

URBAN PLANNING SPECIAL COMMITTEE

MINUTES

(Open to the public)

Monday 1 June 2020

Online - Delivered via Webex Events

Commencement 7.47pm

Attendance

- Councillor Garry Thompson (Chairperson)
- Councillor Cynthia Watson (Mayor)
- Councillor Jane Addis
- Councillor Phillip Healey
- Councillor Lisa Hollingsworth
- Councillor Steve Hurd
- Councillor Jim Parke
- Councillor Coral Ross
- Councillor Felicity Sinfield
- Councillor Jack Wegman

Apologies Nil

Officers

Phillip Storer	Chief Executive Officer
Shiran Wickramasinghe	Director City Planning
Simon Mitchell	Manager Statutory Planning
David Thompson	Manager Governance
Leo Bosley	Senior Statutory Planner
Elizabeth Manou	Governance Projects Officer
Eren Cakmakkaya	Media and Advocacy Specialist
San Lo	Service Desk Officer

Table of contents

1.	Adoption and confirmation of the minutes	3
2.	Declaration of conflict of interest of any councillor or council officer	3
3.	Presentation of officer reports	3
3.1	1300-1302 Toorak Road Camberwell	3
3.2	VCAT Decisions and Decisions under Delegation April 2020	15
4.	General business	15
5.	Urgent business	16
6.	Confidential business	16

1. Adoption and confirmation of the minutes

MOTION

Moved Councillor Hollingsworth

Seconded Councillor Addis

That the minutes of the Urban Planning Special Committee meeting held on 18 May 2020 be adopted and confirmed.

CARRIED

2. Declaration of conflict of interest of any councillor or council officer

Nil

3. Presentation of officer reports

3.1 1300-1302 Toorak Road Camberwell

Proposal

The proposal seeks permission for the construction of twelve (12) dwellings above a basement over two (2) lots, the construction of a front fence and the removal of an easement.

It is noted there is an existing approval, planning permit no. PP15/00619, on the subject site (1300-1302 Toorak Road). The permit allows for:

Construction of a three-storey building comprising 20 apartments and two (2) townhouses, subdivision of the land into two (2) lots and removal of an easement

Issues

The following are key issues in respect of this application:

- Whether the location is suitable for a multi-dwelling development (refer to pages 5-20 of 93 in the Officer's report for details of the strategic context and to pages 53-60 of 93 for an assessment against the Planning Policy Framework).
- Whether the building scale, siting and massing is acceptable (refer to pages 62-71 and 76-83 of 93).
- Whether the development will cause unacceptable off-site amenity impacts (refer to pages 80-85 of 93).
- Whether the development adequately respects the low-scale, 'leafy' character of the area (refer to pages 61-71 of 93).
- Matters raised by objectors (refer to pages 88-94 of 93).

Officer's response

There is sound strategic basis for locating a multi-dwelling development in this location. Council's Municipal Strategic Statement at Clause 21.05 seeks to facilitate and support development, including townhouses, on land within the General Residential Zone Schedule 1 (GRZ1). Within Toorak Road itself, there are a variety of multi-dwelling developments, including townhouses and apartments. The site is also located within walking distance of the Burwood Village Neighbourhood Centre and approximately 80 metres walking distance from the tram service along Toorak Road, providing further strategic support for the proposed development. The policy basis for the proposal is set out at pages 53-60 of 93 of the officer's report.

Objectors have raised concerns with the fit of the development in the streetscape. Council's Urban Designer notes the proposal "*presents a thoughtful and well-considered scheme that will be a valuable addition to Toorak Road and adjoining streets*". Officers find the proposal to be consistent with the outcomes sought by Council's Neighbourhood Character Policy and the 'preferred character statement' for Precinct 58, in which the site is located.

The development achieves a high level of compliance with ResCode, including Standards B7 (height), B8 (site coverage), B9 (permeability), B17 (side and rear setbacks), B21 (overshadowing) and B22 (overlooking, subject to conditions).

