

Planning Committee

Held at the Civic Centre, Civic Drive, Greensborough on Tuesday 7 June 2016

Minutes

Stuart Burdack
Chief Executive Officer

Wednesday 8 June 2016

Distribution: Public

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Wominje ka

Nillumbik Shire Council

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Nillumbik Shire Council

Minutes of the Planning Committee Meeting held Tuesday 7 June 2016. The meeting commenced at 9:03pm (following the conclusion of the Policy and Services Committee meeting).

Councillors present:

Cr Michael Young	Edendale Ward (Chairperson)
Cr Meralyn Klein	Blue Lake Ward
Cr Anika Van Hulsen	Bunjil Ward Ward
Cr Peter Perkins	Ellis Ward
Cr Ken King	Sugarloaf Ward
Cr Bronnie Hattam	Swipers Gully Ward (Mayor)
Cr Helen Coleman	Wingrove Ward

Officers in attendance:

Ransce Salan	General Manager Environment and Planning
Jeremy Livingston	Manager Planning and Health Services

1. Welcome and apologies

Nil apologies

2. Disclosure of conflicts of interest

Nil

3. Confirmation of minutes

Motion

**Cr Meralyn Klein
Cr Ken King**

That the minutes of the Planning Committee Meeting held on Tuesday 10 May 2016 be confirmed.

CARRIED

4. Planning Reports

PC.009/16 Construction of 8 dwellings and associated vegetation removal at 704 Main Road, Eltham

File: M006/00/704

Distribution: Public

Manager: Jeremy Livingston, Manager Planning and Health Services

Author: Karen McPherson, Senior Statutory Planner

Application summary

Address of the land	704 Main Road, Eltham
Site area	2,506 square metres
Proposal	Construction of 8 dwellings, associated vegetation removal and alterations to vehicle access adjacent to Road Zone – Category 1
Application number	704/2015/03P
Date lodged	30 November 2015
Applicant	Mont-Eltham Drafting Pty Ltd
Zoning	Mixed Use
Overlay(s)	Significant Landscape Overlay (Schedule 7) Design and Development Overlay (Schedule 1)
Reason for being reported	More than 5 dwellings
Number of objections	3
Key issues	<ul style="list-style-type: none"> • Strategic location (in the context of policy) • Neighbourhood character • Vegetation removal • Compliance with Clause 55 (ResCode) • Car parking and traffic
Officer recommendation	Issue of a Notice of Decision to Grant a Permit

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PC.009/16 Construction of 8 dwellings and associated vegetation removal at 704 Main Road, Eltham

Presenters

The following people addressed the Committee with respect to the item:

1. Carlotta Quinlan, on behalf of the Eltham Gateway Action Group
2. David Song, on behalf of the applicant
3. Darren Cole-Sinclair, on behalf of the applicant

Officer Recommendation

That the Committee (under delegation from Council) issue a Notice of Decision to Grant a Permit to the land at 704 Main Road, Eltham, for the construction of 8 dwellings and associated vegetation removal, in accordance with the submitted plans, and subject to the following conditions:

1. Before the development commences, three copies of 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 this permit. The plans must be generally in accordance with plans received on 30 November 2015 and 22 February 2016 from Mont Eltham Drafting, but modified to show:
 - a) Deletion of all new fencing forward of the front (western) elevation of dwellings 1 and 8.
 - b) Specify at least 3 different render colours to the proposed 'off white' render detailed on the plans. The 3 colours should be muted tones that are harmonious with the environment.
 - c) Demonstration that vehicles exiting dwelling 8 can exit in a forward manner.
 - d) The first 7 metres of the driveway must be at least 5 metres wide.
 - e) An 'Atlantis' (or similar) grass treatment driveway leading to Dwelling 8, located between the double car garage and the front title boundary, to reduce the extent of hard standing area as experienced from Main Road.
 - f) Provision of adjustable vertical shading on windows to reduce the amount of heat from the sun from entering the building in summer for the following windows:
 - Dwellings 1 and 6 – all west-facing glazing
 - Dwelling 5 – wall of glass needs to be reduced and shaded
 - g) Provision of fixed horizontal shading that excludes summer sun but allows winter sun to penetrate the glass on north-facing glazing for the following windows:
 - Dwelling 1 – all ground floor glazing
 - Dwelling 2 – western window on north elevation
 - Dwelling 3 – eastern window on north elevation

