – Car Parking Spaces

Design Standard 2 of Clause 52.06-9 relates to the layout of car parking spaces. The requirements of Design Standard 2 are assessed against the proposal in Table 5.2.

Table 5.2 Design Standard 2 Assessment - Car Parking Spaces

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Comments</th>
</tr>
</thead>
</table>
| Car parking spaces and accessways must have the minimum dimensions as outlined in Table 2 of Design Standard 2. | Principal - All at-grade car spaces have been designed in accordance with Table 2 of Design Standard 2, dimensioned at 2.6 metres wide, length of 4.9 metres and are accessible via a 0.6 metre wide aisle.  
Conventional car spaces within lower basement are effectively provided with minimum dimensions of 2.6 metres width, 5.7 metres length and accessible from a clear aisle of 6.4 metres wide (minimum between face of column and objects from the opposite side of the aisle). In effect, an aisle width of 6.9 metres is provided to access car spaces.  
Columns are located within the aisle to maintain the structural alignment across basement levels i.e. located to allow for mechanical car parking to appropriately operate.  
Sweep paths at Section 5.2 demonstrate that car spaces can be practically and conveniently accessed in accordance with the design intent of Design Standard 2.  
The accessible car parking space and shared area is provided in accordance with the requirements of AS/NZS 2890.6.2009, dimensioned at 2.4 metres wide, 5.4 metres long and is accessible via a 0.6 metre wide aisle. |
| A wall, fence, column, tree, tree guard or any other structure that abuts a car space must not encroach into the area marked ‘clearance required’ on Diagram 1 of Design Standard 2 other than: | Satisfied – All obstructions and columns are located outside of the door opening and clearance zones.  
It is noted that some motorcycle spaces are located adjacent car parking bays, however, they do not impact vehicle clearance zones. |
| - A column, tree or tree guard, which may project into a space if it is within the area marked ‘tree or column permitted’ on Diagram 1. | N/A – There are no garages or carparks proposed. |
| - A structure which may project into the space if it is at least 2.1m above the space.  | N/A – No standard car parking spaces have been arranged in tandem. Mechanical car parking spaces however, are arranged in tandem and have been designed in accordance with the manufacturer’s specifications. |
Design Standard 3 – Gradients

Figure 5.1 Design Standard 3 Assessment - Gradients

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accessway grades must not be steeper than 1:10 (10%) within 5m of the frontage to ensure safety for pedestrians and vehicles. The design must have regard to the wheelbase of the vehicle being designed for; pedestrian and vehicular traffic volumes; the nature of the car park; and the slope and configuration of the vehicle crossover at the site frontage. This does not apply to accessways serving three dwellings or less.</td>
<td>Completes. The entrance, for first 5 metres into the site is virtually flat and generally follows the slope across the boundary.</td>
</tr>
<tr>
<td>Ramps (except within 5 metres of the frontage) must have the maximum grades as outlined in Table 2 of Design Standard 3 and be designed for vehicles travelling in a forward direction.</td>
<td>Completes. Grades do not exceed 1:5.</td>
</tr>
<tr>
<td>Where the difference in grade between two sections of ramp or floor is greater than 1:8 (12.5%) for a summit grade change or greater than 1:6.7 (18%) for a sag grade change, the ramp must include a transition section of at least 2 metres to prevent vehicles scraping or bottoming. Plans must include an assessment of grade changes of greater than 1:5.6 (18%) or less than 3 metres apart for clearances, to the satisfaction of the responsible authority.</td>
<td>Completes. Appropriate transition sections have been provided to prevent scraping or bottoming.</td>
</tr>
</tbody>
</table>

Design Standard 4 – Mechanical Car Parking Spaces

Mechanical car parking systems are provided in the form of two types of shuffle systems, arranged in tandem.

The systems are premised on the Trendvario 4000 (two-tiered) and Trendvario 4300 (three-tiered), which are arranged in tandem.

The systems proposed allow independent access to all car spaces via shuffling of car spaces either up/down and side to side. The relevant data sheets have been annexed at Appendix B.

Our review reveals:

— The space available allows each car space to have minimum grid widths of 2.8 metres and a length of affording access for a 5.2 metre long vehicle i.e. 99th percentile vehicle.

— A minimum effective aisle width of 6.55 metres is provided for all spaces, measured between the door of the shuffle system (where applicable) and the opposite side of the aisle.

— A minimum headroom clearance of 5.2 metres is afforded for the systems.

— Based on the above dimensions, the systems provide a clear platform width of 2.6 metres, accommodates vehicles that are 2.0 metres height (minimum) and accommodates a 99th percentile length vehicle.
i.e. 5.2 metres length. These dimensions meet the minimum requirements of the Bayside Planning Scheme.

- Height clearances for car spaces within the stacker system exceeds the requirement to provide 1.8 metre headroom clearance for 25% of mechanical spaces as required by Clause 52.06 of the Planning Scheme.

It is noted that columns sit proud of the shuffle systems, however, access paths to/from car parking spaces are provided with an effective minimum width of 6.55 metres. Swept path diagrams, attached at Appendix C, have been prepared to demonstrate accessibility of critical car spaces.

**Queuing Generated by Mechanical Parking Systems**

Semi-automated car parking systems are provided from basement level of the car park. The location of the first mechanical car parking space is located approximately 50 metres into the site, equivalent to a queuing store of approximately eight (8) vehicles.

Based on supplier information available to Ratio, semi-automatic systems generally have an average cycle time of 55 seconds for storing/retrieving vehicles. A user time of 45 seconds has been applied to account for staff to park and depart the vehicle. In this regard, a total cycle time of 100 seconds has been assumed for the purposes of the following assessment.

Beyond the first few mechanical car parking spaces, the width of accessway aisles are sufficiently wide enough to allow for passing where a vehicle may be propped waiting to access a car space. In this regard, it is expected that the arrivals associated with the first 17 mechanical car spaces could potentially cause on site queues. This equates to 23% of the total number of car spaces provided.

Application of this rate to the total traffic movements projected to be generated by the development, results in the potential for → 9 vehicles that may access the stacker system in this location during peak periods.

Based on the average cycle time of 100 seconds, the utilisation ratio for this system would be 0.25, which is equivalent to a 98th percentile queue of two (2) vehicles. This queue length is contained well within the site, and is therefore not expected to have impacts to the adjacent road network.

Given the number of mechanical car parking spaces proposed, staff that are allocated a mechanical car parking space should be provided with a remote control to enable keyless access into their respective spaces. This will reduce the overall service time and queuing associated with waiting for the systems to accept a vehicle.

**Motorcycle Spaces**

Motorcycle spaces have been provided with 1.2 metre wide x 2.5 metre deep modules, accessible via vehicles access aisles.

These dimensions accord with the dimensional requirements of Clause 2.4.7 of AS/NZS 2890.1:2004 and are therefore considered satisfactory.

**5.2 Swept Path Assessment**

An assessment (refer to appendix C) of the accessibility to/from the site and critical parking bays using ‘Autodesk Vehicle Tracking’ software has been undertaken.
The B95 (85th percentile) vehicle has been used to assess the accessibility of car spaces, demonstrating that critical car spaces are functionally and conveniently accessible (ingress and egress).

Based on the foregoing assessment, the car parking layout and access arrangements have been satisfactorily designed to meet the design intent of the Bayside Planning Scheme and AS/NZS 2890.1:2004.
Bicycle facility requirements for the proposed development are set out under Clause 52.34 of the Bayside Planning Scheme. The purpose of the Clause, among other things, is:

— To encourage cycling as a mode of transport; and
— To provide secure, accessible and convenient bicycle parking spaces and associated shower and change facilities.

The proposed development has been assessed against the provisional bicycle parking requirements of Clause 52.34 of the Bayside Planning Scheme, summarised at Table 6.1 below.

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Site</th>
<th>Parking Rate</th>
<th>Parking Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Office</td>
<td>Employee</td>
<td>2,340 sqm</td>
<td>8 spaces</td>
</tr>
<tr>
<td></td>
<td>Visitor</td>
<td>1 space to each 300sqm of net floor area if the net floor area exceeds 1,000sqm</td>
<td></td>
</tr>
<tr>
<td>Retail (Café)</td>
<td>Employee</td>
<td>200 sqm</td>
<td>1 space</td>
</tr>
<tr>
<td></td>
<td>Visitor</td>
<td>One space per 500 sqm of leasable floor area.</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td></td>
<td>11 spaces</td>
</tr>
</tbody>
</table>

Based on the assessment above, the application has a statutory requirement to provide 11 bicycle parking spaces, comprising 9 employee spaces and 2 visitor spaces.

The application has a generous provision of 36 bicycle parking spaces within a bicycle parking hub at ground floor. Bicycle parking devices comprise 14 vertical ‘Ned Kelly’ styled wall mounted spaces and 22 horizontal bicycle spaces.

The provision of 36 bicycle parking spaces comfortably exceeds the bicycle parking requirement and is therefore considered satisfactory.

Bicycle parking will be allocated per the statutory requirements as a minimum, with visitor parking spaces being readily accessible from street frontages.

AS 2890.3:2015 requires that 20% of bicycle parking be provided within ground level (horizontal) rails. The proposed bicycle provision provides approximately 48% of horizontal rails (and far beyond the statutory requirement), exceeding the relevant statutory requirement of the Australian Standard.

Shower and changeroom facilities are also provided to encourage cycling trips to and from the subject site. The end of trip facilities provided exceed the minimum required by the Bayside Planning Scheme.
7.1 Loading Arrangements

The size and nature of the food and drink premises are likely to result in deliveries that are of a small and infrequent nature and undertaken by vans or small rigid vehicles (SRVs).

The office is expected to generate some deliveries (couriers etc.) on an ad-hoc and occasional basis via vans and standard vehicles.

Tulip Street provides for a number of short term parking spaces on the north side of Tulip Street within close proximity of the site.

These on-street facilities are expected to be adequate to meet the loading demands of the proposed development and is consistent with the loading and delivery activities of the proposal.

In some cases, transient deliveries could informally and practically occur at grade during the day within the parking aisle, without adverse impact to the operation of the car park, given the expected 'tidal' nature of car parking associated with an office.

Based on the preceding, we are of the view that loading demands generated by the development can appropriately be met by nearby short-term parking resources and informally on the site.
8.1 Traffic Generation and Impact

The application has provision for 83 staff car parking spaces. With respect to staff parking, it is typical to assume that 50% of spaces provided will fill during the morning peak hour and 50% will vacate during the evening peak hour.

During each peak period, it will be conservatively assumed that 10% of movements will be in the counter direction.

Based on the foregoing, it is projected that the proposed car park will generate up to 46 arrivals and 46 departures in the morning and afternoon peak periods, respectively. This level of traffic is equivalent to, on average, a traffic movement being generated every 1.4 minutes. The impacts associated with the projected development generated traffic movements has been assessed following.

