



## **Minutes of the Planning Committee Meeting**

held in the Council Chamber  
Boxshall Street, Brighton  
on Tuesday 20 December 2011  
at 7.00pm

### **PRESENT:**

Cr Alex del Porto (Chairperson)  
Cr Louise Cooper-Shaw (Mayor)  
Cr Felicity Frederico  
Cr Clifford Hayes  
Cr James Long  
Cr Michael Norris  
Cr Simon Russell

### **OFFICERS IN ATTENDANCE:**

Shiran Wickramasinghe	-	Director City Strategy
Stuart Caldwell	-	Statutory Planning Manager
Natalie O'Leary	-	Statutory Planning Coordinator
Janice Pouw	-	Governance Officer

**APOLOGIES:** There were no apologies submitted to the meeting.

### **DECLARATIONS OF INTEREST:**

- Cr Russell declared an Indirect Conflict of Interest in item 4.1 where residential amenity may be altered as he lives in close proximity to the application site.

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**Confirmation of the Minutes of the Planning Committee Meeting  
22 November 2011**

**Moved: Cr Cooper-Shaw**

**Seconded: Cr Long**

That the Minutes of the Planning Committee Meeting held on 22 November 2011 be confirmed.

**CARRIED**

**REQUESTS TO BE HEARD:**

In accordance with Council's Governance Local Law No.1 clause 68, individuals are granted up to 3 minutes to speak upon written application.

Requests to be heard were received from the following people:

**Item 4.1 173 Bluff Road, Black Rock**

Mr Peter Barber  
Mrs Vivien Cox  
Ms Carolyn Coen  
Mr Nick Ploumis

**Item 4.2 76-80 Fewster Road, Hampton**

Mrs Meg Miller  
Mr Joseph Valente

**Item 4.3 2 Jennings Street, Sandringham**

Mr Les Finnis  
Ms A.S. Power  
Mr Tony Baenziger  
Mr Bruce Keen

**Item 4.4 2/42 Crisp Street, Hampton**

Mr Ian Le Page  
Mr Steven Underwood  
Mr George Limberis  
Mr Timothy Hernadi

**Item 4.6 1 Vardon Avenue, Beaumaris**

Mr Stephen Jones  
Mr Marcus O'Brien

**Item 4.7 26 Mariemont Avenue, Beaumaris**

Ms Maria Schuetz  
Mr Mike Fajdiga

**Item 4.11 284-286 Highett Road, Highett**

Mr Toby Lauchlan  
Mr James Weight

## **OFFICERS' REPORTS:**

- *It is recorded Cr Russell declared an Indirect Conflict of Interest in item 4.1 where residential amenity may be altered as he lives in close proximity to the application site.*

### **4.1 173 BLUFF ROAD, BLACK ROCK**

*It is recorded that Mr Peter Barber, Mrs Vivien Cox, Ms Carolyn Coen and Mr Nick Ploumis spoke in relation to this matter.*

**Moved: Cr Norris**

**Seconded: Cr Cooper-Shaw**

That Council having considered all the matters required under the Planning and Environment Act 1987 in respect of the land known as 173 Bluff Road, Black Rock decides to issue a Notice of Decision to Grant an Amended Permit for Planning Permit Application No. 2008/0046/2 for Amended Plans under Section 72 to planning permit number – 2008/0046/1 construction of a double storey building for the use of a child care centre for up to sixty (60) children, subject to the conditions in Part A and the permit notations in Part B of this recommendation as follows:

#### **A**

1. Before the use and development starts three copies of revised plans drawn to scale and dimension, 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 generally in accordance with the revised plans dated 14 May 2010 but modified to show to the satisfaction of the Responsible Authority:
  - a) The fire escape staircase is to be deleted.
  - b) Provision of an acoustic fence at the cost to the Applicant/Owner along the northern, southern and western boundaries of the subject site in accordance with the recommendations of a qualified acoustic engineer, as set out in the report required by condition 11, to the satisfaction of the Responsible Authority. The height of the fence along the northern boundary must be a minimum of 1.7 metres above the finished floor level of the building which is located opposite the fence location (or higher if recommended by the acoustic report to address noise transmission) to restrict views to the neighbouring property.
  - c) Eight (8) car spaces are to be allocated for staff (car space nos. 1, 2, 4, 9, 10, 11 and 12), six (6) car spaces are to be allocated as drop off and pick up (car space nos. 6, 7, 8, 13, 14 and 15) and the disabled car space changed from car space no. 3 to car space no. 5.
  - d) The bus stop sign, Council's bench seat and rubbish bin to be relocated to outside the sideage of 79 Red Bluff Street to the satisfaction of the Responsible Authority.
  - e) All paving (except driveways) to be permeable. Details of the permeability of the paving must be supplied to the satisfaction of the Responsible Authority.

#### **4.1 173 BLUFF ROAD, BLACK ROCK (continued)**

- f) A schedule of all external materials and finishes to be provided to the buildings and works on the land. The schedule shall show the materials, colour (including two colour samples) and finish of all external walls, roof, fascias, window frames and paving (including car park surfacing). Variation to the materials and finishes must be incorporated to the south and north elevations to break up the continuous built forms.
  - g) The proposed landscape treatment for the site including the existing and proposed species.
  - h) All plant and equipment (including air conditioning units, heating units, hotwater systems, etc.) which is proposed to be located externally shall be identified on the plans and located to the satisfaction of the Responsible Authority. Such equipment should be located away from bedrooms of adjoining properties.
  - i) The provision of a fence or barrier of at least 1.5m in height to preclude access by children of the area to the south side of the building which has a width of less than 3m. This open space is not to be used as an outdoor recreation space for children attending the premises.
  - j) The provision of gates to the car park entry located on the Bluff Road frontage, which are to be closed at all times when the premises is not operating.
  - k) Privacy screens or other suitable measures must be added to all south-facing and north facing windows to ensure compliance with Clause 54, Standard A15 of the Bayside Planning Scheme, except where there is an intervening fence of greater than 1.7 metres in height above the finished floor level of the building.
  - l) Amend the notations of 'selected face brick' on all elevation plans to 'selected render finish' and include reference to other materials consistent with the requirements of condition 1f).
  - m) Include notation of the finished surface levels, including any required retaining walls, on the site and elevation plans, and also the revised landscaping plan required by condition 18.
  - n) All finished floor levels and wall heights (as measured from Natural Ground Level) must reflect the as constructed levels on site.
2. The use and/or development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
3. The use and development must be managed so that the amenity of the area is not detrimentally affected, through the:
- a) transport of materials, goods or commodities to or from the land
  - b) appearance of any building, works or materials
  - c) emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil
  - d) presence of vermin
  - e) others as appropriate.

