Late Agenda

for the

Planning & Amenity Committee Meeting

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

on

Tuesday, 17 October, 2017
at 7.00pm

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

4. Matters of Decision

4.9 23-25 Crisp Street, Hampton Support the Grant of a Planning Permit Application No: 2016/497/1 Ward: Central ....................... 3
4. Matters of Decision

4.9 23-25 CRISP STREET, HAMPTON
SUPPORT THE GRANT OF A PLANNING PERMIT
APPLICATION NO: 2016/497/1 WARD: CENTRAL

City Planning & Community Services - Development Services
File No: PSF/15/8755 – Doc No: DOC/17/219818

1. Purpose and background

To report an in-principle agreement reached by all parties at a VCAT Compulsory Conference for the construction of 17 dwellings and a front fence greater than 1.5 metres in height across two lots with a combined area of 1,133 square metres at 23-25 Crisp Street, Hampton.

Applicant | Archer Developments Pty Ltd
Date application received | 16 November 2016 (Amended)

At the Planning and Amenity Committee Meeting held on 6 July 2017 Council considered an application for the construction of 17 dwellings and a front fence greater than 1.5 metres.

Council determined to refuse the proposal on the following grounds:

1. The proposal fails to incorporate an appropriate setback of the second floor level from lower levels of the development as sought by the Design and Development Overlay Schedule 12 of the Bayside Planning Scheme and subsequently, will result in an unreasonable level of high level bulk and dominance in the streetscape.

2. The proposal fails to respond to the objectives of Clause 22.06 (Neighbourhood Character Policy Precinct F1) of the Bayside Planning Scheme and specifically:
   a) The proposal fails to maintain and enhance the garden settings of dwellings and the bayside vegetation character. In particular, the loss of the Liquidamber at the rear of 25 Crisp Street fails to achieve the objective of retaining established trees and vegetation.
   b) The proposed building by virtue of its scale, siting and street setback, fails to reflect the existing or preferred built form character of the area and will result in an outcome which fails to provide sufficient front garden space and will dominate the streetscape.

3. The proposal fails to comply with the Objectives and Standards of Clause 55 of the Bayside Planning Scheme, in particular:
   (a) Standard B1 – Neighbourhood Character – The development fails to respond to the existing or preferred neighbourhood character for this precinct.
   (b) Standard B6 – Street Setback – The proposal fails to incorporate a street setback consistent with the character of the area and will result in an outcome which fails to provide sufficient front garden space and will dominate the existing streetscape context.
   (c) Standard B17 – Side and rear setbacks – The proposed height and setback of the proposal, in relation to the site boundaries with No.18 Deakin Street North, would have an unreasonable visual bulk and amenity impact on the secluded private open space of this neighbouring property.
   (d) Standard B28 – Private open space – The proposal fails to provide adequate...
private open space for the reasonable recreation and service needs of future residents.

(e) **Standard B32 – Front fences** – The proposed height of the front fence exceeds the maximum allowable height of 1.5 metres and will result in an outcome inconsistent with the existing and preferred character of the streetscape.

The applicant lodged an appeal under Section 77 of the *Planning and Environment Act 1987* with the Victorian Civil and Administrative Tribunal (VCAT) against Council’s decision to refuse to grant a planning permit.

At the VCAT Compulsory Conference held on 10 October 2017, attended by the permit applicant, Council Officers and three objector parties to the appeal, an in-principle agreement was reached between all parties.

The outcome was to:

- Decrease the number of dwellings to 16 (from 17);
- Amend the plans to show full compliance with Standard B17 – Side and Rear Setbacks;
- Increase the front setback of the western portion of the building by 500mm at ground and first floor;
- Reduced built form to the rear of the building, generally described as:
  - **First Floor**
    - Increase the setback from the north boundary by 1.0m and provide a small indent along the west façade for articulation;
    - Remove the roof from the rear first floor balcony;
  - **Second Floor**
    - Increase the setback from the north boundary by approximately 4.8m;
    - Substantial reduction in the size of the rear balcony serving dwelling 2.03;
    - Changes to the screening methods for the balconies of dwellings 2.02 and 2.03 (compliance with standard B28 is still achieved).
- Changes to the landscape plan to show a greater level of screen hedging and a greater number of canopy trees.

The agreement was that a planning permit could be issued for the proposal subject to conditions. The plans tabled at the VCAT Compulsory Conference are provided at Attachment 1 and were used to assist with discussion at the conference and in forming the recommendation outlined in section 4 of this report. These plans have not been formally substituted.

