



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

held in the Council Chamber  
Boxshall Street, Brighton  
on Tuesday 25 October 2011  
at 7.00pm

### **PRESENT:**

Cr Louise Cooper-Shaw (Chairperson)  
Cr Alex del Porto (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
Theodora Jenkin	-	Statutory Planning Coordinator
Terry Callant	-	Governance Manager
Janice Pouw	-	Governance Officer

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

### **DECLARATIONS OF INTEREST:**

- Cr Frederico declared a Direct Conflict of Interest in item 4.5 as her family resides at property close to the application site.
- Cr Cooper-Shaw declared a Direct Conflict of interest in item 4.5 as her daughter is a student at Haileybury College.

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**Confirmation of the Minutes of the Planning Committee Meeting  
4 October 2011**

**Moved: Cr del Porto**

**Seconded: Cr Norris**

That the Minutes of the Planning Committee Meeting held on 4 October 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 4.1 380-386 Bay Street, Brighton**

Mr Kevin Spencer  
Mr Jarrah Lukjanov

**Item 4.2 18-22 Fernhill Road, Sandringham**

Dr Fiona Best	Mr Bill Wade
Mr David Robbins	Mr Declan Ryan
Mr Norman Griffiths	Mr Renn Starcic
Ms Helen Monkevitch	Mr Steven Bitmead

**Item 4.3 14 St Andrews Street, Brighton**

Mr Peter Tesdorpf	Mr Kel Twite
Ms Suzy Watt	Mr Peter Bick
Mr Stan Cholaj	Mrs Patricia Funnell

**Item 4.4 4 Dudley Street, Brighton**

Mr Don Beggs	Mr John Hindmarsh
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**Item 4.5 120 South Road, Brighton East and 19 Villeroy Street, Hampton**

Mr Jon Frederico	Mr Peter Lewis
Mr Allan Scott	Dr Nicholas Dwyer
Dr Louise Batchelor	

**Item 4.6 34 Teddington Road, Hampton**

Mr Andrew Donald	Mr Roger Hill
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**Item 4.7 101 Carpenter Street, Brighton**

Mr Daniel O'Donnell

**Item 4.9 232 – 234 Bay Street, Brighton**

Mr Kel Twite

**OFFICERS' REPORTS:****4.1 380 - 386 BAY STREET, BRIGHTON**

*It is recorded that Mr Kevin Spencer and Mr Jarrah Lukjanov spoke in relation to this item.*

**Moved: Cr del Porto**

**Seconded: Cr Hayes**

That Council

1. decides not support the amendments to the permits and endorsed plans under S87A Application to Amend the Permit and plans for Planning Permit No 2009/0685/1 in respect of the land known and described as 380-386 Bay Street, Brighton in accordance with the application dated 6 July 2011 as Council considers that the changes are inappropriate as they will increase the height of the building and compromise parking provision and entry arrangements;
2. engages appropriate legal representation at any VCAT hearing; and
3. engages appropriate heritage advice should this be required.

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

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

**CARRIED**

## **4.2 18-22 FERNHILL ROAD, SANDRINGHAM**

*It is recorded that Dr Fiona Best, Mr Bill Wade, Mr Declan Ryan, Mr Norman Griffiths, Mr Renn Starcic and Ms Helen Monkevitch spoke in relation to this item.*

*It is further recorded that Mr David Robbins was not present in the Chamber and Mr Steven Bitmead did not pursue his right to speak.*

*It is recorded that Cr del Porto vacated the Chamber at 8.11pm and re-entered at 8.13pm.*

