

Planning Committee

Held at the Civic Centre, Civic Drive, Greensborough on Tuesday 12 July 2016

Minutes

Stuart Burdack
Chief Executive Officer

Thursday 14 July 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 12 July 2016. The meeting commenced at 8.45om (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
Renaeh Ahern	Statutory Planning Coordinator

1. Welcome and apologies

Nil apologies

2. Disclosure of conflicts of interest

Nil

3. Confirmation of minutes

Confirmation of minutes of the Planning Committee Meeting held on Tuesday 7 June 2016.

Motion

Cr Bronnie Hattam

Cr Ken King

That the minutes of the Planning Committee Meeting held on Tuesday 7 June 2016.

CARRIED

4. Planning Reports

PC.010/16 Construction of two dwellings and associated vegetation removal at 99 Brougham Street, Eltham

File: B117/00/099P
Distribution: Public
Manager: Jeremy Livingston, Manager Planning and Health Services
Author: Tim Oldfield, Statutory Planner

Application summary

Address of the land	99 Brougham Street, Eltham
Site area	976 square metres
Proposal	Construction of two dwellings and associated vegetation removal
Application number	745/2015/03P
Date lodged	18 December 2015
Applicant	Property Analytics
Zoning	General Residential
Overlay(s)	Significant Landscape Overlay (Schedule 3)
Reason for being reported	More than 5 objections received
Number of objections	9
Key issues	<ul style="list-style-type: none"> • Strategic location (in the context of policy) • Neighbourhood character • Vegetation impacts • Compliance with Clause 55 (ResCode) • Car parking
Officer recommendation	Issue of a Notice of Decision to Grant a Permit

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Presenters

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

1. Jim Connor
2. Bernard Beckett
3. Fay Williams
4. Beverly Moss
5. Andrew Stone

Officer Recommendation

That the Committee (under delegation from Council) issue a Notice of Decision to Grant a Permit to the land at 99 Brougham Street, Eltham, for the construction of two dwellings and associated vegetation removal, in accordance with the submitted plans and subject to the following conditions:

1. Before the development (including tree removal) 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 the plans advertised but modified to show:
 - a) The location of all tree protection fencing as required by condition 6 of this permit.
 - b) Plan notations showing that all works within the Tree Protection Zones of trees to be retained are to be in accordance with the approved Tree Management Plan as required by condition 3 of this permit.
 - c) The location of all trenched services to service the development.
 - d) Plan notations showing that all fencing forward of the approved dwellings (within the front setback of the development) is of post-and-wire construction only, and no more than 1.2 metres in height.
 - e) Details of the vehicle driveway treatments for both dwellings, including proposed colour.
 - f) Deletion of the trellis from the external boundary fencing and any unreasonable overlooking (as identified by Standard B22 of ResCode) be addressed through either the dwelling design or a free standing screen located within the subject site.
 - g) The north-facing family room window of Dwelling 1 screened in accordance with Standard B22 of ResCode.
 - h) An amended Landscape Plan as required by condition 2 of this permit.
 - i) A Tree Management Plan as required by condition 3 of this permit.
2. Before the development (including tree removal) commences, three copies of an amended landscape plan to the satisfaction of the Responsible Authority must be

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submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of this permit. The plan must show:

- a) The proposed Acer Crimson Sentry trees to the rear of both dwellings, and one of the *Hymenysporum flavum* (Native Frangipani) trees within the front setback, to be replaced with trees of the following species:
 - *Eucalyptus polyanthemos* (Red Box)
 - *Eucalyptus melliodora* (Yellow Box)
 - *Eucalyptus radiata* (Narrow-leaved Peppermint)
 - *Eucalyptus leucoxylon* subsp. *Connate* (Yellow Gum)
 - b) The provision of medium sized screening vegetation to be located along the northern property boundary including a mixture of medium sized trees and large shrubs. Some of this screening vegetation is to be of indigenous origin and selected from Council's 'Live Local, Plant Local' guide. At least three rows of screening vegetation must be included to be planted in a zig-zag formation.
3. Before the development (including tree removal) commences three copies of a Tree Management Plan, prepared by a suitably qualified arborist and to the satisfaction of the Responsible Authority, must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of this permit. The Tree Management Plan must detail the following:
- a) Management strategies associated with works within the Tree Protection Zone of Tree No. 6, including but not limited to:
 - All works within the Tree Protection Zone must be supervised by the project arborist.
 - No roots are to be cut or damaged during any part of the construction process.
 - The Tree Protection Zone must be fenced at the edge of the recommended distance and remain in place until construction of that part of the building is required. The Tree Protection Zone fence should only be moved under direct supervision of the project arborist.
 - The remaining area of the Tree Protection Zone and extended areas around it must be mulched and irrigated to the satisfaction of the project arborist.
 - b) Management strategies in regards to works within the Tree Protection Zone of Tree No. 1, including but not limited to:
 - All works within the Tree Protection Zone must be supervised by the project arborist.
 - No roots are to be cut or damaged during any part of the construction process.
 - The proposed driveway must be constructed at grade utilising porous

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materials allowing water to penetrate the soil profile.