#### **4.1 173 BLUFF ROAD, BLACK ROCK (continued)**

4. The use may operate only between the hours of 7am to 7.30pm Monday to Friday.
5. No more than sixty (60) children and twelve (12) full-time staff members may be present on the premises at any one time without the written consent of the Responsible Authority.
6. All pipes, fixtures, fittings and vents servicing any building on the site must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
7. No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the building/s without the written consent of the Responsible Authority.
8. Any infectious or potentially infectious wastes (as defined by the EPA) shall be properly segregated in containers colour coded yellow for infectious wastes and orange for potentially infectious wastes. Any prescribed waste that leaves the premises of generation must be disposed of in accordance with Environmental Protection Authority (EPA) requirements.
9. All noise emanating from any mechanical plant (air conditioners etc) on the site must be kept at a level satisfactory to the EPA and the Responsible Authority.
10. Noise associated with the delivery or collection of goods from the premises or staff activity on the site must be kept at a level satisfactory to the EPA and the Responsible Authority.
11. Before the development commences, a report prepared by a suitably qualified acoustic consultant must be submitted to the satisfaction of the Responsible Authority. The report must detail recommendations with respect to the provision of glazing and acoustic seals to windows and glass doors, insulation to north, south and west external walls, and acoustic fencing of the north, west and south boundaries of the property to mitigate the emission of noise from the site. The measures must be documented on the endorsed plans, to the satisfaction of the Responsible Authority. The report must be revised to respond to the changes to the plans approved 20 December 2011 and to address and incorporate as mandatory requirements the fencing specified by condition 1b).
12. Provision must be made on the land for the storage and collection of garbage and other solid waste. This area must be graded and drained and screened from public view to the satisfaction of the Responsible Authority.
13. A commercial waste collector must carry out waste collection service for the proposed use in accordance with the Waste Management Plan prepared to the satisfaction of the Responsible Authority. The waste collection service should be carried out on site within the property boundaries. Garbage receptacles are not to be stored in the road reserve at any time. The use of commercial waste and recycling bins is subject to compliance with the guidelines in Schedule 1 of the relevant local laws of Bayside City Council. The collection of commercial waste and recycling bins is subject to compliance with EPA Noise Control Guidelines, Industrial Waste Collection, Section 6.

#### **4.1 173 BLUFF ROAD, BLACK ROCK (continued)**

14. External lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land to the satisfaction of the Responsible Authority.
15. Before the use or occupation of the development starts, the area/s set aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
  - a) constructed
  - b) properly formed to such levels that they can be used in accordance with the plans
  - c) surfaced with an all-weather-seal coat
  - d) drained
  - e) line marked to indicate each car space and all access lanes
  - f) clearly marked to show the direction of traffic along access lanes and driveways to the satisfaction of the Responsible Authority.

Car spaces, access lanes and driveways must be kept available for these purposes at all times.

16. All car parking spaces must be designed to allow all vehicles to drive forwards both when entering and leaving the property.
17. Vehicular crossing/s must be constructed to the road to suit the proposed driveway/s to the satisfaction of the Responsible Authority and any existing crossing or crossing opening must be removed and replaced with footpath, nature strip, and kerb and channel to the satisfaction of the Responsible Authority.
18. A new landscaping plan required to be in general accordance with the Advertised Plans Drawing No.1013-TP Sheet 6 of 6 Revision B with the relocation of two canopy trees from the rear to the south side of the site where the building is located. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The landscaping plan must show:
  - a) a survey (including botanical names) of all existing vegetation to be retained and/or removed
  - b) buildings and trees (including botanical names) on neighbouring properties within three metres of the boundary
  - c) details of surface finishes of pathways and driveways
  - d) a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant
  - e) landscaping and planting within all open areas of the site
  - f) finished surface levels around the building, including notation of any retaining walls.

All species selected must be to the satisfaction of the Responsible Authority.

The landscape plan must also indicate that an in-ground irrigation system is to be provided to all landscaped areas.

**4.1 173 BLUFF ROAD, BLACK ROCK (continued)**

- 19. Before the use/occupation of the development starts or by such later date as is approved by the Responsible Authority in writing, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.
- 20. 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.
- 21. All existing vegetation shown on the endorsed plans to be retained must not be removed, destroyed, pruned or lopped without the written consent of the Responsible Authority, all tree pruning must be carried out by a qualified Arborist to AS 4373, Pruning of Amenity Trees.
- 22. Replacement planting shall take place prior to the commencement of the operation of the childcare centre.
- 23. Prior to the commencement of any development or demolition works a Tree Protection Zone Fence of Cyclone wire or similar construction must be erected to a height of at least 1.8 metres at a minimum distance (metres) in radius from the centre of the following trees

Tree Particulars	Tree Protection Zone (Metres)
Tree 1: <i>Liquidambar styraciflua</i> - Liquidambar	To edge of proposed parking bays, to east boundary and 4 metres west if trunk centre.

- 24. Before the development begins, detailed plans (3 sets) indicating the method of stormwater discharge to the nominated 'Legal Point of Discharge' (and Stormwater Detention Systems where applicable), must be lodged with Council's Street Services department for approval.
- 25. Plans for the construction of the outfall drain must receive Bayside City Council approval prior to the commencement of the development.
- 26. Any paved courtyards / paths must be graded/ drained to prevent stormwater discharge into adjacent properties.
- 27. Stormwater Detention System is to be provided to the satisfaction of Bayside City Council.
- 28. Any seepage/agricultural drainage water must not be discharged directly to the kerb/channel.
- 29. The applicant must arrange for and pay the full costs of all roadworks, pavement markings, public lighting alterations, service relocations, signage and other costs associated with these works, i.e. all works are to be undertaken to no cost to VicRoads or the Responsible Authority.

#### **4.1 173 BLUFF ROAD, BLACK ROCK (continued)**

##### 30. Conditions required by VicRoads

- a) A two-way vehicular crossover, at least 6.4 metres wide, as measured at the property boundary, shall be constructed to the satisfaction of the Responsible Authority.
  - b) The edges of the vehicular crossover shall be angled at 60 degrees to the road reserve boundary to improve entry and exit conditions.
  - c) All car parking spaces shall be designed to allow all vehicles to drive forwards when both entering and leaving the subject property.
  - d) Any redundant existing vehicle crossovers shall be removed and the footpath, nature strip and kerbing reinstated to the satisfaction of the Responsible Authority.
  - e) Adequate signs, pavement markings and traffic island shall be provided to direct and control the flow of traffic within the site.
  - f) The applicant must arrange for and pay the full costs of all roadworks, pavement markings, public lighting alterations, service relocations, signage and other costs associated with these works, i.e. all works are to be undertaken to no cost to VicRoads or the Responsible Authority.
  - g) The applicant shall arrange for the contractor to notify the Department of Infrastructure (on telephone number 9655 8942) of the proposed works affecting the bus stop, seven days before construction is planned to commence.
31. The total number of children accommodated on the premises must meet the requirements of Section 43 of the Children's Services Regulations (1998).
32. No external sound amplification equipment or loudspeakers are to be used for the purpose of announcements, broadcasts or playing of music.
33. Any alarm must be directly connected to a security service and must not produce noise beyond the premises.
34. This permit will expire if one of the following circumstances applies:
- the development and use are not started within two years of the date of this permit.
  - 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 three months afterwards.

##### Permit Notes

- A permit must be obtained from Council for all vehicular crossings.  
These must be constructed under Council's supervision for which 24 hours notice is required.
- Building approval must be obtained prior to the commencement of the above-approved works.

**4.1 173 BLUFF ROAD, BLACK ROCK (continued)**

- Two copies of plans showing all details of internal works to be submitted to environmental health unit for approval prior to works commencing.
- All works to be completed in compliance with Environmental Health requirements. Should food be provided as part of the childcare operations then registration under the Food Act 1984 is required. All food preparation and storage areas are to comply with the FSANZ Food Standards Code and Environmental Health requirements.
- Reticulated sewerage must be provided to the requirements of the Sewerage Authority.
- Prior to commencement of any building works, an Asset protection Application must be taken out. This can be arranged by calling Asset Protection Administrator, Mon-Fri 9:00am to 1:00pm on 9599 4638.

B That the following table be added as a record on the permit.

Date	Amendments
20 December 2011	Amendments under Section 72 1. Amend condition 1b 2. Amend condition 1f 3. Add Condition 1k 4. Add Condition 1l 5. Add Condition 1m 6. Add Condition 1n 7. Amend Condition 11 8. Amend Condition 18

The Motion was Put and a **DIVISION** was called.