The development will be sited to ensure the protection of an existing mature Golden Elm tree on the adjoining property at No. 2 Albemarle Court. The proposed removal of other trees and vegetation within the site is supported by Council's Arborist, subject to planting 31 replacement trees as proposed by the submitted Landscape Plan. The recommended permit conditions ensure vegetation located on neighbouring properties will be protected.

The application meets the requirements of Clause 52.06 in relation to the provision of on-site car parking. A description of the surrounding road network is provided at pages 10-20 of 82 of the officer's report and an assessment against the requirements of Clause 52.06 is provided at pages 38-42 of 93.

Details of the proposal, discussion of all objections and assessment against relevant controls and policies are contained in the attachment to this report.

Two written submissions opposed to the officers' recommendation were read out by the Manager Statutory Planning.

One speaker in support of the officers' recommendation addressed the meeting.

MOTION**Moved Councillor Hollingsworth****Seconded Councillor Healey**

That the Urban Planning Special Committee resolve that Notice of Decision to Grant Planning Permit No. PP19/00067 for the construction of twelve (12) dwellings above a basement over two (2) lots, the construction of a front fence and the removal of an easement generally in accordance with the endorsed plans at 1300-1302 Toorak Road, Camberwell be issued under the Boroondara Planning Scheme subject to the following conditions:

Amended plans required

- 1. Before the development starts, amended plans to the satisfaction of the responsible authority must be submitted to and approved by the Responsible Authority. The plans must be drawn to scale with dimensions and three (3) copies provided. When the plans are endorsed they will then form part of the permit. The plans must be substantially in accordance with the Section 57a Amended plans prepared by Peddle Thorp Architects, plans TP-08 & TP-10-TP-31 Revision 4 but modified to show:**
 - a. The following changes in accordance with the discussion plans prepared by Peddle Thorp Architects, plans TP-02-TP-16 Revision 5:**
 - i. The minimum buildings setback from the southern boundary shared with No. 2 Albemarle Court increased to a minimum of five (5) metres at all levels, including the basement;**
 - ii. The front setback of Dwelling 11 to Albemarle Court increased to a minimum of three (3) metres; and**
 - iii. The consolidation of Townhouse 11 and 12 and all corresponding changes to the façade, basement and internal layout of Townhouse 10.**
 - b. The Tree Protection Zone and Structural Root Zone of Tree 1, 2, 3, 4, 5, 6, 7, 8, 16, 17, 18, 19 and 20 drawn on all site and floor plans;**
 - c. Notation on all site and floor plans that Tree 1, 2, 3, 4, 5, 6, 7, 8, 16, 17, 18, 19 and 20 are to be retained and protected in accordance with the endorsed Tree Management Plan required by Condition 6 of this permit;**
 - d. Notation on all site and floor plans that all services must be located outside of the Tree Protection Zone of Tree 16;**
 - e. The refinement of the materials palette, including:**
 - i. the use of only one shade of perforated mesh, the selected shade should complement the timber and metal cladding finishes;**
 - ii. The deletion of the stone wall tiles finish; and**
 - iii. The white aluminum to be a darker shade to better integrate with the propose brick finishes.**
 - f. The second-floor finishes changed to darker tones and better integrated with the development to the Satisfaction of the Responsible Authority;**
 - g. All front fencing to Clitheroe Court and Albemarle Court to be no more than 1.5 metres high above footpath level, with the exception of the side fencing associated with the secluded private open space areas of Townhouses 6 and 9;**

