



Minutes of the Planning Committee Meeting

held in the Council Chamber
Boxshall Street, Brighton
on Tuesday 7 June 2011
at 7.00pm

PRESENT:

Cr Louise Cooper-Shaw (Chairperson)
Cr Alex del Porto (Mayor)
Cr Felicity Frederico
Cr Clifford Hayes
Cr James Long BM JP
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
Terry Callant -	Governance Manager
Janice Pouw -	Governance Officer

APOLOGIES: There were no apologies submitted to the meeting.

Nil

DECLARATIONS OF INTEREST: There were no declarations of interest submitted to the meeting.

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Confirmation of the Minutes of the Planning Committee Meeting 17 May 2011

Moved: Cr del Porto

Seconded: Cr Russell

That the Minutes of the Planning Committee Meeting held on 17 May 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 26-30 Waltham Street, Sandringham

Mr Les Finnis

Item 4.5 298 South Road, Hampton East

Mr Victor Hochberg

Mr Alexander Rouditser

Item 4.6 1/137 Cole Street, Brighton

Mrs Jane Matheson

Item 4.7 2 St James Park Drive, Brighton

Mr Paul Little

OFFICERS' REPORTS:

4.1 26-30 WALTHAM STREET, SANDRINGHAM

It is recorded that Mr Les Finnis was not present in the Chamber.

Moved: Cr Norris

Seconded: Cr Russell

That the Amended Plans dated 6 April 2011 for the changes to the endorsed plans of Planning Permit No. 2008/0259/1 be approved under the Secondary Consent provisions for the construction of a four (4) storey building, use of the ground level for office and retail tenancies with eleven (11) apartments on the upper levels and basement car parking, waiver of part of the requirement for car parking spaces and waiver of the requirement for loading bays at 26-30 Waltham Street, Sandringham and the following table be added to the permit:

Date	Amendment
7 June 2011	Secondary consent to amend plans: Amendment to the endorsed plans under Secondary Consent: <ul style="list-style-type: none"> • Removal of the secondary stairs within the basement levels. • Alteration to the amenities and services areas at ground level. • Decrease in the area for Shop 2 by 1 square metre. • Increase in the Office Area by 10 square metres, including a kitchen.

CARRIED

4.2 30 TRAMWAY PARADE, BEAUMARIS

Moved: Cr Russell

Seconded: Cr Norris

That item 4.2 - 30 Tramway Parade Beaumaris be deferred for one cycle to clarify the position of the air conditioning units.

CARRIED

4.3. 4 SOUTHEY STREET, BRIGHTON

Moved: Cr Hayes

Seconded: Cr del Porto

That the Amended Plans dated 16 May 2011 for the changes to the endorsed plans of Planning Permit No. 2008/0463/1 be approved under the Secondary Consent provisions for the construction of a second dwelling on a lot at 4 Southey Street, Brighton and the following table be added to the permit:

Date	Amendment
7 June 2011	Secondary consent to amend plans: <ul style="list-style-type: none"> • Deletion of a north facing window to the ground floor kitchen area of dwelling 1. • Deletion of a metal shed located next to the rear property boundary of dwelling 2. • Addition of a new storage shed (minimum of 3 metre wide by 1 metre deep by 2 metre high) located to the side of the garage at the rear of dwelling 2.

CARRIED

4.4 851 HAMPTON STREET, BRIGHTON

Moved: Cr del Porto

Seconded: Cr Hayes

That the Amended Plans dated 28 February 2011 for the changes to the endorsed plans of Planning Permit No. 2007/0714/1 be approved under the Secondary Consent provisions for the development of four (4) dwellings at 851 Hampton Street, Hampton and the following table be added to the permit:

Date	Amendment
6 June 2011	Secondary consent to amend plans: Amendment to the endorsed plans under Secondary Consent: <ul style="list-style-type: none"> • Relocation of the internal lobby staircase. • Relocation of the mezzanine level bathroom for Unit 4.