**Moved: Cr Russell**

**Seconded: Cr Frederico**

That Council having caused notice of Planning Application No. 2010/0197/1 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 18-22 Fernhill Road and 17-21 Trentham Street, Sandringham for the construction of a three (3) storey Residential Aged Care Facility with basement car parking in accordance with the amended application dated 2 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 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 dated 2 August 2011 but modified to show:
  - a) All north and south facing windows to comply with the overlooking requirements of Clause 55 Standard B22 of the Bayside Planning Scheme.
  - b) The third storey in the vicinity of Bedrooms F01, 04, 05, 09 must be reduced to ensure compliance in accordance with the Amendment C100 - Schedule 9 setback requirements of the Bayside Planning Scheme.
  - c) All redundant vehicle crossings being removed and reinstated as nature strips.
  - d) The design of the basement and the parking spaces in the basement compliant with the requirements of AS/NZ 2890.1-2004. Each car space that leads into another, or a wall, must be at least 5.4m long. All columns shall have a setback of 0.3-0.75m from the parking aisle.
  - e) A landscape plan in accordance with the requirements of Condition 4 of this permit.
  - f) All wall heights above ground level to AHD to be shown on the plans.
  - g) All paving (except driveways) to be permeable.
  - h) A schedule of all external materials and finishes. The schedule must show the materials, colour (including two colour samples) and finish of all external walls, roof, fascias, window frames and paving (including car park surfacing).
  - i) All plant and equipment (including air conditioning units, heating units, hotwater systems, etc.) to be located externally.

## 4.2 18-22 FERNHILL ROAD, SANDRINGHAM (continued)

- j) The storage locations for the garbage and recycling bins and the loading area.
  - k) No excavations within 3.0 metres of the street tree - Eucalyptus sp (eucalyptus)
  - l) No excavations within 2.5 metres of the street tree Calistemon salignus (Willow Bottlebrush)
  - m) Landscape plan in accordance with condition 3.
  - n) Water Sensitive Urban Design measures in accordance with Condition 25 of this permit.
2. The use and development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
  3. Before the development starts, 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 the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The plan must show:
    - a) A survey (including botanical names) of all existing vegetation to be retained;
    - b) Location of tree protection barriers for existing trees to be retained ;
    - c) An in-ground irrigation system provided to all landscaped areas.
  4. Landscaping as shown on the endorsed landscape plan must be carried out and completed to the satisfaction of the Responsible Authority prior to the occupation of any part of the development.
  5. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority.
  6. The use and development must be managed so that the amenity of the area is not detrimentally affected, including 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; or
  7. 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.
  8. Air-conditioning and other plant and equipment installed on the subject buildings must be positioned and baffled to ensure minimal visual impact outside the site and compliance with relevant noise regulation requirements to the satisfaction of the Responsible Authority.
  9. 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.

## **4.2 18-22 FERNHILL ROAD, SANDRINGHAM (continued)**

10. Before the buildings are occupied, 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; and
  - f) clearly marked to show the direction of traffic along access lanes and driveways to the satisfaction of the Responsible Authority.
11. Car spaces, access lanes and driveways must be kept available for the purpose of parking or access as appropriate at all times.
12. All car parking spaces must be designed to allow all vehicles to drive forwards both when entering and leaving the property.
13. The stormwater detention system must be designed in accordance with cl. 8.11 A.S/NZ 3500.3.2 1998 National Plumbing and Drainage – Part 3.2 Stormwater drainage – Acceptable solutions
14. Plans for the construction of the outfall drain must receive Bayside City Council approval prior to the commencement of the development.
15. Any paved courtyards / paths must be graded/ drained to prevent stormwater discharge into adjacent properties.
16. Any seepage / agricultural drainage water must not be discharged directly to the kerb/channel.
17. 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.
18. The driveway / parking areas / paved courtyards / paths and 'pervious' pavements must be graded / drained to prevent stormwater discharge onto the front footpath or into adjacent properties.
19. Before the buildings are occupied, a traffic and parking management plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The plan must include:
  - a) the location of all areas on-and/or off-site to be used for trade and delivery parking;
  - b) the means by which the direction of traffic and pedestrian flows to and from car parking areas will be controlled both on and off-site; and
  - c) measures to discourage delivery/service vehicles obstructing traffic flows to the surrounding streets.

## **4.2 18-22 FERNHILL ROAD, SANDRINGHAM (continued)**

20. Prior to the commencement of any works, a construction management plan must be submitted to and approved by the Responsible Authority. The construction management plan must address, but is not limited to:
- a) control of noise and airborne matter, deliveries, vehicle access, worker car parking, damage to public assets, and contact numbers for complaints;
  - b) provision of a truck wheel-wash so that vehicles leaving the site do not deposit mud or other materials on roadways;
  - c) the covering and maintenance of all roads/storage areas/external stockpiles/or vacant areas to avoid dust nuisance to any residential and commercial premises; and
  - d) the prohibition of delivery/tradesmen's vehicles from obstructing the surrounding streets during the construction period.