- h. The stone wall tiles (material F) of the proposed fencing be replaced with bricks (Material A or B) to match the proposed building to the satisfaction of the Responsible Authority;**
- i. The side fencing of the Townhouse 6 and Townhouse 9 secluded private open space areas to be constructed of hit-and-miss brickwork with no less than 25% openings to the satisfaction of the Responsible Authority;**
- j. The pedestrian sightline triangles to the basement entrance ramp and Townhouse 1 driveway to be a minimum of 50% clear of visual obstructions in accordance with Clause 52.06-9 of the Boroondara Planning Scheme;**
- k. All proposed paving not located above the basement to be permeable to ensure compliance with Standard B9 of Clause 55 ResCode;**
- l. Detailed construction specifications for all permeable surfaces that include cross-section diagrams;**
- m. All external glazing on the northern elevation facing Toorak Road and external glazing of Townhouse 1 to consist of double glazing (or better) with commercial-grade seals;**
- n. The south facing window of the Townhouse 1 western bedroom treated with fixed-obscure glazing to a minimum height of 1.7m above finished floor level;**
- o. All floor levels to RL and floor-to-ceiling heights clearly shown on all elevation plans;**
- p. Stormwater harvesting tanks and any associated infrastructure, connected for re-use for toilet flushing and garden irrigation. The capacity of the tanks and their catchment area must be sufficient to achieve a Melbourne Water STORM rating of not less than 100%;**
- q. The siting of any necessary stormwater detention pit, drainage control and overflow pit, located outside the Tree Protection Zone of any trees to be retained/protected and outside any area set aside for deep-soil planting;**
- r. A Landscape Plan in accordance with Condition 3 of this permit;**
- s. A Tree Management Plan in accordance with Condition 6 of this permit;**
- t. A Water Sensitive Urban Design Response in accordance with Condition 10 of this permit;**
- u. A Waste Management Plan in accordance with Condition 26 of this permit; and**
- v. An Environmentally Sustainable Design Report in accordance with Condition 29 of this permit.**

Layout not to be altered

- 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 without the prior written consent of the Responsible Authority.**

Landscape plan

- 3. A landscape plan to the satisfaction of the responsible authority must be submitted to and approved by the Responsible Authority. The plan must be drawn to scale with dimensions and three (3) copies provided. When endorsed, the plan will form part of the permit. The landscape plan must be generally in accordance with the landscape concept plan dated 5 July 2019 prepared by Urbis, except that the plan must show:**

- a. A climbing plant species to grow up the framing element above the basement entrance ramp to the satisfaction of the Responsible Authority.
- b. All hard surfaces proposed within the tree protection zone of Tree 16 must be constructed of permeable materials; be constructed above current grade; and be constructed on foundations that maintain appropriate permeability for the tree, to the satisfaction of the Responsible Authority;
- c. Detailed construction specifications for all permeable surfaces that include cross-section diagrams.
- d. *One (1)* canopy tree (minimum two metres tall when planted and must achieve a minimum mature height of 15 metres and canopy spread of 7 metres) centrally located within the front northeast setback of the property (private open space of Townhouse 9).
- e. *One (1)* canopy tree (minimum two metres tall when planted and must achieve a minimum mature height of 15 metres and canopy spread of 7 metres) centrally located within the front northwest setback of the property (private open space of Townhouse 6).
- f. Each canopy tree must be provided a minimum of 50 m² of deep soil, with the available soil area clearly shown on the landscape plan.
- g. Each small tree must be provided a minimum of 30 m² of deep soil, with the available soil area clearly shown on the landscape plan.
- h. All trees must comply with Australian Standard AS2303:2015 - Tree Stock for Landscape Use.
- i. All trees must be planted by an AQF Level 3 Qualified Arborist, Landscape Gardener or Horticulturist.
- j. A notation that all landscaped areas are to be irrigated by rainwater harvested and stored on-site, with mains back-up.

Completion of landscaping works

4. Landscaping as shown on the endorsed landscape plan/s must be carried out and completed to the satisfaction of the Responsible Authority prior to the occupation of the development.

Landscaping maintenance

5. All landscaping works shown on the endorsed landscape plan/s must be maintained and any dead, diseased or damaged plants replaced, all to the satisfaction of the Responsible Authority.

