

# Minutes

## Planning Committee Meeting

Wednesday, 15th September 2021

**City of Kingston  
Planning Committee Meeting**

**Minutes**

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The meeting commenced at 7.03pm via the Zoom Platform and live streamed.

**Present:** Cr Steve Staikos (Mayor)  
Cr Hadi Saab (Deputy Mayor)  
Cr Tamsin Bearsley  
Cr Tim Cochrane  
Cr Tracey Davies  
Cr Jenna Davey-Burns  
Cr David Eden  
Cr Chris Hill  
Cr Cameron Howe  
Cr George Hua  
Cr Georgina Oxley

**In Attendance:** Tim Tamlin, Interim Chief Executive Officer  
Jonathan Guttmann, General Manager Planning and Development  
Alfred Carnolvale, Manager City Development  
Phil De Losa, Manager Governance  
Gabrielle Pattenden, Governance Officer  
Lindsay Holland, Facilities Officer

**1. Apologies**

There were no apologies submitted to the meeting.

**2. Confirmation of Minutes of Previous Meetings**

**Moved: Cr Hill**

**Seconded: Cr Bearsley**

That the Minutes of the Planning Committee Meeting held on 18 August 2021 be confirmed.

**CARRIED**

**3. Foreshadowed Declaration by Councillors, Officers or Contractors of any Conflict of Interest**

There were no Conflicts of Interest submitted to the meeting.

**4. Planning and Development Reports**

**4.1 Town Planning Application Decisions - August 2021**

**Moved: Cr Hua**

**Seconded: Cr Davies**

That the report be noted.

**CARRIED**

**4.2 KP-2021/152 - 15 Graham Road, Carrum**

It is recorded that Anthony Puma spoke on behalf of the applicant

**Moved: Cr Howe**

**Seconded: Cr Hill**

That the Planning Committee determine to issue a Notice of Refusal to Grant a Permit to develop the land for five (5) dwellings at 15 Graham Road, Carrum, on the following grounds:

1. The proposal fails to meet the objectives and strategic directions of the Municipal Strategic Statement in relation to Clause 21.02 (Settlement), Clause 21.06 (Built Environment and Heritage) and Clause 21.07 (Housing) of the Kingston Planning Scheme and represents an overdevelopment of the subject site.
2. The proposed development fails to meet the objectives and strategic directions of the Municipal Strategic Statement in relation to Clause 21.09 (Transport) as the proposal will cause an adverse traffic impact to the area and result in increased pressures on on-street car parking.
3. The proposal does not satisfy the requirements of Clause 22.06 (Residential Development Policy) of the Kingston Planning Scheme, failing to provide an acceptable built form outcome having regard to the physical and policy context, neighbourhood character, visual bulk impacts and double storey built form towards the rear of the site.
4. The proposal is not consistent with the purpose and objectives of the General Residential Zone (Schedule 3) of the Kingston Planning Scheme.
5. The proposal fails to comply with the following objectives and standards of Clause 55 of the Kingston Planning Scheme:
  - a) Clause 55.02-1 – Neighbourhood Character
  - b) Clause 55.02-2 – Residential Policy
  - c) Clause 55.05-6 – Storage (lack of sufficient storage areas)

**CARRIED**

**4.3 KP-2018/801/A - 101 Station Street, Aspendale**

**Moved: Cr Bearsley**

**Seconded: Cr Oxley**

That the Planning Committee, had it been in a position to make a determination on the application, support the proposal to amend the planning permit and endorsed plans to allow for redesign of Dwelling 5 to contain three bedrooms (formerly two bedrooms) by extending the third storey building footprint at 101 Station Street, Aspendale, subject to the following conditions and the amended plans be endorsed to form part of this approval:

1. Before the development starts amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be substantially in accordance with the amended plans prepared by 'Kiril Architect', Drawing No's. TP03 to TP09 Revision A (inclusive), project no. STS-101, plot date 24 January 2020 (and revised 18 May 2021), but modified to show:
  - a) Correction of the dimension of the first-floor street setback to Station Street to be consistent with that of the ground floor level below;
  - b) habitable room windows facing the railway of Dwelling 1 provided with double glazing in accordance with standard B24;
  - c) the north-east boundary fencing nominated as having a height of at least 1.8 metres;
  - d) all entry porches to include a solid roof section with a depth of not less than 750mm to provide shelter and consequential changes to maintain garden area of not less than 35% of the site area;
  - e) provision of a minimum 2000 litre rainwater tank provided for each new dwelling and nominated as having water collected for toilet flushing;
  - f) the provision of a longitudinal section of the reversefall driveway ramp of Unit 1 showing gradients, levels, distances, with headroom clearances complying with AS2890.1:2004 and the flood proof apex;
  - g) the provision of an apex of 150mm above the back of footpath level across the Station Street driveway;
  - h) the mailbox notation of Dwelling 6 located within the title boundary and conveniently accessed from the adjoining footpath;
  - i) all windows shown on floor plans and reflected on elevations;
  - j) full dimensions of the overhead storage within the garages and/or external sheds with at least 6 m<sup>3</sup> provided in accordance with standard B30;
  - k) the surface material of all driveways / accessways and car parking spaces nominated in all-weather coloured concrete sealcoat, or similar;
  - l) the location of all externally-located heating and cooling units, exhaust fans and the like, clearly shown and in accordance with condition 17 of this Permit;
  - m) the provision of a full colour palette, finishes and building materials schedule for all external elevations, front fencing and driveways of the

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- development;
- n) all relevant commitments identified within the Sustainable Design Assessment/Sustainable Management Plan, required under condition 8 of this permit, shown on plans;
  - o) the provision of a landscape plan in accordance with the submitted development plan, with such plans to be prepared by a suitably qualified landscape professional to the satisfaction of the Responsible Authority and incorporating:
    - i. a planting schedule of all proposed trees and shrubs, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant with all plants to be to the satisfaction of the Responsible Authority;
    - ii. a survey, including, botanical names of all existing trees to be retained or removed on the site including Tree Protection Zones for trees to be retained calculated in accordance with AS4970-2009;
    - iii. a survey including botanical names, of all existing trees on neighbouring properties where the Tree Protection Zones of such trees calculated in accordance with AS4970-2009 fall partially within the subject site;
    - iv. the delineation of all garden beds, paving, grassed area, retaining walls, fences and other landscape works;
    - v. a range of plant types from ground covers to large shrubs and trees, provided at adequate planting densities (e.g. plants 1 metre width at maturity planted 1 metre apart); with the species chosen to comprise of a 100% coastal indigenous species by plant type and total quantities;
    - vi. one (1) *Eucalyptus pauciflora* 'Little Snowman' to be planted in the front setback of Unit 5 and Unit 6;
    - vii. one (1) *Banksia marginata* (Silver Banksia) to be planted in the front setback of Unit 2 and Unit 3;
    - viii. one (1) *Banksia integrifolia* (Coast Banksia) to be planted in the secluded private open space of Unit 1;
    - ix. one (1) canopy tree capable of growing to minimum mature dimensions of 6 metres in height and 4 metres in width to be planted in the secluded private open space of Units 2-5;
    - x. all trees provided at a minimum of 2 metres in height at time of planting, medium to large shrubs to be provided at a minimum pot size of 200mm;
    - xi. notes regarding site preparation, including the removal of all weeds, proposed mulch, soil types and thickness, subsoil preparation and any specific maintenance requirements;
    - xii. tree protection measures including for street trees accurately drawn to scale and labelled.
  - p) tree protection measures including for street trees accurately drawn to scale and labelled on the Ground Floor Plan.