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- Dwelling 4 – all first floor glazing
 - Dwellings 5, 6 and 7 – all first and second floor glazing.
- h) Notation adjacent to Dwelling 5 stating that all doorways and bathroom fixtures for dwelling 5 are to be built to Liveable Housing Australia gold standards or better.
 - i) Provision of a water tank for each dwelling with a minimum capacity of 2,000 litres per tank.
 - j) An amended landscape plan as required by condition 3 of this permit.
 - k) Exact location and measurements of the Tree Protection Zone (TPZ) and associated tree protection fencing for all trees shown on the plans to be retained as required by 5 condition of this permit.
2. The development and tree removal as shown on the endorsed plans must not be altered unless with the prior written consent of the Responsible Authority.
 3. Before the development commences, three copies of amended landscape 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 this permit. The plans must be generally in accordance with plans received on 22 February 2016 from John Patrick Pty Ltd but modified to show:
 - a) Deletion of all new fencing forward of the front (western) elevation of dwellings 1 and 8.
 - b) The planting of an additional 4 canopy contributing trees within the front setback. The species of trees should be chosen from the following species:
 - *Eucalyptus melliodora* (Yellow Box)
 - *Eucalyptus polyanthemos* (Red Box)
 - *Eucalyptus camaldulensis* (River Red Gum)
 - *Eucalyptus leucoxylon ssp. connata* (Melbourne Yellow Gum)
 - *Eucalyptus tricarpa* (Ironbark)
 - c) The selection of species for the rooftop garden.
 4. Before the development commences, three copies of a report detailing how best practice standards have been met for each of the Sustainable Design Assessment in the Planning Process (SDAPP) key categories (including the desired Energy Rating for each dwelling) must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit.
 5. Prior to development commencing (including any demolition, excavations, tree removal, delivery of building/construction materials and/or temporary buildings), the trees marked on the endorsed plans as being retained must have a Tree Protection Zone (TPZ) to the satisfaction of the Responsible Authority. The fencing associated with this TPZ must meet the following requirements:

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a) Extent

The tree protection fencing (TPF) is to be provided to the extent of the identified TPZ.

If works are shown on any endorsed plan of this permit within the confines of the calculated TPZ, then the TPF must be taken in to only the minimum amount necessary to allow the works to be completed.

b) Fencing

All tree protection fencing required by this permit must be erected in accordance with the approved TPZ.

The TPF must be erected to form a visual and physical barrier and must be a minimum height of 1.5 metres and of chain mesh or similar fence with 1.8 metre support posts (e.g. treated pine or similar) every 3-4 metres, including a top line of high visibility plastic hazard tape erected around the perimeter of the fence.

c) Signage

Fixed signs are to be provided on all visible sides of the TPF clearly stating "Tree Protection Zone – No Entry", to the satisfaction of the Responsible Authority.

d) Irrigation

The area within the TPZ and TPF must be irrigated during the summer months with 1 litre of clean water for every 1cm of trunk girth measured at the soil/trunk interface on a weekly basis.

e) Provision of Services

Unless with the prior written consent of the Responsible Authority, all services (including water, electricity, gas and telephone) must be installed underground, and located outside of any TPZ, to the satisfaction of the Responsible Authority. Bore pits must be located outside of the TPZ or manually excavated without damage to roots, to the satisfaction of the Responsible Authority.

f) Access to TPZ

Should temporary access be necessary within the Tree Protection Zone during the period of construction, the Responsible Authority must be informed prior to relocating the fence (as it may be necessary to undertake additional root protection measures such as bridging over with timber).

6. Prior to the commencement of the approved works (including any demolition, excavations, tree removal, delivery of building/construction materials and/or temporary buildings), the erected tree protection fences must be inspected and approved by the Responsible Authority.

