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

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held in the Council Chambers, Civic Centre,  
Boxshall Street Brighton  
on Tuesday 10 May 2016

The Meeting commenced at 7:00pm

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|---------------|---|
| Councillors   | Cr Laurence Evans (Chairperson)<br>Cr Alex del Porto<br>Cr Felicity Frederico<br>Cr Michael Heffernan<br>Cr James Long BM JP<br>Cr Bruce Lowe<br>Cr Heather Stewart                                   |
| In attendance | Shiran Wickramasinghe – Director City Planning & Amenity<br>Arthur Vatzakis – Acting Manager Development Services<br>Hew Gerrard – Statutory Planning Coordinator<br>Janice Pouw – Governance Officer |

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5. Confidential Business  
Nil



The Chairman declared the meeting open at 7pm and advised members of the public gallery that the Planning and Amenity Committee meeting is being recorded and streamed live on the internet to enhance the accessibility of Council meetings to the broader Bayside Community.

## **1. Apologies**

There were no apologies submitted to the meeting.

## **2. Disclosure of any Conflict of Interest of any Councillor**

- Cr Lowe declared an indirect interest by close association in item 4.1 – 596 Balcombe Road, Black Rock

## **3. Adoption and Confirmation of the minutes of previous meeting**

- 3.1 Confirmation of the Minutes of the Planning & Amenity Committee Meeting held on 12 April 2016.

**Moved: Cr del Porto**

**Seconded: Cr Frederico**

That the minutes of the Planning & Amenity Committee Meeting held on 12 April 2016, as previously circulated, be confirmed as an accurate record of proceedings.

**CARRIED**

## 4. Matters of Decision

*It is recorded Cr Lowe declared Cr Lowe declared an indirect interest by close association in item 4.1 – 596 Balcombe Road, Black Rock*

*Cr Lowe vacated the Chamber at 7.02pm prior to discussion on this matter.*

*Councillor Lowe left the Meeting at 7:02 PM*

### 4.1 596 BALCOMBE ROAD, BLACK ROCK SUPPORT THE GRANT A PLANNING PERMIT APPLICATION 2015/747/1 WARD: SOUTHERN

City Planning and Amenity - Statutory Planning  
File No: PSF/15/8755 – Doc No: DOC/16/66526

*It is recorded that Mr Anthony Worters spoke in relation to this item.*

*It is further recorded that Mr Gary Surman and Mr Matthew Surman were not present in the Chamber.*

**Moved: Cr Stewart**

**Seconded: Cr del Porto**

That Council:

Determines to Support the grant of a planning permit under the provisions of the Bayside Planning Scheme in respect of Planning Permit application number 2015/747/1 for the land known and described as 596 Balcombe Road, Black Rock, for the sale of packaged liquor in association with the existing shop in accordance with the endorsed plans and subject to the following conditions from the standard conditions:

1. The licenced area as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
2. The sale of alcohol may only occur within the licenced area as shown on the endorsed plan.
3. The sale of alcohol may occur only between the following hours:
  - Monday to Saturday – 9.00am to 10.00pm.
  - Sunday: 10:00am – 9:00pm
  - Anzac Day: 12:00pm – 9:00pm
4. This permit will expire if one of the following circumstances applies:
  - a) The use is not started within two years of the date of this permit.
  - b) The use is discontinued for a period of two years or more.

In accordance with Section 69 of the Planning and Environment Act 1987, the Responsible Authority may extend the periods referred to if a request is made in writing within the prescribed timeframes, where the use allowed by the permit has not yet started.

Permit Notes

- This permit does not constitute any authority to carry out any building works or occupy the building or part of the building unless all relevant building permits are obtained.
- Prior to commencement of any building works, an Asset Protection Application must be taken out. This can be arranged by calling Asset Protection Administrator on 9599 4638.

