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Nil

The Chairman declared the meeting open at 7pm and advised members of the public gallery that the Planning and Amenity Committee meeting is being recorded and streamed live on the internet to enhance the accessibility of Council meetings to the broader Bayside Community.

1. Apologies

There were no apologies submitted to the meeting.

2. Disclosure of any Conflict of Interest of any Councillor

It is recorded that Cr Martin declared an indirect interest by close association in relation to item 4.3.

3. Adoption and Confirmation of the minutes of previous meeting

August 2018.

Moved: Cr del Porto

Seconded: Cr Martin

That the minutes of the Planning & Amenity Committee Meeting held on 14 August 2018, as previously circulated, be confirmed as an accurate record of proceedings.

CARRIED

4. Matters of Decision

4.1 157 CHURCH STREET, BRIGHTON SECONDARY CONSENT - APPROVE APPLICATION NO: 2017/151 WARD: NORTHERN

City Planning & Community Services - Statutory Planning
File No: PSF/15/8755 – Doc No: DOC/18/191472

It is recorded that Ms Alice Maloney spoke for three minutes in relation to this matter.

Moved: Cr del Porto

Seconded: Cr Heffernan

That Council resolve to:

1. Approve the amended plans in accordance with secondary consent provisions of Planning Permit 2017/151.
2. Plans identified as TP00 E, TP01 F, TP02 E, TP03 E, TP04 E, TP05 E, TP06 E, TP07 E, TP08 E, TP09 E, and TP10 E prepared by artisan architects and dated March 2017 be endorsed.
3. Plans 1-11 of 11 endorsed on 18 May 2018 be superseded.

CARRIED

**4.2 25J BOLTON STREET, BEAUMARIS
NOTICE OF DECISION TO GRANT A PLANNING PERMIT
APPLICATION NO: 2018/128 WARD: SOUTHERN**

City Planning & Community Services - Development Services
File No: PSF/15/8755 – Doc No: DOC/18/196886

Moved: Cr Evans (Mayor)

Seconded: Cr Martin

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 2018/128** for the land known and described as **25J Bolton Street, Beaumaris**, for the **construction of a double storey dwelling on a lot less than 500sqm** 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 prepared by Fredman Malina Architecture Pty Ltd referenced 2114 and dated 8 March 2018 but modified to show:
 - a) The inclusion of a complementary natural material to the building's façade, in particular along the southern and eastern interface.
 - b) The garage door to be a minimum 5 metres wide.
 - c) The pedestrian door in the north-western corner of the garage to swing outwards.
 - d) Each elevation to be corrected noted by its orientation.
 - e) The garage door to be clad in natural materials.
 - 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 Impact Assessment report in accordance with Condition 13 of this permit.
 - j) A Tree Management Plan and Tree Protection Plan in accordance with Condition 14 of this permit.
 - k) The retention of the existing bluestone retaining wall along the Haydens Road frontage of the site. This bluestone wall may be reconstructed to accommodate any structural works in order to facilitate the construction of the new dwelling approved as part 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 A15 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 Zenith Concepts, revision A, dated May 2018 and be drawn to scale with dimensions and three copies must be provided. The plan must show:
 - a) The addition of an additional small to medium indigenous canopy tree in accordance with the *Bayside Landscape Guidelines 2016* in the northern yard;
 - b) Deletion of the 'proposed pool by owner' and associated fencing and decking;

- c) 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.
 - d) 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.
 - 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. When in VPO include: Plantings must be 80% indigenous by species type and count.
 - 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. 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.

Tree Management and Protection

13. Prior to the endorsement of plans pursuant to Condition 1, a Tree Impact Assessment Report in accordance with Australian Standard Protection of Trees on Development Sites 4970 must be submitted to, and approved by, the Responsible Authority. The report must be specific to Tree 2 and include:
- a) The report must identify impacts that may be detrimental to the tree.
 - b) The report must include design responses required to reduce any identified negative impact.
 - c) All plans must be modified to include any recommendations made in the report.

All plans associated with the development (including landscaping) must be modified to include any recommendations made in the Tree Impact Assessment Report.

14. 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.
15. 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.
 16. 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.
 17. 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.

Drainage

18. 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.
19. 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

20. 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

21. 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.

CARRIED

**4.3 22 WELLS ROAD, BEAUMARIS
NOTICE OF DECISION TO GRANT A PERMIT
APPLICATION NO: 2017/751/1 WARD: SOUTHERN**

City Planning & Community Services - Development Services
File No: PSF/15/8755 – Doc No: DOC/18/191527

It is recorded that Cr Martin declared an indirect interest by close association, given the owner of the subject property has association with him, and accordingly Cr Martin vacated the chamber.