- The Tree Protection Zone must be fenced at the edge of the recommended distance and remain in place until construction of that part of the driveway is required. The Tree Protection Zone fence should only be moved under direct supervision of the project arborist
 - The remaining area of the Tree Protection Zone and extended areas around it must be mulched and irrigated to the satisfaction of the project arborist.
- c) Tree protection methods in relation to the construction of both driveways for the development, including but not limited to:
- Both driveways to be constructed at grade and under the direct supervision of the project Arborist, to the satisfaction of the Responsible Authority.
- d) Tree protection measures for trees within close proximity to works being carried out for Dwelling 2, including but not limited to:
- Construction of the proposed pedestrian pathway to Dwelling 2 must be constructed at grade and under direct supervision by the project arborist, to the satisfaction of the Responsible Authority.
 - The construction of the proposed verandah of Dwelling 2 within the Tree Protection Zone of Tree No. 39 must be under the direct supervision of the project arborist and all roots greater than 40mm in diameter within the Tree Protection Zone must be retained and the design modified to allow for their retention, to the satisfaction of the Responsible Authority
 - Any tree roots with a diameter less than 40mm must be cleanly pruned by the project arborist at a right angle to the direction of growth with sterilised secateurs or pruning saw, to the satisfaction of the Responsible Authority.
4. 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.
5. Only trees marked “tree to be removed” on the endorsed plans are permitted to be removed, to the satisfaction of the Responsible Authority.
6. No vegetation on-site (*unless specified on the endorsed plans*) shall be removed, destroyed, felled, lopped, ringbarked, uprooted or otherwise damaged except with the prior written consent of the Responsible Authority
7. 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 TPZ,

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calculated as being a radius of 12 x Diameter at Breast Height (DBH – measured at 1.4 metres above ground level as defined by the Australian Standard AS 4970.2009)

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

All services (including water, electricity, gas and telephone) should be installed underground, and located outside of any TPZ, wherever practically possible. If underground services are to be routed within an established TPZ, they must be installed by directional boring with the top of the bore to be a minimum depth of 600mm below the existing grade, 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).

8. 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.

9. Once erected to the required standard, the tree protection fencing shall be

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maintained in good condition and may only be removed upon completion of all development works, to the satisfaction of the Responsible Authority.

10. 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.
11. Prior to the occupation 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.
12. Prior to occupation of the development, all visual screening measures shown on the endorsed plans must be installed and must be maintained to the satisfaction of the responsible authority. Any screening measure that is removed or unsatisfactorily maintained must be replaced to the satisfaction of the Responsible Authority.
13. Vehicular access and egress to each dwelling from the roadway must be by way of a vehicle crossing constructed 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 an *Infrastructure Works* permit. The width of the driveway at property boundary must match the width of the vehicle crossing.
14. The vehicular driveways 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.
15. The construction of drainage works outside the boundaries of the site must be designed by a qualified engineer and plans and computations submitted to the Responsible Authority (Nillumbik Shire Council) for approval prior to the commencement of the development. Plans must detail underground drains, types and sizes of drainage pits, drainage longitudinal sections, pit schedule, etc. for approval. The construction plans and computations are to be prepared in accordance with Nillumbik Shire Council's "Subdivisional Design and Construction Standards"

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and “Drainage Design Guidelines”. The minimum pipe size within the easement must be 225 mm diameter.

16. Stormwater drainage works are to be constructed, at no cost to Council, and must be carried out under Council supervision, in accordance with the approved plans and Council’s specifications and must be carried out under Council supervision and an *Infrastructure Works* permit. All works must be to the satisfaction of the Responsible Authority.
17. An on-site detention device must be installed, at no cost to Council, as per approved plans and to Council’s specification. Construction of the on-site detention device must be carried out under Council supervision and under an *Infrastructure Works* permit. All works must be to the satisfaction of the Responsible Authority.
18. The on-site detention device shall be designed by a qualified engineer and plans submitted to the Responsible Authority for approval prior to the commencement of the development.

The engineer that is designing the on-site detention unit must contact Council’s development engineer for tc and tso figures. For calculation adopt for pre-development 1 in 5 years average occurrence interval, post development use 1 in 10 years average occurrence interval.

19. The development, including any new paved areas, must be drained so as to prevent the uncontrolled discharge of stormwater from the subject site across any road or footpath or onto any adjoining land.