**CARRIED**

*It is recorded that Cr Lowe vacated the Chamber prior to the consideration of Item 4.1 and was not present when this item was considered.*

*Councillor Lowe returned to the Meeting at 7:14 PM*



**4.2 448 - 464 ST KILDA STREET BRIGHTON  
NOTICE OF DECISION TO GRANT A PERMIT  
APPLICATION 2015/389/1 WARD: NORTHERN**

City Planning and Amenity - Statutory Planning  
File No: PSF/15/8755 – Doc No: DOC/16/60328

*It is recorded that Mr Stephen Barton spoke in relation to this matter.*

**Moved: Cr del Porto**

**Seconded: Cr Frederico**

That Council:

Issues a Notice of Decision to Grant a Permit under the provisions of the Bayside Planning Scheme in respect of Planning Permit application number 2015/389/1 for the land known and described as 448-464 St Kilda Street, Brighton, for the construction of a three storey building, including a basement and roof top terrace and altering access to a Road Zone Category 1 in accordance with the endorsed plans and subject to the following conditions from the standard conditions:

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 date stamped 14 September 2015 but modified to show:
  - a) Dwellings G.03 and G.04 living room walls and bedroom walls setback a minimum of 3.0m from the southern boundary and the 3.0m to be used for SPOS and landscaping. This may require these two dwellings converting into one dwelling.
  - b) First and second floor setbacks to Head Street to be a minimum of 3.0m.
  - c) All elevation plans and section plans to show no part of the building, plant or equipment, services or screen or other to exceed 11.0m in height. This should be shown via notations in metres and levels to AHD.
  - d) Northern and eastern setbacks for first and second storeys to comply with Standard B17 of Clause 55.
  - e) Bedrooms facing north for dwellings 1.02 and 2.02 to demonstrate compliance with Standard B22 of Clause 55.
  - f) Balconies and habitable rooms for dwellings at first and second floor facing the internal courtyard to be provided with overlooking treatments to ensure no more than 50% of ground floor secluded private open areas within the development can be overlooked.
  - g) The development, including walls, windows and roof top screening for plant and equipment be treated and constructed in accordance with the recommendations of the Acoustic Report submitted with the application and in accordance with condition 20. Notation for the rooftop plant and equipment screen to include an installation of one layer of 6m thick fibrous cement board to the inside of the rooftop plant screen.
  - h) Dwelling G.01 to comply with Standard B27 (daylight to new windows) of Clause 55 (this may require the dwelling to become a one bedroom) to ensure adequate daylight is provided.

- i) Dwelling G.09, for the window abutting the door accessing the communal area, be provided with an external screen to the bedroom window (setback from the window) to allow for daylight but avoid internal overlooking issues.
  - j) For the secluded private open space areas, a minimum of 8 square metres and minimum width of 1.6m for the following dwellings; G.01. G.03, G.04, 1.01, 1.03-1.05, 1.13, 2.03-2.05
  - k) The basement to show a minimum of 6 cubed metres of storage for each dwelling.
  - l) The basement provided with the number of parking spaces required for residents and visitors under Clause 52.06 of the Bayside Planning Scheme. All visitor spaces must be signed and at grade (not in a stacker of similar).
  - m) All section plans to demonstrate compliance with Clause 52.06 and provide at least 2.1 metres headroom beneath overhead obstructions, calculated for a vehicle with a wheel base of 2.8 metres.
  - n) The doors for the assembly booster facing Head Street shown as being unable to be opened onto the footpath.
  - o) Notation to show that all AC condenser units (not in basement or rooftop) to be relocated to an appropriate location in the basement or rooftop and to the satisfaction of the Responsible Authority.
  - p) Skylights added to the roof where possible above stairwells and other communal areas.
  - q) Addition of convex mirrors inside the basement to be included at the bends.
  - r) A longitudinal section plan for the ramp showing all levels to AHD including grades, lengths, levels at change in grade and height clearance.
  - s) A schedule of external construction materials, finishes and colours in accordance with Condition 7 of this permit.
  - t) Water sensitive urban design measures in accordance with Condition 9 of this permit.
  - u) Details on boom gate or similar system to be installed on the ramp and in accordance with Condition 14 of this permit.
  - v) Landscaping plan in accordance with Condition 15 of this permit.
  - w) Site coverage reduced to 50% in accordance with Standard B8 of Clause 55 of the Bayside Planning Scheme
2. The development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
3. Prior to the commencement of construction or carrying out works pursuant to this permit, or any works associated with a sensitive use, or where no works are proposed, prior to the commencement of the permitted use, either:
- a) A Certificate of Environmental Audit for the land must be issued in accordance with Section 53Y of the Environment Protection Act 1970 and provided to the Responsible Authority; or,



- b) An Environmental Auditor appointed under Section 53S of the Environment Protection Act 1970 must make a Statement in accordance with Section 53Z of that Act that the environmental conditions of the land are suitable for the use and development that are the subject of this permit and that statement must be provided to the Responsible Authority.