CARRIED

4.5 298 SOUTH ROAD, HAMPTON EAST

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

Moved: Cr Frederico

Seconded: Cr Norris

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 22 December 2010 and revised plans dated 27 January 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 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.
2. P4 Layout not altered
3. A18 Concealment of pipes

4.5 298 SOUTH ROAD, HAMPTON EAST (Continued)

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:-

4.5 298 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.

4.6 1/137 COLE STREET, BRIGHTON

Cr Long vacated the Chamber at 7.56pm and re-entered at 7.58pm.

It is recorded that Mrs Jane Matheson spoke in relation to this matter.

Moved: Cr del Porto

Seconded: Cr Hayes

That Council having caused notice of Planning Application No. 2011/00111/1 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 1/137 Cole Street, Brighton for the buildings and works to an existing dwelling on a lot less than 500 square metres in accordance with the application dated 25 February 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 but modified to show to the satisfaction of the Responsible Authority:
 - a) The existing crossover to be reconstructed and increased in width to 3.3 metres with no increase in width towards the east.
 - b) The provision of a landscaping strip along the western boundary of the existing driveway.
2. P4 Layout not altered
3. PT1 Time for starting and completion

Permit Notes

N2 Building approval

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

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

CARRIED

4.7 2 ST JAMES PARK DRIVE, BRIGHTON

It is recorded that Mr Paul Little spoke in relation to this matter.

Moved: Cr Hayes

Seconded: Cr del Porto

That Council having considered all the matters required under the Planning and Environment Act 1987 decides to Refuse to Grant a Permit in respect of Planning Permit Application No. 2010/0782/1 for the land known and described as 2 St James Park Drive, Brighton on the following ground:-

1. The proposed development will result in an increase in visual bulk and detriment to neighbouring properties.

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

DIVISION: **FOR:** Crs Long, del Porto and Hayes (3)

AGAINST: Crs Frederico, Norris, Russell and Cooper-Shaw (4)

LOST

4.7 2 ST JAMES PARK DRIVE, BRIGHTON (Continued)

Moved: Cr Frederico

Seconded: Cr Russell

That Council having caused notice of Planning Application No. 2010/0556/1 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 St James Park Drive, Brighton, for the alterations and additions to an existing dwelling on a lot less than 500m² in accordance with the application dated 24 September 2010 and revised plans submitted 10 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:-

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 existing first floor balcony to be screened in accordance with the requirements of Standard A15 of the Bayside Planning Scheme.
 - b) All measurements shown on the plans must be from natural ground level.
2. P4 Layout not altered.
3. A19 Plant/equipment or features on roof.
4. All works hereby permitted must be completed within six (6) months from the date of this permit.
5. This permit will expire six (6) months from the date of issue.

Permit Notes

N2 Building approval

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

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

CARRIED

4.8 5 MANOR STREET, BRIGHTON

Moved: Cr del Porto

Seconded: Cr Hayes

That Council having caused notice of Planning Application No. 2011/0093/1 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 5 Manor Street, Brighton for the construction of a roof deck in a Design and Development Overlay Schedule 1 in accordance with the application dated 21 February 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 but modified to show to the satisfaction of the Responsible Authority:
 - a) Screening, to the north, south and west elevations of the roof deck to a height of 1.7 metres to minimise overlooking opportunities.
2. P4 Layout not altered
3. The screening must be 1.7m high above the finished floor level of the roof deck. The screening must be maintained in good condition and must remain in place permanently.
4. Before occupation of the Roof Deck all buildings and works specified in this permit must be completed to the satisfaction of the responsible authority. The responsible authority must be advised in writing when all construction and works are completed to enable the site to be inspected.
5. PT1 Time for starting and completion

Permit Notes

N2 Building approval

This permit does not constitute approval for siting matters pertaining to Part 4 of the Building Regulations 2006.

CARRIED

The Chairperson declared the meeting closed at 8.52pm.