



Minutes of the Planning Committee Meeting

held in the Council Chamber
Boxshall Street, Brighton
on Tuesday 28 June 2011
at 7.00pm

PRESENT:

Cr Louise Cooper-Shaw (Chairperson)
Cr Alex del Porto (Mayor)
Cr Clifford Hayes
Cr Michael Norris
Cr Simon Russell JP

OFFICERS IN ATTENDANCE:

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

APOLOGIES:

Apologies from Cr Frederico and Cr Long were submitted to the meeting.

Moved: Cr Russell

Seconded: Cr del Porto

That the apologies from Cr Frederico and Cr Long be received and leave of absence be granted.

CARRIED

DECLARATIONS OF INTEREST:

There were no declarations of interests submitted to the meeting.

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OFFICERS' REPORTS:**4.1 30 TRAMWAY PARADE, BEAUMARIS****Moved: Cr Norris****Seconded: Cr Russell**

That the Amended Plans dated 8 March 2011 for the changes to the endorsed plans of Planning Permit No. 2008/556/1 be approved under the Secondary Consent provisions for alterations and additions to an existing dwelling at 30 Tramway Parade, Beaumaris and the following table be added to the permit:

Date	Amendment
28 June 2011	Secondary consent to amend plans: Amendment to the endorsed plans under Secondary Consent: <ul style="list-style-type: none">• Relocation of the air conditioning units from the basement store room to adjacent the ground floor meals area.• Replacing the roof shingles with concrete roof tiles.• Air condenser units to be located on the roof deck of unit 3.• Deleting the highlight windows on unit 3 (first floor kitchen).

CARRIED

4.2 38 TRAMWAY PARADE, BEAUMARIS

It is recorded that Mr Theo Stefanatos and Mr John Saunders spoke in relation to this matter.

Moved: Cr Norris

Seconded: Cr Russell

A. That the amended plans lodged on 18 May 2011 be partly approved in accordance with the below table under the Secondary Consent Provisions of Planning Permit No. 2008/0175/1 for the construction of two (2) double storey dwellings with basement car parking and roof decks in a DDO1 and removal of native trees in a VPO3 at 38 Tramway Parade, Beaumaris and the relocation of the air conditioning units and associated screening be refused with the following table be added to the permit:

Date	Amendment
28 June 2011	<p>Secondary consent to amend plans approve:</p> <ol style="list-style-type: none"> 1. Addition of a veranda over the paved area at the rear each dwelling. 2. Addition of a water tank adjacent to the kitchen area of each dwelling. <p>Secondary consent to amend plans refuse:</p> <ul style="list-style-type: none"> • Relocation of air conditioning units (from ground floor) for each dwelling and associated 1 metre high perforated aluminium screen. • The refused air conditioning units must be relocated to the ground floor as shown on the endorsed plans (within 90 days of the date of the decision unless a further application to relocate the air conditioning units has been received by Council).

B. In the event that the site is not brought into compliance with Part A of this resolution and the Bayside Planning Scheme within 90 days of the date of issue of the Secondary Consent enforcement action is to be initiated unless a further application to relocate the air conditioning units has been received by Council.

CARRIED

4.3. 269 – 273 HAMPTON STREET, HAMPTON

Moved: Cr del Porto

Seconded: Cr Hayes

That the Amended Plans dated 4 April 2011 be approved under the Secondary Consent Provisions of Planning Permit No. 2008/0691/1 for the development of a four storey building above a basement car park comprising shops and apartments, partial waiver of car parking and loading facilities at 269-273 Hampton Street, Hampton and the following table be added to the permit:

Date	Amendment
28 June 2011	<p>Secondary consent to amend plans :</p> <p>TP03 C - Basement</p> <ul style="list-style-type: none"> • Relocation of a part of the southern basement wall 100mm away from the common title boundary. <p>TP04 C – Ground floor</p> <ul style="list-style-type: none"> • Relocate northern boundary wall 100mm away from the common title boundary. • Extend entry foyer to include electrical meters. • Revise lift and lobby lift core to improve internal amenity and overall structure. • Revise shop car park entry to improve car access and movement. • Relocate bins and bike storage to improve apartment security. <p>TP05 C – First floor</p> <ul style="list-style-type: none"> • Relocate two areas of the southern boundary wall. • Minor fenestration variations to the east and the west as part of overall design development. • Revise lobby and lift core as a follow on from the revision from the ground floor. <p>TP06 C – Second floor</p> <ul style="list-style-type: none"> • Relocate southern boundary wall. • Minor fenestration variations to the north, east and west elevations. • Revise lobby and lift core. • Revise exhaust duct for shops. <p>TP07 C – Second floor</p> <ul style="list-style-type: none"> • Relocate southern boundary wall. • Minor internal variations to the apartment layouts. • Revise lobby and lift core. • Revise exhaust duct for shops.

	<p>TP08 C – Roof</p> <ul style="list-style-type: none">• Relocated boundary walls.• Revise plant room layout.• Revise lobby and lift core.• Revise exhaust ducts for shops. <p>TP09 D – East and west elevations</p> <p>East elevation</p> <ul style="list-style-type: none">• Revised fenestration detailing to Unit 1, 2 and 3 living space.• Revised fenestration detailing to Unit 8 and 9 living space.• Revised fenestration to Unit 8 and 9 bedroom. <p>West elevation</p> <ul style="list-style-type: none">• External walls to units 5 and 6 bedroom and living space moved out.• Revised fenestrations to unit 12 and 13 living space.• External walls to Unit 13 and 14 bedroom and living space moved out. <p>TP10 D – South elevation</p> <ul style="list-style-type: none">• Revised fenestration to lobby area.• Revised fenestration details to Unit 5, 14, 15 and 16 study area. <p>TP10 D – North elevation</p> <ul style="list-style-type: none">• Revised fenestration to Unit 4 and 11 living and bedroom space.• Decreased balcony length (approximately 700mm) for Unit 11. <p>TP12 C – Section A-A</p> <ul style="list-style-type: none">• Amendment to section reflecting changes to the plan.
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CARRIED

4.4 16 PLUNKET STREET, BRIGHTON EAST

Moved: Cr del Porto

Seconded: Cr Hayes

That item 4.4 -16 Plunket Street Brighton East be deferred for one meeting cycle to be considered at the Planning Committee meeting to be held on 26 July 2011.

CARRIED

4.5 146 LUDSTONE STREET, HAMPTON

It is recorded that Mr David Wymond spoke in relation to this matter.

Moved: Cr Hayes

Seconded: Cr Russell

That Council having caused notice of Planning Application No. 2010/0721/1 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 146 Ludstone Street, Hampton for the construction of two (2) double storey dwellings and in accordance with the amended plans dated 15 April 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 application plans dated 24 November 2010 but modified to show to the satisfaction of the Responsible Authority:
 - a) The front fence for dwelling one either to be 25% transparent at a height of 1.8 metres or reduced in height to 1.5 metres to enable openness to the streetscape in accordance with Clause 22.06 – Neighbourhood Character.
 - b) The elevational treatments particularly to the street and second storey east elevation of dwelling 2 to provide greater articulation and / or variety of materials to achieve an improved level of visual interest.
 - c) The first floor rear setback of dwelling two increased to 4.44 metres to comply with requirements of the Schedule to the Residential 1 Zone.
 - d) The height of the wall on the western boundary to average a maximum of three (3) metres in accordance with the requirements of Standard B18 to the Bayside Planning Scheme.
 - e) All habitable windows and balconies including the second story patio to dwelling two are to be screened or obscurely glazed in accordance with the requirements of Standard B22 and Standard B23 to the Bayside Planning Scheme.
 - f) A 4.9 metre wide door opening to each garage to be indicated on the ground floor plan.
 - g) The entire driveway shown to be paved and must be at least 3 metres wide with the accessway at change of direction to have at least a 4 metre internal radius.
 - h) Adequate site lines must be provided where the proposed driveway intersects with the front property boundary.
 - i) Water sensitive urban design stormwater treatment measures to be provided in accordance with Condition 16 of this permit.
 - j) The proposed landscape treatment to show the provision of one (1) canopy tree within the front setback and one (1) canopy tree within the rear setback of the property and to be in accordance with Condition 8 of this permit.

