

URBAN PLANNING DELEGATED COMMITTEE



MINUTES

(Open to the public)

Monday 19 September 2022

Council Chamber, 8 Inglesby Road, Camberwell.

Commencement 6:31pm

Attendance Councillor Jane Addis (Mayor)
Councillor Jim Parke
Councillor Felicity Sinfield
Councillor Victor Franco
Councillor Wes Gault
Councillor Di Gilles
Councillor Lisa Hollingsworth
Councillor Susan Biggar
Councillor Cynthia Watson
Councillor Garry Thompson
Councillor Nick Stavrou

Apologies Nil

<u>Officers</u>	Phillip Storer Daniel Freer Scott Walker David Cowan	Chief Executive Officer Director Places and Spaces Director Urban Living Manager Strategic and Statutory Planning
	Christine White Bryan Wee Christian Wilmsen Kirstin Ritchie Arturo Ruiz Liam Merrifield Chiara Lorini	Manager Capital Projects Manager Governance and Legal Coordinator Strategic Planning Coordinator Governance Placemaking Lead Senior Governance Officer Statutory Planner

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1. Adoption and confirmation of the minutes**MOTION****Moved Councillor Sinfield****Seconded Councillor Gillies****That the minutes of the Urban Planning Delegated Committee meeting held on 5 September 2022 be adopted and confirmed.****CARRIED****2. Declaration of conflict of interest of any councillor or council officer**

Nil

3. Presentation of officer reports

The Urban Planning Delegated Committee consented to changing the order of business to consider Item 3.2 Community Heritage Nomination Process - Adoption before Item 3.1 104 Doncaster Road, Balwyn North - Construct 5 Townhouse Dwellings

3.2 Community Heritage Nomination Process - Adoption

Before the Officer Report was received, the below motion was carried.

MOTION**Moved Councillor Sinfield****Seconded Councillor Gillies****That the matter is deferred for further consideration and to be brought back to a future UPDC meeting for decision****CARRIED****3.1 104 Doncaster Road, Balwyn North - Construct 5 Townhouse Dwellings Proposal**

The proposal seeks to construct five (5) townhouse style double storey dwellings with basement.

Issues

The following are key issues in respect of this application, which are addressed in further detail in the Planning Officer's Report (Attachment 1):

- Neighbourhood Character
- Compliance with ResCode
- Objections received

Officer's response

Overall, the design achieves a high level of compliance with the requirements of the Neighbourhood Residential Zone and Clause 55 (ResCode) of the Boroondara Planning Scheme. Furthermore, the proposal is fully compliant with the statutory car parking requirements at Clause 52.06.

The proposal is also generally compliant with regard to Council's Residential Design Policy with the exception of minor east, south and west boundary setbacks in addition to overall permeability.

The proposal is broadly consistent with the objectives as outlined in Clause 15.01-5L (Neighbourhood Character).

The proposed building heights, setbacks and window treatment ensure off-site amenity impacts, such as overshadowing, overlooking and visual bulk are minimised. While architecturally contemporary in style, the design and materials are respectful of the neighbourhood character.

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

Two speakers in support of the officers' recommendation addressed the meeting.

MOTION

Moved Councillor Parke

Seconded Councillor Gillies

That the Urban Planning Delegated Committee resolve that Notice of Decision to Grant a Planning Permit No. PP20/0804 for 'Construction of five (5), two storey dwellings and alteration of access to a road in Road Zone, Category 1 (RDZ1)' generally in accordance with the Advertised Plans at 104 Doncaster Road, Balwyn North 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 advertised plans but modified to show:**

Materials and Urban Design

- a. The provision of a full-colour schedule of external materials showing the proposed palette of materials and finishes (including a physical samples board of all finishes, inclusive of selected face brick);**
- b. Coloured set of elevations that accurately depict the colour and texture of all finishes as close as possible to the finished building product;**
- c. Roof finish to all dwellings shown to plans and elevations consistent with powder coated zinc cladding (material finish 07 to elevations) in a dark grey metal finish;**
- d. Material changes as shown to discussion plans received by Council 24 June 2022 to the satisfaction of the Responsible Authority;**