8.2 Traffic Distribution

For the purposes of the assessment, the traffic distribution has been assumed as:

— 50% of staff car parking spaces will fill and 50% will vacate during the morning and afternoon peak periods, respectively.
— The majority of traffic will generally access the site via the signalised intersection of Reserve Road and Tulip Street. In this regard, the development traffic will broadly be distributed as 30% to/from the west and 70% to/from the east.
— Of the 70% of traffic travelling through the Reserve Road / Tulip Street intersection, traffic will be split as 50% to/from the north and 20% to/from the south.

Based on the foregoing assumptions, the proposed development is expected to generate traffic at the intersection to the broader road network as illustrated at Figure 8.1 below.

Figure 8.1: Projected Development Peak Hour Turning Movements
8.3 Traffic Impacts

The projected development peak hour traffic volumes have been added to the surveyed traffic volumes, and the resultant projected post-development traffic volumes are shown in Figure 8.2.

To determine the post development operation at the intersection of Reserve Road and Tulip Street, the predicted peak hour traffic volumes, as detailed in Figure 8.2 have been input to SIDRA, analysed and then compared to existing conditions.

The results of the SIDRA analysis are summarised in Table 8.1 and Table 8.2.

The results reveal there will be marginal increases to queues and delays at the intersection, as expected with the increase in traffic volumes. Nonetheless, the intersection will continue to operate in the ‘fair’ category during peak hours, demonstrating that the additional traffic can be accommodated without material impact to the operation or performance of the intersection.

Figure 8.2: Future Network Peak Hour Turning Movements
### Table 8.1: SIDRA Results – Reserve Road / Tulip Street: Comparison of Peak AM Conditions

<table>
<thead>
<tr>
<th>Approach</th>
<th>Movement</th>
<th>Existing AM Peak</th>
<th></th>
<th>Future AM Peak</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>D.O.S</td>
<td>95%ile Queue (m)</td>
<td>Ave. Delay (s)</td>
<td>D.O.S</td>
</tr>
<tr>
<td>Reserve Road (South)</td>
<td>Left</td>
<td>0.87</td>
<td>268</td>
<td>27</td>
<td>0.89</td>
</tr>
<tr>
<td></td>
<td>Through</td>
<td>0.87</td>
<td>268</td>
<td>22</td>
<td>0.89</td>
</tr>
<tr>
<td>Reserve Road (North)</td>
<td>Through</td>
<td>0.46</td>
<td>60</td>
<td>9</td>
<td>0.48</td>
</tr>
<tr>
<td></td>
<td>Right</td>
<td>0.83</td>
<td>36</td>
<td>52</td>
<td>0.85</td>
</tr>
<tr>
<td>Tulip Street (West)</td>
<td>Left</td>
<td>0.81</td>
<td>45</td>
<td>50</td>
<td>0.82</td>
</tr>
<tr>
<td></td>
<td>Right</td>
<td>0.48</td>
<td>24</td>
<td>44</td>
<td>0.48</td>
</tr>
<tr>
<td>Intersection</td>
<td></td>
<td>0.87</td>
<td>268</td>
<td>52</td>
<td>0.89</td>
</tr>
</tbody>
</table>

### Table 8.2: SIDRA Results – Reserve Road / Tulip Street: Comparison of Peak PM Conditions

<table>
<thead>
<tr>
<th>Approach</th>
<th>Movement</th>
<th>Existing PM Peak</th>
<th></th>
<th>Future PM Peak</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>D.O.S</td>
<td>95%ile Queue (m)</td>
<td>Ave. Delay (s)</td>
<td>D.O.S</td>
</tr>
<tr>
<td>Reserve Road (South)</td>
<td>Left</td>
<td>0.73</td>
<td>88</td>
<td>21</td>
<td>0.73</td>
</tr>
<tr>
<td></td>
<td>Through</td>
<td>0.73</td>
<td>88</td>
<td>16</td>
<td>0.73</td>
</tr>
<tr>
<td>Reserve Road (North)</td>
<td>Through</td>
<td>0.50</td>
<td>52</td>
<td>13</td>
<td>0.59</td>
</tr>
<tr>
<td></td>
<td>Right</td>
<td>0.40</td>
<td>15</td>
<td>29</td>
<td>0.46</td>
</tr>
<tr>
<td>Tulip Street (West)</td>
<td>Left</td>
<td>0.46</td>
<td>17</td>
<td>30</td>
<td>0.56</td>
</tr>
<tr>
<td></td>
<td>Right</td>
<td>0.43</td>
<td>16</td>
<td>29</td>
<td>0.47</td>
</tr>
<tr>
<td>Intersection</td>
<td></td>
<td>0.73</td>
<td>88</td>
<td>30</td>
<td>0.73</td>
</tr>
</tbody>
</table>
The SIDRA results suggest that the intersection will continue to operate under ‘fair’ and ‘good’ conditions in the morning and afternoon peak periods, respectively, consistent with existing operating conditions.

Given the access’ proximity to the Reserve Road/Tulip Street signals, it is expected that vehicles turning right-out or right-in of the site, will be afforded a courtesy gap to enter/exit the site by eastbound vehicles approaching the signals.

In reality, during peak times exiting vehicles may preferentially elect to exit left-out onto Tulip Street, rather than wait for a gap in eastbound queues. The connectivity of the surrounding network would support access to the broader network.

Considering the foregoing assessment, the projected development generated traffic movements are not expected to adversely impact on the performance of the Reserve Road / Tulip Street intersection or the surrounding road network. In fact, the above assessment is considered conservative given the historical use would have generated a level of traffic onto the road network.
Having reviewed the car parking and traffic merits of the mixed-use development proposed at 307 Reserve Road, Cheltenham, it is concluded that:

— The application has a statutory car parking requirement to provide 89 car spaces under Clause 52.06-5 of the Bayside Planning Scheme.

— The proposed development has provision for 81 car spaces. With the allocation of proposed, the application would be seeking a statutory car parking reduction of six (6) car spaces associated with the food and drink premises.

— The statutory car parking reduction is supported on the following grounds:
  
  • The provision of bicycle parking is generously in excess of the statutory bicycle parking requirement;

  • The proposal has provision for end of trips facilities (showers and changerooms), which is likely to encourage cycling trips to/from the site;

  • A proportion of customers of the proposed food and drink premises will be walk-up trade associated with commercial office employees, and will therefore not generate additional demands for car parking;

  • Car parking surveys reveal that there is an availability of car parking in the nearby area to accommodate the projected café customer parking. This reliance is expected to have an imperceptible impact on prevailing car parking conditions.

— The proposed car park and access arrangements are designed principally in accordance with the requirements of the Bayside Planning Scheme and/or AS/NZS2890.1:2004;

— Bicycle parking has been provided in excess of Planning Scheme requirements, and is therefore considered satisfactory;

— Motorcycle parking is designed in accordance with the Australian Standard;

— The site has suitable means to undertake the expected loading and delivery activities that are likely to be generated by the proposal, without material impact to the local road network and operation of the car park.

— The development is expected to generate up to 46 vehicle movements during each peak period. This level of traffic is expected to be acceptable to the surrounding road network substantiated by a SIDRA analysis of the Reserve Road / Tulip Street intersection.

On the basis of the assessment above, there are no traffic engineering reasons that should preclude the issue of a planning permit for the proposed mixed-use development at 307 Reserve Road, Cheltenham, subject to appropriate conditions.
<table>
<thead>
<tr>
<th>Parking Access (A)</th>
<th>Radii (m)</th>
<th>Width (m)</th>
<th>Surface</th>
<th>Mode</th>
<th>Realisation</th>
<th>Capacity</th>
<th>Thursday 19/04/19</th>
</tr>
</thead>
<tbody>
<tr>
<td>8 A</td>
<td></td>
<td></td>
<td>Reserve Road</td>
<td>0.25%</td>
<td>Restricted</td>
<td>11</td>
<td>2 0 0 0 0 0 0 0 0</td>
</tr>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8 B</td>
<td></td>
<td></td>
<td>Reserve Road</td>
<td>0.25%</td>
<td>Restricted</td>
<td>0</td>
<td>0 0 0 0 0 0 0 0 0</td>
</tr>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8 C</td>
<td></td>
<td></td>
<td>Reserve Road</td>
<td>0.25%</td>
<td>Restricted</td>
<td>0</td>
<td>0 0 0 0 0 0 0 0 0</td>
</tr>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8 D</td>
<td></td>
<td></td>
<td>Reserve Road</td>
<td>0.25%</td>
<td>Restricted</td>
<td>0</td>
<td>0 0 0 0 0 0 0 0 0</td>
</tr>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8 E</td>
<td></td>
<td></td>
<td>Reserve Road</td>
<td>0.25%</td>
<td>Restricted</td>
<td>0</td>
<td>0 0 0 0 0 0 0 0 0</td>
</tr>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8 F</td>
<td></td>
<td></td>
<td>Reserve Road</td>
<td>0.25%</td>
<td>Unlimited</td>
<td>37</td>
<td>29 34 32 30 33 32 33 32 33</td>
</tr>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8 G</td>
<td></td>
<td></td>
<td>Reserve Road</td>
<td>0.25%</td>
<td>Unlimited</td>
<td>20</td>
<td>13 17 19 13 18 13 18 13 18</td>
</tr>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>2</td>
<td>1 1 1 1 1 1 1 1 1 1 1</td>
</tr>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 A</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>24</td>
<td>0 0 0 0 0 0 0 0 0</td>
</tr>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 B</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 C</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 D</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 E</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 F</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 G</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 H</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 I</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 J</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 K</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 L</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 M</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 N</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 O</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 P</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 Q</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 R</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 S</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 T</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 U</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 V</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 W</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 X</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 Y</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 Z</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 AA</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 BB</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 CC</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 DD</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 EE</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 FF</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 GG</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 HH</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 II</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 JJ</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 KK</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 LL</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 MM</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 NN</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 OO</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 PP</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 QQ</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 RR</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 SS</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 TT</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 UU</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9VV</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 WW</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 XX</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 YY</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 ZZ</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Ratio Consultant
### Parking Occupancy Survey