4.5 146 LUDSTONE STREET, HAMPTON (continued)

- k) A schedule of materials and finishes as outlined within Condition 3 of this permit.
2. P4 Layout not altered
 3. Before the development starts, a schedule of construction materials, external finishes and colours (incorporating paint samples) to the satisfaction of the responsible authority must be submitted and approved by the responsible authority. When approved the schedule will be endorsed and will then form part of the permit.
 4. Before the occupation of the site commences or by such a later date as 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.
 5. A18 Concealment of pipes
 6. A19 Plant / Equipment or features on roof
 7. CP7 Vehicular crossing
 8. L1 Landscape plan required
 9. L2 Completion of landscaping.
 10. T9 Retention of existing street trees
 11. T10 Retention of existing trees.
 12. The proposed internal drainage should be connected to the existing legal point of discharge. The applicant may apply point of discharge and local drain information, if available, otherwise on site verification should be undertaken by the applicant.
 13. 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 Council approved.
 14. E4 Stormwater plans
 15. E5 Graded and drained discharge.
 16. Before the commencement of works, detailed plans to the satisfaction of the Responsible Authority must be submitted to and be appropriate 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 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 treatments, including cross sections.

4.5 146 LUDSTONE STREET, HAMPTON (continued)

These plans must be accompanied by a report from an industry accepted performance measurement tool, which details the treatment performance achieved and demonstrate 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.

17. PT1 Time for starting and completion.

LOST

Moved: Cr del Porto

Seconded: Cr Norris

That Council having considered all the matters required under the Planning and Environment Act 1987 in respect of the land known as 146 Ludstone Street, Hampton decides to Refuse to Grant a Permit for Planning Permit Application No. 2010/0721/1 for the construction of two (2) double storey dwellings in accordance with the plans dated 15 April 2011 on the following grounds:-

- 1 The proposed development does not accord with the Neighbourhood Character objectives of Clause 22.06 of the Bayside Planning Scheme.
- 2 The proposed development does not accord with following standards of Clause 55 and the Schedule to the Residential 1 Zone of the Bayside Planning Scheme:
 - a) Standard B1 - Neighbourhood Character
 - b) Standard B17 – Side and rear setbacks
 - c) Standard B23 – Internal View
- 3 The proposed development will result in unreasonable visual bulk to the adjoining properties.

CARRIED

4.6 2/9 KINANE STREET, BRIGHTON

It is recorded that Ms Valerie Duggan Ms Antonia Fitzpatrick spoke in relation to this matter.

It is further recorded that Ms Valerie Duggan spoke on behalf of Mr Andrew Monotti, and Mr Nick Baker spoke on behalf of Rohan Murley on this matter.

Moved: Cr del Porto

Seconded: Cr Russell

That Council having caused notice of Planning Application No. 2010/0781/1 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 2/9 Kinane Street, Brighton for alterations and additions including a second storey to an existing dwelling on a lot less than 500 square metres in accordance with the application dated 23 December 2010 and revised plans dated 12 April 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. P4 Layout not altered
2. 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) landscaping must be shown along the western and northern boundary.
 - b) a survey (including botanical names) of all existing vegetation to be retained and/or removed.
 - c) buildings and trees (including botanical names) on neighbouring properties within three metres of the boundary.
 - d) details of surface finishes of pathways and driveways.
 - 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.

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.

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

Permit Notes

N2 Building approval

N7 Retention of existing street trees/protection during construction

4.6 2/9 KINANE STREET, BRIGHTON (continued)

N8 Sewerage

N10 Asset Protection

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

DIVISION: **FOR:** Crs del Porto, Russell and Norris (3)
 AGAINST: Crs Hayes and Cooper-Shaw (2)

CARRIED

4.7 298 SOUTH ROAD, HAMPTON EAST

It is recorded that Mr Timothy Powell, Mr Victor Hochberg and Mr Alexander Rouditser spoke in relation to this matter.

