

URBAN PLANNING SPECIAL COMMITTEE

MINUTES

(Open to the public)

Monday 3 April 2017

Council Chamber, 8 Inglesby Road, Camberwell.

Commencement 6.32pm

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

Apologies Councillor Coral Ross (Leave of absence)

Officers

Bruce Dobson	Acting Chief Executive Officer
John Luppino	Director City Planning
Simon Mitchell	Manager Statutory Planning
David Thompson	Manager Governance
Cassandra Rea	Coordinator Statutory Planning
Joe Sevillano	Senior Statutory Planner
Elizabeth Manou	Governance Projects Officer

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1. Adoption and confirmation of the minutes**MOTION****Moved Councillor Thompson****Seconded Councillor Addis****That the minutes of the Urban Planning Special Committee meeting held on 20 March 2017 be adopted and confirmed.****CARRIED****2. Declaration of conflict of interest of any councillor or council officer**

Nil

3. Presentation of officer reports**UPC1 64 Walpole Street, Kew**Proposal

The proposal seeks to construct fourteen (14) three-storey townhouses above a basement car park. Each dwelling will have 3-4 bedrooms as well as an open plan living area (and normal domestic amenities such as bathrooms, powder rooms, laundries etc.).

Parking will be provided within a communal basement accessed via a double-width crossover. The basement will contain 2 visitor parking spaces in addition to two car spaces per dwelling.

The style of the dwellings will be contemporary in design with flat roofs, utilising a variety of materials and finishes such as concrete, metal cladding, metal finishes and timber.

Issues

The following are key issues in respect of this application:

- Whether the proposal will be consistent with the existing and preferred neighbourhood character;
- Whether the proposed car parking and traffic arrangements will be acceptable;
- Whether the proposal will result in any unreasonable amenity impacts to adjoining properties; and
- Issues raised by the objections received.

Officer's response

The proposal is considered to be generally consistent with the existing and preferred character of the area. The proposal complies with the maximum building height set for the area, and will utilise materials, finishes and colours that will appropriately reference buildings within the area.

The proposal will provide the full complement of car parking, including visitor spaces. No car parking reduction is being sought. Council's Traffic and Transport Department has reviewed the proposal and considers that Walpole Street and the surrounding road network will be able to cope with the potential traffic generated by the proposal without significant impact.

The proposed development is considered to be carefully designed to minimise amenity impacts to adjoining properties. Subject to conditions, the proposal will fully comply with Standard B17 in relation to setbacks from adjoining properties and external screens designed to avoid direct views into adjoining properties have been integrated into the overall design. Screen planting will be possible along the side and rear boundaries, with additional plantings and retention of the existing eastern boundary hedging required as conditions of approval.

The proposal will be non-compliant with the proposed front setback (Standard B6), private open space (Standard B28) and solar access to private open space (Standard B29) requirements of ResCode.

In relation to front setback, conditions will require increased front setbacks to Dwellings TH01 and TH14 in order to provide a staggered front setback that will transition well between the two adjoining buildings. Subject to these conditions, it is considered that the proposed front setbacks will allow for an appropriate presentation of the building to Walpole Street.

The extent of non-compliance with Standard B28 (Private Open Space) is limited to Dwellings TH2, TH3 and TH11. These non-compliances are considered to be acceptable as the proposed private open space areas will have minimum dimensions of 4 metres, complying with the width requirements of Council's Neighbourhood Character Study and ensuring that landscaping and outdoor recreation opportunities can both be provided to an acceptable level.

The non-compliance with Standard B29 (Solar Access to Private Open Space) is also considered to be acceptable as it will be isolated to the secluded private open space of only two out of the fourteen dwellings. Both of these secluded private open space areas will receive have eastern outlook, and the provision of southern secluded private open space for these two dwellings is unavoidable given the orientation and size of the site.

The proposal will provide for the retention of the large Algerian Oak tree within the front yard, as well as protection of the large River Red Gum tree within the rear yard of 71 Peel Street, which both contribute greatly to the landscape character of the area.