**Endorsed Plans**

The development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.

**Street Trees**

Tree Protection Fencing is to be established around the eastern-most *Corymbia ficifolia* (Red-flowering Gum) street tree located in the Laura Street nature strip prior to demolition and maintained until all works on site are complete.

- a) The fencing is to be a 1.8-metre-high temporary fence constructed using steel or timber posts fixed in the ground or to a concrete pad, with the fence's side panels to be constructed of cyclone mesh wire or similar strong metal mesh or netting.
- b) The fencing is to encompass the entire nature strip with each end 3 metres from the base of the tree.

Prior to the construction of any crossovers as shown on the endorsed development plans, the western-most *Corymbia ficifolia* (Red-flowering Gum) street tree (Asset ID 71417) located in the Laura Street nature strip must be removed by Council at the expense of the Developer/Owner. Payment of the removal and replacement fee for this tree/s must be made to Kingston City Council's customer service in accordance with Council's Tree Management Policy at least 2 weeks prior to its required removal date.

**Drainage and Water Sensitive Urban Design**

Unless with the prior written consent of the Responsible Authority, before the development commences, the following Integrated Stormwater Management documents must be prepared, by a suitably qualified person, to the satisfaction of the Responsible Authority.

- a) Stormwater Management/drainage (drainage) Plan(s) must be prepared, with supporting computations, showing the stormwater (drainage) works to the nominated point of discharge. The plan(s) must show all details of the proposed stormwater (drainage) works including all existing and proposed features that may have impact on the stormwater (drainage) works, including landscaping details.
- b) The Stormwater Management (drainage) Plan must address the requirements specified within Council's "Civil Design requirements for Developers – Part A: Integrated Stormwater Management".
- c) A STORM modelling report with results demonstrating water sensitive urban design treatments that achieve Victorian best practice objectives with a minimum 100% rating must be provided as part of the Stormwater Management (drainage) Plan to the satisfaction of the Responsible Authority. These may include the use of an infiltration or bio-retention system, rainwater tanks connected for reuse, or other treatments to the satisfaction of the Responsible Authority.
- d) The water sensitive urban design treatments as per conditions 5 a), b) and c) above must be implemented on-site, unless an alternative agreement for stormwater quality in-lieu contribution is reached with the Responsible Authority.

Stormwater/drainage works must be implemented in accordance with the approved stormwater management/drainage plan(s) and to the satisfaction of the Responsible Authority including the following:

- a) All stormwater/drainage works must be provided on the site so as to prevent overflows onto adjacent properties.

- b) The implementation of stormwater/drainage detention system(s) which restricts stormwater discharge to the maximum allowable flowrate of 6.8L/s.
- c) All stormwater/drainage works must be maintained to the satisfaction of the Responsible Authority.

A flood proof apex (i.e. ridge level) protecting the proposed reverse fall driveway must be provided to protect the property from overland flows. This apex is to be a minimum of 150mm above the existing back of path level across the Station St driveway. This apex is to continue through any driveways or pathways that may cross it. The apex is to be a permanent structure (e.g. rise in concrete driveway/pathway, sleeper retaining wall, solid brick fence/wall). Low mounded soil on its own is unlikely to be acceptable due to the likelihood of future disturbance.

### **Sustainable Design Assessment**

Prior to the endorsement of the plans required pursuant to Condition 1 of this permit, the provision of a Sustainable Design Assessment (SDA) to be prepared by a suitably qualified professional must be submitted to and approved by the Responsible Authority. The SDA must include, but is not limited to, detailing initiatives for stormwater harvesting, insulation, building materials, daylighting, collective rainwater tanks and/or individual rainwater tanks, public and private landscape irrigation and car washing, energy efficient concepts, glazing and internal ventilation and the like.

### **Construction Management**

Prior to the commencement of any buildings and works on the land, a Construction Management Plan (CMP), to the satisfaction of the Responsible Authority, must be submitted to and approved by the Responsible Authority. The CMP must be prepared in accordance with the City of Kingston Construction Management Policy and Construction Management Guidelines. The CMP must specify and deal with, but is not limited to, the following elements:

- a) Public Safety, Amenity and Site Security
- b) Traffic Management
- c) Stakeholder Management
- d) Operating Hours, Noise and Vibration Controls
- e) Air Quality and Dust Management
- f) Stormwater and Sediment Control
- g) Waste and Materials Re-use

When approved, the plan will be endorsed and will then form part of the permit and shall thereafter be complied with during the undertaking of all works.

### **Infrastructure and Road Works**

Vehicle crossings must be constructed at a 90 degree alignment with the kerb on Station Street and Laura Street and all internal driveways must align with the existing/proposed vehicle crossing.

Any relocation of pits/power poles or other services affected by this development must be relocated to the satisfaction of the relevant servicing authority and the Responsible Authority, at the cost of the owner/developer.



Prior to the commencement of the development, property boundary, footpath and vehicle crossing levels must be obtained from Council's Roads and Drains Department with all levels raised or lowered to the satisfaction of the Responsible Authority.

All reinstatements and vehicle crossings must be constructed to the satisfaction of the Responsible Authority.

The replacement of all footpaths, including offsets, must be constructed to the satisfaction of the Responsible Authority.

Any redundant vehicle crossings must be removed (including redundant portions of vehicle crossings) to the satisfaction of the Responsible Authority.

**General amenity conditions**

All works on or facing the boundaries of adjoining properties must be finished and surface cleaned to a standard that is well presented to neighbouring properties in a manner to the satisfaction of the Responsible Authority.

All externally-located heating and cooling units, exhaust fans and the like must not be located adjacent to bedroom windows on adjoining properties and must not be located where they will be highly visible from any public area to the satisfaction of the Responsible Authority.

All piping, ducting above the ground floor storey of the development (other than rainwater, guttering and downpipes) must be concealed to the satisfaction of the Responsible Authority.