#### Location
307 Reserve Road, Cheltenham

#### Date
Saturday, 21 April 2018

#### Weather
Mild And Clear

<table>
<thead>
<tr>
<th>Public Parking (No)</th>
<th>Radio Map No</th>
<th>Street</th>
<th>Sections</th>
<th>Index</th>
<th>Restriction</th>
<th>Secondary Restriction</th>
<th>Ticket/Barrier</th>
<th>Cleanway</th>
<th>Capacity</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>A</td>
<td>Reserve Road</td>
<td>Between Reserve Road and Park Road</td>
<td>W</td>
<td>12P Semi-Bus Mon-Fri</td>
<td>1</td>
<td>11</td>
<td>6</td>
<td>0</td>
</tr>
<tr>
<td>0</td>
<td>B</td>
<td>Reserve Road</td>
<td>Between Reserve Road and Park Road</td>
<td>E</td>
<td>No Standing</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>0</td>
<td>C</td>
<td>Reserve Road</td>
<td>Between Park Road and Tulip Street</td>
<td>W</td>
<td>No Standing</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>0</td>
<td>D</td>
<td>Reserve Road</td>
<td>Between Park Road and Tulip Street</td>
<td>E</td>
<td>No Standing</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>0</td>
<td>E</td>
<td>Park Road</td>
<td>Between Reserve Road and Clarion Avenue</td>
<td>N</td>
<td>No Standing</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>1</td>
<td>F</td>
<td>Park Road</td>
<td>Between Reserve Road and Clarion Avenue</td>
<td>S</td>
<td>Unrestricted</td>
<td>37</td>
<td>6</td>
<td>7</td>
<td>0</td>
</tr>
<tr>
<td>0</td>
<td>G</td>
<td>Tulip Street</td>
<td>Between #103 and Reserve Road</td>
<td>N</td>
<td>Unrestricted</td>
<td>20</td>
<td>12</td>
<td>11</td>
<td>0</td>
</tr>
<tr>
<td>1</td>
<td>H</td>
<td>Tulip Street</td>
<td>Between #103 and Reserve Road</td>
<td>S</td>
<td>Unrestricted</td>
<td>20</td>
<td>17</td>
<td>18</td>
<td>0</td>
</tr>
<tr>
<td>0</td>
<td>I</td>
<td>Reserve Road</td>
<td>Between Tulip Street and #102</td>
<td>W</td>
<td>Unrestricted</td>
<td>24</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>1</td>
<td>J</td>
<td>Reserve Road</td>
<td>Between #102 and #103</td>
<td>W</td>
<td>Unrestricted</td>
<td>160</td>
<td>115</td>
<td>10</td>
<td>0</td>
</tr>
<tr>
<td>1</td>
<td>K</td>
<td>Reserve Road</td>
<td>Between #103 and Reserve Road</td>
<td>W</td>
<td>Unrestricted</td>
<td>170</td>
<td>215</td>
<td>14</td>
<td>0</td>
</tr>
<tr>
<td>0</td>
<td>L</td>
<td>Tulip Street</td>
<td>Between #103 and Reserve Road</td>
<td>N</td>
<td>Unrestricted</td>
<td>74</td>
<td>79</td>
<td>77</td>
<td>0</td>
</tr>
<tr>
<td>1</td>
<td>M</td>
<td>Tulip Street</td>
<td>Between #103 and Reserve Road</td>
<td>S</td>
<td>Unrestricted</td>
<td>6</td>
<td>6</td>
<td>5</td>
<td>0</td>
</tr>
<tr>
<td>1</td>
<td>N</td>
<td>Tulip Street</td>
<td>Between #103 and Reserve Road</td>
<td>F</td>
<td>Unrestricted</td>
<td>7</td>
<td>6</td>
<td>7</td>
<td>0</td>
</tr>
</tbody>
</table>

**Public Capacity:**
---

300

**Public Occupancies:**
---

200

**Public Vacancies:**
---

100

**Public % Occupancies:**
---

70%
Item 4.6 – Matters of Decision

PRODUCT DATA
trendvario 4300

- Loadable up to 2600 kg
- Single parking space can also be extended to handle heavier loads at a later date

Dimensions in cm:
- Limitations:
  - Width: 190 cm
  - Height: max. 2000 kg, max. 2600 kg

Suitable for:
- Standard passenger cars:
  - Limousine, station wagon, SUV, van

Height
- UF, GF, LF
- Car height

- Standard type
- Special system: maximum load for extra charge
- To follow the minimum finished dimensions: make sure to consider the tolerances according to VOS, part C (DIN 18330 and 18331) and the DIN 18322.
- Car width for platform width 230 cm. If wider platforms are used, it is also possible to park wider cars.
- Potential equalization from foundation grounding connection to system (provided by the customer).
- Slope with drainage channel and sump.
- These floor areas need to be horizontal and on equal level across the full width of the pit.

For convenient use of your parking space and due to the fact that the cars keep becoming longer, we recommend a pit length of 570 cm.
- At the transition section between pit floor and walls, no hollow mouldings/coves are possible. If hollow mouldings/coves are required, the systems must be designed smaller or the pits accordingly wider.

If sprinklers are required, make sure to provide the necessary free spaces during the planning stage.
According to the BCR 239, an inspection book is required for the commercial use of a gate with electric drive. Prior to commissioning, and then once a year, the gate has to be inspected by an expert and the findings entered in the inspection book. The inspection has to be carried out independent of any maintenance work.

For parking boxes on the edges and boxes with intermediate walls we recommend our maximum platform width of 270 cm. Please consider existing grids. Problems may occur if smaller platform widths are used (depending on car type, access and individual driving behaviour and capability).

For larger limousines and SUV wider driveways are necessary (in particular on the boxes on the sides due to the missing manoeuvring radius).

- RB = Grid unit width must strictly conform to dimensions quoted!
- Only applies to manually operated doors. The electrically driven doors must have 35 cm.
According to the SGR 252, an inspection book is required for the commercial use of a gate with electric drive. Prior to commissioning, and then once a year, the gate has to be inspected by an expert and the findings entered in the inspection book. The inspection has to be carried out independent of any maintenance work.

For parking boxes on the edges and boxes with intermediate walls we recommend our maximum platform width of 270 cm. Please consider adjoining grids. Problems may occur if smaller platform widths are used (depending on car type, access and individual driving behaviour and capability).

For larger limousines and SUV wider driveways are necessary (in particular on the boxes on the sides due to the missing manoeuvring radius).

RB = Grid unit width must strictly conform to dimensions quoted!

The illustrated maximum approach angles must not be exceeded. Incorrect approach angles will cause serious manoeuvring & positioning problems on the parking system for which the local agency of MLAUS Multiparking accepts no responsibility.

RB = Grid unit width must strictly conform to dimensions quoted!
Item 4.6 – Matters of Decision
Electrically driven doors

In accordance with BGR 232 commercially used power-driven doors must be subjected to annual inspections. We urgently recommend concluding a maintenance agreement that includes this service for the entire system.

Building application documents

According to LBO and CalVé (garage regulations) the Multiparking systems are subject to approval. We will provide the required building application documents.

Care

To avoid damages resulting from corrosion, make sure to follow our cleaning and care instructions and to provide good ventilation of your garage.

Corrosion protection

See separate sheet regarding corrosion protection.

EC Certification

The systems on offer comply with DIN EN 14010 and EC Machine Directive 2006/42/EC. Furthermore, this system underwent voluntary conformity testing by TÜV SÜD.

Certificate concerning the examination of conformity

- Certificate number: P9-155
- Certificate holder: Valforma Industrie-Service GmbH
- Address: Wälteler Weg 3, 58393 Arnsberg, Germany
- Date of issue: 2018-03-04
- Manufacturer: KLAUS Multiparking GmbH
- Address: Hermann-Wöhr-Str. 1, 58393 Arnsberg, Germany

The following measures are to be taken to comply with this value:

- Sound protection package according to offerer (KLAUS Multiparking GmbH)
- Minimum sound insulation of building $R_{W} = 57$ dB (to be provided by customer)

Increased sound insulation (special agreement):

- Draft DIN 4109-10, Information on planning and execution, proposals for increased sound insulation

Agreement: Maximum sound level in personal living and working areas $25$ dB (A). Noise created by users are not subject to the requirements (see table 4, DIN 4109).

The following measures are to be taken to comply with this value:

- Sound protection package according to offerer (KLAUS Multiparking GmbH)
- Minimum sound insulation of building $R_{W} = 62$ dB (to be provided by customer)

Note: User noises are noises created by individual users in our Multiparking systems. These can be noises from accessing the platforms, slamming of vehicle doors, motor and brake noises.
Item 4.6 – Matters of Decision

TrendVario 4300 I Code number S8S26210124 I Version 01.2017

Page 6 of 7

Bayside City Council
Planning & Amenity Committee Meeting - 30 April 2019
Attachment 4

Electrical data

Control box

The control box must be accessible at all times from outside.
Dimensions approx. 100 x 100 x 30 cm.
Cutting through of wall from control box to parking system
(contact the local agency of KLAUS Multiparking for clarifications).

Cutting through

Parking system fully visible from control box

To be performed by the customer

Safety fences
Any requirements that may be necessary according to DIN EN ISO 13857 in order to provide protection for the park pili for pathways directly in front, next to or behind the unit. This is also valid during construction.

Numbering of parking spaces
Consecutive numbering of parking spaces.

Building services
Any required lighting, ventilation, fire extinguishing and fire alarm systems as well as classification and compliance with the relevant regulatory requirements.

Drainage
For the middle area of the pit we recommend a drainage channel, which you connect to a floor drain system or sump (50 x 50 x 20 cm). The drainage channel may be inclined to the side, however not the pit floor itself (longitudinal incline is available). In the interests of environmental protection we recommend painting the pit floor. Oil and petrol separators must be provided according to the statutory provisions when connecting to the public sewage system!

Wall cuttings
Any necessary wall cuttings.

Description

General description:
Multiparking system providing independent parking spaces for cars, one on top of the other and side by side. Dimensions are in accordance with the underlying dimensions of parking pit, height and width.
The parking bay is accessed horizontally (installation deviation ± 1%).
Along the complete width of the parking automat an approach lane (driving lane in accordance with local regulations) must be available. Parking spaces are arranged on three different levels, one level on top of the other.
The platforms of both the lower floor (LF) and upper floor (UF) are moved vertically, the platforms of the ground floor (GF) horizontally. At approach level (GF) there is always one parking space less available. This vacant space is used for shifting the ground floor (GF) parking spaces sideways, thus enabling an upper floor (UF) parking space or lower floor (LF) parking space to be lowered or lifted to approach level. Consequently, a unit of five parking spaces (2 on the upper floor, 1 on the ground floor, 2 on the lower floor) is the smallest unit available for this parking system.
The TrendVario 4300 allows parking of passenger cars and station wagons.
For safety reasons the planks can only be moved behind locked doors.
All necessary safety devices are installed. This consists mainly of a chain monitoring system, locking lever for the upper and lower platforms and locked doors. The doors can only be opened if the selected parking space has reached the park position and all openings are secured.

A steel framework mounted inside the pit, consisting of:
– Serialised supports
– Steel pillars with riding platform supports
– Cross and longitudinal members
– Running rail for the transversely movable ground floor (GF) platforms

Platforms consisting of:
– Side members
– Cross members
– Platform base sections
– 1 wheel stop (on the right per parking space)
– Screws, small parts, etc.

Lifting device for upper floor (UF) and lower floor (LF) platforms:
– Hydraulic cylinder with solenoid valve
– Chain wheels
– Cranes
– Limit switches
– The platforms are suspended on four points and guided along the supports using plastic sliding bearings.

Drive unit of transversely movable platforms on the ground floor (GF):
– Gear motor with chain wheel
– Cranes
– Running and guide rollers (low-noise)
– Power supply via cable chain

Electrical supply to the control box / Foundation earth connector
Suitable electrical supply min. 5 x 2.5 mm² (3 PH+N+PE) to control box with mains fuse 3 x 16 A slow or over-current cut-out 3 x 16 A trigger characteristic K or C DIN/VDE and local regulations must be taken into consideration.
Suitable electrical supply to the control box must be provided by the customer during installation. The functionality can be monitored on site by our fitters together with the electrician. If this cannot be done during installation for some reason for which the customer is responsible, the customer must commission an electrician at their own expense and risk.
In accordance with DIN EN 60204 (Safety of Machinery: Electrical Equipment), grounding of the steel structure is necessary, provided by the customer (distance between grounding max. 10 m).