It is recorded that Cr Norris vacated the Chamber at 8.24pm.

Moved: Cr del Porto

Seconded: Cr Russell

That Council having caused notice of Planning Application No. 2010/0773/1 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 298 South Road, Hampton East for the Construction of a multi-dwelling development (apartment building) with basement car parking in a Design and Development Overlay Schedule 2 and access to a Road Zone Category 1 in accordance with the application dated 9 June 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 with the application on 9 June 2011, but modified to show to the satisfaction of the Responsible Authority:
 - a) All paving (except driveways) to be permeable including details of the permeability.
 - b) 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.
 - c) The proposed landscape treatment for the site including the existing and replacement plant species in accordance with the requirements of condition 5 of this permit.
 - d) All plant and equipment (including air conditioning units, heating units, hotwater systems, etc.) which is proposed to be located externally identified on the plans.
 - e) Details of screening to the first floor west, east and south balcony in the form of a 0.5 metre blade on a 45 degree angle on the outer edge of the wraparound balcony to ensure compliance with Clause 55.04-6 Standard B22 (Overlooking) and Standard B23 (Internal Overlooking) of the Bayside Planning Scheme.
 - f) Water sensitive urban design stormwater treatment measures providing a rating of a minimum of 100% in accordance with Condition 11 of this permit.
 - g) Alterations to the development in accordance with VicRoads requirements of condition 13 of this permit.
 - h) The basement ramp must show a 5 metre by 7 metre passing area at the entrance to the basement.
 - i) The basement and access ramp must comply with the requirements of Australian Standard AS 2890.1.

4.7 298 SOUTH ROAD, HAMPTON EAST (continued)

2. P4 Layout not altered
3. A18 Concealment of pipes
4. A19 Plant and equipment or features on roof
5. 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
6. L2 Completion of landscaping
7. L3 Landscaping maintenance
8. Before the development (including demolition) starts, the applicant must submit a report detailing tree protection in accordance with Australian Standard 4970: Protection of Trees on Development Sites, including trees on adjacent properties (within 3 metres of any common property boundary. This must be adhered to before, during and after construction.
9. Tree protection fencing must be established around the street trees 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. The tree protection zone is to be established and maintained in accordance with Australian Standards 4970 Protection of trees on development sites.
10. 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 Engineering Services department for approval.
11. 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:-

4.7 298 SOUTH ROAD, HAMPTON EAST (continued)

- 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;
- 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.

12. 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.
13. VicRoads conditions
 - a) The proposed vehicular crossing near the western side property boundary must be construction in accordance with the submitted plan to the satisfaction of the responsible authority.
 - b) The eastern edge of the vehicular crossover must be angled at 60 degrees to the road reserve boundary, to improve entry and existing conditions to the satisfaction of the responsible authority.
14. 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.

N1 Vehicle Crossing Permit

N2 Building approval

N6 Vehicle crossing removal

N7 Retention of existing street trees/protection during construction

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.

CARRIED

It is recorded that Cr Norris entered the Chamber at 8.34pm.

4.8 276 NEW STREET, BRIGHTON, 76 & 79 OUTER CRESCENT, BRIGHTON

It is recorded that Mr Basil Atkinson, Ms Karen Clifton, Mr Andrew Brown, Ms Samm Brown and Mr Andrew Rodda spoke in relation to this item.