Councillor Martin left the Meeting at 7:08 pm

It is recorded that Mr Alan Mather spoke for three minutes in relation to this item.

Moved: Cr Evans (Mayor)

Seconded: Cr Castelli

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 5/2017/751/1** for the land known and described as **22 Wells Road, Beaumaris**, for the **Construction of two double-storey attached dwellings, a roof deck 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 Raw Architecture, reference as Sheets 04, 05, 06, 07, 08, 09, 10 & 11 dated 28 February 2018 and Landscape Plan prepared by Cycas Landscape Design Job No. 011805, dated February 2018 but modified to show:
 - a) The ground floor street setback to Wells Road to comply with standard B6 (street setback objective).
 - b) Provision of a 3 metre wide gap in built form between unit 1 and 2 at first floor.
 - c) The front fence for dwelling 1 and 2 to have a maximum height of 1.5 metres and a minimum 25% transparency above 1.2 metres.
 - d) The side boundary fencing for dwelling 1 along Bonanza Lane to have a maximum height of 1.8 metres.
 - e) The rainwater tank for dwelling 2 to be located within the rear private open space.
 - f) The crossover of unit 1 setback 2.4 metres from the street tree. The crossover is to have a width of 3.0 metres and incorporate a 1 metre wide splitter island with 24 Wells Road, or otherwise to the satisfaction to the Responsible Authority.
 - g) Provision of pedestrian sightlines for each accessway in accordance with the provisions at Clause 52.06-9 of the Bayside Planning Scheme.

- h) The provision of a 1:10 gradient for the first 2m at the top of the basement ramp.
- i) Manufacturer specifications for the turntable within the basement.
- j) The four (4) car spaces within the basement to be line-marked and have minimum 5.4m x 2.4m dimensions with the turntable offset from the car spaces.
- k) Removal of indicative landscaping from development plans.
- l) 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 adjoining properties habitable rooms.
- m) A schedule of construction materials, external finishes and colours (incorporating for example paint samples/colour swatches) to the satisfaction of the Responsible Authority.
- n) Water Sensitive Urban Design measures in accordance with Condition 8.
- o) A Landscaping Plan in accordance with Condition 10.
- p) A Tree Impact Assessment Report associated with the retention of the Coastal Tea Tree located within the front setback facing Wells Road in accordance with Conditions 13 - 16.
- q) Street tree protection measures in accordance with Conditions 17 - 21.
- r) Provision of the development contributions fee in accordance with Condition 22.

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 Cycas Landscape Design referenced as Job No. 011805 and dated February 2018 and be drawn to scale with dimensions and three copies must be provided. The plan must show:
 - a) Development changes.
 - b) The retention of the Coastal Tea Tree (Tree 13) as shown in the arborist report prepared by McLeod Trees dated 9 February 2018.
 - c) 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.
 - d) 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.
 - 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. Plantings must be 80% indigenous by species type and count.
 - f) Removal of hard surfacing within the front setback of Unit 1.
 - g) Landscaping and/or planting within all areas of the site not covered by buildings or hard surfaces.
 - h) 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 Impact Assessment Report

13. Prior to the endorsement of plans pursuant to Condition 1, including any related demolition or removal of vegetation, a Tree Impact Assessment Report relating to the existing Coastal Tea Tree located within the front setback facing Wells Road must be submitted to and be endorsed by the Responsible Authority.
14. The Tree Impact Assessment Report is required to ensure the tea tree within the front setback facing Wells Road remains viable post construction. The report must be in accordance with part 2.3.5 of Australian Standard Protection of Trees on Development Sites 4970 and will identify impacts that may be detrimental to the tree. The report will include design responses required to reduce any identified negative impact. The proposed development will be appropriately modified to include any recommendations made in the report to the satisfaction of the Responsible Authority.
15. All protection measures and/or development works identified in the report must be implemented and undertaken on the land in accordance with the Tree Assessment Impact Report to the satisfaction of the Responsible Authority.
16. Any pruning that is required to be done to the canopy of the Coastal Tea 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 the Coastal Tea Tree to be retained is to be done by hand by a qualified Arborist.

Street Tree Protection

17. Before the development starts, tree protection fencing is to be established around the existing *Melaleuca linariifolia* (Paperbark) street tree asset 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.
18. Soil excavation must not occur within 2.4 metres from the edge of the *Melaleuca linariifolia* (Paperbark) street tree assets stem at ground level.
19. 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.