If Council agrees to support the recommendation below then a planning permit will be issued by VCAT which contains, unchanged, all of the conditions contained in the recommendation of this report. It is imperative to note that the conditions tabled below cannot be varied or changed unless at the request of VCAT; any changes to these conditions will require Council to attend the three (3) day hearing date set for the 27th - 29th November 2017.

The original development plans refused by Council are included as Attachment 2.

Alternatively, should Council determine to not support the issue of the permit, then the application will proceed to a VCAT merits hearing (3 days) on 27 November 2017 based on the original application plans.
2. **Policy implications**

*Planning permit requirements*

Clause 32.08-6 (General Residential Zone) – Construction of two or more dwellings on a lot.

Clause 32.08-6 (General Residential Zone) – Construction of a front fence within 3 metres of a street exceeding 1.5 meters in height.

Clause 43.02-2 (Design and Development Overlay Schedule 12) – Construct a building or construct or carry out works not otherwise exempt.

3. **Stakeholder Consultation**

*External referrals*

There were 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>Traffic</td>
<td>No objection, subject to conditions.</td>
</tr>
<tr>
<td>Arborist</td>
<td>No objection, subject to conditions.</td>
</tr>
<tr>
<td>Open Space Arborist</td>
<td>No objection.</td>
</tr>
<tr>
<td>Drainage</td>
<td>No objection subject to conditions</td>
</tr>
</tbody>
</table>

*Public notification*

The original application was advertised pursuant to Sections 52(1)(a) and (d) of the *Planning and Environment Act 1987* and seven objections were received. The following concerns were raised:

- Overlooking;
- Visual bulk;
- Noise (air con, exhaust fans);
- Street, side and rear setbacks;
- Removal of trees;
- Landscaping;
- Equitable development;
- Infrastructure;
- Traffic;
- Parking (& car stackers);
- Construction impacts;
- Overdevelopment;
- Neighbourhood character;
- Better Apartment Design Standards;
- Quality of accommodation/ apartment quality;
- ResCode standard non-compliance; and
- Demographics of future residents.

Consultation meeting
- VCAT arranged and held a Compulsory Conference on 10 October 2017. The applicant, Council representative and the three objecting parties were in attendance. The applicant tabled ‘without prejudice’ plans, and an in-principle agreement was reached by all parties in attendance.

4. Recommendation
That Council:

Determines to Support the application under the provisions of the Bayside Planning Scheme in respect of Planning Application 5/2016/497/1 in respect of the land known and described as 23-25 Crisp Street, Hampton, for the construction of 17 apartments and a front fence greater than 1500mm in height across two lots with a combined area of 1,133 square metres in accordance with the endorsed plans and subject to the following conditions:

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the amended plans (Drawing No.TP-100 to TP-104, TP400 to TP-402 all dated October 2016 and LA01 to LA04 dated 4/11/2016) but modified to show:
   a) Full compliance with Standard B17 in relation to all walls.
   b) Details of acoustic screening surrounding the designated plant and exhaust riser area located at roof level.
   c) The redundant crossover to be removed and the kerb and channel and nature strip reinstated;
   d) Sightlines for where the basement ramp meets the crossover in accordance with AS2890.1;
   e) A Landscape Plan in accordance with Condition 9 of this permit; and
   f) A Tree Management Plan in accordance with Condition 12 of this permit.
   g) The changes agreed at the VCAT Compulsory Conference conducted on 10/10/2017.
   h) No more than 16 apartments.

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

3. Before the occupation of the any of the development or use hereby approved, all buildings and works must be carried out and completed to the satisfaction of the Responsible Authority.

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

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

6. Before the occupation of the development starts, the areas set aside for vehicle parking and access ways must be constructed, drained and line marked to the satisfaction of the Responsible Authority. Such areas must be kept available for these purposes at all times.

7. 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.