**Completion of Works**

Prior to the occupation of the dwellings hereby permitted, all buildings and works and the conditions of this permit must be complied with to the satisfaction of the Responsible Authority, unless with the further prior written consent of the Responsible Authority.

Prior to the occupation of the dwellings hereby permitted, the landscaping works as shown on the endorsed plans must be completed to the satisfaction of the Responsible Authority. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.

**Time Limits**

In accordance with section 68 of the Planning and Environment Act 1987 (the Act), this permit will expire if one of the following circumstances applies:

The development is not started within two (2) years from the date of permit issue.

The development is not completed within four (4) years from the date of permit issue.

In accordance with section 69 of the Act, the responsible authority may extend the periods referred to if a request is made in writing:

before the permit expires; or

within six (6) months after the permit expiry date, where the development allowed by the permit has not yet started; or

within twelve (12) months after the permit expiry date, where the development allowed by the permit has lawfully started before the permit expires.

**THIS PERMIT WAS ISSUED AT THE DIRECTION OF VCAT AS FOLLOWS:**



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**Date of Order**

[31 January 2020] Planning Permit KP-2018/801 was issued in accordance with the order of the Victorian Civil and Administrative Tribunal, reference: P1410/2019

**THIS PERMIT HAS BEEN AMENDED PURSUANT TO SECTION 72 OF THE PLANNING AND ENVIRONMENT ACT 1987 AS FOLLOWS:**

Amendment	Date of Amendment	Description of Amendment	Name
A	(Date to be the same as Date Amended)	Amendment A pertains to advertised plan prepared by 'Kiril Architect', Drawing No's. TP05 to TP07 submitted to Council on 18 May 2021 which seeks to amend the planning permit and endorsed plans to allow for a redesign of Dwelling 5 to contain 3 bedrooms (formerly 2 bedrooms) by extending the building footprint of the third storey.	City of

**CARRIED**

**4.4 KP-2020/649 - 52 Scotch Parade, Bonbeach**

It is recorded that Chris Pippo spoke on behalf of the applicant

**Moved: Cr Oxley**

**Seconded: Cr Bearsley**

That the Planning Committee determine to support the proposal and issue a Notice of Decision to Grant a Permit to develop land for two (2) dwellings at 52 Scotch Parade, Bonbeach, subject to the following conditions:

1. Before the development starts amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be substantially in accordance with the advertised plans prepared by Roke Design Studios Pty Ltd, Issue No TP-02 comprising Job No. 20-101 Sheets 1 to 9 inclusive, Revision E, dated 04.08.2021, but modified to show:
  - a) Vehicle crossings must be constructed at a 90-degree alignment with the kerb on Scotch Parade and all internal driveways must align with the existing / proposed vehicle crossing.
  - b) The internal driveways must be at least 500mm from the side boundary at the front boundary.
  - c) A standard on street parking bay at least 5.4m between vehicle crossings must be shown on the plans.
  - d) a notation stating that the minimum 2000L rainwater tanks are nominated for each new dwelling and connected to toilets for flushing.
  - e) the provision of clotheslines to dwellings 1 and 2.
  - f) the location of all externally-located heating and cooling units, exhaust fans and the like, clearly shown.
  - g) provision of a longitudinal section of the reverse fall driveway with levels and grades to AHD, and designed in accordance with Clause 52.06 of the Kingston Planning Scheme
  - h) the provision of a full colour palette, finishes and building materials schedule for all external elevations and driveways of the development.
  - i) the provision of a landscape plan in accordance with the submitted development plan, with such plans to be prepared by a suitably qualified landscape professional to the satisfaction of the Responsible Authority and incorporating:
    - i. A planting schedule of all proposed trees and shrubs, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant;
    - ii. A survey, including, botanical names of all existing trees to be retained or removed on the site including Tree Protection Zones for trees to be retained calculated in accordance with AS4970-2009;
    - iii. A survey including botanical names, of all existing trees on neighbouring properties where the Tree Protection Zones of such trees calculated in accordance with AS4970-2009 fall partially within

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- the subject site;
- iv. The delineation of all garden beds, paving, grassed area, retaining walls, fences and other landscape works;
  - v. A range of plant types from ground covers to large shrubs and trees, provided at adequate planting densities (e.g. plants 1 metre width at maturity planted 1 metre apart); with the species chosen to comprise of a minimum 80% coastal indigenous species by plant type and total quantities;
  - vi. Two (2) coastal indigenous canopy trees capable of growing to minimum mature dimensions of 10 metres in height and 5 metres in width to be planted in the front setback of the property;
  - vii. One (1) coastal indigenous canopy tree capable of growing to minimum mature dimensions of 10 metres in height and 5 metres in width to be planted in the secluded private open space of each dwelling;
  - viii. All trees provided at a minimum of 2 metres in height at time of planting, medium to large shrubs to be provided at a minimum pot size of 200mm;
  - ix. Notes regarding site preparation, including the removal of all weeds, proposed mulch, soil types and thickness, subsoil preparation and any specific maintenance requirements;
  - j) The location of tree protection measures illustrated to scale and labeled on the Ground Floor Plan as per the endorsed Tree Management Plan.
  - k) Any changes as required by the Tree Management and Protection Plan in Condition 4.

**Endorsed Plans**

- 2. The development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
- 3. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced

**Tree Management and Protection Plan**

- 4. Concurrent with the endorsement of plans, a Tree Management Plan prepared by a suitably qualified arborist in accordance with AS4970-2009, must be submitted to and be endorsed by the Responsible Authority and incorporating:
  - a) A Tree Management Plan (written report) must provide details of:
    - i. Tree protection measures that will be utilized to ensure all trees to be retained remain viable post-construction.
    - ii. Stages of development at which inspections are required to ensure tree protection measures are adhered to must be specified.
  - b) A Tree Protection Plan (scale drawing) must provide details of:
    - i. The Tree Protection Zone and Structural Root Zone for all trees to be retained on the site and for all trees on neighboring properties where any part of the Tree Protection Zone falls within the subject site.

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- ii. The location of tree protection measures to be utilized.
  - iii. A notation to refer to the Tree Management Plan.
5. All protection measures identified in the Tree Management Plan must be implemented, and development works undertaken on the land must be undertaken in accordance with the Tree Management Plan, to the satisfaction of the Responsible Authority.
6. Prior to the commencement of works, the name and contact details of the project arborist responsible for implementing the Tree Management Plan must be submitted to the Responsible Authority.