21. Waste Management Plan

22 Health Conditions

23 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 22.08 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;

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.

23 This permit will expire if one of the following circumstances apply:

- a) the development is not started within two (2) years of the date of this permit;
- or
- 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.







*It is recorded Cr Frederico declared a Direct Conflict of Interest in item 4.5 as her family resides at a property close to the application site.*

*It is recorded that Cr Cooper-Shaw declared a Direct Conflict of interest in item 4.5 as her daughter is a student at Haileybury College.*

*It is further recorded Crs Frederico and Cooper-Shaw vacated the Chamber at 9.23pm.*

*The Governance Manager called for nominations for a Chairperson for consideration of Item 4.5.*

**Moved: Cr Hayes**

**Seconded: Cr Russell**

That Cr del Porto take the Chair for consideration of Item 4.5.

**CARRIED**

As there were no further nominations, the Governance Manager declared Cr del Porto, Acting Chairperson for Item 4.5 only.

#### **4.5 120-122 SOUTH ROAD BRIGHTON EAST AND 19 VILLEROY STREET HAMPTON**

*It is recorded that, Mr Allan Scott, Dr Louise Batchelor, and Dr Nicholas Dwyer spoke in relation to this item.*

*It is recorded that Mr Jon Frederico was not present in the Chamber. It is further recorded that Dr Louise Batchelor spoke on behalf of Mr Peter Lewis.*

**Moved: Cr Long**

**Seconded: Cr Russell**

- A. That Council having considered all the matters required under the Planning and Environment Act 1987 in respect of the land known as 120-122 South Road Brighton East and 19 Villeroy Street, Hampton decides to Refuse to Grant a Permit for Planning Permit Application No. 2011/0105/1 for the change of use to Education Centre, construct and carry out works for a Section 2 use in a Residential 1 Zone, Heritage Overlay and Special Building Overlay, demolish and externally alter buildings, construct a fence and remove a tree in a Heritage Overlay in accordance with the amended plans dated 28 February 2011 on the following grounds:-
- 1 The proposal does not respond appropriately to the valued Neighbourhood Character and Heritage significance of the site and area.
  - 2 The proposal will significantly increase the volume of traffic at pick-up and drop-off times and this will unreasonably adversely affect the amenity of nearby dwellings.
  3. The proposal will result in the loss of a significant spotted gum which otherwise would be avoidable.
- B. That Council engage appropriate legal representation at any VCAT hearing.

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

**DIVISION:**   **FOR:**           Crs Hayes, Norris, Russell and Long (4)  
                  **AGAINST:**   Cr del Porto (1)

**CARRIED**

*It is recorded that Crs Frederico and Cooper-Shaw were absent from the Chamber whilst this matter was discussed and were not present in the Chamber whilst the vote was taken on this item.*

*It is recorded Crs Frederico and Cooper-Shaw returned to the Chamber at 10.03pm.*

*It is recorded that Cr Cooper-Shaw resumed the Chair for the remainder of the meeting.*

#### **4.6 34 TEDDINGTON ROAD, HAMPTON**

*It is recorded that Mr Andrew Donald and Mr Roger Hill spoke in relation to this item.*

**Moved: Cr Frederico**

**Seconded: Cr Long**

That Council having considered all the matters required under the Planning and Environment Act 1987 in respect of the land known as 34 Teddington Road, Hampton that Council decides to Refuse to Grant a Permit for Planning Permit Application No. 2011/0103/1 for the Construction of two (2) double storey dwellings and construction of a front fence over 1.2 metres in height in accordance with the application dated 3 September 2011 on the following grounds:-

- 1 The proposal does not comply with the following Clause 55 Standards of the Bayside Planning Scheme:
  - Standard B1 - Neighbourhood Character
  - Standard B17 - Side and Rear setbacks

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

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

**LOST**

**Moved: Cr Norris**

**Seconded: Cr del Porto**

That Council having caused notice of Planning Application No. 2011/103/1 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 34 Teddington Road, Hampton for the Construction of two (2) double storey dwellings in accordance with the application dated 2 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:-