Where a Statement of Environmental Audit is issued for the land, the buildings and works and the use(s) of the land that are the subject of this permit must comply with all directions and conditions contained within the Statement.

Where a Statement of Environmental Audit is issued for the land, prior to the commencement of the use, and prior to the issue of a Statement of Compliance under the Subdivision Act 1988, and prior to the issue of an Occupancy Permit under the Building Act 1993, a letter prepared by an Environmental Auditor appointed under Section 53S of the Environment Protection Act 1970 must be submitted to the Responsible Authority to verify that the directions and conditions contained within the Statement have been satisfied.

Where a Statement of Environmental Audit is issued for the land, and any condition of that Statement requires any maintenance or monitoring of an ongoing nature, the Owner(s) must enter into an Agreement with Council pursuant to Section 173 of the Planning and Environment Act 1987.

Where a Section 173 Agreement is required, the Agreement must be executed prior to the commencement of the permitted use, and prior to the certification of the plan of subdivision under the Subdivision Act 1988. All expenses involved in the drafting, negotiating, lodging, registering and execution of the Agreement, including those incurred by the Responsible Authority, must be met by the Owner(s).

4. All plant and equipment to be located away from habitable room windows of the dwellings and the adjoining properties habitable rooms. 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. 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.
6. The walls on the boundary of the adjoining properties shall be cleaned and finished to the satisfaction of the Responsible Authority.
7. Before the development starts, a schedule of construction materials, external finishes and colours (incorporating for example paint samples) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the schedule will be endorsed and will then form part of the permit.
8. Before occupation, screening of windows including fixed privacy screens be designed to limit overlooking as required by Standard B22 and be installed and maintained to the satisfaction of the Responsible Authority thereafter for the life of the building
9. Before the development starts, detailed plans to the satisfaction of the Responsible Authority must be submitted to and be endorsed by the Responsible Authority. The plan must be drawn to scale with dimensions and three copies must be provided. The plans 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 landscaped 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.

10. The water sensitive urban design stormwater treatment system as shown on the endorsed plans 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.
11. Before the occupation of the development starts, the area(s) set aside for vehicle parking and accessways must be constructed, drained and line marked to the satisfaction of the Responsible Authority. Such areas must be kept available for these purposes at all times.
12. Before the occupation of the development starts, new or altered vehicle crossing(s) servicing the development must be constructed to the satisfaction of the Responsible Authority and any existing disused or redundant crossing or crossing opening must be removed and replaced with footpath/nature strip/ kerb and channel, to the satisfaction of the Responsible Authority.
13. The mechanical stackers must be kept in good working order to the satisfaction of the Responsible Authority to ensure access to all car spaces is available at all times and to prevent adverse noise emissions.
14. Any security boom, barrier or similar device controlling vehicular access to the premises must be located a minimum of six metres inside the property to allow vehicles to prop clear of Head Street.
15. Before the development starts, a detailed landscape plan to the satisfaction of the Responsible Authority must be submitted to and be endorsed by the Responsible Authority. The plan must be generally in accordance with the landscape concept plan drawn by Jack Merlo Design, dated 25/6/15 and 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 trees to be retained on the site including Tree Protection Zones calculated in accordance with AS4970-2009.
  - b) A survey including botanical names, of all existing trees on neighbouring properties where the Tree Protection Zones of such trees calculated in accordance with AS4970-2009 fall partially within the subject site.
  - c) A planting schedule of all proposed trees and shrubs, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.
  - d) Landscaping and/or planting within all areas of the site not covered by buildings or hard surfaces.
  - e) Details of surface finishes of pathways and driveways



16. Before the occupation of the development the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.
17. 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.
18. Before the development starts, a detailed public realm improvement plan to the satisfaction of the Responsible Authority must be submitted to and be endorsed by the Responsible Authority. The plan must show:
  - a) The planting of street trees on St. Kilda Street and Head Street.
  - b) The removal of all disused vehicle crossing on St. Kilda Street and Head Street and replacement with a nature strip and kerb and channel.
  - c) The reconstruction of the footpath on St. Kilda Street and Head Street.
  - d) The relocation of any existing parking and no standing signs on St. Kilda Street and Head Street to accord with the layout of the new vehicle crossings and development.
  - e) The provision of three bicycle hoops on Head Street.
  - f) The provision of a bench seat in front of the residential lobby on Head Street.
  - g) The relocation of any assets or infrastructure required on St Kilda Street or Head Street.