**Drainage and Water Sensitive Urban Design**

7. Unless with the prior written consent of the responsible authority, before the development commences, the following Integrated Stormwater Management documents must be prepared, by a suitably qualified person, to the satisfaction of the responsible authority:
- a) Stormwater management (drainage) plan(s) must be prepared as per Council's "Civil Design Requirements for Developers- Part A – Integrated Stormwater Management", with supporting computations, showing the stormwater (drainage) works to the nominated point of discharge. The plan(s) must show all details of the proposed stormwater (drainage) works including all existing and proposed features that may have impact on the stormwater (drainage) works, including landscaping details.
8. Stormwater (drainage) works must be implemented in accordance with the approved stormwater management (drainage) plan(s) and to the satisfaction of the responsible authority including the following:
- a) All stormwater (drainage) works must be provided on the site so as to prevent overflows onto adjacent properties.
  - b) The implementation of stormwater (drainage) detention system(s) which restricts stormwater discharge to the maximum allowable flowrate of 7.2L/s.
  - c) All stormwater (drainage) works must be maintained to the satisfaction of the Responsible Authority.

**Infrastructure and Road Works**

9. Property boundary and footpath levels must not be altered without the prior written consent form the Responsible Authority.
10. The replacement of all footpaths, including offsets, must be constructed the satisfaction of the Responsible Authority.
11. All reinstatements and vehicle crossings must be constructed to the satisfaction of the Responsible Authority.
12. All redundant vehicle crossings must be removed (including redundant portions of vehicle crossings) to the satisfaction of the Responsible Authority.
13. All front and side fences must be contained wholly on the title property boundaries of the subject land.

**General amenity conditions**

14. All works on or facing the boundaries of adjoining properties must be finished and surface cleaned to a standard that is well presented to neighbouring properties in a manner to the satisfaction of the Responsible Authority.
15. All externally-located heating and cooling units, exhaust fans and the like must

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not be located adjacent to bedroom windows on adjoining properties and must not be located where they will be highly visible from any public area to the satisfaction of the Responsible Authority.

16. All piping, ducting above the ground floor storey of the development (other than rainwater, guttering and downpipes) must be concealed to the satisfaction of the Responsible Authority.

**Completion of Works**

17. Prior to the occupation of dwellings hereby permitted, all buildings and works and the conditions of this permit must be complied with to the satisfaction of the Responsible Authority, unless with the further prior written consent of the Responsible Authority.
18. Prior to the occupation of the dwellings hereby permitted, the landscaping works as shown on the endorsed plans must be completed to the satisfaction of the Responsible Authority. Thereafter, the landscaping shall be maintained to the satisfaction of the Responsible Authority.

**Time Limits**

19. In accordance with section 68 of the *Planning and Environment Act 1987* (the Act), this permit will expire if one of the following circumstances applies:
  - The development is not started within two (2) years from the date of permit issue.
  - The development is not completed within four (4) years from the date of permit issue.

In accordance with Section 69 of the Planning and Environment Act 1987, an application may be submitted to the responsible authority for an extension of the periods referred to in this condition.

**Note:** Environment Protection Authority (EPA) Victoria set out the requirements pertaining to site construction hours and permissible noise levels.

**Note:** Prior to the commencement of the development you are required to obtain the necessary Building Permit.

**Note:** The applicant/owner must provide a copy of this planning permit to any appointed Building Surveyor. It is the responsibility of the applicant/owner and Building Surveyor to ensure that all building development works approved by any building permit is consistent with the planning permit.

**Note:** The applicant/owner must provide a copy of this planning permit and any endorsed plans to any external contractor to ensure that all trees to be retained on site are protected during any works.

**Note:** Any landscape plan prepared in accordance with conditions must comply with Council's Landscape Checklist.

**Note:** The allocation of street numbering and addressing of properties is vested in Council. Any reference to addressing or dwelling/unit/apartment and street numbers or street names on any endorsed plan is indicative only. The onus is on the Permit Applicant/Land Owner to contact Council's Property Data Department to determine the official dwelling/unit/apartment street numbers, street name details and the like for the approved development.

If the Permit Applicant/Land Owner adopts the street numbering or addressing from the endorsed plans, or where advertising and/or sales transact (off the plan) prior to

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Council's official allocation of the street numbering and addressing, it will be viewed to be non-compliant with the guideline and standard applied (Australian/New Zealand Standard for Rural & Urban Addressing / AS/NZS 4819:2011).

**Note:** The owner(s), occupiers and visitors of the development allowed by this permit may not be eligible for Council resident or visitor parking permits.

**CARRIED**

**4.5 KP-2001/648/B - Parkdale Yacht Club, 131 - 132 Bay Trail, Parkdale**

**Moved: Cr Cochrane**

**Seconded: Cr Davies**

That the Planning Committee determine to support the proposal and issue a Notice of Decision to Grant an Amended Planning Permit To Use this site for a Restricted Club Liquor Licence, at 131 – 132 Bay Trail, Parkdale, subject to the following conditions:

1. Before the use commences, the following amended document must be submitted to and approved by the Responsible Authority (when approved, the document will be endorsed and will then form part of the permit):
  - a) The provision of a Management Plan, as required by Condition 4.

Endorsed Plans

2. Once the use has started it must be continued to the satisfaction of the Responsible Authority.
3. The use (on-premise liquor licence) hereby permitted, must be restricted to the following times:
  - Monday to Thursday 11.00am to 10.30pm
  - Friday to Saturday 11.00am to 12.00am Midnight
  - Sundays 11.00am to 10.30pm

Or as otherwise approved by the Responsible Authority.

4. Prior to the commencement of the use hereby permitted, the applicant must, in consultation with local residents, Victoria Police and Council, prepare a Management Plan, to Council satisfaction, detailing how the operation of the Parkdale Yacht Club will deal with issues relating to noise, anti-social behaviour on the site and in the surrounding streets, car parking / traffic issues and the management of functions on the site, with this Management Plan to be submitted to and approved by Council. The Management Plan must also contain details of:
  - a) Standard procedures to be undertaken by staff in the event of complaints by a member of the public, the Victoria Police, an ‘authorised officer’ of the Responsible Authority, or an officer of Liquor Licensing Victoria;
  - b) The identification of all noise sources (including, but not necessarily limited to, patrons on the premises, patrons, entering and leaving the premises) likely to impact on nearby residents; and
  - c) Details of the measures to be undertaken to address all noise sources identified, including on and off-site noise attenuation measures.
5. The approved Management Plan must be implemented within ninety (90) days of the date of its approval.
6. Not more than 170 patrons are permitted on site, at any given time.
7. Emptying of bottles into garbage bins located external to the building is permitted only between the hours of 8.00am and 10.00pm on any given day, to the satisfaction of the Responsible Authority.
8. The amenity of the area must not be detrimentally affected by the use, through the:
  - i. Transport of materials, goods or commodities to or from the land.