Operating ethic
Easy-to-survey positioning (e.g. on column).
Protection against unauthorized use.
May also be recessed in wall if required.
**Description**

**Hydraulic unit consisting of:**
- Hydraulic power unit (low-noise, installed onto a console with a rubber-bonded-to-metal mounting)
- Hydraulic oil reservoir
- Oil filling
  - Internal gearwheel pump
  - Pump holder
  - Clutch
  - 3-phase AC-motor (3.0 kW, 230/400 V, 50 Hz)
- Motor circuit breaker
  - Test manometer
- Pressure relief valve
  - Hydraulic hoses (which reduce noise transmission onto the hydraulic pipe)

**Control system:**
- Central control panel (operating device) used to select the desired parking space
- With series installation, the doors are opened manually if desired, this can also be done using electric motors
- Electric wiring is made from the electric cabinet by the manufacturer

**Sliding doors:**

**Size**
Dimensions modified based on width and height measurements.

**Shutter box**
- 2-piece, roll formed aluminium box 45° consisting of upper and lower part
- Lacquered type

**Guide rails**
- Extruded aluminium guide rails with brush insert
- Lacquered type

**Gate type**
- Aluminium gate type, roll formed
- End rod with electronic safety strip
- Lacquered type

**Colour options**
Shutter box, guide rails and gate type are available with the following colour options:
- RAL 7016 (white)
- RAL 7038 (light grey)
- RAL 9006 (aluminium metallic)

**Door actuation**
Powered electrically by means of tube motor in the shaft.

For safety reasons, the movement of the platforms is always made behind locked doors. Position sensing, i.e. “door open” and “door closed” is effected by electric signals.

**Sliding doors:**

**Size**
Sliding door dimensions: approx. 2500 mm x 2000 mm (width x height)

**Frame**
- Frame construction with vertical centre stay bar made from extruded aluminium profiles (anodized, layer thickness approx. 20 μm)
- To open the doors a recessed grip is integrated in the aluminium profile
- A rubber lip is used for the finishing of the closing edge to the building

**Standard door panel**
- Perforated steel plate
  - Thickness 1mm, PV-fil, galvanized, layer thickness: approx. 20 μm
  - Ventilation cross-section of the panel approx. 40%
  - Not suitable for outdoor garages

**Alternative door panel**
- Perforated aluminium plate
  - Thickness 2mm, PV-fil, galvanized, layer thickness: approx. 20 μm
  - Ventilation cross-section of the panel approx. 40%
  - Beaded steel plate
  - Thickness 1mm, galvanized, layer thickness: approx. 20 μm
  - Additional power coating, lacquer thickness approx. 25 μm on the outside and approx. 12 μm on the inside
  - Colour options for the outside (building view):
    - RAL 9015 (light ivory), RAL 3003 (ruby)
    - RAL 9014 (pigeon blue), RAL 8015 (moss green)
    - RAL 7016 (charcoal grey), RAL 7036 (light grey)
    - RAL 7040 (window grey), RAL 8014 (zefir)
    - RAL 9006 (white aluminium), RAL 9016 (traffic white)
  - Inside of the gates in light grey
  - Plain aluminium sheet
  - Thickness 2mm, EV/EV1, anodized, layer thickness: approx. 20 μm

**Wooden paneling**
- Nordic spruce in grade A
- Vertical tongue and groove boards
- Preimpregnated fibreboards

**Laminated safety glass**
- Laminated safety glass made from single pane safety glass 8/4 mm
- Wire-grafting
  - Mesh size 12 x 12 mm
  - Mesh size 40 x 40 mm (for manual sliding gates only)

**Running rails**
- The running gear of each door consists of 2 twin-pair rolling gauges, adjustable in height
- The running rails of the doors are fixed to brackets or the concrete lintel, or on a building-specific door suspension using ceiling fittings
- The guide consists of 2 plastic rollers mounted to a base plate, which is dowelled to the floor
- Running rails, ceiling fittings and guide roller base plate are hot-dip galvanized

**Door actuation**
- Standard:
  - Manually, i.e. the door is opened and closed by hand
- Alternatively:
  - Electric drive via electric motor mounted to the rail system at the turning point of the sliding doors. The drive pin engages into the chain mounted to the door
  - For safety reasons, the movement of the platforms is always made behind locked doors. Position sensing, i.e. “door open” and “door closed” is effected by electric signals.

**Separation (if necessary):**
- Upon request

**Please note:**
Door panels (on the side, cover for running rails, etc.) and door suspensions are not included in the standard version but can be delivered against surcharge as special equipment.

---

**We reserve the right to change this specification without further notice**

KLUS Bayside Multiparking reserves the right in the course of technical progress to use newer or other technologies, systems, processes, procedures or standards in the fulfillment of their obligations other than those originally offered provided the customer derives no disadvantage from their so doing.
Bayside City Council
Planning & Amenity Committee Meeting - 30 April 2019
Attachment 4

Item 4.6 – Matters of Decision

Page 314 of 357
According to the BCR 232, an inspection book is required for the commercial use of a gate with electric drive. Prior to commissioning, and then once a year, the gate has to be inspected by an expert and the findings entered in the inspection book. The inspection has to be carried out independent of any maintenance work.

For parking boxes on the edges and boxes with intermediate walls we recommend our maximum platform width of 270 cm. Please consider adjoining grids. Problems may occur if smaller platform widths are used (depending on car type, access and individual driving behaviour and capability).

For larger limousines and SUV wider driveways are necessary (in particular on the boxes on the sides due to the missing manoeuvring radius).

- RB = Grid unit width must strictly conform to dimensions quoted!
- Only applies to manually operated doors. The electrically driven doors must have 35 cm.
Garages with roll doors | Widths dimensions

Roll door behind columns

<table>
<thead>
<tr>
<th>Type</th>
<th>Height</th>
<th>Width</th>
</tr>
</thead>
<tbody>
<tr>
<td>4000-160</td>
<td>5000-500</td>
<td>160-160</td>
</tr>
<tr>
<td>4000-200</td>
<td>5000-500</td>
<td>200-200</td>
</tr>
<tr>
<td>4000-240</td>
<td>5000-500</td>
<td>240-240</td>
</tr>
</tbody>
</table>

Columns per each grid unit

- Grid unit width must strictly conform to dimensions quoted!

Grid arrangement

For 2 rows max 6 grids

Approach

The illustrated maximum approach angles must not be exceeded. Incorrect approach angles will cause serious manoeuvring & positioning problems on the parking system for which the local agency of KLAUS Multiparking accepts no responsibility.

Longitudinal free space

- Grid unit width must strictly conform to dimensions quoted!
Function with standard numbering and identification of parking levels

For driving the vehicle off platform No. 4 the ground floor parking platforms are shifted to the left.

The empty space is now below the vehicle which shall be driven off the platform. The platform No. 4 will be lowered.

The vehicle on platform No. 4 can now be driven off the platform.

Load plan

<table>
<thead>
<tr>
<th>Type</th>
<th>Height</th>
<th>H3</th>
</tr>
</thead>
<tbody>
<tr>
<td>400-186</td>
<td>345/455/560</td>
<td>255</td>
</tr>
<tr>
<td>400-195</td>
<td>355/455/560</td>
<td>265</td>
</tr>
<tr>
<td>400-197</td>
<td>365/455/560</td>
<td>265</td>
</tr>
<tr>
<td>400-210</td>
<td>365/455/560</td>
<td>265</td>
</tr>
</tbody>
</table>

Load plan – top view

The system is dovetailed to floor and walls. The drilling depth in the floor is approx. 15 cm.

Floor and walls are to be made of concrete (grade of concrete min. C20/25).

The dimensions for the points of support are rounded values. If the exact position is required, please contact KLAUS Multiparking.

- RB = Grid unit width must strictly conform to dimensions quoted!
- All forces in kN
**Recess/Rail system**

Dependent upon the structural conditions of the garage, several different options are available for installation of the rails.

- Rail load by moving traffic load:
  - For surface load 2000 kg: 6.5 kN per wheel
  - For surface load 2900 kg: 8 kN per wheel

---

**Laying on strip foundation**

- Tolerances for the evenness of the carriageway must be strictly complied with in accordance with DIN (German Industrial Standard) No. 18 202, chart 5, line 3. No expansion joints are permitted within the area of the rail system.

- We do not recommend mastic asphalt.

---

**Evenness and Tolerances (abstract from DIN 18 202, table 3)**

The distance between the lower flange of the ParkBoards and the garage ground must therefore not exceed 2 cm. To adhere to the safety regulations and DIN EN 14 010 recommendations and to get the necessary even ground, the tolerances of evenness to DIN 18 202, table 3, line 3, must not be exceeded. Therefore exact levelling of the ground by the client is essential.

<table>
<thead>
<tr>
<th>Column</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
</tr>
</thead>
<tbody>
<tr>
<td>Line</td>
<td>Reference</td>
<td>Vertical measurement as limits in mm with measuring points distances in m to&lt;br&gt;Unfinished to surface of cover, subconcrete and subsite for higher demands, e.g. as foundation for cast plastic floor, industrial soil, paving tiles and slabstone paving, compact floor paving. Finished surfaces of minor purposes, e.g. warehouses, cellar&lt;br&gt;Finished grounds, e.g. floor pavement serving as foundation for coverings. Coverings, like coverings, PVC flooring and glued coverings.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Line 2</td>
<td>0.1</td>
<td>1</td>
<td>4</td>
<td>10</td>
<td>15</td>
</tr>
<tr>
<td>3</td>
<td>Line 3</td>
<td>5</td>
<td>8</td>
<td>12</td>
<td>15</td>
<td>20</td>
</tr>
<tr>
<td>4</td>
<td>2</td>
<td>4</td>
<td>10</td>
<td>12</td>
<td>15</td>
<td></td>
</tr>
</tbody>
</table>

Intermediate values are to be taken out the diagram and must be rounded-off to mm.
Field of application
By default, the system can only be used for a fixed number of users. If different users use the system (e.g., short-time parkers in office buildings or hotels), the Multiparking system needs to be adjusted. If required, would you please contact us.

Available documents
- wall recces plans
- maintenance offer/contract
- declaration of conformity
- test sheet on airborne and sid-borne sound

Environmental conditions
Environmental conditions for the area of multiparking systems: Temperature range –10 to +40° C. Relative humidity 50% at a maximum outside temperature of +40° C. If lifting or lowering times are specified, they refer to an environmental temperature of +10° C and with the system set up directly next to the hydraulic unit. At lower temperatures or with longer hydraulic lines, these times increase.

Numbering
Standard numbering of the parking spaces:

Different numbering is only possible at extra cost
Please take note of the following specifications:
- In general, the empty space must be arranged to the left.
- The numbers must be provided 8 – 10 weeks before the delivery date.

Sound insulation
According to DIN 4109 (Sound insulation in buildings), para. 4, annotation 4. KLASS Multiparkings are part of the building services (garage systems).