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

MOTION**Moved Councillor Healey****Seconded Councillor Thompson**

That the Urban Planning Special Committee resolve that a Notice of Decision to Grant a Permit No. PP16/00449 for construction of fourteen (14) dwellings on a lot at 64 Walpole Street, Kew 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 three (3) copies provided, substantially in accordance with the advertised plans but modified to show:**
 - a) The front setback of Dwelling TH01 increased to at least 6.074m at ground and first floor levels (including the proposed external screens), and the front setback of the second floor level set back to at least 6.874m without reducing any other setback;**
 - b) The front setback of Dwelling TH14 increased to at least 4.748m at ground and first floor levels, including the proposed external screens;**
 - c) The existing boundary fencing shown to be either retained or removed, as applicable, to the satisfaction of the Responsible Authority;**
 - d) The existing hedge along the eastern boundary shown on the ground floor plan and notated as to be retained;**
 - e) The first floor, south-facing secondary living area windows of Dwellings TH12 and TH13 screened to comply with Standard B22 of Clause 55;**
 - f) The second floor east-facing bedroom windows of Dwellings TH6, TH7 and TH8 screened to comply with Standard B22 of Clause 55;**
 - g) All screening measures (i.e. obscure glazing and external screens) designed to comply with Standard B22 of Clause 55;**
 - h) A detailed section of the proposed external screens, indicating how they will obscure direct views in accordance with Standard B22 of Clause 55;**
 - i) The front fence redesigned to incorporate transparent elements (such as timber slats or metal pickets) to the satisfaction of the Responsible Authority;**
 - j) Visitor Space 1 widened by 300mm to 2.7m width while maintaining the 3m width of the adjacent accessway;**
 - k) Appropriate directional signage (including locations, dimensions and examples of such signage) to direct visitors to Visitor Space 2;**
 - l) Internal doors opening into the garages of Dwellings TH1-TH5 and TH9 to open outwards to remove potential encroachment into the effective width of the garages;**
 - m) All proposed external walls and screens set back from the side and rear boundaries to comply with Standard B17 of Clause 55;**
 - n) The setback of the proposed basement ramp and AC room set back an additional 500mm from the southern boundary;**

- o) A minimum 500mm wide garden bed provided adjacent to the southern boundary, opposite the basement ramp and AC room to accommodate screen planting;**
- p) The setback of the second floor southern studies increased by a minimum 750mm from the southern boundary without reducing any other setback;**
- q) A notation on all elevations that the proposed timber screens will be subject to regular maintenance in accordance with the endorsed Building Management Plan which forms part of this permit;**
- r) The secluded private open space of Dwelling TH1 provided with privacy fencing along the western side of its paved terrace to protect the space from views from the street to the satisfaction of the Responsible Authority;**
- s) The sightlines provided on either side of the basement ramp entry designed and notated to comply with Design Standard 1 of Clause 52.06-8;**
- t) A physical samples board providing accurate samples of all proposed materials, colours and finishes;**
- u) The terrace paving of Dwellings TH03 and TH04 reduced/relocated to occupy no more than 10% of the Tree Protection Zone of Tree 16, as defined by the Arborist report prepared by Galbraith and Associates dated 1 April 2016;**
- v) Any modifications to the development as required by the outcomes of the investigations conducted as part of the Tree Management Plan required by Condition 6 of this permit;**
- w) A Landscape Plan in accordance with Condition 3 of this permit;**
- x) A Tree Management Plan in accordance with Condition 6 of this permit;**
- y) A Waste Management Plan in accordance with Condition 15 of this permit;**
- z) A Construction Management Plan in accordance with Condition 16 of this permit;**
- aa) A Building Management Plan in accordance with Condition 18 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.**

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 show:

- (a) A schedule (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) Details of the surface finish of all pathways, paved areas and accessways;
- (c) 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;
- (d) A minimum of 4 canopy trees with spreading crowns (minimum two metres tall when planted) planted within the side and rear setbacks of the subject site, located to ensure appropriate canopy growth while noting the location of existing trees on the subject site and adjoining properties to be retained;
- (e) Screen planting (minimum 1.5 metres tall when planted) capable of growing to a minimum mature height of 3.5 metres adjacent to the southern boundary;
- (f) The existing hedge along the eastern (rear) boundary shown on the ground floor plan and notated as to be retained;
- (g) Site layout changes required by any other condition of this permit; and
- (h) 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. 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 the Tree 12 (Algerian Oak) within the subject site and all trees on adjoining properties in proximity to the site boundaries as detailed in the Arborist report prepared by Galbraith and Associates, dated 1 April 2016 and 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. The Plan must include:

- (a) A tree protection plan to scale is to be submitted along with the tree management plan that is to show:
 - I. all tree protection zones and structural root zones,
 - II. all tree protection fenced off areas and areas where ground protection systems will be used
 - III. The type of footings within the tree protection zone
 - IV. All 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 or bored under the tree protection zone; 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) Results of exploratory trenching as directed by the responsible authority as a condition of this permit or if there is encroachment (construction or excavation) greater than 10% into the tree protection zone (in accordance with Australian Standard AS4970:2009 - Protection of Trees on Development Sites) of any tree to be retained, including but not limited to Trees 3 & 4. This must include photographic evidence of any trenching/ excavation undertaken;
- (c) Details of appropriate footings within the tree protection zone;
- (d) Supervision timetable required by the Project Arborist to the satisfaction of the responsible authority;
- (e) The details of how the root zone within the tree protection zone will be managed throughout the project;
- (f) All remedial pruning works that are required to be performed on the tree 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.
- (g) 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 retained

- 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 arborist report and are advised of any obligations in relation to the protection of those trees.

Drainage

- 8. The site must be drained to the satisfaction of the Responsible Authority.

Use of car parking spaces

- 9. 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.

Carpark control equipment

- 10. 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.

Visitor parking spaces

- 11. Visitor parking spaces within the development must be:
 - (a) Clearly identified by appropriate signage having an area no greater than 0.3m²;
 - (b) Line marked to indicate each car space; and
 - (c) Available for visitor usage at all times.

Vehicle crossovers

- 12. 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

13. 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

14. 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.

Waste management plan

15. 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) collection service for the subject land including:

- (a) the type/s and number of waste bins;
- (b) screening of bins;
- (c) type/size of trucks;
- (d) frequency of waste collection;
- (e) plan showing the layout of the bins at collection time including sufficient clearances from all street services, features and infrastructure;

to the satisfaction of the Responsible Authority.

Construction management plan

16. 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-contractors/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

17. 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

Building Management Plan

18. Prior to the endorsement of the plans referred to in Condition 1 of this permit, a Building Management Plan must be submitted to and endorsed by the Responsible Authority. The plan must be prepared by a suitably qualified architect or other qualified person to the satisfaction of the Responsible Authority. The plan must provide details of:
- a) The materiality of the proposed timber external screens, including a physical sample and details regarding the manufacturer;
 - b) The properties of such material, including expected durability and timeframe for weathering;
 - c) A comprehensive maintenance program to ensure that the product retains its intended finish as shown within the Building Management Plan for the life of the development.

Provision of letter boxes

19. Provision must be made on the site for letter boxes and receptacles for papers to the satisfaction of the Responsible Authority.

Permit to expire:

20. 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.

Pursuant to Council's Residential Parking Permit Policy (2011), the owners and occupiers of dwellings approved in this development will not be eligible to obtain resident or visitor parking permits.

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 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. A Council Supervision Permit is required for this work. All fees and charges associated with the connection are to be borne by the applicant.

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).

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 <http://www.boroondara.vic.gov.au/our-city/trees/significant-trees>. 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 <http://www.boroondara.vic.gov.au/our-city/trees/tree-works-permits> 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 Protection of Council Assets and Control of Building Sites Local Law 2011.

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.

CARRIED

UPC2 1159-1163 Burke Road, Kew

Proposal

An application has been made to Council for the construction of a building comprising a cafe, offices and dwellings, a reduction in the standard car parking requirement (3 spaces) and waiver of the loading bay requirements. All existing buildings are to be demolished (no planning permit required). It is noted that use of the land for the purpose of a café and office is not subject to planning approval, as these uses are 'as of right' in accordance with the Commercial 1 Zone.

Details of the development are provided within the attached report.

The proposed building is to be maximum height of 12m and constructed with a combination of textured finished concrete, feature metal cladding and large expanses of glazing. Screening is finished with horizontal timber look battens. A verandah is incorporated into the front facade over the footpath, with a height of 3.15m above pavement level.

Issues

- Increased traffic in the laneway affecting garage access/impact of cars queuing in laneway.
- Insufficient car parking will impact neighbouring streets, which are already subject to high parking levels/impact a lack of loading bay will have on neighbouring streets.
- Increase in noise, including the first floor terrace.
- Bulk/mass of the building and excess overall height.
- Overshadowing & overlooking.

Officer's response

Car Parking/ Traffic

With regard to traffic concerns raised, it is noted that the proposal seeks to provide the required number of onsite car parking for all dwellings, as well as the office in accordance with Clause 52.06 (Car Parking) of the Boroondara Planning Scheme. The proposal seeks a dispensation for 3 parking spaces which are associated with the proposed café. Council's Traffic and Transport Department have undertaken a detailed assessment of the proposal and the submitted Traffic Report prepared by Traffix Group and have advised that the proposed waiver is an acceptable outcome, within the context of the site and surrounds due to the availability of nearby public parking.