8. The water sensitive urban design stormwater treatment system as detailed in the Sustainable Design Assessment report, prepared by Energy Water Environment (Dated 2/11/2016) 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 and tree protection

9. Prior to the endorsement of plans pursuant to Condition 1 of this permit, 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 (Drawing No.LA-01 to LA-04, dated 4/11/2016) and be drawn to scale with dimensions and three copies must be provided. The plan must show:
   a) Two indigenous coastal canopy trees capable of reaching a height and spread of 10 and 6 at maturity located in the front setback of the development.
   b) Native Rosemary (Westringia Fruticosa) adjacent to the subject sites boundary with No.18 Deakin Street and No.2/27 Crisp Street to be replaced with evergreen screening vegetation to the satisfaction of the Responsible Authority.
   c) Planting generally in accordance with the Urbis Landscape Concept Plan tabled at the VCAT Compulsory Conference on 10/10/2017, dated 02.10.2017 Drawing LA-01 Rev B

10. 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.

11. 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.

12. Prior to the endorsement of plans pursuant to Condition 1 of this permit, 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 T3, T4, T15 (identified in the Arboricultural Assessment and Tree Preservation Strategy prepared by McLeod Trees dated 23/9/2016) 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.

13. 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.

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.

Construction Management Plan

15. Before the development starts, a construction Management Plan (CMP) must be prepared by a suitably qualified person, to the satisfaction of, and submitted to and approved by, the Responsible Authority. The CMP must include operational and site management details including but not limited to;

a) The location for the parking of all construction vehicles and construction worker vehicles during construction.

b) 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.

c) Proposed traffic management signage indicating any inconvenience generated by construction.

d) Fully detailed plan indicating where construction hoardings would be located.

e) A waste management plan including the containment of waste on site: disposal of waste, stormwater treatment and on-site facilities for vehicle washing.

f) 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.

g) Site security.

h) Public safety measures.

i) Construction times, noise and vibration controls.

j) Restoration of any Council assets removed and/or damaged during construction.

k) Protection works necessary to road and other infrastructure (limited to an area reasonable proximate to the site).

l) Remediation of any damage to road and other infrastructure (limited to an area reasonably proximate to the site).

m) 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.


o) All contractors associated with the construction of the development must be made aware of the requirements of the Construction Management Plan.

p) Hoarding details, if any.

q) Details of crane activities, if any.

Drainage

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

17. Before the development starts, detailed plans indicating, but not limited to, the method of storm-water 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.

18. The proposed diversion of the existing 225mm diameter Council drainage pipe running through 25 Crisp Street is to be constructed in accordance with Bayside City Council standard drawings and specifications. The proposal will require consent from the Responsible Authority. The proposal will also require a new 2m easement to be implemented along with the proposed stormwater pipelines.

Permit Expiry

19. 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, works to public property or occupy the building or part of the building unless all relevant building and asset protection permits are obtained. The applicant is to bear the cost to remove and reinstate any street furniture or infrastructure items to provide the required access to the proposed development.

- Before any Asset Protection Permit is issued by Council, the applicant must pay $7,311.93 to the Responsible Authority for the removal and replacement of the Eucalyptus cinerea street tree. This amount has been determined in accordance with Council’s current policy for the removal of street trees. 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.

- Subsurface water must be treated in accordance with Council’s Policy for “Discharge of Pumped Subterranean Water Associated with Basements or
Below Ground Structures.

- Council records indicate that there is a council storm-water drain running through 25 Crisp Street. Council consider these assets to be protected by an implied easement. 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.

5. **Council Policy**

   **Council Plan 2017-2021**

   Relevant strategies 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
   - Clause 15 Built Environment and Heritage
   - Clause 16 Housing
   - Clause 17 Economic Development
   - Clause 21.02 Bayside Key Issues and Strategic Vision
   - Clause 21.03 Settlement and Housing
   - Clause 21.06 Built Environment and Heritage
   - Clause 21.07 Economic Development
   - Clause 21.09 Transport and Access
   - Clause 21.11 Local Areas
   - Clause 22.06 Neighbourhood Character Policy
   - Clause 22.08 Water Sensitive Urban Design
   - Clause 32.08 General Residential Zone
   - Clause 43.02 Design and Development Overlay (Schedule 12)
   - 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. Amended Plans Assessment

This report will detail how the amended plans at Attachment 1 respond to the previous Grounds for Refusal and relevant planning policies.

Ground for Refusal 1

_The proposal fails to incorporate an appropriate setback of the second floor level from lower levels of the development as sought by the Design and Development Overlay Schedule 12 (DDO12) of the Bayside Planning Scheme and subsequently, will result in an unreasonable level of high level bulk and dominance in the streetscape._

The reasoning behind this ground has been satisfied.