Normal sound insulation:
DIN 4109, para. 4, Sound insulation against noises from building services.

Table 4 in para. 4.1 contains the permissible sound level values emitted from building services for personal living and working areas. According to line 2 the maximum sound level in personal living and working areas must not exceed 30 dB (A). Noises created by users are not subject to the requirements (see table 4, DIN 4109).

The following measures are to be taken to comply with this value:
- Sound protection package according to offerer/ KLAUS Multiparking GmbH
- Minimum sound insulation of building \( R_{IW} = 57 \text{ dB} \)
  (to be provided by customer)

Increased sound insulation (special agreement):
Draft DIN 4108b-10. Information on planning and execution, proposals for increased sound insulation.

Agreement: Maximum sound level in personal living and working areas 25 dB (A). Noises created by users are not subject to the requirements (see table 4, DIN 4109).

The following measures are to be taken to comply with this value:
- Sound protection package according to offerer/ KLAUS Multiparking GmbH
- Minimum sound insulation of building \( R_{IW} = 62 \text{ dB} \)
  (to be provided by customer)

Note: User noises are noises created by individual users in our Multiparking systems. These can be noises from accessing the platforms, slamming of vehicle doors, motor and brake noises.

Electrically driven doors
In accordance with BG II 232 commercially used power-driven doors must be subjected to annual inspections. We urgently recommend concluding a maintenance agreement that includes this service for the entire system.

Building application documents
According to LBO and GaW (garage regulations) the Multiparking systems are subject to approval. We will provide the required building application documents.

Corrosion protection
To avoid damages resulting from corrosion, make sure to follow our cleaning and care instructions and to provide good ventilation of your garage.

Corrosion protection
See separate sheet regarding corrosion protection.

4.4 Certification
The systems on offer comply with DIN EN 14010 and EC Machine Directive 2006/42/EC. Furthermore, this system underwent voluntary conformity testing by TÜV Süd.

Certificate concerning the examination of conformity

Certification body: TÜV Süd
Date of approval: 2012-09-06
Manufacturer: KLAUS Multiparking GmbH
Product: Equipment for power driven parking of motor vehicles
Type: Trendfauro 4000: 2.000 kg and 2.200 kg

Date of test: 2014-02-14
Location: Colorado Springs, USA

Validity: This Certificate is valid until 2019-02-15

Note: The equipment fulfills the requirements of the test parameters for the respective range of application stated in the previous page 1 of this certificate, keeping the mechanical conditions.
Electrical data

Control box

The control box must be accessible at all times from outside. Dimensions approx. 100 x 100 x 30 cm. Cutting through of wall from control box to parking system (contact the local agency of KLAUS Multiparking for clarification).

Cutting through

Packing system fully visible from control box

Electrical supply to the control box / Foundation earth connector

Up to 2 rows:
Suitable electrical supply 5 x 2.5 mm² (3 PH+N+PE) to control box with mains fuse 3 x 20 A slow or over-current cut-out 3 x 20 A trigger characteristic K or C.

With 3 rows:
Suitable electrical supply 5 x 4 mm² (3 PH+N+PE) to control box with mains fuse 3 x 25 A slow or over-current cut-out 3 x 25 A trigger characteristic K or C.

Suitable electrical supply to the control box must be provided by the customer during installation. The functionality can be monitored on site by our fitters together with the electrician. If this cannot be done during installation for some reason for which the customer is responsible, the customer must commission an electrician at their own expense and risk.

In accordance with DIN EN 60204 (Safety of Machinery. Electrical Equipment), grounding of the steel structure is necessary, provided by the customer (distance between grounding max. 10 m).

Operating device

Easy-to-survey positioning (e.g. on column). Protection against unauthorized use. May also be recessed in wall if required.

To be performed by the customer

Safety fences

Any constraints that may be necessary according to DIN EN ISO 19987:1999 to provide protection, for pathways directly in front, next to or behind the bus stop. This is also valid during construction.

Building services

Consecutive numbering of parking spaces.

Any required lighting, ventilation, fire extinguishing and fire alarm systems as well as clarification and compliance with the relevant regulatory requirements.

Wall cuttings

Any necessary wall cuttings.

Electrical supply to the control box / Foundation earth connector

Suitable electrical supply to the control box must be provided by the customer during installation. The functionality can be monitored on site by our fitters together with the electrician. If this cannot be done during installation for some reason for which the customer is responsible, the customer must commission an electrician at their own expense and risk.

In accordance with DIN EN 60204 (Safety of Machinery. Electrical Equipment), grounding of the steel structure is necessary, provided by the customer (distance between grounding max. 10 m).

Description

Multiparking system providing independent parking spaces for cars, one on top of the other and side by side. Dimensions are in accordance with the underlying dimensions of height and width. The parking bays are accessed horizontally (installation deviation ± 1%).

Along the complete width of the parking automat an approach lane (driving lane in accordance with local regulations) must be available. Parking spaces are arranged on two different levels, one level on top of the other.

The platforms of the upper floor (UF) are moved vertically, the platforms on the ground floor (GF) horizontally. At approach level (GF), there is always one parking space less available. This vacant space is used for shifting the ground floor (GF) parking spaces sideways, thus enabling the upper platform (UF) parking space located above to be lowered to approach/ground level. Consequently, a unit of three parking spaces (1 on the ground floor, 2 on the upper floor) is the smallest unit available for this parking system. The TrendVanro 4000 allows parking of passenger cars and station wagons.

For safety reasons the platforms can only be moved behind locked doors.

Door suspension

The lintel height H2 (see page 2) is absolutely necessary. With differing heights, additional fixings are required for extra charge.

Door shields

The lintel height H2 (see page 2) is absolutely necessary. With differing heights, additional fixings are required for extra charge.

Flooring structure

Flooring structure in accordance with our instructions, please see page 5 (recesses, rail systems). Recesses, tolerances for the evenness of the driving lane must adhere to DIN 18322, sheet 3, line 3.

Stiffening of raft system with cement floor for the whole length. Bringing in of floor pavement.

If the following are not included in the quotation, they will also have to be provided/paid for by the customer:

- Costs for final technical approval by an authorized body.

Screws / bolts / nuts

All necessary safety devices are installed. This consists mainly of a chain monitoring system, locking lever for the upper platforms and locked doors. The doors can only be opened if the selected parking space has reached the park position.

Steel framework mounted to the floor consisting of:

- Side members
- Cross members
- Platform base sections
- 1 wheel stop (on the right per parking space)
- Screws, small parts, etc.

Lifting device for upper floor (UF) platforms:

- Gear motor
- Chain wheel
- Chains
- Limit switches
- The platforms are suspended on four points and guided along the supports using plastic sliding bearings.
Description

Drive unit of transversely movable platforms on the ground floor (GP):
- Gear motor with chain wheel
- Chains
- Running and guide rollers (low-noise)
- Power supply via cable chain

Docked systems:
- Central control panel (operating device) used to select the desired parking space
- With series installation, doors are opened manually
- If desired, this can also be done using electric motors
- Electric wiring is made from the electric cabinet by the manufacturer

Roller doors:

Size
Dimensions modified based on width and height measurements.

Shutter box
- 2-piece, roll formed aluminum box 45° consisting of upper and lower part
- Lacquered type

Guide rails
- Extruded aluminum guide rails with brush insert
- Lacquered type

Gate type
- Aluminum gate type, roll formed
- End rod with electronic safety strip
- Lacquered type

Colour options
Shutter box, guide rails and gate type are available with the following colour options:
- RAL 9016 (white)
- RAL 7038 (light grey)
- RAL 9006 (aluminum metallic)

Door actuation
Powered electrically by means of tube motor in the shaft.

For safety reasons the movement of the platforms is always made behind locked doors. Position sensing, i.e. “door open” and “door closed” is effected by electric signalers.

Sliding doors:

Size
Sliding door dimensions: approx. 2500 mm x 2000 mm (width x height).

Frame
- Frame construction with vertical centre stay bar made from extruded aluminum profiles (anodized, layer thickness approx. 20 μm)
- To open the doors a recessed grip is integrated in the aluminum profile
- A rubber lip is used for the finishing of the closing edge to the building.

Standard door panel
Perforated steel plate
- Thickness 1mm, PV foil, galvanized, layer thickness approx. 20 μm
- Ventilation cross-section of the panel approx. 40%
- Not suitable for outdoor garages

Alternative door panel
Perforated aluminum plate
- Thickness 2mm, PV foil, galvanized, layer thickness approx. 20 μm
- Ventilation cross-section of the panel approx. 40%
- Beaded steel plate
- Thickness 1mm, galvanized, layer thickness approx. 20 μm
- Additional powder coating, layer thickness approx. 25 μm on the outside and approx. 12 μm on the inside
- Colour options for the outside (building view):
  - RAL 9015 (light ivory), RAL 3003 (ruby)
  - RAL 9014 (pigeon blue), RAL 8005 (most green)
  - RAL 7016 (charcoal grey), RAL 7036 (light grey)
  - RAL 7040 (window grey), RAL 8014 (olivine)
  - RAL 9006 (white aluminium), RAL 9016 (traffic white)
- Inside of the gates in light grey

Plain aluminum sheet
- Thickness 2mm, E6/EV1, anodized, layer thickness approx. 20 μm

Wooden panelling
- Nordic spruce in grade A
- vertical tongue and groove boards
- preimpregnated colourless

Laminated safety glass
- Laminated safety glass made from single pane safety glass 84mm
- Wire-grating
  - Mesh size 12 x 12 mm
  - Mesh size 40 x 40 mm (for manual sliding gates only)

Running rails
- The running gear of each door consists of 2 twin-pair roller gadgets, adjustable in height
- The running rails of the doors are fixed to brackets or the concrete lintel, or on a building-specific door suspension using ceiling fittings
- The guide consists of 2 plastic rollers mounted to a base plate, which is dowelled to the floor
- Running rails, ceiling fittings and guide roller base plate are hot-dip galvanized

Door actuation
Standard:
- Manually, i.e. the door is opened and closed by hand

Alternatively:
- Electric drive via electric motor mounted to the rail system at the turning point of the sliding doors. The drive pinion engages into the chain mounted to the door
For safety reasons the movement of the platforms is always made behind locked doors. Position sensing, i.e. “door open” and “door closed” is effected by electric signalers.

Separation (if necessary):
- Upon request

Please note:
Door panels (on the side, cover for running rails, etc.) and door suspensions are not included in the standard version but can be delivered against surcharge as special equipment.

We reserve the right to change this specification without further notice

KLAUS Multiparking reserves the right in the course of technical progress to use newer or other technologies, systems, processes, procedures or standards in the fulfillment of their obligations other than those originally offered provided the customer derives no disadvantage from their so doing.