Once erected to the required standard, the tree protection fencing shall be maintained in good condition and may only be removed upon completion of all development works, to the satisfaction of the Responsible Authority.

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7. The following actions must not be undertaken in any tree protection zone as identified in this permit, to the satisfaction of the Responsible Authority:
 - a) Materials or equipment stored within the zone;
 - b) Servicing and refuelling of equipment and vehicles;
 - c) Storage of fuel, oil dumps or chemicals;
 - d) Attachment of any device to any tree (including temporary service wires, nails, screws or any other fixing device);
 - e) Open cut trenching or excavation works (whether or not for laying of services);
 - f) Changes to the soil grade level;
 - g) Temporary buildings and works; and
 - h) Unauthorised entry by any person, vehicle or machinery.
8. Only trees marked "tree to be removed" on the endorsed plans are permitted to be removed, to the satisfaction of the Responsible Authority.
9. Unless with the prior written consent of the Responsible Authority, prior to the completion of the development, the landscaping works shown on the endorsed plans must be carried out, completed and maintained to the satisfaction of the Responsible Authority.
10. Before the development commences, a Construction Management Plan must be submitted to and approved by the Responsible Authority. The management plan must show:
 - a) Measures to control erosion and sediment and sediment laden water runoff including the design details of structures.
 - b) Where any construction wastes, equipment, machinery and/or earth is to be stored/stockpiled during construction.
 - c) Where access to the site for construction vehicle traffic will occur.
 - d) The location of car parking for workers/visitors of the construction site, taking into account the local school on Dalton Street.
 - e) Tree protection zones.
 - f) The location and details of a sign to be erected at the entrance(s) of the site advising contractors that they are entering a 'sensitive site' with prescribed tree protection zones and fences.
 - g) The location of trenching works, boring, and pits associated with the provision of services.
 - h) The location of any temporary buildings or yards.
 - i) Measures designed to ensure the orderly management of the construction site, including complaint procedures and contact details in the event of a received complaint relating directly to construction works.

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Development works on the land must be undertaken in accordance with the endorsed Construction Management Plan to the satisfaction of the Responsible Authority.

11. Prior to the development commencing, a Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed as evidence of its approval. The plan must specify:
 - a) The details and location of bin storage and bin collection areas to the satisfaction of Council's Infrastructure Maintenance Team (if a Council collection).
 - b) The details and location of bin storage and bin collection points by a private waste contractor (if not a Council collection).
 - c) Details of on-site disposal of organic waste (if not a Council Green Waste collection).
 - d) Access route and method of access for the vehicles collecting waste.
 - e) Details and location of bin storage areas for each approved dwelling.
 - f) Odour control from bin storage areas.
12. Vehicular access and egress to each dwelling from the roadway must be by way of a vehicle crossing upgraded to the requirements of the Nillumbik Shire Council, to suit the proposed driveway and the vehicles that will use the crossing. The Responsible Authority must approve the location, design and construction of the crossing. Any existing unused crossing must be removed and the disturbed area reinstated to the satisfaction of the Responsible Authority.

All vehicle crossing works are to be carried out with Council supervision under a Minor Works within the Municipal Road Reserves permit.

13. The vehicular driveway must be properly formed and constructed to such levels to ensure that it can be utilised at all times. The driveway must be drained, constructed in concrete, asphalt or similar surface and maintained in a continuously useable condition. All works are to be carried out to the satisfaction of the Responsible Authority.
14. The development hereby permitted must not cause any nuisance or loss of amenity in any adjacent or nearby land by reason of the discharge of stormwater.
15. Stormwater from the roof of each dwelling hereby approved is to be directed to an individual holding tank with a minimum storage capacity of 2000 litres. The overflow from the tanks must be directed via the internal drainage system to the on-site detention system. The overflow from the tanks must be directed to the nominated point of stormwater discharge.

Water in the holding tanks may be used for one or more of the following purposes: toilet flushing; property irrigation; vehicle washing and any other purpose approved by the Responsible Authority.