It is considered that impacts of traffic within the rear lane way will be effectively managed via conditions of any approval granted. This includes the efficient functionality of the proposed car stackers to ensure minimal delays for any cars which may be required to queue in the laneway.

Noise

Any concerns with regard to noise generated after occupancy can be pursued as a civil nuisance matter. It is noted that the subject site is located in a Commercial 1 Zone and abuts a Category 1 Road Zone. Whilst the site has a residential interface to the rear (which is discussed in detail in the report), it is not unreasonable to expect that some noise of a commercial nature will result. Noise during construction is managed through the EPA regulations and the Public Health and Wellbeing Act.

Built Form

With regard to built form, the proposal has achieved an appropriate level of compliance with the relevant building height and setback provisions of Clause 43.02 (Design and Development Overlay Schedule 16), with the exception of the upper level street setback. It is noted that policy seeks a 5.0m upper level street setback and the proposal seeks to construct a 4.0m setback. Council's Urban Designer has reviewed the proposal in detail and provides that the proposed 4.0m setback is appropriate within the context of the site, indicating that the upper level is well recessed and distinguishable from the main building façade through materiality and architectural detailing. As such, it is considered that a variation to the Policy is acceptable in this case.

The proposal demonstrates compliance with Standard B17 (Side and Rear Setbacks of Clause 55 (Two or more Dwellings on a Lot)).

Overlooking

It is noted that impacts relative to overlooking have been considered and all opportunities for overlooking adjoining habitable room windows and/or open space have been screened in accordance with Standard B22 (Overlooking) of Clause 55.

Overshadowing

Impacts of overshadowing to the western adjoining residential interface have been assessed and it is noted that shadowing occurs from 9am but is clear of shadowing before 12noon. The majority of the proposed shadow impact is on the garages of the two western adjoining dwellings. The existing fencing of these dwellings contributes to their own overshadowing due to the orientation of the site.

Councillor Healey left the chamber at 7.07pm and resumed his seat at 7.08pm.

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

MOTION**Moved Councillor Sinfield****Seconded Councillor Hurd**

That the Urban Planning Special Committee resolve to advise the Victorian Civil and Administrative Tribunal that it supports the application for construction of a building comprising cafe, offices and dwellings, a reduction in the standard car parking requirement and waiver of a loading bay at 1159-1163 Burke Road, Kew 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 amended plans received 25 January 2017 which include the provision of 3 additional onsite parking spaces for the proposed office use and one residential visitor parking space, but modified to show:**
 - a) A schedule of proposed construction materials, external finishes and colours (with swatch samples) including details of a suitable treatment to the northern external wall to Dean Street to improve visual interest and articulation;**
 - b) Details of all required visual screens in accordance with Standard B22 (Overlooking) of Clause 55 (ResCode) of the Boroondara Planning Scheme;**
 - c) Detail regarding the operation of the 'dependent' car stacker arrangement;**
 - d) A notation on the relevant site plan/s indicating that each double car stacker be allocated to the same office tenancy to improve the maintenance of access to the lower level spaces**
 - e) A notation on the relevant site plan/s indicating the requirement for lower level spaces to be occupied prior to using those spaces on the ground level;**
 - f) A sign to be included in a highly visible location, shown on the relevant site plan/s indicating use of the waiting bay by vehicles when the lift is in use;**
 - g) The proposed visitor parking space to include a sign specifying when the space is to be kept clear for waste collection purposes in accordance with the submitted Waste Management Plan;**
 - h) A notation on the relevant site plan/s indicating the installation of a car lift with a minimum speed of 0.6m/sec';**
 - i) The provision of the 3 visitor bicycle spaces on-site, outside of the secure basement;**
 - j) Details of external lighting to be shown on all relevant site and elevation plan/s;**
 - k) An updated Sustainable Management Plan, in accordance with the report submitted with the application (prepared by F2 Design dated November 2015) but updated to reflect a scorecard which is indicative of the final development product; and**
 - l) A Construction Management in accordance with Condition 22 of this permit.**
 - m) The provision of three additional car parking spaces.**

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.

Drainage

3. The site must be drained to the satisfaction of the Responsible Authority.

Driveways and car parking areas to be constructed

4. Before the use starts or any building is occupied, area/s set aside for car parking, access lanes and driveways shown on the endorsed plans must be:
 - a) Constructed;
 - b) Formed to such levels and properly drained so that they can be used in accordance with the endorsed plans;
 - c) Surfaced with an all weather seal coat;
 - d) Line marked to indicate each car space;
 - e) Clearly marked to show the direction of traffic along the access lanes and driveways; and
 - f) Drained

to the satisfaction of the Responsible Authority.