Item 4.6 – Matters of Decision
Appendix C Swept Path Diagrams
Item 4.6 – Matters of Decision
Item 4.6 – Matters of Decision

Bayside City Council
Planning & Amenity Committee Meeting - 30 April 2019

Attachment 4

Proposed Development
307 Reserve Road, Cheltenham
Swept Path Assessment

B85 Vehicle (AS/NZS2890.1:2004)

<table>
<thead>
<tr>
<th>Parameter</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Overall Length</td>
<td>4.910m</td>
</tr>
<tr>
<td>Overall Width</td>
<td>2.040m</td>
</tr>
<tr>
<td>Min. Body Height</td>
<td>1.600m</td>
</tr>
<tr>
<td>Min. Body Ground Clearance</td>
<td>0.150m</td>
</tr>
<tr>
<td>Lock to Lock Time</td>
<td>4.00 sec</td>
</tr>
<tr>
<td>Curt to Curt Turning Radius</td>
<td>4.80m</td>
</tr>
</tbody>
</table>

Ratio Consultants Pty Ltd
ABN 005 422 104
8 GRAYNIE STREET
KENSINGTON, VIC 3031
TELEPHONE 03 9692 3711
FACSIMILE 03 9692 3711

RATIO REFERENCE: 15252T SK07A
SHEET No.: 02 of 11
SCALE: 1:3000A4
DATE: 06/03/2019

NOTE:
1) Base Plan Supplied by CBG Architects Pty. Ltd. 03/2019
2) Maximum Design Speed 90km/h
Item 4.6 – Matters of Decision

Bayside City Council Planning & Amenity Committee Meeting 30 April 2019

Attachment 4

Proposed Development 307 Reserve Road, Cheltenham Swept Path Assessment

B85 Vehicle (AS/NZS2890.1:2004)

RATIO REFERENCES

15252T SK07A 03 of 11 1:3004A4 06/03/2019
Item 4.6 – Matters of Decision
Item 4.6 – Matters of Decision
Appendix D SIDRA Results

Item 4.6 – Matters of Decision
## Movement Summary

**Site: 101 [Res Rd/Tul St_Ex AM]**

Reserve Road/Tulip Street
Existing AM Peak
Site Category: (None)
Signals - Fixed Time Isolated Cycle Time = 60 seconds (Site Practical Cycle Time)
Variable Sequence Analysis applied. The results are given for the selected output sequence.

### Movement Performance - Vehicles

<table>
<thead>
<tr>
<th>Mov ID</th>
<th>Flow veh/hr</th>
<th>Demand Flows</th>
<th>HV %</th>
<th>Delay Sec</th>
<th>Average Delay sec</th>
<th>Level of Service</th>
<th>%5% Back of Queue</th>
<th>Prop Queued</th>
<th>Effective Stop Rate</th>
<th>Aver No Cycles</th>
<th>Average Speed km/h</th>
</tr>
</thead>
<tbody>
<tr>
<td>South Reserve Road</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 L2</td>
<td>171</td>
<td>0.0</td>
<td>0.867</td>
<td>27.4</td>
<td>LOS C</td>
<td>38.3</td>
<td>268.1</td>
<td>0.90</td>
<td>0.93</td>
<td>1.03</td>
<td>42.8</td>
</tr>
<tr>
<td>2 T1</td>
<td>820</td>
<td>0.0</td>
<td>0.867</td>
<td>21.8</td>
<td>LOS C</td>
<td>38.3</td>
<td>268.1</td>
<td>0.90</td>
<td>0.93</td>
<td>1.03</td>
<td>43.6</td>
</tr>
<tr>
<td>Approach</td>
<td>991</td>
<td>0.0</td>
<td>0.867</td>
<td>22.8</td>
<td>LOS C</td>
<td>38.3</td>
<td>268.1</td>
<td>0.90</td>
<td>0.93</td>
<td>1.03</td>
<td>43.5</td>
</tr>
<tr>
<td>North Reserve Road</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8 T1</td>
<td>429</td>
<td>0.0</td>
<td>0.457</td>
<td>8.8</td>
<td>LOS A</td>
<td>8.6</td>
<td>59.9</td>
<td>0.55</td>
<td>0.48</td>
<td>0.56</td>
<td>52.4</td>
</tr>
<tr>
<td>9 R2</td>
<td>115</td>
<td>0.0</td>
<td>0.832</td>
<td>52.3</td>
<td>LOS D</td>
<td>5.1</td>
<td>35.8</td>
<td>1.00</td>
<td>0.94</td>
<td>1.44</td>
<td>31.6</td>
</tr>
<tr>
<td>Approach</td>
<td>544</td>
<td>0.0</td>
<td>0.832</td>
<td>18.0</td>
<td>LOS B</td>
<td>8.6</td>
<td>59.9</td>
<td>0.65</td>
<td>0.58</td>
<td>0.74</td>
<td>46.0</td>
</tr>
<tr>
<td>West Tulip Street</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10 L2</td>
<td>146</td>
<td>0.0</td>
<td>0.809</td>
<td>49.9</td>
<td>LOS D</td>
<td>6.4</td>
<td>44.6</td>
<td>1.00</td>
<td>0.93</td>
<td>1.34</td>
<td>32.5</td>
</tr>
<tr>
<td>12 R2</td>
<td>87</td>
<td>0.0</td>
<td>0.675</td>
<td>44.4</td>
<td>LOS D</td>
<td>3.8</td>
<td>24.0</td>
<td>0.99</td>
<td>0.77</td>
<td>0.99</td>
<td>33.9</td>
</tr>
<tr>
<td>Approach</td>
<td>204</td>
<td>0.0</td>
<td>0.809</td>
<td>47.8</td>
<td>LOS D</td>
<td>6.4</td>
<td>44.6</td>
<td>0.99</td>
<td>0.87</td>
<td>1.20</td>
<td>33.0</td>
</tr>
<tr>
<td>All Vehicles</td>
<td>1768</td>
<td>0.0</td>
<td>0.867</td>
<td>24.6</td>
<td>LOS C</td>
<td>38.3</td>
<td>268.1</td>
<td>0.84</td>
<td>0.82</td>
<td>0.56</td>
<td>42.4</td>
</tr>
</tbody>
</table>

Site Level of Service (LOS) Method: Delay (SIDRA). Site LOS Method is specified in the Parameter Settings dialog (Site tab).

Vehicle movement LOS value is based on average delay per movement.

Intersection and Approach LOS values are based on average delay for all vehicle movements.

SIDRA Standard Delay Model is used. Control Delay includes Geometric Delay.


HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

### Movement Performance - Pedestrians

<table>
<thead>
<tr>
<th>Mov ID</th>
<th>Description</th>
<th>Demand Flow (pcn)</th>
<th>Average Delay Sec</th>
<th>Level of Service</th>
<th>Average Back of Queue</th>
<th>Prop Queued</th>
<th>Effective Stop Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>P4</td>
<td>West Full Crossing</td>
<td>53</td>
<td>34.3</td>
<td>LOS D</td>
<td>0.1</td>
<td>0.1</td>
<td>0.93</td>
</tr>
<tr>
<td>All Pedestrians</td>
<td></td>
<td>53</td>
<td>34.3</td>
<td>LOS D</td>
<td></td>
<td></td>
<td>0.93</td>
</tr>
</tbody>
</table>

Level of Service (LOS) Method: SIDRA Pedestrian LOS Method (Based on Average Delay).

Pedestrian movement LOS value is based on average delay per pedestrian movement.

Intersection LOS value for Pedestrians is based on average delay for all pedestrian movements.
**MOVEMENT SUMMARY**

[Bayside City Council Planning & Amenity Committee Meeting - 30 April 2019 Attachment 4]

### Site: 101 [Res Rd/Tulip St Ex PM]

Reserve Road/Tulip Street
Existing PM Peak
Site Category: (None)
Signals: Fixed Time Isolated Cycle Time = 50 seconds (Site Practical Cycle Time)
Variable Sequence Analysis applied. The results are given for the selected output sequence.

<table>
<thead>
<tr>
<th>Movement Performance - Vehicles</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Mov I</strong></td>
</tr>
<tr>
<td>---------</td>
</tr>
<tr>
<td>South Reserve Road</td>
</tr>
<tr>
<td>1 L2</td>
</tr>
<tr>
<td>2 T1</td>
</tr>
<tr>
<td>Approach</td>
</tr>
<tr>
<td>North Reserve Road</td>
</tr>
<tr>
<td>8 T1</td>
</tr>
<tr>
<td>9 R2</td>
</tr>
<tr>
<td>Approach</td>
</tr>
<tr>
<td>West Tulip Street</td>
</tr>
<tr>
<td>10 L2</td>
</tr>
<tr>
<td>12 R2</td>
</tr>
<tr>
<td>Approach</td>
</tr>
<tr>
<td>All Vehicles</td>
</tr>
</tbody>
</table>

Site Level of Service (LOS) Method: Delay (SIDRA). Site LOS Method is specified in the Parameter Settings dialog (Site tab).
Vehicle movement LOS values are based on average delay per movement.
Intersection and Approach LOS values are based on average delay for all vehicle movements.
SIDRA Standard Delay Model is used. Control Delay includes Geometric Delay.
HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

<table>
<thead>
<tr>
<th>Movement Performance - Pedestrians</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Mov ID</strong></td>
</tr>
<tr>
<td>---------</td>
</tr>
<tr>
<td>P4</td>
</tr>
<tr>
<td>All Pedestrians</td>
</tr>
</tbody>
</table>

Level of Service (LOS) Method: SIDRA Pedestrian LOS Method (Based on Average Delay).
Pedestrian movement LOS values are based on average delay per pedestrian movement.
Intersection LOS value for Pedestrians is based on average delay for all pedestrian movements.

SIDRA INTERSECTION 8.0 | Copyright © 2000-2018 Akcakil and Associates Pty Ltd | sidresolutions.com
Organization: RATIO CONSULTANTS PTY LTD | Processed: Thursday, 28 February 2019 1:03:13 PM
Project: Y165901-15590152527 - 307 Reserve Road, Cheltenham/Wbk/SEDRA/1552527-SID92.spd
**MOVEMENT SUMMARY**

**Site: 101 [ResRd/TulPd PD AM]**

Reserve Road/Tulip Street
Post Development AM Peak
Site Category: (None)
Signals - Fixed Time Isolated Cycle Time = 80 seconds (Site Practical Cycle Time)
Variable Sequence Analysis applied. The results are given for the selected output sequence.

<table>
<thead>
<tr>
<th>Movement Performance - Vehicles</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mov. ID</td>
</tr>
<tr>
<td>---------</td>
</tr>
<tr>
<td>South, Reserve Road</td>
</tr>
<tr>
<td>1 L2</td>
</tr>
<tr>
<td>2 T1</td>
</tr>
<tr>
<td>Approach</td>
</tr>
<tr>
<td>North, Reserve Road</td>
</tr>
<tr>
<td>8 T1</td>
</tr>
<tr>
<td>9 R2</td>
</tr>
<tr>
<td>Approach</td>
</tr>
<tr>
<td>West, Tulip Street</td>
</tr>
<tr>
<td>10 L2</td>
</tr>
<tr>
<td>12 R2</td>
</tr>
<tr>
<td>Approach</td>
</tr>
<tr>
<td>All Vehicles</td>
</tr>
</tbody>
</table>

Site Level of Service (LOS) Method: Delay (SIDRA). Site LOS Method is specified in the Parameter Settings dialog (Site tab).
Vehicle movement LOS values are based on average delay per movement.
Intersection and Approach LOS values are based on average delay for all vehicle movements.
SIDRA Standard Delay Model is used. Control Delay includes Geometric Delay.
HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

<table>
<thead>
<tr>
<th>Movement Performance - Pedestrians</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mov. ID</td>
</tr>
<tr>
<td>---------</td>
</tr>
<tr>
<td>P4</td>
</tr>
<tr>
<td>All Pedestrians</td>
</tr>
</tbody>
</table>

Level of Service (LOS) Method: SIDRA Pedestrian LOS Method (Based on Average Delay)
Pedestrian movement LOS values are based on average delay per pedestrian movement.
Intersection LOS value for Pedestrian is based on average delay for all pedestrian movements.