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- ii. Appearance of any building, works or materials.
  - iii. Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.
  - iv. Presence of vermin.
9. No goods or packaging materials must be stored or left exposed outside the building so as to be visible to the public from a road or other public space.
  10. Advertising signage to encourage patrons to depart the premises quietly in the evening must be displayed to the satisfaction of the Responsible Authority.
  11. The “permissible Noise levels” as established in accordance with the State Environment Protection Policy No. N-1 must not be exceeded.
  12. The requirements of the State Environment Protection Policy No. N-2 (Control of Music Noise from Public Premises) must be complied with at all times.

**Expiry of Permit:**

In accordance with Section 68 of the *Planning and Environment Act* (1987), this permit will expire if one of the following circumstances applies:

- The development and use are not started before 3 July 2010.
- The development is not completed before 3 July 2012.

In accordance with Section 69 of the *Planning and Environment Act* (1987), the Responsible Authority may extend the period referred to if a request is made in writing before the permit expires, or within three months afterwards.

**Note:** It is noted that the development includes a storage shed and eaves to be built over an easement, Separate consent from Council and the relevant service authority is required to build over the easement and will need to be obtained prior to the issue of a building permit.

**Note:** Prior to the commencement of the development you are required to obtain the necessary Building Permit.

**Note:** The applicant/owner must provide a copy of this planning permit to any appointed Building Surveyor. It is the responsibility of the applicant/owner and Building Surveyor to ensure that all building development works approved by any building permit is consistent with the planning permit.

**Note:** Before removing/pruning any vegetation from the site, the applicant or contractor engaged to remove vegetation, should consult with Council’s Vegetation Management Officer to verify if a Local Law Permit is required for the removal of such vegetation.

**THIS PERMIT HAS BEEN AMENDED PURSUANT TO SECTION 72 OF THE PLANNING AND ENVIRONMENT ACT 1987 AS FOLLOWS:**

Amendment	Date of Amendment	Description of Amendment	Name of responsible authority that approved the amendment
A	3 July 2008	An extension to the hours of the on-premise liquor license applicable to this site, in accordance with the endorsed	City of Kingston

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		<p>plans.</p> <p>The scope of changes pertaining to Amendment A include:</p> <p>Modification to Condition 2, for increased hours of operation.</p>	
B	XXX	<p>Amendment B relates to Advertised plans prepared by Haskell, titled Parkdale Yacht Club, Revision C1, dated 13.04.2021, submitted to Council on 17.06.2021.</p> <p>The scope of changes pertaining to Amendment B include:</p> <ul style="list-style-type: none"> <li>- Condition 1 requirements, and subsequent renumbering of residual conditions.</li> <li>- Amendment to Condition 3 (formally Condition 2)</li> <li>- Amendment to Condition 4 (formally Condition 3)</li> <li>- Introduction of Condition 6 &amp; 7 and subsequent renumbering of residual conditions.</li> </ul>	City of Kingston

**CARRIED**

**4.6 KP-2020/772 - 32-44 Keys Road, Cheltenham**

It is recorded that John Laughton spoke on behalf of the applicant.

**Moved: Cr Saab**

**Seconded: Cr Hua**

That the Planning Committee determine to support the proposal and issue a Notice of Decision to Grant a Planning Permit for the construction of buildings up to three storeys containing twenty-nine (29) warehouses and associated offices and alterations to the access to a road in a Road Zone, Category 1 at 32-44 Keys Road, Cheltenham, subject to the following conditions:

**Amended Plans**

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the planning permit. The plans must be drawn to scale with dimensions and an electronic copy must be provided. The plans must be substantially in accordance with the plans prepared by IROAMD3, sheets TP00, TP12 (revision C, dated 22 December 2020); TP01-TP02, TP04-TP05, TP13 (revision E, dated 19 March 2021); TP02.1 (no revision, dated June 2020); TP03 (revision E, dated 4 June 2021); TP06-TP09, TP11 (revision D, dated 4 February 2021); TP10 (revision A, dated 4 February 2021); TP14-TP15 (revision H, dated 19 March 2021); TP16-TP17 (revision G, dated 19 March 2021); TP18-TP30, TP32-TP33 (revision B, dated 19 March 2021); TP31 (revision A, dated 3 March 2021); TP34-35 (revision F, dated 19 March 2021), but modified to show:
  - a) The changes depicted in the amended ground floor plan prepared by IROAMD3 Pty Ltd and submitted to Council on 17 August 2021.
  - b) The provision of an amended landscape plan and associated planting schedule for the site showing the proposed location, species type, mature height and width, pot sizes and number of species to be planted on the site, with such plans to be prepared by a suitably qualified landscape professional generally in accordance with the landscape plan prepared by John Patrick Landscape Architects Pty Ltd and dated July 2021, but modified to show:
    - i) The retention of trees 22, 23, 24, 31, 32, 33 and 34.
    - ii) The retention of tree 46 on the adjoining property.
    - iii) The tree protection zones and structural root zones of all trees proposed to be retained on-site and on adjoining properties.
    - iv) Tree protection measures, including for street trees, accurately drawn to scale and labelled.
    - v) Further information in relation to the construction and maintenance of the rain gardens
    - vi) The deletion of the rain gardens from within the accessways within the Keys Road frontage.
    - vii) Sufficient soil volume and area to sustain long-term healthy tree growth of the trees located in the narrow garden beds between the car parking spaces and the Keys Road boundary. This may be provided by removing car parking spaces to create larger garden

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areas to accommodate the soil volume required or an alternative method to the satisfaction of the Responsible Authority.

- viii) Planting details of the self-clinging climbing plants, including proposed planting media, climbing frames, irrigation and drainage.
- c) A notation indicating the type and size of each photo-voltaic system of each warehouse unit or amend the BESS assessment accordingly.
- d) A notation that a sub-meter/s will be provided to all major common area services and will be separately sub-metered.
- e) Provide translucent roof sheeting to a minimum of 10 per cent of the roofed area of the warehouses.
- f) Light-coloured or reflective finishes for the non-visible flat roofs and concrete driveway.
- g) The location, type and size of the visitor bicycle parking spaces or amend the BESS assessment accordingly.
- h) The location of lockers for end of trip bicycle facilities as indicated in the BESS assessment or amend the BESS assessment accordingly.
- i) The location and width of driveways matching the location and width of the associated crossover.
- j) Vehicle crossovers constructed at a 90 degree alignment with the kerb on both Keys Road and Kylie Place or as otherwise agreed to by the Responsible Authority.
- k) The provision of a full colour, finishes and building materials schedule (including samples) for all external elevations and driveways of the development.
- l) The retention of trees 22, 23, 24, 31, 32, 33 and 34.
- m) The retention of tree 46 on the adjoining property.
- n) The tree protection zone and structural root zones of all trees to be retained on-site and on adjoining properties.
- o) Changes required by the Department of Transport in condition 37 of this planning permit.
- p) Any changes from by the aboricultural impact assessment required by condition 5 of this planning permit.
- q) Any changes from the tree management plan required by condition 6 of this planning permit.
- r) Any changes from the amended sustainable management plan required by condition 15 of this planning permit.
- s) Any changes from green travel plan required by condition 18 of this planning permit.
- t) Any changes from the car parking management plan required by condition 21 of this planning permit.
- u) Any changes from the loading management plan required by condition 27 of this planning permit.
- v) Any changes from the waste management plan required by condition 29 of

this planning permit.