- e. **Materials schedule updated to note for material 07 'Bronze powder coated zinc cladding finish to brick';**
- f. **First floor walls to the south, east and west elevation (walls of the master bedroom 1 and bedroom 3 of Unit 5) changed from render to brickwork.**
- g. **Materials schedule updated to demonstrate that black metal finish for all metalwork in the building form, including window frames, and screening systems is a consistent colour and finish;**
- h. **The metal front fence and garage doors to be a consistent colour;**
- i. **Detailed 1:50 scale elevation of the proposed front fencing, entry portal, and utility enclosures such as the fire booster cabinet to the satisfaction of the Responsible Authority;**
- j. **Material finish of the utility service cupboard to the front façade and entry arbour detailed to the materials schedule and demonstrating high quality finish and integration with the proposal design;**
- k. **The total height of the front fence, including the solid and metal sections, reduced to not exceed 2 metres, measured from the natural ground floor level of the public footpath;**
- l. **Plans and elevations to detail 50 per cent transparency for the metal fence around the front terrace;**
- m. **The low solid wall along the front boundary updated and noted as face brickwork consistent with the dwelling;**

Built Form

- n. **Basement, ground and first floor layout changes as shown to discussion plans received by Council 24 June 2022 to the satisfaction of the Responsible Authority;**
- o. **Kitchen windows for dwellings two, three and four in accordance with discussion plan received by Council on 24 June 2022;**
- p. **Stairs to the pedestrian accessway along the western boundary removed to accommodate ramp access for people with limited mobility;**

Infrastructure/Services

- q. **Basement plan to include notation that car parking area to each dwelling is to have appropriate infrastructure and cabling to support at least moderate speed efficient EV charging;**
- r. **Notation to plans that water tanks are connected to toilets for flushing;**
- s. **A 150mm apex to the basement entrance;**
- t. **Construction of a 225mm drain to the south (rear) of the property and connected with Council existing pit at the rear of 2 Thackray Street by using pump system or via gravity fall;**
- u. **The proposed nature strip island between the vehicle crossovers removed;**
- v. **Relocation of the existing stormwater outlet pipe in the kerb clear from the proposed crossover location;**
- w. **Crossover to be 600mm clear of any single-lidded Telstra pits;**

Trees and Landscaping

- x. **One (1) canopy tree (minimum 2 metres tall when planted and must achieve a minimum height of 13 metres and canopy spread of 6 metres) located centrally within the front setback of the property;**
- y. **One (1) canopy tree (minimum 2 metres tall when planted and must achieve a minimum mature height of 12 metres and canopy spread of 5 metres) in the private open space of dwelling 5;**

- z. One (1) small tree (minimum 2 metres tall when planted and must achieve a minimum mature height of 5 metres and canopy spread of 3 metres) in the secluded private open space of dwellings 2, 3 and 4;**
- aa. The Tree Protection Zone and Structural Root Zone of Tree Nos. 1, 2, 8, 9, 21, 33, 36, 37, 38 and 39 (as identified in the Arborist Report submitted with the application prepared by ARBkey (dated 08/02/2021) drawn on all site and floor plans;**
- bb. Notation on all site and floor plans that Tree Nos. 1, 2, 8, 9, 21, 33, 36, 37, 38 and 39 are to be retained and protected in accordance with the endorsed Tree Management Plan required by this Permit;**
- cc. Any modifications to the location or layout of buildings and/or works recommended in the endorsed Tree Management Plan required by this Permit;**
- dd. The siting of any necessary stormwater detention pit, underground services and pits, and/or rainwater harvesting tank to be located outside any area set aside for deep-soil planting and outside the Tree Protection Zone of any trees to be retained/protected;**
- ee. Notation on all site and floor plans that all excavations within the Tree Protection Zone of Trees 1, 8, 21, 36, 37, 38 and 39 must be undertaken with hand tools or hydro-vacuum and that all excavation works must be supervised, document and certified by the Project Arborist;**
- ff. A Landscape Plan in accordance with condition 3 of this permit;**

Reports/Management Plans

- gg. A Waste Management Plan in accordance with condition 27 of this permit;**
- hh. A Water Sensitive Urban Design Report in accordance with Condition 13 of this permit; and**
- ii. A Tree Management Plan in accordance with condition 6 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 9 November 2020 prepared by Studio92, except that the plan must show:

- a. A survey (including botanical names) of all existing trees to be retained and of those to be removed. The intended status of the trees shown on the landscape plan must be consistent with that depicted on the development layout plan;**
- b. A planting schedule of all proposed trees, shrubs and ground covers including botanical names, common names, pot sizes, sizes at maturity and the quantities of each plant;**
- c. Details of the surface finish of all pathways, paved areas and accessways;**