Moved: Cr del Porto

Seconded: Cr Hayes

That Council having caused notice of Planning Application No. 2010/0783/1 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 276- 280 New Street and 76 and 78 Outer Crescent, Brighton for the use and development of an education centre and signage in a Residential 1 Zone and Design and Development Overlay, partial demolition and alterations to existing buildings in a Heritage Overlay in accordance with the application dated 29 December 2010, 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 and reports must be generally in accordance with the plans submitted with the application dated 29 December 2010 and revisions as shown on plans received by Council on 10 May 2011 but modified to show:
 - a) Alterations and additions as shown on the plans date stamped as received by Council on 10 May 2011.
 - b) The existing vehicle crossovers no longer required to be removed and reinstated with curb and channel.
 - c) One (1) disabled car space be provided within the basement car park of the proposed main school building with a minimum width of 3.2 metres.
 - d) The height clearance at the entrance to the basement and throughout the car park must be at least 2.2 metres as per AS2890.1.
 - e) The dimensions of all car spaces and column locations clearly marked on the plans in accordance with the requirements of Bayside Planning Scheme or AS2890.1.
 - f) The width of the proposed basement parking access ramp be increased to 6.1 metres.
 - g) A minimum 2 metres by 2 metres splay be provided at the south-east corner of the property and concreted to match the existing footpath.
 - h) A minimum of sixty-one (61) bicycle spaces be provided for the proposed development be shown on the plans.
 - i) A 2 metre high acoustic fence must be provided along the entire property boundary shared with 74 Outer Crescent in accordance with Condition 7 of the permit to a specification approved by the Responsible Authority.

4.8 276 NEW STREET, BRIGHTON, 76 & 79 OUTER CRESCENT, BRIGHTON (continued)

- j) Dimensions of the school sign edging into the concrete wing wall at the pedestrian entrance to the school be provided.
 - k) The existing panel sign located near the entrance to the former chapel be removed or replaced with a less intrusive sign or relocated to a portion of the site that does not obstruct views of the former Chapel to the satisfaction of the Responsible Authority.
 - l) Landscape plan must show the planting of a canopy tree within the front setback to Allee Street capable of reaching a minimum height of 14 metres at maturity and be in accordance with Condition 10 of the permit.
 - m) Tree protection zones to be shown for Trees 1, 2, 3, 6 and 19 in accordance with Condition 13 of the permit.
 - n) The street tree (fourth street tree from the corner of Outer and Allee Streets) be shown to be removed in accordance with Condition 15 of the permit.
 - o) A Conservation Management Plan be prepared and submitted in accordance with Condition 22 of the permit.
 - p) Water Sensitive Urban Design measures including a STORM rating report to be completed in accordance with Condition 23 of the permit.
 - q) Secure access to the basement carpark must be obtained by key card (or other similar secure system).
- 2. P4 Layout not altered
 - 3. A 1 General amenity provision
 - 4. Deliveries to and from the site (including waste collection) must only take place as specified in the Environment Protection authority's Noise control guidelines Publication 1254 October 2008.
 - 5. A10 Noise control
 - 6. A14 Soundproofing of plant and equipment
 - 7. A15 Acoustic fencing
 - 8. A21 Garbage storage
 - 9. A22 Regular waste removal
 - 10. L1 Landscape plan required
 - 11. L2 Completion of landscaping
 - 12. L3 Landscaping maintenance

4.8 276 NEW STREET, BRIGHTON, 76 & 79 OUTER CRESCENT, BRIGHTON (continued)

13. Before the development including demolition starts, a tree protection fence must be erected inside the property from the centre of the following trees.

Tree Name	Tree Protection Zone Distances
T1 Italian Cypress	5.3 metres
T2 Italian Cypress	4.7 metres
T3 Date Palm	7.4 metres
T6 Red Flowering Gum	5 metres
T19 Oak	6.1 metres

- The fence must be constructed of specify star pickets and chain mesh or similar to the satisfaction of the responsible authority.
 - The tree protection fence must remain in place until construction is completed.
 - The ground surface of the Tree Protection Zone must be covered by a 100 mm deep layer of mulch before the development starts.
 - Any excavation within the above distance must be done by hand to a minimum depth of 500mm below surface level and in the presence of a Qualified Arborist.
 - Any roots encountered must be cut cleanly with a sharp implement.
 - Excavations may continue with machinery below the 500mm minimum depth, once the 500mm minimum depth by hand has been achieved.
 - Excavations must be documented (photographs and notes) and documentation must be submitted to Council within 28 days of request for such documentation.
14. Tree protection fencing must be established around the street trees 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. The tree protection zone is to be established and maintained in accordance with Australian Standards 4970 Protection of trees on development sites. The tree protection fencing is only to be removed to construct the proposed crossover. All access on site during construction is to be via the existing crossover.
15. Before development commences the applicant must pay \$3,950.00 to the Responsible Authority for the removal and replacement of the existing street tree (fourth street tree from the corner of Outer and Allee Streets). This amount has been determined in accordance with Councils current policy for the removal of street tree. 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 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. Any replacement planting will be at the discretion of the responsible Authority.