**Endorsed Plans**

2. The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.

**Drainage and Water Sensitive Urban Design**

3. Unless with prior written consent of the Responsible Authority, before the development commences the following integrated stormwater management (drainage) documents must be prepared, by a suitably qualified person, to the satisfaction of the Responsible Authority:
  - a) Prior to submitting detailed engineering plans, a comprehensive stormwater management (drainage) strategy for the site must be prepared that addresses the requirements specified within Council's "Civil Design requirements for Developers – Part A: Integrated Stormwater Management".
  - b) The stormwater management (drainage) strategy must include a report with MUSIC modelling results demonstrating water sensitive urban design treatments that achieve Victorian best practice objectives. These may include the use of an infiltration or bio-retention system, rainwater tanks connected for reuse, or other treatments to the satisfaction of the Responsible Authority.
  - c) The water sensitive urban design treatments as per conditions 3(a) and (b) above, must be implemented on-site, unless an alternative agreement for stormwater quality in-lieu contribution is reached with the Responsible Authority.
  - d) Detailed stormwater management (drainage) plan(s) must be prepared, with supporting computations, showing the stormwater (drainage) works to the nominated point of discharge in line with approved stormwater management (drainage) strategy report. The plan(s) must show all details of the proposed stormwater works including all existing and proposed features that may have an impact on the stormwater (drainage) works, including landscaping details.
4. Stormwater (drainage) works must be implemented in accordance with the approved stormwater management (drainage) plan and to the satisfaction of the Responsible Authority including the following:
  - a) All stormwater (drainage) works must be provided onsite so as to prevent overflows onto adjacent properties.
  - b) The implementation of stormwater (drainage) detention system which restricts stormwater discharge to the maximum allowable flowrate calculated as per Council's "Civil Design requirements for Developers – Part A: Integrated Stormwater Management".
  - c) All stormwater (drainage) works must be maintained to the satisfaction of the Responsible authority.

**Arboricultural Impact Assessment**

5. Concurrent with the endorsement of plans required by condition 1 of this planning permit, an arboricultural impact assessment prepared by a suitably qualified arborist in accordance with the Council Arboriculture Victoria Reporting Guidelines (2020), must be submitted to and be endorsed by the Responsible Authority and incorporating an assessment of all on-site trees proposed to be

retained and those trees on adjoining properties where their tree protection zone will be impacted by the proposed development. The recommendations of the aboricultural impact assessment must be implemented and any changes required by the assessment reflected in the development plans, to the satisfaction of the Responsible Authority.

### **Tree Management and Protection**

6. Concurrent with the endorsement of plans required by condition 1 of this planning permit, a tree management plan prepared by a suitably qualified arborist in accordance with AS4970-2009, must be submitted to and be endorsed by the Responsible Authority and incorporating:
  - a) A tree management plan (written report) must provide details of:
    - i. Tree protection measures that will be utilized to ensure all trees to be retained on the site and those trees on adjoining properties remain viable post-construction.
    - ii. Stages of development at which inspections are required to ensure tree protection measures are adhered to must be specified.
  - b) A tree protection plan (scale drawing) must provide details of:
    - i. The tree protection zone and structural root zone for all trees to be retained on the site and for all trees on neighboring properties where any part of the tree protection zone falls within the subject site.
    - ii. The location of tree protection measures to be utilized.
    - iii. A notation to refer to the tree management plan.
7. All protection measures identified in the tree management plan must be implemented, and development works undertaken on the land must be undertaken in accordance with the tree management plan, to the satisfaction of the Responsible Authority.
8. Prior to the commencement of works, the name and contact details of the project arborist responsible for implementing the tree management plan must be submitted to the Responsible Authority.

### **Street Tree Protection**

9. Tree protection fencing is to be established around the street trees to be retained in front of the site prior to the commencement of the development and maintained until all works on site are complete. The tree protection fencing is to be a 1.8 metre high temporary fence constructed using steel or timber posts fixed in the ground or to a concrete pad, with the fence's side panels to be constructed of cyclone mesh wire or similar strong metal mesh or netting. The tree protection fencing is to encompass the entire nature strip with each end 3 metres from the base of the tree.

### **General Amenity**

10. The amenity of the area must not be detrimentally affected by the development through the:
  - i) Transport of materials, goods or commodities to or from the land.
  - ii) Appearance of any building, works or materials.
  - iii) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.
  - iv) Presence of vermin.

- v) Any other way.
- 11. The development of the site shall not cause nuisance or be detrimental to the amenity of the neighbourhood by the emission of noise. In this regard any nuisance shall be assessed in accordance with the Australian Standards AS1055 and AS2107 relating to the measurement of Environmental Noise and recommended sound levels.
- 12. The use and development must comply at all times with the EPA Publication 1826 'Noise Limit and Assessment Protocol for the Control of Noise from Commercial, Industrial and Trade Premises and Entertainment Venues' (EPA 1826).
- 13. No goods or packaging materials shall be stored or left exposed outside the building so as to be visible to the public from a road or other public place.
- 14. All external surfaces of the building elevations must be finished in accordance with the schedule on the endorsed plans and maintained in good condition to the satisfaction of the Responsible Authority.

**Environmentally Sustainable Design**

- 15. Concurrent with the endorsement of plans required by condition 1 of this planning permit, an amended sustainable design assessment to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the sustainable design assessment will be endorsed and will form part of this planning permit. The sustainable design assessment must be generally in accordance with the sustainable design assessment prepared by iroamd3 Pty Ltd and dated 19 April 2021, but modified to:
  - a) Meet the minimum 50 per cent overall score and minimums in Energy (50 per cent), Water (50 per cent), IEQ (50 per cent) and Stormwater (100 per cent) categories in BESS to demonstrate best practice in sustainable design.
  - b) Commit to a minimum 10 per cent improvement on National Construction Code (NCC) minimum energy efficiency requirements or amend the BESS assessment accordingly.
  - c) Commitment to a 5-10kWp photo-voltaic system to each warehouse unit or amend the BESS assessment accordingly.
  - d) Commit to a sub-meter/s be provided to all major common area services and will be separately sub-metered.
  - e) Clarify how stormwater from driveways will be directed to drain through the proposed stormwater buffer strips.
  - f) Provide translucent roof sheeting to a minimum of 10 per cent of the roofed area of the warehouses.
  - g) Commit to the provision of ninety-two (92) employee bicycle parking spaces and fifteen (15) visitor bicycle parking spaces or amend the BESS assessment accordingly.
  - h) Provide further information in the sustainable design assessment and on the drawings that show how the allocation of recycling waste facilities that are just as convenient as general waste.
  - i) Commit to light-coloured or reflective finishes for the non-visible flat roofs and concrete driveway to help mitigate the urban heat island effect.