- d. **One (1) canopy tree (minimum 2 metres tall when planted and must achieve a minimum height of 13 metres and canopy spread of 6 metres) located centrally within the front setback of the property.**
- e. **One (1) canopy tree (minimum 2 metres tall when planted and must achieve a minimum mature height of 12 metres and canopy spread of 5 metres) in the private open space of dwelling 5;**
- f. **One (1) small tree (minimum 2 metres tall when planted and must achieve a minimum mature height of 5 metres and canopy spread of 3 metres) in the secluded private open space of dwellings 2, 3 and 4;**
- g. **Each canopy tree must be provided a minimum of 50sqm of deep soil, with the available soil area clearly shown on the landscape plan;**
- h. **Each small tree must be provided a minimum of 30sqm of deep soil, with the available soil area clearly shown on the landscape plan;**
- i. **All trees must comply with Australian Standard AS2303:2015 - Tree Stock for Landscape Use;**
- j. **All canopy trees must be planted by an AQF Level 3 Qualified Arborist, Landscape Gardener or Horticulturist;**
- k. **All canopy trees must be planted more than 2 metres away from any structures, paving, decking, property boundaries, easements, existing trees or shrubs;**
- l. **All small trees must be planted more than 1 metre away from any structures, paving, decking, property boundaries, easements, existing trees or shrubs;**
- m. **Planting required by any other condition of this permit;**
- n. **Any features such as water tanks or rain gardens as required pursuant to Condition 13 of this permit; and**
- o. **Landscaping and planting within all open areas of the site.**

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. **Concurrent with the submission of amended plans required by Condition 1 of this Permit and prior to any demolition or site works, a Tree Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The Tree Management Plan must be prepared by a suitably qualified and experienced Arborist in relation to the management and maintenance of Tree Nos. 1, 2, 8, 9, 21, 33, 36, 37, 38 and 39 (as identified in the Arborist Report submitted with the application prepared by ARBkey (dated 08/02/2021)). 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 ensure that all retained trees remain healthy and viable during construction:**
 - a) **A Tree Protection Plan drawn to scale that shows:**
 1. **Tree Protection Zones and Structural Root Zones of all trees to be retained;**
 2. **All tree protection fenced off areas and areas where ground protection systems will be used;**

3. **The type of foundations (illustration or notation) within each tree protection zone;**
 4. **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**
 5. **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 retained 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 retained 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 and any changes to the endorsed Tree Management Plan will require written authorisation from the Responsible Authority.**

Tree Management Plan and Construction Management Plan

7. **If a Construction Management Plan is required as a condition of this permit it must be in accordance with the Tree Management Plan and Tree Protection Plan.**

Contractors to be advised of trees to be retained and protected

8. **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 and protected 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

9. **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 the Tree Protection Zone.**

Documentation and Certification by Project Arborist

10. 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.

Tree Protection Zone Fencing Conditions

11. Prior to the commencement of any building and or demolition works on the land, a Tree Protection Zone (TPZ) must be established and maintained during and until completion of all buildings and works including landscaping, around the following trees in accordance with the distances and measures specified below, to the satisfaction of the Responsible Authority:

- a. Tree protection zone distances:**
 - i. Tree 2 – 2.0 metre radius from the centre of the tree base.**

- b. Tree protection zone measures are to be established in accordance with Australian Standard 4970-2009 and including the following:**
 - i. Erection of solid chain mesh or similar type fencing at a minimum height of 1.8 metres held in place with concrete feet.**
 - ii. Signage placed around the outer edge of perimeter fencing identifying the area as a TPZ. The signage should be visible from within the development, with the lettering complying with AS 1319.**
 - iii. Mulch across the surface of the TPZ to a depth of 100mm and undertake supplementary watering in summer months as required.**
 - iv. No excavation, constructions works or activities, grade changes, surface treatments or storage of materials of any kind are permitted within the TPZ unless otherwise approved within this permit or further approved in writing by the Responsible Authority.**
 - v. All supports, and bracing should be outside the TPZ and any excavation for supports or bracing should avoid damaging roots where possible.**
 - vi. No trenching is allowed within the TPZ for the installation of utility services unless tree sensitive installation methods such as boring have been approved by the Responsible Authority.**
 - vii. TPZ fencing must not block off a footpath or roadway. The TPZ fencing location can be modified to ensure the tree(s) is protected, however must not obstruct, roads, footpaths, or access ways.**