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- 16. An on-site detention device must be installed, at no cost to Council, as per approved plans and Council's specification. Construction of the on-site detention device must be carried out under Council supervision and under a *Minor Works within the Municipal Road Reserves* permit.
- 17. Stormwater drains must be constructed from end wall in No. 710 Main Road property to the pit in front of No. 704 Main Road property.
- 18. Prior to the commencement of development (unless with the prior written consent of the Responsible Authority), construction plans and computations must be prepared by a suitably qualified engineer and submitted to the Responsible Authority for approval. The plans must detail underground drains, types and sizes of drainage pits, drainage longitudinal sections, pit schedule, etc. for approval (minimum pipe size within the road reserve must be 300 mm diameter). The construction plans and computations are to be prepared in accordance with Nillumbik Shire Council's "Subdivisional Design and Construction Standards" and "Drainage Design Guidelines".

The underground drainage system is to be constructed at no cost to Council and under Council supervision.

- 19. Stormwater must not be discharged from the subject land other than by means of an underground pipe drain to the Council underground drainage system in Main Road. Connection of the development drainage system to Council drain must be carried out in accordance with Council's specification and under Council supervision under a *Minor Works within the Municipal Road Reserves* permit.
- 20. No polluted, effluent and/or sediment laden runoff from the development site is to be discharged directly or indirectly into Council's drains, Melbourne Water's drains or watercourses or adjoining private property. In this regard, pollution or litter traps must be installed on site and serviced accordingly, all to the satisfaction of the Responsible Authority.
- 21. This permit will expire if one of the following circumstances applies:
 - a) The development is not commenced within 2 years of the date of this permit.
 - b) The development is not completed within 4 years of the date of this permit.

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires, or within 6 months afterwards if the development has not commenced, or 12 months after if the development has commenced but is not yet completed.

The following is a requirement of VicRoads:

- 22. The crossover is to be constructed to the satisfaction of, and at no cost to, the Responsible Authority and VicRoads.

Notes:

During the course of the approved construction work, including tree removal, a copy of this permit and the endorsed plan(s) must be kept on-site and made available for inspection by Council officers.

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Failure to undertake the vegetation removal in accordance with this permit will result in the issuing of Planning Infringement Notices to the landowner, occupant (if this is a different person), and the person or company undertaking the tree removal works. The minimum penalty on the Planning Infringement Notice for land owners and occupants will be \$758 for the land owner and occupant, and \$1517 for any company which may be undertaking the tree removal works.

Failure to undertake the requisite tree protection fencing in accordance with the conditions of this permit will result in the issuing of Planning Infringement Notices to the land owner, occupant (if this is a different person), and the person or company undertaking the works on-site. The minimum penalty on the Planning Infringement Notice for land owners and occupants will be \$758 for the land owner and occupant, and \$1517 for any company which may be undertaking works on-site.

The removal of vegetation is often found by Council to generate concern amongst other community members who may not be aware that a permit has been obtained. Council therefore strongly recommends that the permit holder advise any nearby neighbours of their intention to remove the vegetation and that they have obtained permission to do so before they proceed to remove the vegetation. Failure to do so may result in Council officers being obliged to visit the land, and also potentially delay the vegetation removal process while compliance with the permit is checked.

Motion

**Cr Helen Coleman
Cr Bronnie Hattam**

That the Committee (under delegation from Council) issue a Notice of Decision to Grant a Permit to the land at 704 Main Road, Eltham, for the construction of 8 dwellings and associated vegetation removal, in accordance with the submitted plans, and subject to the following conditions:

- 1. Before the development commences, three copies of 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 this permit. The plans must be generally in accordance with plans received on 30 November 2015 and 22 February 2016 from Mont Eltham Drafting, but modified to show:**
 - a) Deletion of all new fencing forward of the front (western) elevation of dwellings 1 and 8.**
 - b) Specify at least 3 different render colours to the proposed 'off white' render detailed on the plans. The 3 colours should be muted tones that are harmonious with the environment.**
 - c) Demonstration that vehicles exiting dwelling 8 can exit in a forward manner.**
 - d) The first 7 metres of the driveway must be at least 5 metres wide.**