4.8 276 NEW STREET, BRIGHTON, 76 & 79 OUTER CRESCENT, BRIGHTON (continued)

16. T10 Retention of existing trees
17. Drainage associated with basement during construction (seepage and agricultural waters are to be filtered to rain water clarity) must be pumped to the nearest Council Drain /Pit and not be discharged to the kerb and channel unless directed otherwise.
18. 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.
19. Prior to the use commencing, 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:
 - Hours of construction, control of noise and airborne matter, deliveries, vehicle access, worker car parking, damage to public assets, and contact numbers for complaints.
 - Provision of a truck wheel-wash so that vehicles leaving the site do not deposit mud or other materials on roadways.
 - The covering and maintenance of all roads/storage areas/external stockpiles/or vacant areas to avoid dust nuisance to any residential and commercial premises.
 - The prohibition of delivery/tradesmen's vehicles from obstructing New Street, Alle Street and Outer Crescent during the construction period.
 - All works must accord with the approved construction management plan to the satisfaction of the Responsible Authority.
20. Prior to the use commencing, a Traffic Management Plan must be submitted to the Responsible Authority for approval showing the location of pick-up and drop-off areas/zones and addressing the pedestrian crossing in Allee Street.
21. Prior to the use commencing, a Waste Management Plan must be submitted to the Responsible Authority for approval. The waste management plan must address, but is not limited to:
 - The development must provide its own waste collection service carried out by a commercial waste collector;
 - The waste collection service must be carried out on site within the development boundaries;
 - Waste collection receptacles must not be stored in the road reserve at any time;
 - The use of commercial waste and recycle bins is subject to compliance with the guidelines in Schedule 1 of Bayside City Council Local Law No.2 Environment, Section 15.
 - The collection of commercial waste and recycling bins is subject to compliance with EPA noise Control Guidelines, Industrial Waste Collection, Section 6.

4.8 276 NEW STREET, BRIGHTON, 76 & 79 OUTER CRESCENT, BRIGHTON (continued)

22. Prior to the commencement of any works, including demolition to any buildings within (HO553), a Conservation Management Plan must be prepared to the satisfaction of the Responsible Authority and must be submitted to and approved by the Responsible Authority. When approved, the Conservation Management Plan will be endorsed and will then form part of the permit.

The Conservation Management Plan must be generally in accordance with Heritage Issues Report prepared by Bryce Raworth and submitted with the application. The Plan must address the existing organ (in the former chapel) and if it is to be retained or if it is to be relocated to a suitable site to ensure its long term conservation to the satisfaction of the Responsible Authority.

The conservation management plan must include:

- a) window and door repairs/restoration
- b) external joinery restoration
- c) stripping of painted brickwork

Works to the heritage building must be undertaken in accordance with the Conservation Management Plan to the satisfaction of the Responsible Authority.

23. Prior to the commencement of any works, a Water Sensitive Urban Design plans must be submitted to the Responsible Authority for approval. 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;
- 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;
- These plans must be accompanied by a report from an industry accepted performance measurement tool, which details the treatment performance achieved a minimum 100% STORM rating 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.

4.8 276 NEW STREET, BRIGHTON, 76 & 79 OUTER CRESCENT, BRIGHTON (continued)

24. 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.

25. PT1 Time for starting and completion

Permit Notes

- N1 Crossover permit
- N2 Building approval
- N7 Retention of existing street trees
- N10 Asset Protection
- N9 Health Approval

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.

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

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

CARRIED

The Chairperson declared the meeting closed at 9.20pm.