Number of car parking spaces

5. A minimum of 49 car parking spaces must be provided on the land, to the satisfaction of the Responsible Authority.

Use of car parking spaces and driveways

6. 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

7. 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.

Model of car stacker in the basement car park

8. Unless otherwise agreed in writing by the Responsible Authority, the model of car stacker used in the basement car park is to be the Wohr Parklift 440-2.

Car stackers installed

9. Before the use starts or any building is occupied, car stackers must be installed in accordance with the endorsed plans.

Maintenance of car stackers

10. The car stackers must be routinely serviced and maintained to the satisfaction of the Responsible Authority to ensure satisfactory access to all car spaces and to prevent any adverse effect on adjoining land by the emission of noise.

Lighting of carparks and accessways

11. **Low intensity lighting must be provided to ensure that car park areas and pedestrian accessways are adequately illuminated without any unreasonable loss of amenity to the surrounding area, to the satisfaction of the Responsible Authority.**

Vehicle crossovers

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

Boundary walls

13. **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

14. **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.**
15. **At the request of the Responsible Authority, the owner or occupier must, within 30 days, baffle any unreasonable light spill to adjoining residential properties to the satisfaction of the Responsible Authority.**

Security alarms

16. **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

17. **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.**

Plant/equipment or features on roof

18. **No plant, equipment, services or architectural features other than those shown on the endorsed plan/s are permitted above the roof level of the building/s without the prior written consent of the Responsible Authority.**

Regular waste removal

19. **All waste material not required for further on-site processing must be regularly removed from the site in accordance with the specifications of the Waste Management Plan prepared by Leigh Design, dated 8 September 2015. 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

20. 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 hot and cold water; and
- d) Maintained in a clean and tidy condition free from offensive odours

to the satisfaction of the Responsible Authority.

Hours for waste collection

21. Collection of waste must be conducted so as not to cause any unreasonable disturbance to nearby residential properties and may only take place during the following times:

One collection per week

Monday to Saturday: 6:30am to 8:00pm
Sunday & Public Holidays: 9:00am to 8:00pm

Two collections per week

Monday to Saturday: 7:00am to 8:00pm
Sunday & Public Holidays: 9:00am to 8:00pm

to the satisfaction of the Responsible Authority.

Construction Management Plan

22. 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) Construction activity hours in accordance with conditions 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

- 23. 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

Provision of letter boxes

- 24. Provision must be made on the site for letter boxes and receptacles for papers to the satisfaction of the Responsible Authority.**

Sustainable Management Plan

- 25. The recommendations contained in the approved Sustainable Management Plan to be undertaken to the satisfaction of the Responsible Authority**

Permit to expire:

- 26. 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.

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 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. A Council Supervision Permit is required for this work. All fees and charges associated with the connection are to be borne by the applicant.

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).

An Asset Protection Permit is required prior to the commencement of site works in accordance with Council's Protection of Council Assets and Control of Building Sites Local Law 2011.

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.

Any arrangement to provide bicycle spaces on the footpath requires approval from the relevant Council department.

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.

The permit application has been assessed against the provisions of Clause 55 – Two or More Dwellings on a Lot (ResCode) of the Boroondara Planning Scheme.

Residents of the development approved by this permit will not be issued resident parking permits (including visitor parking permits).

CARRIED

4. General business

GB1 64 Walpole Street, Kew - Construction Management Plan

The Mayor, Councillor Healey noted concerns raised by submitters in relation to vehicular traffic that would be associated with the development at 64 Walpole Street, Kew.

Councillor Healey requested officers in the Statutory Planning Department engage with him when reviewing the Construction Management Plan for 64 Walpole Street, Kew.

GB2 Parking in the vicinity of 1159-1163 Burke Road, Kew

Councillor Addis noted the parking and traffic concerns raised by a submitter in relation to Item *UPC2 1159-1163 Burke Road, Kew* and requested officers in the Local Laws Department enhance parking enforcement activities in the vicinity of the subject site.

Councillor Parke also noted parking and traffic concerns in the vicinity of Camberwell Girls Grammar and requested officers in the Local Laws Department enhance parking enforcement activities in the streets around the school.

5. Urgent business

Nil

6. Confidential business

Nil

The meeting concluded at 7.37pm

Confirmed

Chairperson _____

Date _____