**DIVISION:**   **FOR:**           Crs Hayes, Frederico, Norris, Cooper-Shaw, Long and del Porto (6)  
                           **AGAINST:**   Nil

**CARRIED**

*It is recorded that Cr Russell was absent from the Chamber whilst this matter was discussed and was not present in the Chamber whilst the vote was taken on this item.*

*It is recorded Cr Russell returned to the Chamber at 7.42pm.*

## **4.2 76 – 80 FEWSTER ROAD, HAMPTON**

*It is recorded that Mrs Meg Miller and Mr Joseph Valente spoke in relation to this matter.*

**Moved: Cr Frederico**

**Seconded: Cr Cooper-Shaw**

That Council having caused notice of Planning Application No. 2011/0127/1 to be given under Section 52 of the Planning and Environment Act 1987 and having considered all the matters required under Section 60 of the Planning and Environment Act 1987 decides to issue a Notice of Decision to Grant a Permit the application under the provisions of the Bayside Planning Scheme in respect of the land known and described as 76-82 Fewster Road, Hampton for the Construction of sixteen (16) double storey dwellings in accordance with the plans dated 28 September 2011, subject to the following conditions, including the specified conditions set out in the Council's "Town Planning Standard Conditions" adopted by the Council on 28 November 2006:-

1. Before the development starts three copies of revised plans drawn to scale and dimensioned, 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 generally in accordance with the plans received by Council 28 September 2011 but modified to show to the satisfaction of the Responsible Authority:
  - a) A schedule of all external materials and finishes to be provided to the buildings and works on the land. The schedule shall show the materials, colour and finish of all external walls, roof, fascias, window frames and paving (including car park surfacing).
  - b) All plant and equipment (including air conditioning units, heating units, hot water systems, etc.), which is proposed to be located externally.
  - c) The front fence must be no more than 1.5m high with 25% permeability.
  - d) Water sensitive urban design stormwater treatment measures in accordance with Condition 11 of this permit.
  - e) The landscape plan to be in accordance with condition 8
  - f) The front setback of the dwellings proposed to front Fewster Road to comply with the requirements of Standard B6 of Clause 55.03-1 of the Bayside Planning Scheme and the associated schedule to the Residential 1 Zone.
  - g) Specific details of the use of fixed obscured glazing and/or fixed screening to prevent overlooking to adjoining properties consistent with the requirements of standard B22 of Clause 55.04-6 of the Bayside Planning Scheme.
2. Before the development starts the applicant must apply and have approved by the Responsible Authority to expunge Council's Drainage Easement and to have it reinstated to the rear of the site over Council's asset. Once the relocation of the easement has been approved, plans must be submitted and approved by the Responsible Authority in relation to building over an easement.
3. P4 Layout not altered
4. Before a building permit is issued, plans to the satisfaction of South Eastern Water must be submitted and approved by the Responsible Authority in relation to building over an easement in favour of South Eastern Water.
5. A18 Concealment of pipes

## **4.2 76 – 80 FEWSTER ROAD, HAMPTON (Continued)**

6. A19 Plant and equipment or features on roof
7. A20 Boundary Walls
8. Before the development starts, a 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 the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The landscaping plan must show:
  - a) a survey (including botanical names) of all existing vegetation to be retained and/or removed
  - b) buildings and trees (including botanical names) on neighbouring properties within three metres of the boundary
  - c) details of surface finishes of pathways and driveways
  - d) a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.
  - e) any new planting abutting the internal driveway to have maximum mature height of 750mm to maintain appropriate sight lines.
9. Completion of landscaping
10. L3 Landscaping maintenance
11. Tree protection fencing must be established around the street trees being retained prior to commencement of any works and maintained until all works on site are complete. The fencing is to be constructed and secured so its position cannot be modified by site workers. The fencing is to encompass the entire nature strip adjacent the works site with the exception of the crossovers and no construction activity or storage of materials within the tree protection zone is to be undertaken. The tree protection zone is to be established and maintained in accordance with Australian Standards 4970 Protection of trees on development sites
12. Before the commencement of works, detailed plans to the satisfaction of the Responsible Authority must be submitted to and be 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 in accordance with the guidelines outlined in Clause 22.10 of the Bayside Planning Scheme and must show:-
  - The type of water sensitive urban design stormwater treatment measures to be used;
  - The location of the water sensitive urban design stormwater treatment measures in relation to buildings, sealed surfaces and landscaping areas;
  - Design details of the water sensitive urban design stormwater treatment measures, including cross sections;

## 4.2 76 – 80 FEWSTER ROAD, HAMPTON (Continued)

- These plans must be accompanied by a report from an industry accepted performance measurement tool, which details the treatment performance achieved and demonstrates the level of compliance with the Urban Stormwater Best Practice Environmental Management Guidelines, CSIRO 1999.

The water sensitive urban design stormwater treatment system as shown on the endorsed plan must be retained and maintained at all times in accordance with the Urban Stormwater - Best Practice Environmental Management Guidelines, CSIRO 1999, to the satisfaction of the Responsible Authority.

13. Prior to the commencement of any works, a Construction Management Plan shall be submitted to and approved by the Responsible Authority. When approved, the Construction Management Plan will then form part of this permit. The Construction Management Plan, is not limited to but must include measures relating to:
- a) Hours of construction;
  - b) Control of noise, dust and litter;
  - c) Vehicle access and deliveries;
  - d) Protection of public assets;
  - e) Communication with the council and the public;
  - f) The management of construction vehicles and construction vehicle parking;

The Construction Management Plan must be implemented to the satisfaction of the Responsible Authority. The Construction Management Plan must not be modified unless with the prior written consent of the Responsible Authority.

14. Waste Management Plan

Before the use or occupation of the development starts, a waste management plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. All waste must be removed from site by a private contractor. When approved, the plan will be endorsed and will then form part of the permit. Three copies of the plan must be submitted. The plan must include but is not limited to:

- Provision on the land for the storage and collection of garbage and other solid waste. This area must be graded and drained and screened from public view to the satisfaction of the Responsible Authority.
- All waste material must be regularly removed from the site. All vehicles removing waste must have fully secured and contained loads so that no wastes are spilled or dust or odour is created to the satisfaction of the Responsible Authority.

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.

15. Before the occupation of the site commences or by such later date as is approved in writing by the responsible authority, all buildings and works and the conditions of this permit must be carried out and completed to the satisfaction of the responsible authority.

## **4.2 76 – 80 FEWSTER ROAD, HAMPTON (Continued)**

16. PT1 Time for starting and completion

### Permit Notes

- Prior to commencement of any building works, an Asset Protection Application must be taken out. This can be arranged by calling Council's Asset Protection Administrator, Mon-Fri 9.00am-1.00pm on 9599 4444.
- Construction of any fence/wall/letterbox structures may necessitate removal/damage of some sections of the footpath. If this is the case, a 'Road Opening Permit' must be obtained to facilitate such work.
- A 'Road Opening / Stormwater Tapping Permit' is to be obtained from the Bayside City Council Infrastructure Department prior to the commencement of the connection to the kerb/channel.