Whilst the technical non-compliance of this ground would remain, the changes to the plans address the spirit, or intent of this ground. This is discussed as follows:

The technical non-compliance related to the setback of the eastern portion of second floor, which was setback 3.0m from the floor below in lieu of the required 4.0m (the western portion of building complied with the requirement).

Whilst the siting of this second floor has not changed, the applicant has increased the minimum front setback of the building by 500mm, and also provided four medium sized canopy trees within the front setback.

The proposed changes reduce the scale and bulk of the building as presented to the street, with the additional (and larger) trees providing a vastly improved natural frame for the building.

It is important to note that the second floor setback requirement of the DDO12 is discretionary, and variations are able to be considered subject to a number of tests, which include (relevantly):

- *A high standard of architectural design;*
- *Innovative environmental design;*
- *Minimal overshadowing of adjoining streets, public spaces and residential properties;*
- *Minimal impact on the amenity of adjoining residential precincts;*
- *Transition in scale to lower building forms.*

It is felt that the changes to the plans are such that these above-mentioned tests would be met. The design is of a high architectural standard, and setbacks have been increased throughout the site (side, front and rear) to a point where the amenity impact upon neighbouring properties would be within reasonable limits.

Given the otherwise strong compliance with the objectives of this overlay (including a maximum height 1.4m below that allowable under the overlay), the technical non-compliance with one standard should not be viewed as fatal to this application.
Ground for Refusal 2

The proposal fails to respond to the objectives of Clause 22.06 (Neighbourhood Character Policy Precinct F1) of the Bayside Planning Scheme and specifically:

(a) The proposal fails to maintain and enhance the garden settings of dwellings and the bayside vegetation character. In particular, the loss of the Liquidamber at the rear of 25 Crisp Street fails to achieve the objective of retaining established trees and vegetation.

The reasoning behind this ground has been satisfied.

Whilst the Liquidamber is still sought for removal, the compensation planting proposed throughout the site is vastly improved. The additions include a greater array of screen shrubs around the entire perimeter of the site (reaching a height of 5-7 metres at maturity) and an increased number of canopy trees along the front, side (west) and rear boundary.

This, in conjunction with the increased setbacks and reduced scale of the building, would ensure that the built form would appropriately integrate with the surrounding landscape character.

(b) The proposed building by virtue of its scale, siting and street setback, fails to reflect the existing or preferred built form character of the area and will result in an outcome which fails to provide sufficient front garden space and will dominate the streetscape.

This ground has been satisfied.

As discussed previously, the increased setback from the front boundary, in conjunction with the improved landscape theme within the front setback would ensure that the building would not be unreasonably prominent along this streetscape.

Ground for Refusal 3

The proposal fails to comply with the Objectives and Standards of Clause 55 of the Bayside Planning Scheme, in particular:

(a) Standard B1 – Neighbourhood Character – The development fails to respond to the existing or preferred neighbourhood character for this precinct.

This condition has been satisfied. This is discussed at ground No.2 above.

(b) Standard B6 – Street Setback – The proposal fails to incorporate a street setback consistent with the character of the area and will result in an outcome which fails to provide sufficient front garden space and will dominate the existing streetscape context.

This condition has been satisfied in part.

Whilst the applicant has increased the minimum front setback by 500mm, there would still be a non-compliance with the standard, this is detailed as follows:

<table>
<thead>
<tr>
<th>Required street setback</th>
<th>Proposed</th>
<th>Variation</th>
</tr>
</thead>
<tbody>
<tr>
<td>7.3m</td>
<td>5.6m to wall, 4.6m to first floor balcony</td>
<td>1.7m to wall, 2.3m to balcony.</td>
</tr>
</tbody>
</table>

Notwithstanding the technical non-compliance, the objective is considered to be met as the building now proposes an appropriate transition from the 5.1m front setback of the adjacent dwelling to the west and the 9.6m front setback of the adjoining dwelling to the east (noting that the eastern section of the proposed building is setback a minimum of 7.0m (to the front wall)).
The increased setback, in conjunction with the increased landscape theme would ensure that the building would not be unreasonably dominant when viewed from the street.

(c) **Standard B17 – Side and rear setbacks** – The proposed height and setback of the proposal, in relation to the site boundaries with No.18 Deakin Street North, would have an unreasonable visual bulk and amenity impact on the secluded private open space of this neighbouring property.

This ground has been satisfied. Condition 1(a), as agreed by all parties requires full compliance with Standard B17.

It must also be acknowledged that the changes to the plans offered up at the Compulsory Conference propose setbacks significantly over and above the formal requirements towards the rear of the site.