Stormwater from the roof of each dwelling hereby approved must be directed to an individual holding tank with a minimum storage capacity of 2000 litres. The overflow from the tank must be directed to the Council nominated point of stormwater discharge.

Water in the holding tank 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.

The drainage system within the subject site must be designed to the requirements and satisfaction of the Responsible Authority.

Any connection to Council’s underground drainage system within road reserves or drainage easements must be carried out under Council supervision and an *Infrastructure Works* 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 two years of the date of this permit.
 - b) The development is not completed within four years of the date of this permit.

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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.

NOTES:

- The nominated point of stormwater discharge is drainage system at the rear of No. 104 Franklin Street, Eltham.
- During the course of the approved construction work, 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 \$777 for the land owner and occupant, and \$1,555 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 \$777 for the land owner and occupant, and \$1,555 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.

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Motion

Cr Meralyn Klein

Cr Peter Perkins

That the Committee (under delegation from Council) issue a Notice of Decision to Grant a Permit to the land at 99 Brougham Street, Eltham, for the construction of two dwellings and associated vegetation removal, in accordance with the submitted plans and subject to the following conditions:

1. Before the development (including tree removal) 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 the plans advertised but modified to show:
 - a) The location of all tree protection fencing as required by condition 6 of this permit.
 - b) Plan notations showing that all works within the Tree Protection Zones of trees to be retained are to be in accordance with the approved Tree Management Plan as required by condition 3 of this permit.
 - c) The location of all trenched services to service the development.
 - d) Plan notations showing that all fencing forward of the approved dwellings (within the front setback of the development) is of post-and-wire construction only, and no more than 1.2 metres in height.
 - e) Details of the vehicle driveway treatments for both dwellings, including proposed colour.
 - f) Deletion of the trellis from the external boundary fencing and any unreasonable overlooking (as identified by Standard B22 of ResCode) be addressed through either the dwelling design or a free standing screen located within the subject site.
 - g) The north-facing family room window of Dwelling 1 screened in accordance with Standard B22 of ResCode.
 - h) An amended Landscape Plan as required by condition 2 of this permit, including details of a supplementary irrigation system for tree no. 6.
 - i) A Tree Management Plan as required by condition 3 of this permit, including details of a supplementary irrigation system for tree no. 6.

2. Before the development (including tree removal) commences, three copies of an amended landscape 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 and will then form part of this permit. The plan must show:

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- a) The proposed Acer Crimson Sentry trees to the rear of both dwellings, and one of the Hymennsporum flavum (Native Frangipani) trees within the front setback, to be replaced with trees of the following species:
 - *Eucalyptus polyanthemos* (Red Box)
 - *Eucalyptus melliodora* (Yellow Box)
 - *Eucalyptus radiate* (Narrow-leaved Peppermint)
 - *Eucalyptus leucoxylon* subsp. *Connate* (Yellow Gum)
 - b) The provision of medium sized screening vegetation to be located along the northern property boundary including a mixture of medium sized trees and large shrubs. Some of this screening vegetation is to be of indigenous origin and selected from Council's 'Live Local, Plant Local' guide. At least three rows of screening vegetation must be included to be planted in a zig-zag formation.
3. Before the development (including tree removal) commences three copies of a Tree Management Plan, prepared by a suitably qualified arborist and to the satisfaction of the Responsible Authority, must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of this permit. The Tree Management Plan must detail the following:
- a) Management strategies associated with works within the Tree Protection Zone of Tree No. 6, including but not limited to:
 - All works within the Tree Protection Zone must be supervised by the project arborist.
 - No roots are to be cut or damaged during any part of the construction process.
 - The Tree Protection Zone must be fenced at the edge of the recommended distance and remain in place until construction of that part of the building is required. The Tree Protection Zone fence should only be moved under direct supervision of the project arborist.
 - The remaining area of the Tree Protection Zone and extended areas around it must be mulched and irrigated to the satisfaction of the project arborist.
 - b) Management strategies in regards to works within the Tree Protection Zone of Tree No. 1, including but not limited to:
 - All works within the Tree Protection Zone must be supervised by the project arborist.
 - No roots are to be cut or damaged during any part of the construction process.