N1 Vehicle Crossing Permit

N2 Building approval

**CARRIED**

### 4.3 2 JENNINGS STREET, SANDRINGHAM

*It is recorded that Mr Les Finnis, Mr A.S. Power, Mr Tony Baenziger and Mr Bruce Keen spoke in relation to this matter.*

**Moved: Cr Russell**

**Seconded: Cr Hayes**

That Council having considered all the matters required under the Planning and Environment Act 1987 in respect of the land known as 2 Jennings Street, Sandringham decides to issue a Notice of Refusal to Grant a Permit for Planning Permit Application No. 2011/0238/1 for the construction of a double storey dwelling and front fence over 1.2 metres in height in a Special Building Overlay in accordance with the application dated 20 April 2011 and the revised plans dated 25 October 2011 on the following grounds:-

1. The proposed development does not accord with the preferred future Neighbourhood Character objectives for the area.
2. The proposed construction of a double storey dwelling to the rear will result in visual bulk detriment to the adjoining neighbours.
3. The proposal does not comply with the following Clause 54 Standards of the Bayside Planning Scheme:
  - Standard A1 - Neighbourhood Character
  - Standard A3 – Street setback
  - Standard A10 - Side and Rear setbacks
  - Standard A11 – Walls on Boundaries
  - Standard A20 - Front Fence

The Motion was Put and a **DIVISION** was called.

**DIVISION:**   **FOR:**           Crs Hayes, Norris, Russell and Cooper-Shaw (4)  
                  **AGAINST:**   Crs Frederico, Long and del Porto (3)

**CARRIED**

#### **4.4 2/42 CRISP STREET, HAMPTON**

*It is recorded that Mr Ian Le Page, Mr Steven Underwood, Mr George Limberis and Mr Timothy Hernadi spoke in relation to this matter.*

**Moved: Cr Frederico**

**Seconded: Cr Cooper-Shaw**

That Council having caused notice of Planning Application No. 2011/0404 to be given under Section 52 of the Planning and Environment Act 1987 and having considered all the matters required under Section 60 of the Planning and Environment Act 1987 decides to issue a Notice of Decision to Grant a Permit under the provisions of the Bayside Planning Scheme in respect of the land known and described as 2/42 Crisp Street, Hampton for the construction of a double storey dwelling on a lot less than 500 square metres in accordance with the application dated 5 July 2011 revised plans dated 21 September 2011, subject to the following conditions, including the specified conditions set out in the Council's "Town Planning Standard Conditions" adopted by the Council on 28 November 2006:-

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 generally in accordance with the plans submitted with the application and plans dated 21 September 2011 but modified to show:
  - a) The ground floor wall must be setback three (3) metres from the rear (southern) title boundary.
  - b) The eastern boundary fence to be a minimum of 1.9 metres with the addition of fence extenders of a minimum height of 60cm.
2. P4 Layout not altered
3. Before the development starts, a 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 the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The landscaping plan must show:
  - a) a survey (including botanical names) of all existing vegetation to be retained and/or removed.
  - b) buildings and trees (including botanical names) on neighbouring properties within three metres of the boundary.
  - c) details of surface finishes of pathways and driveways.
  - d) a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.
  - e) landscaping and planting within all open areas of the site.
  - f) a minimum of two canopy trees that are capable of growing to a minimum mature height of 6 metres.

All species selected must be to the satisfaction of the Responsible Authority.

#### **4.4 2/42 CRISP STREET, HAMPTON (Continued)**

The landscape plan must also indicate that an in-ground irrigation system is to be provided to all landscaped areas.

4. A18 Concealment of pipes
5. G7 Schedule of materials and colours
6. A19 Plant / Equipment or features on roof
7. PT1 Time for starting and completion

#### **Permit Notes**

- N2 Building approval
- N7 Retention of existing street trees/protection during construction
- N8 Sewerage
- N10 Asset Protection

#### **AMENDMENT**

**Moved: Cr Norris**

**Seconded: Cr Hayes**

That Council having caused notice of Planning Application No. 2011/0404 to be given under Section 52 of the Planning and Environment Act 1987 and having considered all the matters required under Section 60 of the Planning and Environment Act 1987 decides to issue a Notice of Decision to Grant a Permit under the provisions of the Bayside Planning Scheme in respect of the land known and described as 2/42 Crisp Street, Hampton for the construction of a double storey dwelling on a lot less than 500 square metres in accordance with the application dated 5 July 2011 revised plans dated 21 September 2011, subject to the following conditions, including the specified conditions set out in the Council's "Town Planning Standard Conditions" adopted by the Council on 28 November 2006:-

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 generally in accordance with the plans submitted with the application but modified to show:
  - a) The ground floor wall must be setback three (3) metres from the rear (southern) title boundary.
  - b) The garage and pool house re-configured so as to enable vehicles to turn and leave the site in a forward direction.
  - c) The eastern boundary fence to be a minimum of 1.9 metres with the addition of fence extenders of a minimum height of 60cm.
2. P4 Layout not altered

#### 4.4 2/42 CRISP STREET, HAMPTON (Continued)

3. Before the development starts, a 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 the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The landscaping plan must show:
  - a) a survey (including botanical names) of all existing vegetation to be retained and/or removed.
  - b) buildings and trees (including botanical names) on neighbouring properties within three metres of the boundary.
  - c) details of surface finishes of pathways and driveways.
  - d) a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.
  - e) landscaping and planting within all open areas of the site.
  - f) a minimum of two canopy trees that are capable of growing to a minimum mature height of 6 metres.

All species selected must be to the satisfaction of the Responsible Authority.

The landscape plan must also indicate that an in-ground irrigation system is to be provided to all landscaped areas.

4. A18 Concealment of pipes
5. G7 Schedule of materials and colours
6. A19 Plant / Equipment or features on roof
7. PT1 Time for starting and completion

#### Permit Notes

- N2 Building approval
- N7 Retention of existing street trees/protection during construction
- N8 Sewerage
- N10 Asset Protection

The **Amendment** was **PUT** and **LOST**

The Original Motion Moved by Cr Frederico and Seconded by Cr Cooper-Shaw became the Motion before the Chair.

The **Motion** was **PUT** and **CARRIED**

## 4.5 2 / 1 LITTLEWOOD STREET, HAMPTON

**Moved: Cr Cooper-Shaw**

**Seconded: Cr Long**

That Council having caused notice of Planning Application No. 2011/373/1 to be given under Section 52 of the Planning and Environment Act 1987 and having considered all the matters required under Section 60 of the Planning and Environment Act 1987 decides to Issue a Notice of Decision to Grant a Permit under the provisions of the Bayside Planning Scheme in respect of the land known and described as 2 / 1 Littlewood Street Hampton, for a new two (2) storey dwelling on a Lot less than 500 square metres in accordance with the amended plans submitted 9 December 2011, subject to the following conditions, including the specified conditions set out in the Council's "Town Planning Standard Conditions" adopted by the Council on 28 November 2006:-

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 generally in accordance with the amended plans submitted on 9 December 2011 but modified to show:
  - a) Landscape plan in accordance with condition 6 and include one (1) small canopy tree identified by species and the minimum mature height recorded including.
2. The development as shown on the endorsed plans must not be altered without the written consent of the responsible authority.
3. All pipes, fixtures, fittings and vents servicing any building on the site must be concealed in service ducts or otherwise hidden from view to the satisfaction of the responsible authority.
4. No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the building(s) without the written consent of the responsible authority.
5. The walls on the boundary of the adjoining properties shall be cleaned and finished to the satisfaction of the responsible authority.
6. Before the development starts, a 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 the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The landscaping plan must show:
  - a) a survey (including botanical names) of all existing vegetation to be retained and/or removed.
  - b) buildings and trees (including botanical names) on neighbouring properties within three metres of the boundary.
  - c) details of surface finishes of pathways and driveways.
  - d) details of water sensitive urban design elements to be incorporated and the plant species to be used.