#### **4.6 34 TEDDINGTON ROAD, HAMPTON (continued)**

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 front setback of dwelling 1 to be a minimum of 9m.
  - b) The kitchen of dwelling 2 to be set back a minimum of 2m from the east boundary.
  - c) The upper level setback of bedroom 3 of dwelling 2 to the south (rear) boundary to be a minimum of 4.44m.
  - d) The front fence to be a maximum of 1.2m in height.
  - e) Notation on the plans that the garage door openings are a minimum of 4.8m in width, and a minimum 2.2m headroom clearance provided throughout.
  - f) The driveway must be a minimum 3m in width throughout (including the reversing area adjacent to the TV Room of dwelling 2) and provide a minimum 4m internal turning radius.
  - g) The existing vehicular crossover at the north eastern corner of the site is to be removed and reconstructed to a width of 3m.
  - h) Bollard type lighting or similar must be provided along the length of the driveway at 6-8m intervals and shown on the ground floor plan.
  - i) The provision of a minimum of 6m<sup>3</sup> of storage for each dwelling. This storage should be provided within the garages of each dwelling.
  - j) A detailed schedule of colours, materials and finishes, including samples where appropriate.
  - k) Details of the placement and type of any external plant and equipment. Such equipment must be positioned so as to minimise amenity impacts.
  - l) Landscaping plan in accordance with condition 10.
  - m) Tree protection zone of a minimum 2.5m diameter around the existing street trees in accordance with condition 13.
  - n) 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.

#### **4.6 34 TEDDINGTON ROAD, HAMPTON (continued)**

5. The walls on the boundary of the adjoining properties shall be cleaned and finished to the satisfaction of the responsible authority.
6. 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.
7. Before the 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;

To the satisfaction of the responsible authority.

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

8. Vehicular crossing(s) must be constructed to the road to suit the proposed driveways 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.
9. All disused or redundant vehicle crossings must be removed and the area reinstated to kerb and channel to the satisfaction of the responsible authority.
10. 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 plan must show:

- a) Details of surface finishes of pathways and driveways
- b) 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
- c) Landscaping and planting within all open areas of the site
- d) The provision of at least 1 native canopy tree in the front setback of dwelling 1
- e) The provision of at least 1 native canopy tree in the private open space of dwelling 1
- f) The provision of at least 1 native canopy tree in the rear private open space of dwelling 2

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.

#### **4.6 34 TEDDINGTON ROAD, HAMPTON (continued)**

11. 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.
12. 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.
13. Before the development starts, a tree protection fence must be erected around the street tree in front of 34 Teddington Road 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.
14. 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.
15. 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.
16. The existing street trees must not be removed or damaged.
17. 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.
18. 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.
19. 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.

#### **4.6 34 TEDDINGTON ROAD, HAMPTON (continued)**

20. 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.
21. 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.
22. 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

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

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

**CARRIED**

**4.7 101 CARPENTER STREET, BRIGHTON**

*It is recorded that Mr Daniel O'Donnell spoke in relation to this item.*

**Moved: Cr Hayes**

**Seconded: Cr del Porto**

That the amended plans lodged on 29 August 2011 be approved under the Secondary Consent Provisions of Planning Permit No. 2009/0508/1 for alterations and additions to a lot less than 500 square metres under the Residential 1 Zone of the Bayside Planning Scheme at 101 Carpenter Street, Brighton and the following table be added to the permit:

Date	Change to permit
25 October 2011	Secondary Consent to Amend Plans: <ul style="list-style-type: none"> <li>• Reduction in the extent of roof over the rear balcony roof (from fully roofed balcony to a 500mm eave over the balcony).</li> <li>• Balcony screening lowered from 2300mm high to 1700mm high.</li> <li>• Removal of the highlight window in the south elevation of bedroom 1 (first floor) and replacement with two vertically oriented windows, obscured to 1700mm above FFL.</li> <li>• Removal of the east facing floor to ceiling windows in the study (ground floor) and replacement with two high level windows.</li> <li>• The addition of a 900mm x 900mm section of glass brick on the northern wall of bedroom 2 (first floor).</li> <li>• The addition of a split system air-conditioner compressor on the southern wall of bedroom 1.</li> </ul>