SIDRA INTERSECTION 8.0 | Copyright © 2000-2018 Akcetik and Associates Pty Ltd | sidrosolutions.com
Organisation: RATIO CONSULTANTS PTY LTD | Processed: Thursday, 28 February 2019 1:33 PM
Project: Y165021-15501152S2T - 307 Reserve Road, Chatswood/Wbk/SIDRA/1552S2T-SID92.sdp6

Item 4.6 – Matters of Decision
## MOVEMENT SUMMARY

**Site: 101 [ResRD/TuSt_PD PM]**

Reserve Road/Tulip Street
Post Development PM Peak
Site Category: (None)
Signals - Fixed Time Isolated Cycle Time = 50 seconds (Site Practical Cycle Time)
Variable Sequence Analysis applied. The results are given for the selected output sequence

### Movement Performance - Vehicles

<table>
<thead>
<tr>
<th>Mov ID</th>
<th>Run</th>
<th>Demand Flows Total veh/h</th>
<th>HV %</th>
<th>Peak Sat %</th>
<th>Average Delay sec</th>
<th>Level of Service</th>
<th>95% Back of Queue Vehicles veh</th>
<th>Prop Queued</th>
<th>Effective Stop Rate</th>
<th>Aver No Cycles</th>
<th>Average Speed km/h</th>
</tr>
</thead>
<tbody>
<tr>
<td>South Reserve Road</td>
<td>1 L2</td>
<td>139</td>
<td>0.0</td>
<td>0.732</td>
<td>21.2</td>
<td>LOS C</td>
<td>12.5</td>
<td>87.9</td>
<td>0.91</td>
<td>0.86</td>
<td>0.59</td>
</tr>
<tr>
<td>2 T1</td>
<td>416</td>
<td>0.0</td>
<td>0.732</td>
<td>15.6</td>
<td>LOS B</td>
<td>12.6</td>
<td>87.9</td>
<td>0.91</td>
<td>0.59</td>
<td>46.9</td>
<td></td>
</tr>
<tr>
<td>Approach</td>
<td>555</td>
<td>0.0</td>
<td>0.732</td>
<td>17.0</td>
<td>LOS B</td>
<td>12.6</td>
<td>87.9</td>
<td>0.91</td>
<td>0.86</td>
<td>0.59</td>
<td>46.6</td>
</tr>
<tr>
<td>North Reserve Road</td>
<td>8 T1</td>
<td>363</td>
<td>0.0</td>
<td>0.586</td>
<td>12.5</td>
<td>LOS B</td>
<td>7.4</td>
<td>51.8</td>
<td>0.80</td>
<td>0.69</td>
<td>0.80</td>
</tr>
<tr>
<td>9 R2</td>
<td>101</td>
<td>0.0</td>
<td>0.458</td>
<td>29.5</td>
<td>LOS C</td>
<td>2.5</td>
<td>17.5</td>
<td>0.97</td>
<td>0.80</td>
<td>0.57</td>
<td>39.5</td>
</tr>
<tr>
<td>Approach</td>
<td>494</td>
<td>0.0</td>
<td>0.586</td>
<td>16.0</td>
<td>LOS B</td>
<td>7.4</td>
<td>51.8</td>
<td>0.84</td>
<td>0.70</td>
<td>0.64</td>
<td>47.3</td>
</tr>
<tr>
<td>West Tulip Street</td>
<td>10 L2</td>
<td>122</td>
<td>0.0</td>
<td>0.563</td>
<td>30.2</td>
<td>LOS C</td>
<td>3.1</td>
<td>21.7</td>
<td>0.99</td>
<td>0.80</td>
<td>1.04</td>
</tr>
<tr>
<td>12 R2</td>
<td>103</td>
<td>0.0</td>
<td>0.468</td>
<td>29.5</td>
<td>LOS C</td>
<td>2.8</td>
<td>17.9</td>
<td>0.97</td>
<td>0.77</td>
<td>0.97</td>
<td>39.3</td>
</tr>
<tr>
<td>Approach</td>
<td>225</td>
<td>0.0</td>
<td>0.563</td>
<td>29.8</td>
<td>LOS C</td>
<td>3.1</td>
<td>21.7</td>
<td>0.98</td>
<td>0.79</td>
<td>1.01</td>
<td>39.4</td>
</tr>
<tr>
<td>All Vehicles</td>
<td>1274</td>
<td>0.0</td>
<td>0.732</td>
<td>18.9</td>
<td>LOS B</td>
<td>12.6</td>
<td>87.9</td>
<td>0.89</td>
<td>0.79</td>
<td>0.53</td>
<td>45.4</td>
</tr>
</tbody>
</table>

Site Level of Service (LOS) Method: Delay (SITRA). Site LOS Method is specified in the Parameter Settings dialog (Site tab). Vehicle movement LOS values are based on average delay per movement. Intersection and Approach LOS values are based on average delay for all vehicle movements. SITRA Standard Delay Model is used. Control Delay includes Geometric Delay. Gap-Acceptance Capacity: SITRA Standard (A4ccept M4D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

### Movement Performance - Pedestrians

<table>
<thead>
<tr>
<th>Mov ID</th>
<th>Description</th>
<th>Demand Flow (ped)</th>
<th>Average Delay sec</th>
<th>Level of Service</th>
<th>Average Back of Queue Pedestrian</th>
<th>Prop Queued</th>
<th>Effective Stop Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>P4</td>
<td>West Full Crossing</td>
<td>53</td>
<td>19.4</td>
<td>LOS B</td>
<td>0.1</td>
<td>0.1</td>
<td>0.88</td>
</tr>
<tr>
<td>All Pedestrians</td>
<td>53</td>
<td>19.4</td>
<td>LOS B</td>
<td>0.88</td>
<td>0.88</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Level of Service (LOS) Method: SITRA Pedestrian LOS Method (based on Average Delay). Pedestrian movement LOS values are based on average delay per pedestrian movement. Intersection LOS value for Pedestrians is based on average delay for all pedestrian movements.

---

SIDRA INTERSECTION 8.0 | Copyright © 2000-2018 Akcelik and Associates Pty Ltd | sidrosolutions.com
Organisation: RATIO CONSULTANTS PTY LTD | Processed: Thursday, 28 February 2019 1:03 PM
Project: Y16501-16501F15252T - 307 Reserve Road, Cheltenham/W6bk/SSIDRA/15252T-SID92.mdp

---

Item 4.6 – Matters of Decision  Page 338 of 357
4.7 9 WILSON STREET, HIGHETT
SECONDARY CONSENT - APPROVE
APPLICATION NO: 2015/666/1  WARD: CENTRAL

City Planning & Amenity - Development Services
File No: PSF/19/962 – Doc No: DOC/19/95777

1. Application details

<table>
<thead>
<tr>
<th>Recommendation</th>
<th>Approve the secondary consent amended plans</th>
</tr>
</thead>
<tbody>
<tr>
<td>Street address</td>
<td>9 Wilson Street, Highett</td>
</tr>
<tr>
<td>Application No.</td>
<td>2015/666/1</td>
</tr>
<tr>
<td>Applicant</td>
<td>Roke Design Studio</td>
</tr>
<tr>
<td>Title/Covenant</td>
<td>The site is subject to restrictive covenant 1448088. The covenant does not impact the proposed amendments.</td>
</tr>
<tr>
<td>Date application received</td>
<td>17/11/2015</td>
</tr>
<tr>
<td>Zoning</td>
<td>Neighbourhood Residential Zone (Schedule 3)</td>
</tr>
<tr>
<td>Overlays</td>
<td>Design and Development Overlay (Schedule 3)</td>
</tr>
<tr>
<td></td>
<td>Development Contributions Plan Overlay (Schedule 1)</td>
</tr>
<tr>
<td>Application plans and documents TRIM Ref No</td>
<td>DOC/19/62535</td>
</tr>
</tbody>
</table>

Proposal
Planning Permit 2015/666/1 allows:

Construction of two double storey dwellings

The application seeks approval to amend the endorsed plans pursuant to condition 2 of Planning Permit 2015/666/1 on a lot with an area of 610 square metres.

The proposed amendments are as follows:

- Removal of shower windows at ground and first floor levels.
- Change the first floor material finish from grey pebble render to surfmist timber weatherboard.
- Change the roofing material from monument colourbond to grey zincaleme.
- Addition of a ground floor under-eave open pergola above the rear decking, with a height of less than 3.0 metres.
- Addition of eaves to the ground floor element.
- Alteration to the ground floor laundry doors.
- Increase of first floor setbacks (ranging from 40mm to 120mm) to the front, side and rear boundaries, as follows:
  - North: increased from 3.465m to 3.58m
  - South: increased from 3.435m to 3.55m
  - West (rear): increased from 7.55m to 7.665 and 7.715m
  - East (front): increased from 8.905m to 8.945 and 8.975m.
• No change to the ground floor setbacks or external heights.

The Secondary Consent Plans are provided at Attachment 1.

An aerial image of the site and surrounds is provided at Attachment 2.

History

Planning Permit 2015/666/1 was issued on 7 March 2018 at the direction of the Victorian Civil and Administrative Tribunal (VCAT).

A copy of the permit is provided at Attachment 3.

Plans were endorsed by Council on 29 November 2018. A copy of the endorsed plans are provided at Attachment 4.

2. Planning controls

Planning Permit requirements

There are no primary permit triggers to consider as part of this application. The application seeks to amend the endorsed plans pursuant to the secondary consent provisions afforded by Condition 2 of Planning Permit 2015/666/1.

3. Stakeholder consultation

External referrals

There are no external referrals required to be made in accordance with Clause 66 of the Bayside Planning Scheme.

Internal referrals

There are no referrals to Council departments required to be made for this application.

Public notification

Applications made in accordance with the secondary consent provisions are not subject to the notice requirements of Section 52 of the Planning and Environment Act 1987.

Therefore, the amended plans have not been advertised.

4. Recommendation

That Council:

1. Approve the amended plans in accordance with secondary consent provisions of Planning Permit 2015/666/1.

2. Endorse the plans identified as TP-04 (Rev: F), TP-05 (Rev: F) and TP-06 (Rev: F).


5. Council Policy

There are no primary Council policy matters to consider as part of the request to amend plans pursuant to the secondary consent provisions.