Tree Management Plan

6. Prior to the endorsement of the plans referred to in Condition 1 of this permit, a Tree Management Plan must be submitted by a suitably qualified and experienced Arborist in relation to the management and maintenance of Tree Nos. 1, 2, 3, 4, 5, 6, 7, 8, 16, 17, 18, 19 and 20. The Tree Management Plan must be approved by the Responsible Authority prior to the commencement of any works including demolition and levelling of the site. The Tree Management Plan must make specific recommendations in accordance with the Australian Standard AS4970: 2009 - Protection of Trees on Development Sites and detail the following to the satisfaction of the responsible authority ensuring that the tree remains healthy and viable during construction.
 - a) A tree protection plan to scale is to be submitted along with the tree management plan that is to show:
 - I. Tree Protection Zones and Structural Root Zones of all trees to be retained;

- II. All tree protection fenced off areas and areas where ground protection systems will be used;**
 - III. The type of foundations (shown or details noted) within each tree protection zone;**
 - IV. Any services to be located within the Tree Protection Zone and a notation to state that all services will either be located outside of the tree protection zone, bored under the tree protection zone, or installed using hydro excavation under the supervision of the project arborist; and**
 - V. A notation to refer to the Tree Management Plan for specific detail on what actions are required within the tree protection zone.**
- b) Details of how the root system of any tree to be protected will be managed. This must detail any initial non-destructive trenching and pruning of any roots required to be undertaken by the project arborist; and details of how any permeable surfaces within the Tree Protection Zone of protected trees will be constructed.**
 - c) Supervision timetable and certification of tree management activities required by the Project Arborist to the satisfaction of the responsible authority;**
 - d) All remedial pruning works that are required to be performed on trees during demolition and development of the site. The pruning comments must reference Australian Standards 4373:2007, Pruning of Amenity Trees and a detailed photographic diagram specifying what pruning will occur.**
 - e) The recommendations contained in the approved Tree Management Plan must be implemented to the satisfaction of the Responsible Authority.**

Contractors to be advised of trees to be protected

- 7. The owner and occupier of the site must ensure that, prior to the commencement of buildings and works, all contractors and tradespersons operating on the site are advised of the status of trees to be retained as detailed in the endorsed Tree Management Plan and are advised of any obligations in relation to the protection of those trees.**

Regulation of activities in Tree Protection Area

- 8. No vehicular or pedestrian access, trenching or soil excavation is to occur within the Tree Protection Area as detailed in the endorsed Tree Management Plan without the prior written consent of the Responsible Authority. No storage or dumping of tools, equipment or waste is to occur within a Tree Protection Zone.**

Documentation and Certification by Project Arborist

9. a) Prior to the commencement of any site works, including demolition and excavation, the Responsible Authority must be provided with evidence that a project arborist has been engaged as part of the ongoing consultant team to oversee the design and construction, and to ensure the development does not have a detrimental impact on the ongoing health and stability of the trees to be retained. The project arborist must hold suitable qualifications and experience to the satisfaction of the Responsible Authority. Evidence of the appointment of the project arborist must be submitted to the satisfaction of the Responsible Authority (quoting the Planning Permit number and site address, emailed to Boroondara@boroondara.vic.gov.au) not less than seven (7) days before the commencement of works on site.

b) Prior to the commencement of any site works, including demolition and excavation, a timetable for the supervision and certification of tree management activities which is to the satisfaction of the Responsible Authority must be prepared by the project arborist and submitted to the Responsible Authority for approval. A signed and dated copy of each stage of the supervision timetable certified by the project arborist (quoting the Planning Permit number and site address, emailed to Boroondara@boroondara.vic.gov.au) must be submitted to the Responsible Authority not more than seven (7) days following the completion of each stage.