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- The proposed driveway must be constructed at grade utilising porous materials allowing water to penetrate the soil profile.
 - The Tree Protection Zone must be fenced at the edge of the recommended distance and remain in place until construction of that part of the driveway is required. The Tree Protection Zone fence should only be moved under direct supervision of the project arborist
 - The remaining area of the Tree Protection Zone and extended areas around it must be mulched and irrigated to the satisfaction of the project arborist.
- c) Tree protection methods in relation to the construction of both driveways for the development, including but not limited to:
- Both driveways to be constructed at grade and under the direct supervision of the project Arborist, to the satisfaction of the Responsible Authority.
- d) Tree protection measures for trees within close proximity to works being carried out for Dwelling 2, including but not limited to:
- Construction of the proposed pedestrian pathway to Dwelling 2 must be constructed at grade and under direct supervision by the project arborist, to the satisfaction of the Responsible Authority.
 - The construction of the proposed verandah of Dwelling 2 within the Tree Protection Zone of Tree No. 39 must be under the direct supervision of the project arborist and all roots greater than 40mm in diameter within the Tree Protection Zone must be retained and the design modified to allow for their retention, to the satisfaction of the Responsible Authority
 - Any tree roots with a diameter less than 40mm must be cleanly pruned by the project arborist at a right angle to the direction of growth with sterilised secateurs or pruning saw, to the satisfaction of the Responsible Authority.
4. 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.
5. Only trees marked “tree to be removed” on the endorsed plans are permitted to be removed, to the satisfaction of the Responsible Authority.
6. No vegetation on-site (*unless specified on the endorsed plans*) shall be removed, destroyed, felled, lopped, ringbarked, uprooted or otherwise damaged except with the prior written consent of the Responsible Authority
7. 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

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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 TPZ, calculated as being a radius of 12 x Diameter at Breast Height (DBH – measured at 1.4 metres above ground level as defined by the Australian Standard AS 4970.2009)

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**

All services (including water, electricity, gas and telephone) should be installed underground, and located outside of any TPZ, wherever practically possible. If underground services are to be routed within an established TPZ, they must be installed by directional boring with the top of the bore to be a minimum depth of 600mm below the existing grade, 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

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undertake additional root protection measures such as bridging over with timber).

8. 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.
9. 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.
10. 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.
11. Prior to the occupation 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.
12. Prior to occupation of the development, all visual screening measures shown on the endorsed plans must be installed and must be maintained to the satisfaction of the responsible authority. Any screening measure that is removed or unsatisfactorily maintained must be replaced to the satisfaction of the Responsible Authority.
13. Vehicular access and egress to each dwelling from the roadway must be by way of a vehicle crossing constructed 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 an *Infrastructure Works* permit. The width of the driveway at property boundary must match the width of the vehicle crossing.
14. The vehicular driveways must be properly formed and constructed to such levels to ensure that it can be utilised at all times. The driveway must be

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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.

15. The construction of drainage works outside the boundaries of the site must be designed by a qualified engineer and plans and computations submitted to the Responsible Authority (Nillumbik Shire Council) for approval prior to the commencement of the development. Plans must detail underground drains, types and sizes of drainage pits, drainage longitudinal sections, pit schedule, etc. for approval. 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 minimum pipe size within the easement must be 225 mm diameter.
16. Stormwater drainage works are to be constructed, at no cost to Council, and must be carried out under Council supervision, in accordance with the approved plans and Council's specifications and must be carried out under Council supervision and an *Infrastructure Works* permit. All works must be to the satisfaction of the Responsible Authority.
17. An on-site detention device must be installed, at no cost to Council, as per approved plans and to Council's specification. Construction of the on-site detention device must be carried out under Council supervision and under an *Infrastructure Works* permit. All works must be to the satisfaction of the Responsible Authority.
18. The on-site detention device shall be designed by a qualified engineer and plans submitted to the Responsible Authority for approval prior to the commencement of the development.

The engineer that is designing the on-site detention unit must contact Council's development engineer for tc and tso figures. For calculation adopt for pre-development 1 in 5 years average occurrence interval, post development use 1 in 10 years average occurrence interval.

19. The development, including any new paved areas, must be drained so as to prevent the uncontrolled discharge of stormwater from the subject site across any road or footpath or onto any adjoining land.

Stormwater from the roof of each dwelling hereby approved must be directed to an individual holding tank with a minimum storage capacity of 2000 litres. The overflow from the tank must be directed to the Council nominated point of stormwater discharge.

Water in the holding tank 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.

The drainage system within the subject site must be designed to the requirements and satisfaction of the Responsible Authority.

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Any connection to Council's underground drainage system within road reserves or drainage easements must be carried out under Council supervision and an *Infrastructure Works* 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:
- c) The development is not commenced within two years of the date of this permit.
 - d) The development is not completed within four 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.

NOTES:

- The nominated point of stormwater discharge is drainage system at the rear of No. 104 Franklin Street, Eltham.
- During the course of the approved construction work, 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 \$777 for the land owner and occupant, and \$1,555 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 \$777 for the land owner and occupant, and \$1,555 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

4. Planning Reports

PC.010/16 Construction of two dwellings and associated vegetation removal at 99 Brougham Street, Eltham

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.

5. Supplementary and urgent business

Nil

6. Confidential reports

The meeting closed at 9.45pm.

Confirmed: _____
Cr Michael Young, Chairperson