#### 4.5 2 / 1 LITTLEWOOD STREET, HAMPTON (continued)

- e) a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.
- f) landscaping and planting within all open areas of the site.
- g) provision of an inground irrigation system to all landscaped areas.

All species selected must be to the satisfaction of the Responsible Authority.

7. Before the occupation of the development starts or by such later date as is approved by the responsible authority in writing, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the responsible authority.
8. The proposed internal drainage must be connected to the existing legal point of discharge. The applicant may apply for legal point of discharge and local drain information, or carry out on site verification.
9. Stormwater discharge is to be retained on site to the pre-development level of peak stormwater discharge. The development is to have a Stormwater Detention System installed, the design capacity to be to the satisfaction of the Responsible Authority.
10. Any seepage / agricultural drainage water must be filtered to rain water clarity and must be pumped to the nearest Council Drain /Pit and not be discharged to the kerb and channel unless directed otherwise.
11. Before the development begins, three sets of detailed plans indicating the method of stormwater discharge to the nominated Legal Point of Discharge (and Stormwater Detention Systems where applicable) must be lodged with Council's Engineering Services department for approval.
12. The driveway / Parking areas / paved courtyards / paths and 'pervious' pavements must be graded / drained to prevent stormwater discharge onto the front footpath and into adjacent properties.
13. This permit will expire if one of the following circumstances applies:
  - a) The development is not started within *two* years of the date of this permit.
  - b) 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 three months afterwards.

#### Permit Notes

- N2 Building approval
- N8 Sewerage

**CARRIED**

#### 4.6 1 VARDON AVENUE, BEAUMARIS

*It is recorded that Mr Stephen Jones and Mr Marcus O'Brien spoke in relation to this matter.*

**Moved: Cr Norris**

**Seconded: Cr Hayes**

That Council having considered all the matters required under the Planning and Environment Act 1987 in respect of the land known as 1 Vardon Avenue, Beaumaris decides to Issue a Notice of Refusal to Grant a Permit for Planning Permit Application No. 2011/0102/1 for the Construction of two (2) double storey dwellings and a front fence within 3 metres of a street, removal of native vegetation in a Vegetation Protection Overlay, and a two (2) lot subdivision in accordance with the plans dated 18 October 2011 on the following grounds:-

1. The proposed development does not accord with the preferred future Neighbourhood Character objectives for the area.
2. The proposal does not comply with the following Clause 55 Standards of the Bayside Planning Scheme:
  - Standard B1 - Neighbourhood Character
  - Standard B6 - Street setback
  - Standard B8 - Site coverage
  - Standard B17 - Side and rear setbacks
  - Standard B32 – Front fence height
3. The proposal does not achieve the vegetation protection objectives of Schedule 3 to the Vegetation Protection Overlay and in particular does not provide sufficient space to promote the regeneration and replanting of indigenous/native species.

The Motion was Put and a **DIVISION** was called.

**DIVISION:**   **FOR:**           Crs Hayes and Norris (2)  
**AGAINST:**   Crs Frederico, Russell, Cooper-Shaw, Long and del Porto (5)

**LOST**

**Moved: Cr Russell**

**Seconded: Cr Cooper-Shaw**

That Council having caused notice of Planning Application No. 2011/0102/1 to be given under Section 52 of the Planning and Environment Act 1987 and having considered all the matters required under Section 60 of the Planning and Environment Act 1987 decides to issue a Notice of Decision to Grant a Permit under the provisions of the Bayside Planning Scheme in respect of the land known and described as 1 Vardon Avenue, Beaumaris for the Construction of two (2) double storey dwellings and front fence within 3 metres of a street and a two (2) lot subdivision in accordance with the application dated 1 March 2011, subject to the following conditions, including the specified conditions set out in the Council's "Town Planning Standard Conditions" adopted by the Council on 28 November 2006:-

#### **4.6 1 VARDON AVENUE, BEAUMARIS (continued)**

1. Before the development starts three copies of revised plans drawn to scale and dimensioned, 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 generally in accordance with the plans received on 18 October 2011 but modified to show to the satisfaction of the Responsible Authority:
  - a) A schedule of all external materials and finishes to be provided to the buildings and works on the land, showing the materials, colour and finish of all external walls, roof, fascias, window frames and paving.
  - b) Adequate sight lines must be provided where each driveway intersects the footpath in accordance with the requirement set out in the Australian Standards.
  - c) Water sensitive urban design features and a Storm Report rating of at least 100% in accordance with the requirements of Clause 22.08 of the Bayside Planning Scheme and Condition 19 of this permit.

##### Development Conditions

2. The use and/or development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
3. All pipes, fixtures, fittings and vents servicing any building on the site must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
4. No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the building/s without the written consent of the Responsible Authority.
5. The walls on the boundary of the adjoining properties shall be cleaned and finished to the satisfaction of the Responsible Authority.
6. Vehicular crossing/s must be constructed to the road to suit the proposed driveway/s to the satisfaction of the Responsible Authority and any existing crossing or crossing opening must be removed and replaced with footpath, nature strip, and kerb and channel to the satisfaction of the Responsible Authority.
7. The applicant is to bear the cost to remove and reinstate any street furniture or infrastructure items to provide the required access to the proposed development.
8. Before the use/occupation of the development starts or by such later date as is approved by the Responsible Authority in writing, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.
9. 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.
10. Before the development starts a fee of \$4899.00 must be paid to the Responsible Authority for the removal and replacement of the existing street tree/s.

#### 4.6 1 VARDON AVENUE, BEAUMARIS (continued)

This amount has been determined in accordance with the Council's current policy for the removal of street tree(s). This amount may be increased by the Responsible Authority if an extension of time to commence work is granted and the amenity value of the street tree(s) has increased. The Responsible Authority, or a contractor or agent engaged by the Responsible Authority, must undertake the removal and replacement of the street tree(s). Any replacement planting will be at the discretion of the Responsible Authority.

11. Tree protection fencing must be established around all street trees prior to commencement of any works (including demolition) and maintained until all works on site are complete.

The fencing is to be constructed and secured so its position cannot be modified by site workers. The fencing is to encompass the entire nature strip under the dripline of the tree. The tree protection zone is to be established and maintained in accordance with Australian Standards 4970 Protection of trees on development sites.

12. No vehicular or pedestrian access, trenching or soil excavation is to occur within the Tree Protection Zone without the written consent of the Responsible Authority. No storage or dumping of tools, equipment or waste is to occur within the Tree Protection Zone.
13. As this is an established site; the proposed internal drainage should be connected to the existing legal point of discharge. The applicant may apply for legal point of discharge and local drain information, if available; otherwise on site verification should be undertaken by the applicant.
14. Storm water discharge is to be retained on site to the pre development level of peak stormwater discharge. The development is to have a 'Stormwater Detention System' installed, the design capacity to be Council approved.
15. Any seepage / agricultural drainage water are to be filtered to rain water clarity and must be pumped to the nearest Council Drain / Pit and not be discharged to the kerb and channel unless directed otherwise.
16. Before the development begins, detailed plans (3 sets) indicating the method of stormwater discharge to the nominated '*Legal Point of Discharge*' (and Stormwater Detention Systems where applicable), must be lodged with Council's Asset Management department for approval.
17. Before the commencement of works, detailed plans to the satisfaction of the Responsible Authority must be submitted to and be 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 in accordance with the guidelines outlined in Clause 22.10 of the Bayside Planning Scheme and must show:-
  - a) The type of water sensitive urban design stormwater treatment measures to be used;
  - b) The location of the water sensitive urban design stormwater treatment measures in relation to buildings, sealed surfaces and landscaping areas;
  - c) Design details of the water sensitive urban design stormwater treatment measures, including cross sections;

#### **4.6 1 VARDON AVENUE, BEAUMARIS (continued)**

- d) These plans must be accompanied by a report from an industry accepted performance measurement tool, which details the treatment performance achieved and demonstrates the level of compliance with the Urban Stormwater Best Practice Environmental Management Guidelines, CSIRO 1999.