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- e) An 'Atlantis' (or similar) grass treatment driveway leading to Dwelling 8, located between the double car garage and the front title boundary, to reduce the extent of hard standing area as experienced from Main Road.
 - f) Provision of adjustable vertical shading on windows to reduce the amount of heat from the sun from entering the building in summer for the following windows:
 - Dwellings 1 and 6 – all west-facing glazing
 - Dwelling 5 – wall of glass needs to be reduced and shaded
 - g) Provision of fixed horizontal shading that excludes summer sun but allows winter sun to penetrate the glass on north-facing glazing for the following windows:
 - Dwelling 1 – all ground floor glazing
 - Dwelling 2 – western window on north elevation
 - Dwelling 3 – eastern window on north elevation
 - Dwelling 4 – all first floor glazing
 - Dwellings 5, 6 and 7 – all first and second floor glazing.
 - h) Notation adjacent to Dwelling 5 stating that all doorways and bathroom fixtures for dwelling 5 are to be built to Liveable Housing Australia gold standards or better.
 - i) Provision of a water tank for each dwelling with a minimum capacity of 2,000 litres per tank.
 - j) An amended landscape plan as required by condition 3 of this permit.
 - k) Exact location and measurements of the Tree Protection Zone (TPZ) and associated tree protection fencing for all trees shown on the plans to be retained as required by 5 condition of this permit.
2. The development and tree removal as shown on the endorsed plans must not be altered unless with the prior written consent of the Responsible Authority.
3. Before the development commences, three copies of amended landscape 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 this permit. The plans must be generally in accordance with plans received on 22 February 2016 from John Patrick Pty Ltd but modified to show:
- a) Deletion of all new fencing forward of the front (western) elevation of dwellings 1 and 8.
 - b) The planting of an additional 4 canopy contributing trees within the front setback. The species of trees should be chosen from the following species:

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- *Eucalyptus melliodora* (Yellow Box)
- *Eucalyptus polyanthemos* (Red Box)
- *Eucalyptus camaldulensis* (River Red Gum)
- *Eucalyptus leucoxylon ssp. connata* (Melbourne Yellow Gum)
- *Eucalyptus tricarpa* (Ironbark)

c) The selection of species for the rooftop garden.

4. Before the development commences, three copies of a report detailing how best practice standards have been met for each of the Sustainable Design Assessment in the Planning Process (SDAPP) key categories (including the desired Energy Rating for each dwelling) must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit.

5. Prior to development commencing (including any demolition, excavations, tree removal, delivery of building/construction materials and/or temporary buildings), the trees marked on the endorsed plans as being retained must have a Tree Protection Zone (TPZ) to the satisfaction of the Responsible Authority. The fencing associated with this TPZ must meet the following requirements:

a) Extent

The tree protection fencing (TPF) is to be provided to the extent of the identified TPZ.

If works are shown on any endorsed plan of this permit within the confines of the calculated TPZ, then the TPF must be taken in to only the minimum amount necessary to allow the works to be completed.

b) Fencing

All tree protection fencing required by this permit must be erected in accordance with the approved TPZ.

The TPF must be erected to form a visual and physical barrier and must be a minimum height of 1.5 metres and of chain mesh or similar fence with 1.8 metre support posts (e.g. treated pine or similar) every 3-4 metres, including a top line of high visibility plastic hazard tape erected around the perimeter of the fence.

c) Signage

Fixed signs are to be provided on all visible sides of the TPF clearly stating "Tree Protection Zone – No Entry", to the satisfaction of the Responsible Authority.

d) Irrigation

The area within the TPZ and TPF must be irrigated during the summer months with 1 litre of clean water for every 1cm of trunk girth measured at

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the soil/trunk interface on a weekly basis.

e) Provision of Services

Unless with the prior written consent of the Responsible Authority, all services (including water, electricity, gas and telephone) must be installed underground, and located outside of any TPZ, to the satisfaction of the Responsible Authority.