Before the occupation of the development the public realm improvement works on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority unless otherwise agreed in writing by the Responsible Authority.

19. Prior to the commencement of works, an acoustic report must be submitted to and approved by the Responsible Authority to demonstrate how the dwellings will be acoustically treated to minimise noise transmission from the adjacent land uses to the satisfaction of the Responsible Authority.
20. Before the development starts, including any related demolition or removal of vegetation, a Tree Management Plan (report) and Tree Protection Plan (drawing), to the satisfaction of the Responsible Authority, must be submitted to and be endorsed by the Responsible Authority. The Tree Management Plan must be specific to the trees shown on the Tree Protection Plan, in accordance with AS4970-2009, prepared by a suitably qualified arborist and provide details of tree protection measures that will be utilised to ensure all trees to be retained remain viable post-construction. Stages of development at which inspections are required to ensure tree protection measures are adhered to must be specified.

The Tree Protection Plan must be in accordance with AS4970-2009, be drawn to scale and provide details of:

- a) The Tree Protection Zone and Structural Root Zone for all trees to be retained on the site and for all trees on neighbouring properties where any part of the Tree Protection Zone falls within the subject site.
- b) The location of tree protection measures to be utilised.



21. All protection measures identified in the Tree Management and Protection Plans must be implemented, and development works undertaken on the land must be undertaken in accordance with the Tree Management and Protection Plans, to the satisfaction of the Responsible Authority.
22. Before the development, detailed plans indicating, but not limited to, the method of stormwater discharge to the nominated Legal Point of Discharge (and On-Site Detention System where applicable) must be submitted to and approved by Council's Infrastructure Assets Department
23. Before the development starts, the permit holder must apply to Council for the Legal Point of Discharge for the development from where stormwater is drained under gravity to the Council network.
24. Before the commencement of works, a Waste Management Plan must be submitted to and approved by the Responsible Authority. The Waste Management Plan must clearly indicate that waste collection is to be via a private contractor, not Council, and include:
  - a) Dimensions of storage waste areas.
  - a) Storm water drains in storage areas should be fitted with a litter trap.
  - b) The number and size of bins to be provided.
  - c) Facilities for bin cleaning.
  - d) Method of waste and recyclables collection.
  - e) Types of waste for collection, including colour coding and labelling of bins.
  - f) Hours of waste and recyclables collection (to correspond with Council Local Laws and EPA Noise Guidelines).
  - g) Method of hard waste collection.
  - h) Method of presentation of bins for waste collection.
  - i) Sufficient headroom within the basement to accommodate waste collection vehicles.
  - j) Sufficient turning circles for the waste collection vehicles to enter and exit the site in a forward direction.
  - k) Strategies for how the generation of waste and recyclables will be minimised.
  - l) Compliance with relevant policy, legislation and guidelines.

When approved, the plan will be endorsed and will then form part of the permit. Waste collection from the development must be in accordance with the plan, to the satisfaction of the Responsible Authority.

25. 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.
26. All waste material not required for further on-site processing 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.