(d) **Standard B28 – Private open space** – The proposal fails to provide adequate private open space for the reasonable recreation and service needs of future residents.

This condition has been satisfied in part.

The original design sought variations to this standard for four dwellings, this has been reduced to three dwellings and is summarised as follows:

<table>
<thead>
<tr>
<th>Unit</th>
<th>Total Private Open Space Provided</th>
<th>POS with minimum dimension of 3m</th>
<th>Proposed variation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unit G.03</td>
<td>30m² courtyard</td>
<td>0m²</td>
<td>25m²</td>
</tr>
<tr>
<td>Unit G.06</td>
<td>31m² courtyard</td>
<td>0m²</td>
<td>25m²</td>
</tr>
<tr>
<td>Unit 1.01</td>
<td>14m² balcony</td>
<td>6.4m²</td>
<td>1.6m²</td>
</tr>
</tbody>
</table>

It is imperative to note that each of the above-mentioned private open space areas comply with the overall area requirements (in fact well exceeds these requirements) and the non-compliance with the standard relates purely to the minimum dimensions (3m for ground floor courtyards and 1.8m for balconies). The variations sought to the minimum dimension is between 300mm and 600mm.

The increased overall areas are considered to adequately compensate for a part reduction in dimension, and the objective of providing adequate private open space for the reasonable recreation and service needs of future residents has been met.

(e) **Standard B32 – Front fences** – The proposed height of the front fence exceeds the maximum allowable height of 1.5 metres and will result in an outcome inconsistent with the existing and preferred character of the streetscape.

No change is proposed to the front fence (1800mm high timber paling fence with rendered concrete pillars).

7. **Conclusion**

Whilst it could not be stated that each and every ground for refusal has been satisfied, the applicant has sought to address the core issues of the proposal, and in doing so has appeased all the objecting parties concerns to a satisfactory level.

The reasons for refusal that would remain are not of such consequence that warrant progression to a full merits hearing – particularly given that agreements reached between the applicant and the objecting parties would be retracted.

The overall development is considered to show an appropriate level of compliance with the Bayside Planning Scheme.
Support Attachments

1. Amended Plans ↓
2. Refused Plans ↓
3. Site and Surround Imagery ↓
Attachment 1
Item 4.1 – Matters of Decision

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Item 4.1 – Matters of Decision
<table>
<thead>
<tr>
<th>Plant Name</th>
<th>Image</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adirondack Spruce</td>
<td><img src="image1.jpg" alt="Image" /></td>
</tr>
<tr>
<td>Buttonwood</td>
<td><img src="image2.jpg" alt="Image" /></td>
</tr>
<tr>
<td>Chinaberry</td>
<td><img src="image3.jpg" alt="Image" /></td>
</tr>
<tr>
<td>Chinese Elm</td>
<td><img src="image4.jpg" alt="Image" /></td>
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<tr>
<td>Chinese Elm 'Pendula'</td>
<td><img src="image5.jpg" alt="Image" /></td>
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<tr>
<td>Chinese Elm 'Pendula'</td>
<td><img src="image6.jpg" alt="Image" /></td>
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<td>Chinese Elm 'Pendula'</td>
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<tr>
<td>Chinese Elm 'Pendula'</td>
<td><img src="image10.jpg" alt="Image" /></td>
</tr>
</tbody>
</table>

For reference, the attached plan shows:
- *Adirondack Spruce*
- *Buttonwood*
- *Chinaberry*
- *Chinese Elm*
- *Chinese Elm 'Pendula'*

These plants are to be used in the landscaping of the property located at 23-25 Crisp Street, Hampton, as per the landscaping planting palette.
ATTACHMENT 2
Site and Surrounds Imagery

Figure 1 Aerial overview of the site and surrounds

<table>
<thead>
<tr>
<th>Legend</th>
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</thead>
<tbody>
<tr>
<td>Subject site</td>
<td>★</td>
</tr>
<tr>
<td>Parties to appeal</td>
<td>●</td>
</tr>
</tbody>
</table>
Figure 2 View of frontage of existing dwelling at No.23 Crisp Street

Figure 3 View of frontage of existing dwelling at No.25 Crisp Street
Figure 4 View of interface between site and No.21 Crisp Street from street

Figure 5 View of interface between site and No.27 Crisp Street from street
Figure 6 View of completed development at No.33 Crisp Street