Water Sensitive Urban Design

10. Concurrent with the endorsement of plans, the applicant must provide a Water Sensitive Urban Design Response addressing the Application Requirements of Clause 53.18 'Stormwater Management in Urban Development' to the satisfaction of the Responsible Authority. The response must include:

- I. Rainwater harvesting for re-use in toilet flushing and garden irrigation.
- II. A site plan showing the location of proposed stormwater treatment measures and the location and area (square metres) of impermeable surfaces that drain to each treatment measure;
- III. A written statement outlining how the application achieves current best practice performance objectives for stormwater quality as contained in the Urban Stormwater - Best Practice Environmental Management Guidelines (1999). Please note that for the modelling requirement you can use the following free program to demonstrate best practice, which is equivalent to a score of 100% or more:
<http://storm.melbournewater.com.au>
- IV. If any water tank is proposed, the plans must indicate the tank's capacity in litres and what the tank is connected to (e.g. toilets).

Drainage

11. The site must be drained to the satisfaction of the relevant building surveyor.

12. The owner must make an arrangement with Council for the provision of drainage and the acceptance of surface and stormwater from the subject land directly or indirectly into Council's drainage system and a final inspection shall be carried out to determine the completion of drainage in accordance with the approved plans, to the satisfaction of the Responsible Authority.

13. No polluted and/or sediment laden runoff is to be discharged directly or indirectly into Council's drains or watercourses during and after development, to the satisfaction of the Responsible Authority.

14. The location of third party or utility assets within the development site must be verified by field survey and clearly shown on all development plans.

Allocation of car parking

15. Car parking must be allocated as follows:

- a. **A minimum of one (1) space for each one or two-bedroom dwelling; and**
- b. **A minimum of two (2) spaces for each three or more bedroom dwelling.**

Use of car parking spaces

16. Car parking spaces shown on the endorsed plans must not be used for any purpose other than the parking of vehicles, to the satisfaction of the Responsible Authority.

Use of car parking spaces and driveways

17. Car spaces, access lanes and driveways shown on the endorsed plans must not be used for any other purpose, to the satisfaction of the Responsible Authority.

Carpark control equipment

18. Before the use starts or any building is occupied, details of any car park control equipment (controlling access to and egress from the internal/basement car park/s) must be submitted to and approved in writing by the Responsible Authority. These details must include a car park control device which can be accessed by visitors to the development including clear instructions on how to operate any security system.

Access to basement car park controlled

19. Before the use starts or any building is occupied:

- a. **Traffic signals must be installed on or near the basement access ramp. Such traffic control measures must include appropriate hold points and detector loops; and**
- b. **A convex mirror must be installed at the top of the access ramp**

To the satisfaction of the Responsible Authority.

Vehicle crossovers

20. Any new vehicle crossover or modification to an existing vehicle crossover must be constructed to the satisfaction of the Responsible Authority.

Removal of redundant vehicle crossovers

21. All disused or redundant vehicle crossovers must be removed and the area reinstated with footpath, naturestrip, kerb and channel to the satisfaction of the Responsible Authority.

Wall finishes

22. The external faces of walls facing boundaries must be cleaned and finished to an acceptable standard to the satisfaction of the Responsible Authority.

External lighting

23. All external lighting must be designed, baffled and located so as to prevent light from the site causing any unreasonable impacts on the locality, to the satisfaction of the Responsible Authority.

Security alarms

24. All security alarms or similar devices installed on the land must be of a silent type in accordance with any current standards published by Standards Australia International Ltd and must be connected to a registered security service, to the satisfaction of the Responsible Authority.

Concealment of pipes

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

Waste management plan

26. A waste management plan to the satisfaction of the responsible authority must be submitted to and approved by the Responsible Authority. Once satisfactory, such plan will be endorsed and must be implemented to the satisfaction of the Responsible Authority. The waste management plan must be generally in accordance with the waste management plan dated 21 August 2019 prepared by MGA Traffic Pty Ltd but modified to incorporate food and garden organics collection to the satisfaction of the Responsible Authority.

Regular waste removal

27. All waste material not required for further on-site processing must be regularly removed from the site. All vehicles removing waste must have fully secured and contained loads so that no wastes are spilled or dust or odour is created, to satisfaction of the Responsible Authority.