**CARRIED**

**4.8 770 HAMPTON STREET, BRIGHTON**

**Moved: Cr Hayes**

**Seconded: Cr del Porto**

That the Amended Plans for the changes to the endorsed plans of Planning Permit No. 2006/0707/1 be approved under the Secondary Consent provisions for a mixed use development comprising of shops, apartments, basement car park, buildings and works together with waiver of car parking and a loading and unloading bay in a Design and Development Overlay Schedule 2 and Special Building Overlay at 770 Hampton Street, Brighton and the following table be added to the permit:

Date	Amendment
25 October 2011	<p><b>Secondary consent to amend plans:</b></p> <ol style="list-style-type: none"> <li>1. Alterations to the terrace screen/balustrade to apartment 8.</li> <li>2. Lowering the stair in townhouse 2.</li> </ol>

**CARRIED**

**4.9 232-234 BAY STREET, BRIGHTON**

*It is recorded that Mr Kel Twite spoke in relation to this item.*

**Moved: Cr Russell**

**Seconded: Cr Hayes**

That the Amended Plans for the changes to the endorsed plans of Planning Permit No. 2008/609/1 be approved under the Secondary Consent provisions for the construction of a four (4) storey building in a Business 2 Zone, Design and Development Overlay Schedule 6 and Special Building Overlay, use for accommodation and retail premises and a car parking reduction at 232-234 Bay Street, Brighton and the following table be added to the permit:

Date	Amendment
25 October 2011	<p><b>Secondary consent to amend plans:</b></p> <p>Lower Basement</p> <ul style="list-style-type: none"> <li>• Deletion of the entire lower basement.</li> </ul> <p>Basement</p> <ul style="list-style-type: none"> <li>• Reduction in the width of the access aisle near the ramp exit from 3.3 to 3.2 metres and near the rear car stacker car park from 3.85 to 3.64 metres due to the piling along all property boundaries.</li> <li>• Deletion of the lift shaft on the south side of the stairwell and convert the area to bin storage for the apartments.</li> <li>• Increase the side setback of the lift and stairwell from 0.2 to 0.515 metres away from the western property boundary.</li> <li>• Reduction in the width of the car stacker car park next to the access ramp from 5.09 to 4.835 metres due to the piling along all property boundaries.</li> <li>• Reduction in the width of the access ramp from 3.61 to 3.6 metres.</li> <li>• Increase in the storage area of for Apartment 4 underneath the access ramp.</li> </ul> <p>Ground Floor</p> <ul style="list-style-type: none"> <li>• Deletion of the lift shaft on the south side of the stairwell and convert the area into bin storage for the retails and offices.</li> <li>• Increase the side setback of the lift and stairwell from 0.2 to 0.515 metres away from the western property boundary.</li> </ul>

**4.9 232-234 BAY STREET, BRIGHTON (continued)**

	<p>First Floor</p> <ul style="list-style-type: none"> <li>• Deletion of the lift shaft on the south side of the stairwell and convert the area into storage areas for Apartments 1 and 2.</li> <li>• Increase the side setback of the lift and stairwell from 0.2 to 0.515 metres away from the western property boundary.</li> </ul> <p>Second Floor</p> <ul style="list-style-type: none"> <li>• Deletion of the lift shaft on the south side of the stairwell and convert the area into a storage area for Apartment 3.</li> <li>• Increase the side setback of the lift and stairwell from 0.2 to 0.515 metres away from the western property boundary.</li> </ul> <p>Third Floor</p> <ul style="list-style-type: none"> <li>• Deletion of the lift shaft on the south side of the stairwell and convert the area into a storage area for Apartment 5.</li> <li>• Increase the side setback of the lift and stairwell from 0.2 to 0.515 metres away from the western property boundary.</li> <li>• Reduction in the depth of the of the planter box in front of Apartment 5 from 2.4 to 1.4 metres to include a 1 metre wide terrace between the planter box and Bedroom 1 of Apartment 5.</li> </ul>
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**CARRIED**

**The Chairperson declared the meeting closed at 10.29pm.**