16. Prior to the occupation of any building approved under this planning permit, written confirmation from the author(s) or similarly qualified person or company of the endorsed sustainable design assessment is to be submitted to the Responsible Authority that all of the required measures specified in the sustainable design assessment have been implemented.
17. All works must be undertaken in accordance with the endorsed sustainable design assessment to the satisfaction of the responsible authority. No alterations to the sustainable design assessment may occur without the written consent of the Responsible Authority.

**Green Travel Plan**

18. Concurrent with the endorsement of plans required by condition 1 of this planning permit, a green travel plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the green travel plan will be endorsed and will form part of this planning permit. The green travel plan must include, but not be limited to, the following:
  - a) A description of the location in the context of alternative modes of transport.
  - b) Employee welcome packs (e.g. provision of Myki/transport ticketing).
  - c) Sustainable transport goals linked to measurable targets, performance indicators and monitoring timeframes.
  - d) A designated 'manager' or 'champion' responsible for coordination and implementation.
  - e) Details of bicycle parking and bicycle routes.
  - f) Details of green travel plan funding and management responsibilities.
  - g) The types of bicycle storage devices proposed to be used for employee and visitor spaces (i.e. hanging or floor mounted spaces).
  - h) The types of lockers proposed within proximity of the change room facilities/showers, where applicable, with at least 50 per cent of lockers providing hanging storage space.
  - i) Signage and wayfinding information for bicycle facilities and pedestrians pursuant to Australian Standard AS2890.3.
  - j) Reference to electric vehicle charging facilities (if proposed).
  - k) Provisions for the green travel plan to be updated not less than every five years.
19. The provisions, recommendations and requirements of the endorsed green travel plan must be implemented and complied with to the satisfaction of the Responsible Authority.

**Car Parking and Access**

20. The maximum size of vehicle/s that are permitted to load and unload to the warehouse units are 8.8 metres long, unless otherwise demonstrated to the satisfaction of the Responsible Authority.
21. Concurrent with the endorsement of plans required by condition 1 of this planning permit, a car parking management plan (CPMP) prepared by an appropriately qualified traffic consultant to the satisfaction of the Responsible



Authority must be submitted to and approved by the Responsible Authority. When approved, the car parking management plan will be endorsed and form part of this planning permit. The car parking management plan must address, but is not necessarily limited to, all of the following to the satisfaction of the Responsible Authority:

- a) The number and location of the car parking spaces to each warehouse unit generally in accordance with the planning scheme requirement per premises (and denoting those that are designated as disabled spaces).
  - b) The management of visitor car parking spaces and security arrangements for occupants of the development.
  - c) The maximum vehicle size permitted to load and unload to the warehouse units where demonstrated within condition 20 of this planning permit or otherwise to the satisfaction of the Responsible Authority.
  - d) Policing arrangements and/or formal agreements, including the owners' corporation or similar to advise prospective owners/tenants of the loading bay arrangements for smaller vehicles and the maximum vehicle sizes permitted.
  - e) A schedule of all proposed signage including directional arrows and signage, informative signs indicating location of disabled bays.
22. The car parking management plan must be implemented to the satisfaction of the Responsible Authority. No alterations may be made to this plan without the prior written approval of the Responsible Authority.
23. Before occupation of the development hereby permitted, areas set aside for parking vehicles, access lanes and paths as shown on the endorsed plans must be:
- i. Constructed to the satisfaction of the Responsible Authority.
  - ii. Properly formed to such levels that they can be used in accordance with the plans.
  - iii. Surfaced with an all-weather sealcoat to the satisfaction of the Responsible Authority.
  - iv. Drained to the satisfaction of the Responsible Authority.
  - v. Line-marked to indicate each car space and the nominated warehouse unit, all access lanes and, if necessary, the direction in which vehicles are to travel to the satisfaction of the Responsible Authority.
  - vi. In accordance with any Council adopted guidelines for the construction of car parks.
- Car parking areas and access lanes must be kept available for these purposes at all times and maintained to the satisfaction of the Responsible Authority.
24. In areas set aside for car parking, measures must be taken to the satisfaction of the Responsible Authority, to prevent damage to fences or landscaped areas.
25. Concrete kerbs or other barriers must be provided to the satisfaction of the Responsible Authority to prevent direct vehicle access to an adjoining road other than by a vehicle crossing.
26. The loading and unloading of goods to and from vehicles must only be carried out in the designated areas on the land.
27. Concurrent with the endorsement of plans required by condition 1 of this

planning permit, a loading management plan to the satisfaction of the Responsible Authority must be submitted to and endorsed by the Responsible Authority. The loading management plan must include details of:

- a. How delivery vehicles will enter and exit each loading bay.
- b. Swept paths showing the delivery vehicle movements.
- c. How the traffic will be managed during delivery times.
- d. Times of deliveries.
- e. How any restrictions/requirements will be enforced and communicated with all relevant parties, including vacating car parking spaces located in front of loading bays.
- f. The loading and unloading of vehicles and the delivery of goods to and from the premises must only be conducted by vehicles up to an 8.8 metre medium rigid vehicle, unless otherwise demonstrated to the satisfaction of the Responsible Authority.

All loading and associated activities must be undertaken in accordance with the loading management plan at all times.

28. The loading and unloading of vehicles and delivery of goods to and from the premises must at all times be conducted entirely within the site and in a manner that limits interference with other vehicular traffic to the satisfaction of the Responsible Authority.

#### **Waste Management Plan**

29. Concurrent with the endorsement of plans required by condition 1 of this planning permit, a waste management plan must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the planning permit. The plan must be generally in accordance with the waste management plan prepared by Solution 1 Traffic Engineers and dated March 2021.
30. The waste management plan must be implemented to the satisfaction of the Responsible Authority. The waste management plan must not be modified unless with the written consent of the Responsible Authority.