20. 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.
21. Any installation of services and drainage within the TPZ must be undertaken using root sensitive non-destructive techniques.

Development Contribution

22. 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.

Drainage

23. 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.
24. 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.

Permit Expiry

25. 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.
- The applicant must clearly identify what impact, if any, the proposed vehicle crossings will have on Council assets such as pits and trees, power poles etc. Such items must be accurately shown on the plan.
- The applicant is to bear the cost to reinstate/relocate the Council assets if any, to provide the required access to the proposed development.
- Council records indicate that there is a sewer drain running parallel to the eastern property boundary. Proposals to be built over the easement will require Build Over Easement consent from the responsible Authority/Authorities.

- Subsurface water must be treated in accordance with Council's Policy for "Works on Assets within the Road Reserve Policy 2018".

CARRIED

It is recorded that Cr Martin was not present during the discussion on this item and was not present whilst the vote was taken and accordingly he returned to the Meeting at 7:21 pm.

**4.4 15 WHYTE STREET, BRIGHTON
NOTICE OF DECISION TO GRANT A PLANNING PERMIT
APPLICATION NO: 2018/51/1 WARD: CENTRAL**

City Planning & Community Services - Development Services
File No: PSF/15/8755 – Doc No: DOC/18/163517

It is recorded that Mr Hugh Smyth spoke for three minutes in relation to this item.

Moved: Cr Castelli

Seconded: Cr Long

That Council resolve to issue a **Notice of Decision to Grant a Planning Permit** under the provisions of the Bayside Planning Scheme in respect of **Planning application 2018/51/1** for the land known and described as **15 Whyte Street, Brighton**, for the **construction of one dwelling on a lot less than 500 square metres 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 advertised plans prepared by Papapetrou Rice Architects project no. 21703, dated September 2017 but modified to show:
 - a) The southern wall on boundary reduced to a maximum average height of 3.2 metres to accord with Standard A11 of Clause 54.04-2 - Walls on boundaries objective of the Bayside Planning Scheme.
 - b) Location of all plant and equipment, including pool equipment, hot water services and air conditioners etc. Plant equipment is to be located away from habitable room windows of dwellings and the adjoining properties habitable rooms.
 - c) The front fence height to be reduced to a maximum of 1.5 metres and modified to an open style fencing to the satisfaction of the Responsible Authority.
 - d) Details of the total length of front fence to be provided and plotted on the elevations and material a material and colour schedule provided.
 - e) The location of the accessway and crossover to be plotted.
 - f) A Landscaping Plan in accordance with Condition 9 of this permit.All to the satisfaction of the Responsible Authority.
2. Concurrent with the submission of plans for endorsement pursuant to Condition 1, a certificate of title no more than 1 week old must be submitted to the Responsible Authority. If any modifications have been made to the title as a result of any adverse possession claims, the boundaries and development must be amended to reflect the actual certificate of title.
3. 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.

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 A15 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. 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

9. 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 advertised landscape concept plan drawn by Zenith Concepts, dated December 2017 and be drawn to scale with dimensions and three copies must be provided. The plan must show:
 - a) The location of the three replacement canopy tree plantings in accordance with the approved local laws permit 2017/248/1, 2017/248/2 and 2017/248/3.
 - b) Details of all surface finishes of pathways and driveways.
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.

Tree Management and Protection Plan

12. 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 the tree located in the rear of the lot adjacent to the western title boundary as identified by the advertised landscape concept plan drawn by Zenith Concepts, dated December 2017.
 - 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.

Street tree protection

15. Soil excavation must not occur within 3 metres from the edge of the *Callistemon salignus* (Willow Bottlebrush) street tree asset's stem at ground level.
16. 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.
17. Any installation of services and drainage within the TPZ must be undertaken using root sensitive non-destructive techniques.

Permit Expiry

18. 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.

CARRIED

4.5 VCAT REPORT - DECISIONS MADE IN JULY 2018

City Planning & Community Services - Development Services
File No: PSF/15/8755 – Doc No: DOC/18/179547

Moved: Cr del Porto

Seconded: Cr Evans (Mayor)

That the report on the VCAT decisions on the planning applications handed down during July 2018 be received and noted.

CARRIED

5. Confidential Business

There were no items of confidential business.

The Chairperson declared the meeting closed at 7.26pm.

CONFIRMED THIS 16TH DAY OF OCTOBER 2018