Maintenance of waste storage area

28. All bins and receptacles used for the collection and storage of solid waste, recyclables and other wastes must be kept in a designated area, to the satisfaction of the Responsible Authority. This storage area must be:

- a. Properly paved and drained to a legal point of discharge;**
- b. Screened from view with a suitably designed enclosure;**
- c. Supplied with adequate water; and**
- d. Maintained in a clean and tidy condition free from offensive odours**

To the satisfaction of the Responsible Authority.

Environmentally Sustainable Design Report

29. An environmentally sustainable design report to the satisfaction of the responsible authority must be submitted to and approved by the Responsible Authority. Once satisfactory, such plan will be endorsed and must be implemented to the satisfaction of the Responsible Authority. The environmentally sustainable design report plan must be substantially in accordance with the environmentally sustainable design report dated 30 January 2019 prepared by Sustainable Built Environments but modified to include:

- a. A maintenance regime for the plant associated with rain water harvesting and re-use.**

30. All plant and equipment associated with rainwater harvesting and re-use in toilet flushing and garden irrigation must be kept in good order and appearance and maintained in accordance with the recommendations set out in the ESD Report required by this Permit.

Materials and Finishes

31. A physical sample board of all construction materials, external finishes and colours (including swatch samples) to the satisfaction of the Responsible Authority;

Construction management plan

32. Prior to the commencement of any site works, including demolition and excavation, a Construction Management Plan must be submitted to and endorsed by the Responsible Authority. No works are permitted to occur until the Plan has been endorsed by the Responsible Authority. Once endorsed, the construction management plan will form part of the permit and must be implemented to the satisfaction of the Responsible Authority. The plan must be prepared in accordance with Council's Construction Management Plan Template and provide details of the following:

- a) Hours for construction activity in accordance with any other condition of this permit;**
- b) Measures to control noise, dust, water and sediment laden runoff;**
- c) Measures relating to removal of hazardous or dangerous material from the site, where applicable;**
- d) A plan showing the location of parking areas for construction and sub-contractors' vehicles on and surrounding the site, to ensure that vehicles associated with construction activity cause minimum disruption to surrounding premises. Any basement car park on the land must be made available for use by sub-constructors/tradespersons upon completion of such areas, without delay;**
- e) A Traffic Management Plan showing truck routes to and from the site;**
- f) Swept path analysis demonstrating the ability for trucks to enter and exit the site in a safe manner for the largest anticipated truck associated with the construction;**
- g) A plan showing the location and design of a vehicle wash-down bay for construction vehicles on the site;**
- h) Measures to ensure that sub-contractors/tradespersons operating on the site are aware of the contents of the construction management plan;**
- i) Contact details of key construction site staff;**

- j) A site plan showing the location of any site sheds, on-site amenities, building waste storage and the like, noting that Council does not support site sheds on Council road reserves; and
- k) Any other relevant matters, including the requirements of VicRoads and Yarra Trams.

Hours for demolition and construction

33. All works including earthworks, demolition and construction activity associated with the approved development must take place only during the following hours, except with the prior written consent of the Responsible Authority:

Monday to Thursday: 7:00am to 6:30pm
Friday: 7:00am to 5:00pm
Saturday: 9:00am to 5:00pm
Sunday & Public Holidays: No construction

Permit to expire:

This permit will expire if:

- a) The development does not start within two (2) years of the issue date of this permit; or
- b) The development is not completed within four (4) years of the issue date of this permit.

The Responsible Authority may extend the times referred to if a request is made in writing before the permit expires or:

- (i) Within six (6) months afterwards if the development has not commenced; or
- (ii) Within twelve (12) months afterwards if the development has not been completed.

Council and the Victorian Civil and Administrative Tribunal are unable to approve requests outside of the relevant time frame.

Notes:

Headings are for ease of reference only and do not affect the interpretation of permit conditions.

This is not a Building Permit. A Building Permit may be required prior to the commencement of any works associated with the proposed development.

