

URBAN PLANNING DELEGATED COMMITTEE

MINUTES

(Open to the public)

Monday 7 November 2022

Council Chamber, 8 Inglesby Road, Camberwell.

Commencement 6.34pm

Attendance

Councillor Garry Thompson (Chairperson)
Councillor Jane Addis (Mayor)
Councillor Jim Parke
Councillor Felicity Sinfield
Councillor Victor Franco
Councillor Wes Gault
Councillor Di Gillies
Councillor Lisa Hollingsworth
Councillor Susan Biggar

Apologies

Councillor Cynthia Watson
Councillor Nick Stavrou

<u>Officers</u>	Phillip Storer	Chief Executive Officer
	Scott Walker	Director Urban Living
	David Cowan	Manager Statutory & Strategic Planning
	Bryan Wee	Manager Governance & Legal
	Christian Wilmsen	Coordinator Strategic Planning
	Kirstin Ritchie	Coordinator Governance
	Aileen Chin	Principle Urban Planner
	Damian Bu	Senior Urban Planner

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1. Adoption and confirmation of the minutes**MOTION****Moved Councillor Addis****Seconded Councillor Gault**

That the minutes of the Urban Planning Delegated Committee meeting held on 17 October 2022 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 15 Broadway, Camberwell - Extension to House in Heritage Overlay****15 Broadway, Camberwell – Extension to House in Heritage Overlay**

Application no.: PP21/1140
Responsible director: Scott Walker, Director Urban Living
Authorised by: David Cowan, Manager Planning and Placemaking
Report officer: Damian Bu and Elizabeth Spanjer, Urban Planners

Proposal

The proposal seeks partial demolition and construction of alterations and additions to an existing dwelling and the demolition of an additional dwelling on the lot in a Heritage Overlay. Key details of the proposal are summarised below.

Demolition:

- The second dwelling of non-contributory value.
- Partial demolition of northern and western elevations of “contributory” dwelling.

Proposed buildings and works:

- Construction of a basement and ramp.
- Extend the ground floor footprint towards the north and west.
- Alterations to the roof and addition of a new chimney.
- The addition (excluding the chimney) will have a maximum overall height of 7.23 metres above Natural Ground Level.
- A new crossover accessed off Broadway in the south-west corner of the site.
- A pool adjacent to the northern boundary.

Public notification of the application has been undertaken and sixteen (16) objections have been received.

Issues

The following key issues are addressed in the Planning Assessment Report (Attachment 1):

- The proposed built form of the dwelling extension, including the materiality, bulk and dominance over the heritage place.
- The streetscape impact of the proposed crossover and ramp to basement car park.
- The loss of trees and lack of landscaping opportunity.

Officer's response

Council officers have undertaken a thorough assessment of the proposal against the Boroondara Planning Scheme and concluded that the proposal will not alter or obscure fabric that contributes to the value of the 'contributory' heritage dwelling, most notably the pitched-gable roof and tuck-pointed brick exterior.

Council's Heritage Advisor supports the application, on the following basis:

- The majority of the contributory heritage fabric of the existing house will be retained and conserved.
- The proposed development will improve the heritage streetscape by the demolition of the existing non-contributory dwelling on site.
- The design of and siting of the vehicular basement ramp has been appropriately designed and sited to minimize the overall visibility and appearance to the streetscape.
- Subject to conditions, the proposed addition will be appropriately setback on the site and will not dominate the original heritage fabric of the existing dwelling.
- The additions will be contemporary with clear articulation between new fabric and contributory fabric. The additions will not dominate the subject site nor the broader heritage streetscape subject to conditions.
- The combination of the proposed siting of the extension and demolition of the non-contributory building will allow for generous landscaping opportunity on site.

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

- Attachment 1 - Planning Assessment Report
- Appendix A – Referral Comments
- Appendix B – Statement of Significance
- Appendix C – Planning Policies
- Appendix D – Advertised Plans
- Appendix E - Discussion Plans
- Appendix F - Locality Plan
- Appendix G - Zoning Map

*Two speakers opposed to the officers' recommendation addressed the meeting.
One speaker in support of the officers' recommendation addressed the meeting.*

MOTION

Moved Councillor Gillies

Seconded Councillor Addis

That the Urban Planning Delegated Committee resolve that a Notice of Decision to Grant a Planning Permit No. PP21/1140 for the *“partial demolition and construction of alterations and additions to an existing dwelling and the demolition of an additional dwelling on the lot in a Heritage Overlay”* at 15 Broadway, Camberwell be issued under the Boroondara Planning Scheme subject to the following conditions:

Amended plans required

1. Before the development starts, amended plans must be submitted to the satisfaction of the Responsible Authority. When the plans are to the satisfaction of the Responsible Authority they will be endorsed and will then form part of the Permit. The plans must be drawn to scale with dimensions and electronic copies provided, substantially in accordance with the advertised plans but modified to show:
 - a. The location of the driveway ramp and crossover revised to reflect Conditions as shown on the Discussion Plans received by Council on 13 May 2022.
 - b. The external eastern wall of the Terrace (including the chimney) setback an additional 2.0 m from Berwick Street.
 - c. Material/Finish No. 7 (dark grey render) as noted on the plans revised to either a mid-grey or lighter finish to the satisfaction of the Responsible Authority.
 - d. The colour of the new window frames revised to either a mid-grey or lighter finish to the satisfaction of the Responsible Authority.
 - e. The material of the new chimney breast to the terrace revised to either exposed brick or rendered masonry to the satisfaction of the Responsible Authority.
 - f. Add Material No. 8 (Natural Slate Tile) to the External Finishes Pallet
 - g. The proposed colour of the garage door revised to a lighter finish to the satisfaction of the Responsible Authority.
 - h. The proposed finish of the fence along Berwick Street stated. The finish must be light in hue. A dark finish such as ‘Monument’ (or similar) is not permitted, to the satisfaction of the Responsible Authority
 - i. The colour of the new sliding gate revised to a lighter finish to the satisfaction of the Responsible Authority.
 - j. The existing crossovers on site to be reinstated to the satisfaction of the Responsible Authority.
 - k. Demolition Plan amended to include notations specifying the retention of all existing chimneys to the existing dwelling.
 - l. Roof plan amended to include notations specifying the retention of all existing chimneys to the existing dwelling.
 - m. Demolition Plan amended to include dimensions to the extent of proposed demolition to the existing dwelling.
 - n. The Tree Protection Zone and Structural Root Zone of Tree Nos. 2 and 3 (as identified in the Arborist Report submitted with the application prepared by Landscape by Design (dated 18 December 2020) drawn on all site and floor plans;
 - o. Notation on all site and floor plans that Tree Nos. 2 and 3 are to be retained and protected in accordance with the endorsed Tree Management Plan required by this Permit;
 - p. Any modifications to the location or layout of buildings and/or works recommended in the endorsed Tree Management Plan required by this Permit;

- q. 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.
- r. Notation on all site and floor plans that all excavations within the Tree Protection Zone of Tree 2 and 3 must be undertaken with hand tools or hydro-vacuum and that all excavation works must be supervised, document and certified by the Project Arborist.
- s. Permanent fencing within the Tree Protection Zone of Tree 2 and 3 constructed on pier foundations with any required plinths constructed above existing grade.
- t. Notation on all site and floor plans that no strip footing is permitted within the Tree Protection Zone of Tree 2 and 3
- u. Provide a Tree Management Plan in accordance with Condition No. 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 (unless the Boroondara Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.

Infrastructure

- 3. The width of the proposed crossover servicing 15 Broadway, Camberwell to not exceed 3 metres in width.
- 4. Any new vehicle crossover or modification to an existing vehicle crossover must be constructed to the satisfaction of the Responsible Authority.
- 5. The two disused/redundant vehicle crossovers must be removed, and the area reinstated with footpath, nature strip, kerb and channel 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 minimum AQF Level 5 qualified and experienced Arborist in relation to the management and maintenance of Tree Nos. 2 and 3 (as identified in the Arborist Report submitted with the application prepared by Landscape by Design (dated 18 December 2020). 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:
 - 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. 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
- iv. 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. *Note: Only Council or Authorised Council Contractors can prune Trees Nos. 2 and 3. Any request for the pruning of trees on public land must be made through Council's Environmental Sustainability and Open Spaces Department.*
- 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. 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.**

Permit to expire:

- 11. 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**4. General business****4.1 Master Builders Association Victoria Excellence in Housing Award**

Councillor Hollingsworth discussed a matter that Boroondara City Council can celebrate. Councillor Hollingsworth informed the gallery that the property, located in Kew, underwent a comprehensive planning assessment by the Council's Statutory Planning Department and originally refused under officer delegation. The application then went to VCAT where Council officers had significant input into the application. Councillor Hollingsworth continued by stating that the applicant, the architects and VCAT listened to Council officers and the result is the award-winning property.

Councillor Hollingsworth concluded by congratulating the planning department of Boroondara City Council.

5. Urgent business

Nil

6. Confidential business

Nil

The meeting concluded at 7.25pm

Confirmed

Chairperson

Date