The water sensitive urban design stormwater treatment system as shown on the endorsed plan must be retained and maintained at all times in accordance with the Urban Stormwater - Best Practice Environmental Management Guidelines, CSIRO 1999, to the satisfaction of the Responsible Authority.

18. Before the occupation of the site commences or by such later date as is approved in writing by the responsible authority, all buildings and works and the conditions of this permit must be carried out and completed to the satisfaction of the responsible authority.
19. This permit will expire if one of the following circumstances applies:
- a) The development and use is/are not started within two years of the date of this permit.
- b) 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 three months afterwards.

#### **Subdivision Conditions**

20. The subdivision on the endorsed plans must not be altered without the written consent of the responsible authority.
21. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities and electricity, gas and telecommunication services to each lot shown on the endorsed plan in accordance with the authorities' requirements, as at Condition 8, and relevant legislation at the time.
22. All existing and proposed easements and sites for existing and required utility services and roads must be set aside in favour of the relevant authority for which the easement or site is to be created on the plan of subdivision submitted for certification under the Subdivision Act 1988.
23. The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the relevant authority in accordance with Section 8 of that Act.
24. Prior to the issue of a Statement of Compliance, the Owner shall enter into and comply with an agreement with Melbourne Water Corporation for the acceptance of surface and storm water from the subject land directly or indirectly into Melbourne Water's drainage systems and waterways and other matters in accordance with the powers of Melbourne Water Corporation under the Water Act 1989.

#### **4.6 1 VARDON AVENUE, BEAUMARIS (continued)**

25. Prior to the Plan of Subdivision being certified by the Responsible Authority, unless otherwise agreed in writing by the Responsible Authority, the owner of the land must enter into an agreement pursuant to Section 173 of the Planning and Environment Act 1987 with the Responsible Authority to the effect that:
- a) The development of Lots 1 and 2 indicated on the plan of subdivision shall be in accordance with approved plans forming part of this Planning Permit or any amendment to the plans approved by the Responsible Authority.
  - b) The agreement shall be prepared and executed at the owners cost.
26. This permit will expire if:
- a) The plan of subdivision is not certified with compliance within two (2) years of the date of this permit.
  - b) The plan of subdivision is not registered with the Titles Office within five (5) years of the date of this permit.

The responsible authority may extend the time if a request is made in writing before the permit expires or within three months afterwards.

#### Permit Notes

#### Development Notes

A permit must be obtained from Council for all vehicular crossings. These must be constructed under Council's supervision for which 24 hours notice is required.

Building approval must be obtained prior to the commencement of the above approved works.

Consultation should take place with Council respect of the removal of the vehicular crossing and reinstatement works.

Reticulated sewerage must be provided to the requirements of the Sewerage Authority.

Prior to commencement of any building works, an Asset protection Application must be taken out. This can be arranged by calling Asset Protection Administrator, Mon-Fri 9:00am to 1:00pm on 9599 4638.

#### Drainage:

- a) Building over an Easement –  
There are no easements indicated on the submitted plans.
- b) The driveway / parking areas / paved courtyards / paths and 'pervious' pavements must be graded / drained to prevent stormwater discharge neither onto the front footpath nor into adjacent properties.

#### **4.6 1 VARDON AVENUE, BEAUMARIS (continued)**

- c) Permits to be acquired –
  - i. Construction of any fence/wall/letterbox structures may necessitate removal/damage of some sections of the footpath. If this is the case, a *'Road Opening Permit'* must be obtained to facilitate such work.
  - ii. A *'Road Opening / Stormwater Tapping Permit'* is to be obtained from the Bayside City Council Infrastructure Department prior to the commencement of the connection to the kerb/channel
- d) Flood Zone –
  - i. The property is not in a 'Flood zone'

#### **Subdivision Notes**

Approval does not cover alterations to existing Telstra Network or Plant. Locations of existing network can be obtained from Dial Before You Dig – Ph: 1100.

Applicant pay to Telstra, the reasonable cost of any works necessary, as a result of the subdivision, to remove, or later the position of any existing facility on the subdivision, or on any adjacent land or Government Road, pursuant to Clause 53 of Schedule 3 of the Telecommunications Act 1997.

**CARRIED**

## **4.7 26 MARIEMONT AVENUE, BEAUMARIS**

*It is recorded that Ms Maria Schuetz and Mr Mike Fajdiga spoke in relation to this matter.*

**Moved: Cr Russell**

**Seconded: Cr Cooper-Shaw**

That Council having caused notice of Planning Application No. 2011/463/1 to be given under Section 52 of the Planning and Environment Act 1987 and having considered all the matters required under Section 60 of the Planning and Environment Act 1987 decides to issue a Notice of Decision to Grant a Permit under the provisions of the Bayside Planning Scheme in respect of the land known and described as 26 Mariemont Avenue, Beaumaris for alterations and additions to an existing dwelling to construct a third storey in a Design and Development Overlay Schedule 2 in accordance with the application date 5 August 2011, subject to the following conditions, including the specified conditions set out in the Council's "Town Planning Standard Conditions" adopted by the Council on 26 November 2006:-

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 generally in accordance with the plans submitted with the application but modified to show:
  - a) Hip roof form provided on the east and west ends of the proposed addition as shown on plan date stamped 9 November 2011.
  - b) The terrace/ balcony on the third storey must be screened so as to prevent direct views into the secluded private open space and habitable room windows of existing dwellings within 9m.
  - c) Tree protection zone of a minimum 3m diameter around the existing street tree in accordance with condition 5.
  - d) Water sensitive urban design features in accordance with the requirements of Clause 22.08 of the Bayside Planning Scheme.
2. The development as shown on the endorsed plans must not be altered without the written consent of the responsible authority.
3. All pipes, fixtures, fittings and vents servicing any building on the site must be concealed in service ducts or otherwise hidden from view to the satisfaction of the responsible authority.
4. No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the building(s) without the written consent of the responsible authority.

#### **4.7 26 MARIEMONT AVENUE, BEAUMARIS (continued)**

5. Before the development starts, a tree protection fence must be erected around the street trees in front of 26 Mariemont Avenue and maintained until all works on site are completed.
  - a) The fencing is to be constructed and secured so its positioning cannot be modified by site workers.
  - b) The fencing is to encompass the entire nature strip under the drip line of the tree.
  - c) The Tree Protection Zone is to be established and maintained in accordance with Australian Standard 4970 Protection of trees on development sites.
6. No vehicular or pedestrian access, trenching or soil excavation is to occur within the Tree Protection Zone without the written consent of the responsible authority. No storage or dumping of tools, equipment or waste is to occur within the Tree Protection Zone.
7. Any pruning that is required to be done to the canopy of any tree to be retained is to be done by a qualified arborist to Australian Standard – Pruning of Amenity Trees AS4373-1996. Any pruning of the root system of any tree to be retained is to be done by hand by a qualified arborist.
8. The existing street trees must not be removed or damaged.
9. The proposed internal drainage must be connected to the existing legal point of discharge. The applicant may apply for legal point of discharge and local drain information, or carry out on site verification.
10. Any seepage / agricultural drainage water must be filtered to rain water clarity and must be pumped to the nearest Council Drain / Pit and not be discharged to the kerb and channel unless directed otherwise.
11. This permit will expire if one of the following circumstances applies:
  - a) The development is not started within two (2) years of the date of this permit.
  - b) The development is not completed within four (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 three months afterwards.