6. Considerations

The Victorian Civil and Administrative Tribunal have set out, on a number of occasions, the principles, or tests, of Secondary Consent (e.g. Westpoint Corporation P/L v Moreland CC {2005} and Oz Property Group P/L v Moonee Valley CC {2014}).

The tests include the following:
Does the proposed amendment result in a transformation of the proposal?

The amendment does not result in a transformation of the proposal. The amendments are not considered to alter the architectural style of the dwellings. The substitution of materials (to the roof and first floor façade), the increase in first floor setbacks, and the addition of eaves to ground floor are considered to result in an improved level of compliance with Neighbourhood Character Precinct G1. The increase of setbacks at first floor, albeit minor, will assist to further reduce the visual bulk beyond the approved form and continue to respond to the detached grain of the streetscape.

With regard to the addition of pergolas to the rear, it is noted that they would be otherwise exempt from requiring a planning permit pursuant to Clause 62.02 of the Bayside Planning Scheme. The proposed changes are not considered to impact upon neighbouring properties or cause material detriment to any third parties. The proposed changes do not conflict with any permit conditions or objections raised in the application for which primary consent was granted and will not transform the proposal.

Does the proposed amendment authorise something for which primary consent is required under the planning scheme?

The primary consent was issued at the direction of VCAT for the construction of two (2) double storey dwellings on the lot. The amendments sought under this application are considered to be consistent with the proposal and do not authorise something for which primary consent is required for under the Bayside Planning Scheme. It is noted that the addition of pergolas would be otherwise exempt from requiring a planning permit pursuant to Clause 62.02 of the Bayside Planning Scheme.

Is the proposed amendment of consequence having regard to the purpose of a planning control under which the permit was granted?

Having regard to the development and the purpose of the planning controls under which the permit was granted, the proposed amendment is considered inconsequential as there has been no material change to the nature of the planning controls and policies affecting the land. It is considered that the changes are appropriate, will not detrimentally impact on the amenity of adjoining properties nor cause material detriment to any third parties.

Is the proposed amendment contrary to a specific requirement or condition of the permit?

The proposed amendments to the endorsed plans will not contravene any specific requirement or condition of the permit and remains compliant with the relevant objectives and standards of the Bayside Planning Scheme.

Support Attachments
1. Proposed Secondary Consent Plans ⇩
2. Site and Surrounds ⇩
3. Planning Permit 5/2015/666/1 ⇩
4. Endorsed Plans 5/2015/666/1 ⇩
Item 4.7 – Matters of Decision
Item 4.7 – Matters of Decision
ATTACHMENT 1
Site and Surrounds

Figure 1. Aerial overview of the site and surrounds

<table>
<thead>
<tr>
<th>Legend</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subject site</td>
</tr>
</tbody>
</table>

[Image of aerial view of the site and surrounds]
PLANNING PERMIT
5/2015/666/1
(Varied)

Responsible Authority: Bayside City Council
Planning Scheme: Bayside

Address Of The Land: No. 9 Wilson Street HIGHETT

The Permit Allows: Construction of two double storey dwellings in accordance with the endorsed plans and subject to the following conditions.

The Following Conditions Apply To This Permit:

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 generally in accordance with the advertised plans prepared by Finley Roberts Design, Job No 15-133, Drawing Nos TP-01 to TP-09 (Revision C) and the Landscape Plan prepared by Carter Grange, Drawing No: Sheet 1 of 1, Rev A and date stamped 5 April 2017, but modified to show:

(a) A detailed Landscape Plan showing:
   i. At least one tree capable of reaching a minimum mature height of 14 metres within the front setback of either dwelling and two trees capable of reaching a minimum mature height of 12 metres within the rear setbacks of both dwellings. The decking area to the rear of each dwelling may need to be reduced.
   ii. Notation showing the street tree to be removed.
   iii. Any other inconsistencies / errors noted in the original Arborist report shown on the original plans corrected.
   iv. A survey, including botanical names of all existing trees to be retained on the site including Tree Protection Zones calculated in accordance with AS4970-2009.
   v. 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.
   vi. A planting schedule of all proposed trees and shrubs, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.
   vii. Landscaping and/or planting within all areas of the site not covered by buildings or hard surfaces.

Date issued: 7 March 2018

Michael Henderson

Planning and Environment Regulations 2005 Form 4

Signature for the Responsible Authority

Note: Under Part 4, Division 1A of the Planning and Environment Act 1987, a permit may be amended. Please check with the responsible authority that this permit is the current permit and can be acted upon.
viii Details of surface finishes of pathways and driveways.

(b) A Tree Management Plan (report) and Tree Protection Plan (drawing).

The Tree Management Plan must be specific to the trees shown on the Tree Protection Plan, in accordance with AS4970-2009, prepared by a suitably qualified arborist and provide details of tree protection measures that will be utilised to ensure all trees to be retained remain viable post-construction. Stages of development at which inspections are required to ensure tree protection measures are adhered to must be specified.

The Tree Protection Plan must be in accordance with AS4970-2009, be drawn to scale and provide details of:

i The Tree Protection Zone and Structural Root Zone for all trees to be retained on the site and for all trees on neighbouring properties where any part of the Tree Protection Zone falls within the subject site.

ii The location of tree protection measures to be utilised. Alternative protection measures (such a ground cover) must be included in tree protection plans if any proposed tree protection fencing is to be moved to allow for works.

iii Details on plumbing installation. There should be no excavation works for plumbing works within the Tree Protection Zones.

iv Details of demolition works and tree protection measures during the demolition process to be deleted as demolition has occurred.

(c) Notation on the Site Layout and Floor Plans detailing the offsets from adjoining properties in line with Connolly and Associated Survey Plans Job Reference 16589 Sheet 1 of 1 dated 19 August 2015.

(d) Notation showing the street tree to be removed.

(e) A minimum 800mm wide separator to the northern side of the dwelling 1 crossover.

(f) The driveway grade for each dwelling no more than 1 in 20.

(g) The fence defining the rear boundary of dwelling 1 and 2 nominated as being a minimum height of 1.8m in accordance with Standard B22 of ResCode.

(h) The decking area to the rear of dwelling 1 and 2 reduced in size in accordance with Condition 1(a) of this permit.
(i) Any changes to reduce the development to accommodate the requirements of the landscaping plan and tree protection measures as required by this permit.

(j) Notation of the street tree to be removed.

(k) Water sensitive urban design measures in accordance with Condition 11 of this permit.

(l) A greater variation of materials, colours and finishes for the front façade, so as to add greater visual interest to it.

(m) All lower external walls of the dwellings to be constructed using weatherboards rather than rendering.

(n) The location of any air-conditioning compressors.

(o) Trellising installed (at the permit holder’s expense) in relation to any part of either side boundary fence, where any new rainwater tank installed alongside the fence as part of this approved development would be tall enough to extend higher than the top of the fence.

(p) The following amendment made to the northern and southern upper façade. In roughly the middle section of each of these upper facades, there is already a rebate alongside the stairwell. This rebate can maintain the same degree of depth (ie stepping-in) but must extend further to the west. The updated position shall be that this rebate (with the same depth) shall start alongside the eastern side of the stairwell and end at the western end of what is currently shown as the ‘WC’, with any associated internal re-configuration of the bathrooms.

(q) A 600 mm suitably reinforced trellis installed (at the permit holder’s expense) on top of the existing paling fence, at the rear of the southern boundary of the subject land.

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

3 The permit holder must have paid Council the cost of the replacement street tree, prior to the occupation of either new dwelling approved by this permit.

4 Before the occupation of the site commences or by such later date as is approved in writing by the Responsible Authority, all buildings and works must be carried out and completed to the satisfaction of the Responsible Authority.
5. No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the buildings without the written consent of the Responsible Authority.

6. All pipes (excluding downpipes), fixtures, fittings and vents servicing any building on the site must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.

7. The walls on the boundary of the adjoining properties shall be cleaned and finished to the satisfaction of the Responsible Authority.

8. Before occupation, screening of windows designed to limit overlooking as required by Standard B22 must be installed and maintained to the satisfaction of the Responsible Authority thereafter for the life of the building.

9. Before the occupation of the development the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.

10. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.

11. Before the occupation of the development starts, new or altered vehicle crossings servicing the development must be constructed to the satisfaction of the Responsible Authority and any existing disused or redundant crossing or crossing opening must be removed and replaced with footpath/nature strip/kerb and channel, to the satisfaction of the Responsible Authority.

12. Before the development starts, detailed plans to the satisfaction of the Responsible Authority must be submitted to and be endorsed by the Responsible Authority. The plan must be drawn to scale with dimensions and three copies must be provided. The plans must show:

   (a) The type of water sensitive urban design stormwater treatment measures to be used.

   (b) The location of the water sensitive urban design stormwater treatment measures in relation to buildings, sealed surfaces and landscaped areas.

   (c) Design details of the water sensitive urban design stormwater treatment measures, including cross sections.

---

**Date issued: 7 March 2018**

**Michael Henderson**

Signature for the Responsible Authority

---

Note: Under Part 4, Division 1A of the Planning and Environment Act 1987, a permit may be amended. Please check with the responsible authority that this permit is the current permit and can be acted upon.
These plans must be accompanied by a report from an industry accepted performance measurement tool which details the treatment performance achieved and demonstrates the level of compliance with the Urban Stormwater Best Practice Environmental Management Guidelines, CSIRO 1999.

13 The water sensitive urban design stormwater treatment system as shown on the endorsed plans must be retained and maintained at all times in accordance with the Urban Stormwater - Best Practice Environmental Management Guidelines, CSIRO 1999, to the satisfaction of the Responsible Authority.

14 Before the development starts, the permit holder must apply to Council for the Legal Point of Discharge for the development from where stormwater is drained under gravity to the Council network.

15 Before the development, detailed plans indicating, but not limited to, the method of stormwater discharge to the nominated Legal Point of Discharge (and On-Site Detention System where applicable) must be submitted to and approved by Council’s Infrastructure Assets Department.

16 This permit will expire if one of the following circumstances applies:

(a) The development is not started within two years of the date of this permit.
(b) The development is not completed within four years of the date of this permit.

In accordance with Section 69 of the Planning and Environment Act 1987, a request may be submitted to the Responsible Authority within the prescribed timeframes for an extension of the periods referred to in this condition.
Item 4.7 – Matters of Decision
Item 4.7 – Matters of Decision
<table>
<thead>
<tr>
<th>Description</th>
<th>Impervious Area (m²)</th>
<th>Treatment Type</th>
<th>Treatment Area/Volume (m² or L)</th>
<th>Occupants / Number Of Bedrooms</th>
<th>Treatment %</th>
<th>Tank Water Supply Reliability (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building Footprint</td>
<td>304.95</td>
<td>Rainwater Tank</td>
<td>8,000.00</td>
<td>8</td>
<td>124.80</td>
<td>94.90</td>
</tr>
<tr>
<td>Driveways and Paths</td>
<td>55.42</td>
<td>None</td>
<td>0.00</td>
<td>0</td>
<td>0.00</td>
<td>0.00</td>
</tr>
</tbody>
</table>

Date Generated: 25-Oct-2016

Program Version: 1.9.0
5. Confidential Business

Nil