#### **Construction Management Plan**

31. Prior to the commencement of any buildings and works on the land, a construction management plan (CMP), to the satisfaction of the Responsible Authority, must be submitted to and approved by the Responsible Authority. The construction management plan must be prepared in accordance with the City of Kingston Construction Management Policy, July 2015 and Construction Management Guidelines, 1 November 2015 (and any superseding versions and/or documents). The construction management plan must specify and deal with, but is not limited to, the following elements:
  - a. Public safety, amenity and site security.
  - b. Traffic management.
  - c. Stakeholder management.
  - d. Operating hours, noise and vibration controls.
  - e. Air quality and dust management.

- f. Stormwater and sediment control.
- g. Waste and materials re-use.

When approved, the plan will be endorsed and will then form part of the permit and shall thereafter be complied with during the undertaking of all works.

**Infrastructure and Road Works**

- 32. Property boundary and footpath levels must not be altered without the prior written consent from the Responsible Authority.
- 33. The replacement of all footpaths, including offsets, must be constructed to the satisfaction of the Responsible Authority.
- 34. Vehicle crossovers and other reinstatements must be constructed to council's industrial strength specifications.
- 35. All redundant vehicle crossovers must be removed (including redundant portions of vehicle crossovers) to the satisfaction of the Responsible Authority.
- 36. All front and side fences must be contained wholly within the title property boundaries of the subject land.

**Department of Transport Conditions**

- 37. Prior to the endorsement of plans, amended plans must be submitted to and approved by the Head, Transport for Victoria. When approved by the Head, Transport for Victoria, the plans must be endorsed by the Responsible Authority and will then form part of the permit. The plans must be generally in accordance with the plans submitted with the application but modified to show:
  - a) Proposed central vehicle access on Keys Road annotated for exit only.
  - b) Appropriate 'no entry' signage at the central vehicle access on Keys Road, facing Keys Road traffic.

**Completion of Works**

- 38. Once the development has started, it must be continued and completed to the satisfaction of the Responsible Authority.
- 39. Prior to the occupation of the development hereby permitted, the landscaping works as shown on the endorsed plans must be completed to the satisfaction of the Responsible Authority. Thereafter, the landscaping shall be maintained to the satisfaction of the Responsible Authority.

**Permit Expiry**

- 40. This permit as it relates to development (buildings and works) will expire if one of the following circumstances applies:
  - a) The development is not started within two (2) years of the issue date of this permit.
  - b) The development is not completed within four (4) years of the issue date of this permit.

In accordance with Section 69 of the *Planning and Environment Act 1987*, an application may be submitted to the responsible authority for an extension of the periods referred to in this condition.

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**Note:** Prior to the commencement of the development or use you are required to obtain the necessary building permit.

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- Note:** Environment Protection Authority (EPA) Victoria set out the requirements pertaining to site construction hours and permissible noise levels.
- Note:** Any buildings and works (including eaves) to be located within an easement requires separate consent from Council and/or the relevant service authority. This will need to be obtained prior to the issue of a building permit.
- Note:** The applicant/owner must provide a copy of this planning permit to any appointed building surveyor. It is the responsibility of the applicant/owner and building surveyor to ensure that all building development works approved by any building permit is consistent with the planning permit.
- Note:** The applicant/owner must provide a copy of this planning permit and any endorsed plans to any external contractor to ensure that all trees to be retained on site are protected during any works.
- Note:** The fee for removal of tree 44 (Melia azedarach) street tree from the Keys Road nature strip is (\$1,008.71 including GST), payable to Kingston City Council's customer service department. Customer service will confirm payment to Council's parks department. The removal of the tree requires a minimum of two (2) weeks notice from the developer/owner.
- Note:** Before removing/pruning any vegetation from the site, the applicant or any contractor engaged to remove any vegetation, should consult Council's vegetation management officer to verify if a Local Laws permit is required for the removal of such vegetation.
- Note:** Any landscape plan prepared in accordance with conditions must comply with Council's Landscape Checklist.
- Note:** The use of the land for a warehouse may require a planning permit if the use is for a purpose listed in the table to Clause 53.10 with no threshold distance specified or if the use is for a purpose with a threshold distance at Clause 53.10 and an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone, land used for a hospital, an education centre or a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution is within that threshold distance.
- Note:** Prior to endorsement of the of the construction management plan, an approved road occupation and works permit which covers occupation of Council land for construction activities, arranging a works zone and assessment of traffic management plans (if applicable) must be obtained. The developer will be responsible for any costs related to this permit, to the satisfaction of the Responsible Authority.
- Note:** Prior to endorsement of the construction management plan, an asset protection permit must be approved by the Responsible Authority (if applicable).
- Note:** A copy of the construction management plan is to be provided to the Council's planning department and be made available for inspection prior to commencement of the development.
- Note:** Vehicle crossovers must be constructed at a 90 degree alignment with the kerb and all internal driveways must align with the existing/proposed vehicle crossover.
- Note:** Prior to the commencement of development, property boundary, footpath and vehicle crossover levels must be obtained from Council's roads and drains department with all levels raised or lowered to the satisfaction of the Responsible Authority.

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**Note:** Property boundary and footpath levels must not be altered without the prior written consent from the Responsible Authority.

**Note:** The footpath must be reconstructed to Council's commercial standards to the satisfaction of the Responsible Authority.

**Note:** Road reserve assets such as pits and power poles are to be shown on the plans. The vehicle crossovers should be no less than 1 metres from any stormwater or utility assets. Not all road assets are indicated on the plans and the vehicle crossovers may conflict with existing stormwater side entry pits.

**Note:** Any side entry storm water pit within a proposed vehicle crossover must be constructed to the satisfaction of Council's roads and drains department

**Note:** Any proposed stormwater discharges must be located at least 500mm from the vehicle crossings.

**Note:** The storm water pits in both streets are to be at least 500mm from the proposed vehicle crossovers or they are to be located wholly within the vehicle crossovers, if so they must be constructed to the satisfaction of Council's roads and drains department.

**Note:** The allocation of street numbering and addressing of properties is vested in Council. Any reference to addressing or dwelling/unit/apartment and street numbers or street names on any endorsed plan is indicative only. The onus is on the permit applicant/land owner to contact Council's property data department to determine the official dwelling/unit/apartment street numbers, street name details and the like for the approved development.

If the permit applicant/land owner adopts the street numbering or addressing from the endorsed plans, or where advertising and/or sales transact (off the plan) prior to Council's official allocation of the street numbering and addressing, it will be viewed to be non-compliant with the guideline and standard applied (*Australian/New Zealand Standard for Rural & Urban Addressing / AS/NZS 4819:2011*).

Cr Eden left the meeting at 7.33pm

Cr Eden returned to the meeting at 7.35pm

**CARRIED**

**5. Confidential Items**

Nil

The meeting closed at 7.47pm.

**Confirmed.....**

**The Mayor 20 October 2021**