Parking permits note

Pursuant to Council's Parking Permit Policy August 2016, the owners and occupiers of dwellings approved in this development will not be eligible to obtain resident or visitor parking permits whether or not the land is subdivided. The Residential Parking Permit Policy is available to download at <https://www.boroondara.vic.gov.au/sites/default/files/2017-05/Parking-Permit-Policy.pdf>. Alternatively please contact Council on 9278 4444.

Prior to the commencement of any works on the site, the owner/developer must submit drainage plans for assessment and approval by the Responsible Authority (Asset Management).

Stormwater drainage plans must include the location of any existing or proposed trees within the vicinity of drainage works and document how any potential conflicts between trees and drains will be addressed during and after construction.

A Control pit is to be located in an appropriate location and a suitable path is to be designed for stormwater which surcharges from the pit once the design storm has been exceeded.

The proposed development is to provide adequate clearance for overland flow through the property.

Stormwater drains are to be connected to a legal point of discharge approved by Council. Drainage Connections within a road reserve, right-of-way, parkland, within an easement or to a Health Act drain must be to Council's standards.

Discharge to the approved point of discharge will be allowed subject to the flow being limited to a rate equivalent to 0.35 coefficient of runoff for 1 in 5 year rainfall event. Any additional discharge is to be temporary detained on site with a minimum storage volume for 1 in 10 year rainfall event, via an approved stormwater detention system designed to Council specifications.

Prior to the commencement of any works on the site, the owner / developer must submit any new vehicular crossover or modification or alteration to an existing crossover proposal for assessment and approval by the Responsible Authority (Asset Management).

Plant, equipment or services (other than those shown on the endorsed plans) that are visible from a street or a public park may require further planning permission. This includes air-conditioners, solar panels, water tank and the like.

The Tree Protection Local Law requires that a Local Law Tree Permit be sought from Council for the removal and/or lopping of a 'Significant Tree' and/or excavation within the critical root zone of a Significant Tree. A list of Significant Trees is available at <https://www.boroondara.vic.gov.au/waste-environment/trees-and-naturestrips/find-out-if-tree-protected>. A Local Law Tree Permit is also required to remove, damage kill or destroy any identified 'Canopy Tree' which may include any excavation within the tree protection zone of a 'canopy tree'. The Tree Protection Local Law identifies a 'Canopy tree' as any tree with a single trunk circumference of 110cm or a combined circumference of a multi stemmed tree of 110cm or greater measured at 1.5m above ground level. A Planning Permit does not constitute a Local Law Tree Permit or permission to remove, damage kill or destroy a significant or canopy tree.

The Tree Protection Local Law is available to download at <https://www.boroondara.vic.gov.au/waste-environment/trees-and-naturestrips/remove-prune-or-carry-out-works-near-tree> alternatively please contact Council's Arborist – Statutory Planning (telephone 9278 4888) should a Local Law Tree Permit be required.

An Asset Protection Permit is required prior to the commencement of site works in accordance with Council's Local Law 1E.

Prior consent from Council and any and all public authorities is required to be obtained for alteration or reinstatement of assets or services affected as a result of the development.

The full cost of reinstatement of any Council assets damaged as a result of demolition, building or construction works, must be met by the permit applicant or any other person responsible for such damage, to the satisfaction of the Responsible Authority.

Discharge to the legal point of discharge will be allowed subject to the flow being limited to a rate equivalent to pre-development levels or less. Any additional discharge and / or runoff above the pre-development level is to be detained on site, via an approved storm water detention system. This matter should be discussed with Council's Asset Management Department.

Existing easements must be removed from title before works commence.

CARRIED

3.2 VCAT Decisions and Decisions under Delegation April 2020

This report sets out the delegated planning decisions made and VCAT decisions received during April 2020.

MOTION

Moved Councillor Watson

Seconded Councillor Ross

That the Urban Planning Special Committee resolve to receive and note the Delegated Planning Permit Decisions by Ward report and the VCAT Decisions by Ward report for April 2020.

CARRIED

4. General business

Nil

5. Urgent business

Nil

6. Confidential business

Nil

The meeting concluded at 7.23pm

Confirmed

Chairperson

Date