#### Permit Notes

- N1 Crossover permit
- N2 Building approval
- N6 Vehicle crossing removal
- N7 Retention of existing street trees
- N8 Sewerage
- N10 Asset Protection

**CARRIED**

**4.8 124-126 CHURCH STREET, BRIGHTON****Moved: Cr Hayes****Seconded: Cr Long**

That the amended plans lodged on 12 October 2011 be approved under the Secondary Consent Provisions of Planning Permit No. 99/5061 for offices at first floor level above a ground floor shop and basement car parking at 124-126 Church Street, Brighton and the following table be added to the permit:

Date	Change to permit
20 December 2011	Secondary Consent to Amend Plans: <ul style="list-style-type: none"><li data-bbox="526 646 1354 716">• Relocation of the first floor facade to zero setback and removal of existing balcony.</li></ul>

**CARRIED**

**4.9 220-228 BAY ROAD, SANDRINGHAM**

**Moved: Cr Norris**

**Seconded: Cr Russell**

That the amended plans lodged on 4 November 2011 be approved under the Secondary Consent Provisions of Planning Permit No. 2010/232/1 for the construction of buildings and associated works, the use of the land for accommodation (serviced apartments), medical centre, shop, food and drink premises (cafe), and office, a reduction in required car parking, bicycle and loading facilities and the removal of native vegetation in accordance with the endorsed plans and subject to the following conditions at 220-228 Bay Road, Sandringham and the following table be added to the permit:

<b>Date</b>	<b>Change to permit</b>
20 December 2011	<p>Secondary Consent to Amend Plans:</p> <p><b>TP103 Revision C – Ground Floor Plan</b></p> <ul style="list-style-type: none"> <li>▪ Addition of pergolas over part of the ground floor private open space areas of the dwellings along the eastern side of the building. The pergolas are designed to provide weather protection for the private recreational space of these dwellings which will increase amenity for future residents of these apartments.</li> </ul> <p><b>TP104 Revision C – Level 1 Plan</b></p> <ul style="list-style-type: none"> <li>▪ Internal rearrangement of the front four two-bedroom apartments in the central building (no change to the number of apartments).</li> </ul> <p><b>TP105 Revision C – Level 2 Plan</b></p> <ul style="list-style-type: none"> <li>▪ Reconfiguration of the front two two-bedroom apartments in the central building to create four one-bedroom apartments (a nett increase of 2 apartments).</li> </ul> <p><b>TP107 Revision C – Level 4 Plan</b></p> <ul style="list-style-type: none"> <li>▪ Modifications to the proposed layout of a number of apartments including:               <ul style="list-style-type: none"> <li>- Conversion of the two units on the north eastern section of this level into a three bedroom + three bathroom unit with a larger balcony area fronting Bay Road;</li> <li>- A reduction of the number of one bedroom dwellings from 8 to 3 and increase in the number of two bedroom dwellings from 17 to 21 as a result of internal modifications.</li> </ul> </li> </ul>

**4.9 220-228 BAY ROAD, SANDRINGHAM (continued)**

	<p><b>TP108 Revision C – Level 5 Plan</b></p> <ul style="list-style-type: none"> <li>▪ Modifications to the proposed layout of a number of apartments including:             <ul style="list-style-type: none"> <li>- Increase in the number of three bedroom apartments from 1 to 3, a reduction of the number of one bedroom dwellings from 5 to 2 and increase in the number of two bedroom dwellings from 15 to 16 as a result of internal modifications.</li> <li>- Provision of a larger balcony area for the newly converted three bedroom dwelling on the north west corner of this level.</li> <li>- In order to increase amenity for the three dwellings with an outlook towards the south, each of these dwellings has been provided with a small balcony.</li> </ul> </li> </ul> <p><b>TP109 Revision D – Level 6 Plan</b></p> <ul style="list-style-type: none"> <li>▪ Modifications to the proposed layout of a number of apartments including:             <ul style="list-style-type: none"> <li>- Conversion of the three 1 bedroom and three 2 bedroom apartments along the western side of the building into three 3 bedroom apartments.</li> <li>- Decrease in the number of one bedroom apartments along the eastern side of the building from 3 to 2 and increase in the number of two bedroom apartments from 3 to 4.</li> <li>- Provision of balcony areas to the southern and northern apartments on this level to increase the level of amenity for these dwellings (refer to letter from School for approval to these modifications).</li> </ul> <p>It is noted that the proposed balcony areas to the northern section of this level will further articulate this elevation when seen from various vantage points across the site and from the public realm.</p> </li> </ul> <p><b>TP110 Revision C – Level 7 Plan</b></p> <ul style="list-style-type: none"> <li>▪ Modifications to the proposed layout including:             <ul style="list-style-type: none"> <li>- Conversion of the three 1 bedroom and 3 two bedroom apartments along the western side of the building into three 3 bedroom apartments.</li> <li>- Decrease in the number of one bedroom apartments along the eastern side of the building from 3 to 2 and increase in the number of two bedroom apartments from 3 to 4.</li> </ul> </li> </ul>
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**4.9 220-228 BAY ROAD, SANDRINGHAM (continued)**

	<ul style="list-style-type: none"> <li>- Provision of balcony areas to the southern and northern apartments on this level to increase the level of amenity for these dwellings (refer to letter from School for approval to these modifications).</li> </ul> <p><b>TP200 Revision C – South and North Elevations</b></p> <ul style="list-style-type: none"> <li>▪ Modifications to the elevations to reflect changes to floor plans;</li> <li>▪ Window location adjustments along the southern elevation as a result of layout adjustments and to maximise the amount of natural light penetration to the south facing apartments.</li> </ul> <p><b>TP202 Revision C – Central Building East and West Elevations</b></p> <ul style="list-style-type: none"> <li>▪ Modifications to the elevations to reflect changes to floor plans;</li> </ul>
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**CARRIED**

**4.10 141 TRAMWAY ROAD, BEAUMARIS**

**Moved: Cr Norris**

**Seconded: Cr Russell**

That the amended plans for the changes to the endorsed plans be approved under the Secondary Consent provisions of Planning Permit No. 2002/7855/1 issued for the construction of two (2) double storey dwellings with at 141 Tramway Parade and the following table be added to the permit:

Date	Amendment
20 December 2011	<p><b>Secondary consent to amend plans:</b></p> <ul style="list-style-type: none"> <li>• To construct a verandah to the rear of the dwelling.</li> </ul>

**CARRIED**

**4.11 284-286 HIGHETT ROAD, HIGHETT**

*It is recorded that Mr Toby Lauchlan and Mr James Weight spoke in relation to this matter.*

**Moved: Cr Frederico**

**Seconded: Cr Cooper-Shaw**

That the Amended Plans dated 17 November 2011 be approved under the Secondary Consent Provisions of Planning Permit No. 2004/679/1 for the use and development for a mixed use multi level building, comprising of a supermarket, retail premises, office area, apartment and associated car parking at 284-286 Highett Road, Highett and the following table be added to the permit:

Date	Amendment
20 December 2011	<p><b>Secondary consent to amend plans :</b></p> <p><u>0876/TP005i</u></p> <ul style="list-style-type: none"> <li>• Revision to the car park layout and provision of two (2) additional spaces; and</li> <li>• Relocation of trolley bays.</li> </ul> <p><u>0876/TP006t</u></p> <ul style="list-style-type: none"> <li>• Reduction in floor space for Office H3 and a dwelling provided on the mezzanine level;</li> <li>• Removal of internal supermarket shop, and expansion of the supermarket floor area to 4101 square metres;</li> <li>• Amalgamation of Shops 4, 5 and 6; and</li> <li>• Subsequent renumbering of the remaining Shops.</li> </ul> <p><u>0876/TP007m</u></p> <ul style="list-style-type: none"> <li>• Internal rearrangement of apartment layouts (Apartments 125–133; and 148–152);</li> <li>• Internal layout and terrace size increased (Apartments 114–119);</li> <li>• Apartments 142-148 reduced from 2-bedrooms to 1-bedroom plus study;</li> <li>• Addition of Apartment 153 (1-bedroom plus study); and</li> <li>• Acoustic screen to supermarket ductwork.</li> </ul> <p><u>0876/TP008h</u></p> <ul style="list-style-type: none"> <li>• Apartments 251-256 reduced from 2-bedrooms to 1-bedroom plus study; and</li> <li>• Addition of Apartment 262 (1-bedroom plus study).</li> </ul>

**4.11 284-286 HIGHETT ROAD, HIGHETT (continued)**

	<p><u>0876/TP009h</u></p> <ul style="list-style-type: none"><li>• Apartments 302-307 reduced from 2-bedrooms to 1-bedroom plus study; and</li><li>• Addition of Apartment 314 (1-bedroom plus study).</li></ul> <p><u>0876/TP010e</u></p> <ul style="list-style-type: none"><li>• A2 apartment roof reduced.</li></ul> <p><u>0876/TP014k</u></p> <ul style="list-style-type: none"><li>• Lowered canopy in front of store (North Elevation); and</li><li>• A2 apartment roof reduced (East Elevation); and</li><li>• Subsequent revisions to the facade resulting from internal rearrangement of apartments.</li></ul> <p><u>0876/TP015j</u></p> <ul style="list-style-type: none"><li>• Blade walls to apartment terraces to minimise overlooking (South Elevation); and</li><li>• Acoustic screen to supermarket ductwork.</li></ul> <p><u>0876/TP017e</u></p> <p>Revised supermarket roof.</p>
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**CARRIED**

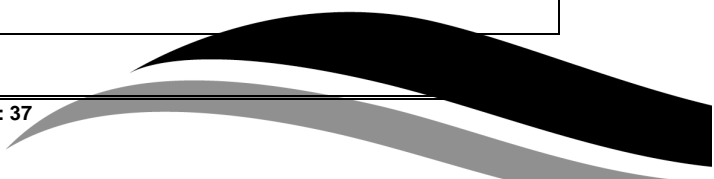
**4.12 7 CENTRE ROAD, BRIGHTON EAST**

**Moved: Cr Hayes**

**Seconded: Cr Frederico**

That the Amended Plans for the basement, first floor and second floor, be approved by Council under the Secondary Consent provisions of Planning Permit No. 2006/1023/1 issued for Alterations and additions to an existing aged care facility, including the construction of 3 storey buildings in a Design and Development Overlay Schedule 2, basement parking in a Special Building Overlay and alterations to a crossing in Road Zone Category 1 and the creation of new access in a Road Zone Category 1 at 7 Centre Road, Brighton East, and the following table be added at the end of the permit.

<b>Date</b>	<b>Amendment</b>
20 December 2011	<p>Secondary consent Amendments to plans  <b>Basement Plan (TP 004)</b></p> <ul style="list-style-type: none"> <li>• Basement plan reconfigured</li> <li>• Bin Store included within the basement</li> </ul> <p><b>Ground Floor (TP 005)</b></p> <ul style="list-style-type: none"> <li>• Hydrotherapy pool changed to a lap pool.</li> <li>• External ramp added to provide disabled access into the Grant Street building</li> <li>• Foyer within the Grant Street building altered to include the ramp access and services. W/C internal layouts reconfigured.</li> <li>• Services access stair added for maintenance purposes only (includes lockable gate)</li> <li>• Bin store increased in size as part of rationalisation of refuse collection areas (see also item 2H below)</li> <li>• Car park entrance and internal storage areas altered</li> <li>• Foyer within Centre Road building altered to improve access</li> <li>• Public activity area altered within the Centre Road building</li> <li>• Bin storage area has been relocated to roundabout and replaced with landscaping</li> </ul> <p><b>First Floor (TP 006)</b></p> <ul style="list-style-type: none"> <li>• Central atrium space linking the ground floor.</li> <li>• Grant Street building foyer altered to accommodate new ramp. W/C layouts configured</li> </ul>



**4.12 7 CENTRE ROAD, BRIGHTON EAST (continued)**

	<ul style="list-style-type: none"> <li>• Foyer within Centre Road building altered to improve access</li> <li>• Internal layout of administration area within Centre Road building reconfigured</li> </ul> <p><b>Second Floor (TP007)</b></p> <ul style="list-style-type: none"> <li>• Atrium continues to the second floor offering light to the spaces located below.</li> <li>• Grant Street building foyer altered to accommodate new ramp; W/C layouts configured.</li> <li>• Foyer within Centre Road building altered to improve access</li> </ul> <p><b>West Elevation (TP008)</b></p> <ul style="list-style-type: none"> <li>• Change the use of render to aluminium composite material.</li> <li>• Sunshade louvers removed from western facade of Centre Road building</li> <li>• Sunshade louvers within ground floor façade of Centre Road building replaced by rendered wall</li> <li>• Sunshade louvers removed from western façade of Centre Road building, glazing to be insulated against heat gain/loss</li> <li>• Schedule of materials to include ventilated screens.</li> </ul> <p><b>West Elevation (TP009)</b></p> <ul style="list-style-type: none"> <li>• Fenestration detailing amended.</li> <li>• Glazing and louvers replaced with brick finish adjacent to fire stair of Centre Road building</li> <li>• Sunshade louvers removed from western façade of Centre Road building, glazing to be insulated</li> <li>• Schedule of materials to include ventilated screens</li> <li>• Schedule annotated to show removal of louvres</li> </ul> <p><b>North Elevation (TP010)</b></p> <ul style="list-style-type: none"> <li>• Fenestration detailing amended.</li> <li>• Small section of balcony removed from northern façade of Centre Road building</li> <li>• Door added at second floor level of Centre Road building</li> <li>• Correction made to plan to remove part of existing building</li> </ul>
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**4.12 7 CENTRE ROAD, BRIGHTON EAST (continued)**

	<p><b>South Elevation (TP011)</b></p> <ul style="list-style-type: none"><li>• Fenestration detailing amended.</li><li>• Correction made to elevation to accurately show roofing material</li><li>• Balconies and balustrading extended</li><li>• Schedule of materials to include ventilated screen</li><li>• Schedule annotated to show removal of louvres</li></ul> <p><b>Drawing (TP012)</b></p> <ul style="list-style-type: none"><li>• Roof of Grant Street building reconfigured</li><li>• Windows added to the third floor of the Grant Street elevation</li><li>• Wall cladding and window configuration changed at western end of Grant Street building</li><li>• Window and balcony configuration changed at western end of Grant Street building</li><li>• Brickwork added at ground floor of Grant Street façade</li><li>• Material correctly shown in background, behind vehicle entry</li><li>• Window configuration changed within southern elevation of the Grant Street building</li><li>• Balconies within the western elevation of the Grant Street building reduced in size</li><li>• Windows removed from western façade</li><li>• Windows added to western façade, to be fitted with obscure glazing and/or privacy screens</li><li>• Window sills raised within eastern façade</li><li>• Location of lift core shown accurately</li></ul>
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**CARRIED**

**The Chairperson declared the meeting closed at 9.32pm.**