Bore pits must be located outside of the TPZ or manually excavated without damage to roots, to the satisfaction of the Responsible Authority.

f) Access to TPZ

Should temporary access be necessary within the Tree Protection Zone during the period of construction, the Responsible Authority must be informed prior to relocating the fence (as it may be necessary to undertake additional root protection measures such as bridging over with timber).

6. Prior to the commencement of the approved works (including any demolition, excavations, tree removal, delivery of building/construction materials and/or temporary buildings), the erected tree protection fences must be inspected and approved by the Responsible Authority.

Once erected to the required standard, the tree protection fencing shall be maintained in good condition and may only be removed upon completion of all development works, to the satisfaction of the Responsible Authority.

7. The following actions must not be undertaken in any tree protection zone as identified in this permit, to the satisfaction of the Responsible Authority:

- a) Materials or equipment stored within the zone;
- b) Servicing and refuelling of equipment and vehicles;
- c) Storage of fuel, oil dumps or chemicals;
- d) Attachment of any device to any tree (including temporary service wires, nails, screws or any other fixing device);
- e) Open cut trenching or excavation works (whether or not for laying of services);
- f) Changes to the soil grade level;
- g) Temporary buildings and works; and
- h) Unauthorised entry by any person, vehicle or machinery.

8. Only trees marked “tree to be removed” on the endorsed plans are permitted to be removed, to the satisfaction of the Responsible Authority.

9. Unless with the prior written consent of the Responsible Authority, prior to the completion of the development, the landscaping works shown on the endorsed plans must be carried out, completed and maintained to the satisfaction of the

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Responsible Authority.

10. Before the development commences, a Construction Management Plan must be submitted to and approved by the Responsible Authority. The management plan must show:

- a) Measures to control erosion and sediment and sediment laden water runoff including the design details of structures.
- b) Where any construction wastes, equipment, machinery and/or earth is to be stored/stockpiled during construction.
- c) Where access to the site for construction vehicle traffic will occur.
- d) The location of car parking for workers/visitors of the construction site, taking into account the local school on Dalton Street.
- e) Tree protection zones.
- f) The location and details of a sign to be erected at the entrance(s) of the site advising contractors that they are entering a 'sensitive site' with prescribed tree protection zones and fences.
- g) The location of trenching works, boring, and pits associated with the provision of services.
- h) The location of any temporary buildings or yards.
- i) Measures designed to ensure the orderly management of the construction site, including complaint procedures and contact details in the event of a received complaint relating directly to construction works.

Development works on the land must be undertaken in accordance with the endorsed Construction Management Plan to the satisfaction of the Responsible Authority.

11. Prior to the development commencing, a Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed as evidence of its approval. The plan must specify:

- a) The details and location of bin storage and bin collection areas to the satisfaction of Council's Infrastructure Maintenance Team (if a Council collection).
- b) The details and location of bin storage and bin collection points by a private waste contractor (if not a Council collection).
- c) Details of on-site disposal of organic waste (if not a Council Green Waste collection).
- d) Access route and method of access for the vehicles collecting waste.
- e) Details and location of bin storage areas for each approved dwelling.
- f) Odour control from bin storage areas.

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12. Vehicular access and egress to each dwelling from the roadway must be by way of a vehicle crossing upgraded to the requirements of the Nillumbik Shire Council, to suit the proposed driveway and the vehicles that will use the crossing. Where possible, use of Atlantis system or permeable aggregate surface treatment to the extended vehicle crossing area. The Responsible Authority must approve the location, design and construction of the crossing. Any existing unused crossing must be removed and the disturbed area reinstated to the satisfaction of the Responsible Authority.

All vehicle crossing works are to be carried out with Council supervision under a Minor Works within the Municipal Road Reserves permit.