Specific Tree Protection Measures

- 12. During the construction of any buildings or works, the following tree protection requirements must be carried out to the satisfaction of the responsible Authority:**
- a. A project arborist must be appointed by the applicant or builder. The Project Arborist must supervise all approved works (including site demolition) within the TPZ of Tree 2. Project arborist qualifications must read 'Arboriculture' for example 'Diploma in Horticulture (Arboriculture)'. The project arborist must have a minimum Diploma qualification in arboriculture to be appointed as the project arborist. Any root severance must be approved and undertaken by the Project Arborist using clean, sharp, and sterilised tree root pruning equipment. There must be no root severance within the 1.5m SRZ of the tree.**
 - b. For Tree 2, no roots greater than 50mm in diameter are to be cut or damaged during any part of the construction process, which includes the reinstatement of the existing crossover.**
 - c. The builder must ensure that TPZ Fencing Conditions and Tree Protection Measures are being adhered to throughout the entire building process, including site demolition, levelling, and landscape works.**



Water Sensitive Urban Design

13. 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:
- 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.
 - 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.melbournwater.com.au>>
 - 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

14. The site must be drained to the satisfaction of the **Responsible Authority**.
15. 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**.
16. Planting of trees within drainage easements/adjacent to Council drains being limited to species with shallow root system (shrubs) which will not prejudice or damage the stormwater drain.
17. 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.

Sediment laden run-off

18. 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**.

Turntable maintenance

19. The turntable in the basement must be fit for purpose and not cause noise or vibration beyond the property and be kept in good working order, 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**.

Boundary walls

22. The external faces of walls on or 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.

VicRoads Conditions

26. Vehicles must enter and exit the land in a forward direction at all times.

Waste management plan

27. 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 plan must provide the following details of a regular private waste (including recyclables and FOGO) collection service for the subject land including:
1. the type/s and number of waste bins;
 2. screening of bins;
 3. type/size of trucks;
 4. frequency of waste collection;
 5. plan showing the layout of the bins at collection time including sufficient clearances from all street services, features and infrastructure;
 6. plan to demonstrate that there is sufficient space on the naturestrip for the proposed 15 bins to be placed for collection to be carried out by a single operator vehicle. The bin locations to the plan must be clear of any obstacles and have at least 0.5 metre gap between bins to the satisfaction of the Responsible Authority.

Permit to expire:

28. 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.

CARRIED

3.3 Camberwell Junction Vision and Priorities Report

Purpose

This report presents the Vision and Priorities for Camberwell Junction (**Attachment 3.4.1**), which includes a summary of the findings of the background research and community engagement undertaken in late 2021.

The Vision and Priorities report for Camberwell Junction is intended to inform the next phase of community engagement activities and will guide the subsequent preparation of the Structure and Place Plan.

Background

The Camberwell Junction Structure and Place Plan project began in August 2021 with the commencement of the following stages:

1. Understand Place - an analysis of background research, technical studies, and review of existing projects affecting the precinct.
2. Imagine Place - community engagement during September and October 2021, designed to learn what people want for the future of the precinct.

This Vision and Priorities report for Camberwell Junction (Stage 3) is informed by the findings of the two previous stages and seeks community feedback on the proposed Vision.

Key Issues

The Vision and Priorities report is for engagement purposes only. It presents an overview of the research undertaken and includes the results of community engagement activities conducted in the spring of 2021, and proposes the following vision statement for the future of the precinct:

Camberwell Junction will be revitalised as a dynamic, desirable and prosperous metropolitan hub. Residents, visitors and locals will be attracted to its thriving retail, smart economy, lively public spaces, attractive character and highly liveable urban environment. The Junction precinct will attract significant public and private investment to create an exciting economic and lifestyle destination that is welcoming to all.

Next Steps

The Vision and Priorities report for Camberwell Junction provides the foundations for community engagement, currently proposed to start on 20 September 2022 and extend for a period of 4 weeks.

Following community engagement on the Vision and Priorities report, the full Structure and Place Plan (Stage 4) will be developed for Council consideration in the first half of 2023, and will be used to both:

- Guide future development with planning controls for land use, built form, heritage protection and design quality, and

- Present key projects and initiatives to enhance the precinct, such as new public spaces, amenity improvements, cultural and economic initiatives.

MOTION

Moved Councillor Gillies

Seconded Councillor Addis

That the Urban Planning Delegated Committee resolves to endorse the Camberwell Junction Vision and Priorities report and to proceed with community engagement for a period of 4 weeks starting from 20 September 2022.

CARRIED

4. General business

Nil

5. Urgent business

Nil

6. Confidential business

Nil

The meeting concluded at 7:26 pm.

Confirmed



Chairperson

CARRY THOMPSON.

Date

3/10/2022