13. The vehicular driveway must be properly formed and constructed to such levels to ensure that it can be utilised at all times. The driveway must be drained, constructed in concrete, asphalt or similar surface and maintained in a continuously useable condition. All works are to be carried out to the satisfaction of the Responsible Authority.
14. The development hereby permitted must not cause any nuisance or loss of amenity in any adjacent or nearby land by reason of the discharge of stormwater.
15. Stormwater from the roof of each dwelling hereby approved is to be directed to an individual holding tank with a minimum storage capacity of 2000 litres. The overflow from the tanks must be directed via the internal drainage system to the on-site detention system. The overflow from the tanks must be directed to the nominated point of stormwater discharge.
- Water in the holding tanks may be used for one or more of the following purposes: toilet flushing; property irrigation; vehicle washing and any other purpose approved by the Responsible Authority.
16. An on-site detention device must be installed, at no cost to Council, as per approved plans and Council's specification. Construction of the on-site detention device must be carried out under Council supervision and under a *Minor Works within the Municipal Road Reserves* permit.
17. Stormwater drains must be constructed from end wall in No. 710 Main Road property to the pit in front of No. 704 Main Road property.
18. Prior to the commencement of development (unless with the prior written consent of the Responsible Authority), construction plans and computations must be prepared by a suitably qualified engineer and submitted to the Responsible Authority for approval. The plans must detail underground drains, types and sizes of drainage pits, drainage longitudinal sections, pit schedule, etc. for approval (minimum pipe size within the road reserve must be 300 mm diameter). The construction plans and computations are to be prepared in accordance with Nillumbik Shire Council's "Subdivisional Design and Construction Standards" and "Drainage Design Guidelines".

The underground drainage system is to be constructed at no cost to Council

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and under Council supervision.

19. Stormwater must not be discharged from the subject land other than by means of an underground pipe drain to the Council underground drainage system in Main Road. Connection of the development drainage system to Council drain must be carried out in accordance with Council's specification and under Council supervision under a *Minor Works within the Municipal Road Reserves* permit.
20. No polluted, effluent and/or sediment laden runoff from the development site is to be discharged directly or indirectly into Council's drains, Melbourne Water's drains or watercourses or adjoining private property. In this regard, pollution or litter traps must be installed on site and serviced accordingly, all to the satisfaction of the Responsible Authority.
21. This permit will expire if one of the following circumstances applies:
 - a) The development is not commenced within 2 years of the date of this permit.
 - b) The development is not completed within 4 years of the date of this permit.

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires, or within 6 months afterwards if the development has not commenced, or 12 months after if the development has commenced but is not yet completed.

The following is a requirement of VicRoads:

22. The crossover is to be constructed to the satisfaction of, and at no cost to, the Responsible Authority and VicRoads.

Notes:

During the course of the approved construction work, including tree removal, a copy of this permit and the endorsed plan(s) must be kept on-site and made available for inspection by Council officers.

Failure to undertake the vegetation removal in accordance with this permit will result in the issuing of Planning Infringement Notices to the landowner, occupant (if this is a different person), and the person or company undertaking the tree removal works. The minimum penalty on the Planning Infringement Notice for land owners and occupants will be \$758 for the land owner and occupant, and \$1517 for any company which may be undertaking the tree removal works.

Failure to undertake the requisite tree protection fencing in accordance with the conditions of this permit will result in the issuing of Planning Infringement Notices to the land owner, occupant (if this is a different person), and the person or company undertaking the works on-site. The minimum penalty on the Planning Infringement Notice for land owners and occupants will be \$758 for the land owner and occupant, and \$1517 for any company which may be

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PC.009/16 Construction of 8 dwellings and associated vegetation removal at 704 Main Road, Eltham

undertaking works on-site.

The removal of vegetation is often found by Council to generate concern amongst other community members who may not be aware that a permit has been obtained. Council therefore strongly recommends that the permit holder advise any nearby neighbours of their intention to remove the vegetation and that they have obtained permission to do so before they proceed to remove the vegetation. Failure to do so may result in Council officers being obliged to visit the land, and also potentially delay the vegetation removal process while compliance with the permit is checked.

CARRIED

5. Supplementary and urgent business

Nil

6. Confidential reports

Nil

The meeting closed at 9:52pm.

Confirmed: _____
Cr Michael Young, Chairperson