27. Before the commencement of works, a Construction Management Plan (CMP), 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 and shall thereafter be complied with. The CMP must specify and deal with, but not be limited to the following as applicable:
- a) A detailed schedule of works including a full project timing.
  - b) A traffic management plan for the site, including when or whether any access points would be required to be blocked, an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services, preferred routes for trucks delivering to the site, queuing/sequencing, excavation and swept-path diagrams.
  - c) The location for the parking of all construction vehicles and construction worker vehicles during construction.
  - d) Delivery of materials including times for loading/unloading, unloading points, expected frequency and details of where materials will be stored and how concrete pours would be managed.
  - e) Proposed traffic management signage indicating any inconvenience generated by construction.
  - f) Fully detailed plan indicating where construction hoardings would be located.
  - g) A waste management plan including the containment of waste on site: disposal of waste, stormwater treatment and on-site facilities for vehicle washing.
  - h) Containment of dust, dirt and mud within the site and method and frequency of clean up procedures in the event of build-up of matter outside the site.
  - i) Site security.
  - j) Public safety measures.
  - k) Construction times, noise and vibration controls.
  - l) Restoration of any Council assets removed and/or damaged during construction.
  - m) Protection works necessary to road and other infrastructure (limited to an area reasonable proximate to the site).
  - n) Remediation of any damage to road and other infrastructure (limited to an area reasonably proximate to the site).
  - o) An emergency contact that is available for 24 hours per day for residents and the Responsible Authority in the event of relevant queries or problems experience.
  - p) Traffic management measures to comply with provisions of AS 1742.3-2009 Manual of uniform traffic control devices – Part 3: Traffic control devices for works on roads.
  - q) All contractors associated with the construction of the development must be made aware of the requirements of the Construction Management Plan.
  - r) Details of crane activities, if any.



**Public Transport Victoria Condition 29**

28. The existing bus stop and associated infrastructure on Head Street must not be altered without the prior consent of Public Transport Victoria. Any alterations including temporary works or damage during construction must be rectified to the satisfaction of Public Transport Victoria and at the cost of the permit holder.

**VicRoads Condition 30**

29. Prior to the commencement of use of the permitted development, redundant vehicle crossover on St Kilda Street and Head Street must be removed and the kerb, channel, footpath and nature strip reinstated to the satisfaction of the Responsible Authority.
30. This permit will expire if one of the following circumstances applies:
- The development is 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.

In accordance with Section 69 of the *Planning and Environment Act 1987*, a request may be submitted to the Responsible Authority within the prescribed timeframes for an extension of the periods referred to in this condition.

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.
- This permit does not constitute any authority to carry out any building works or occupy the building or part of the building unless all relevant building permits are obtained.
- Prior to commencement of any building works, an Asset protection Application must be taken out. This can be arranged by calling Asset Protection Administrator on 9599 4638.

Environmental audit notes:

A copy of the Certificate or Statement of Environmental Audit, including the complete Environmental Audit Report must be submitted to the Responsible Authority within 7 days of issue, in accordance with Section 53ZB of the Environment Protection Act 1970.

Where a Statement of Environmental Audit is issued for the land a copy of that Statement must be provided to any person who proposes to become an occupier of the land, pursuant to Section 53ZE of the Environment Protection Act 1970.

The land owner and all its successors in title or transferees must, upon release for private sale of any part of the land, include in the Vendor's Statement pursuant to Section 32 of the Sale of Land Act 1962, a copy of the Certificate or Statement of Environmental Audit including a copy of any cover letter.

Where a Statement of Environmental Audit issued for the land contains conditions that the Responsible Authority considers to be unreasonable in the circumstances, the Responsible Authority may seek cancellation or amendment of the planning permit in accordance with Section 87 of the Planning and Environment Act 1987.

**CARRIED**



**4.3 13 HANSEN STREET BRIGHTON EAST  
NOTICE OF DECISION TO GRANT A PERMIT  
APPLICATION 2015/805/1 WARD: CENTRAL**

City Planning and Amenity - Statutory Planning  
File No: PSF/15/8755 – Doc No: DOC/16/61340

*It is recorded that Mr Fraser Cunningham spoke in relation to this matter.*

**Moved: Cr Lowe**

**Seconded: Cr Frederico**

That Council:

Issues a Notice of Decision to Grant a Permit under the provisions of the Bayside Planning Scheme in respect of Planning Permit application number 2015/805/1 for the land known and described as 13 Hansen Street, Brighton East, for the construction of two double storey dwellings and a front fence greater than 1.2m in height in accordance with the endorsed plans and subject to the following conditions from the standard conditions:

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 30 December 2015 but modified to show:
  - a) Master bedroom and ensuite at ground floor for both dwellings deleted and a minimum of 25 square metres of secluded private open space provided (with no pergola or similar) in accordance with the concept plans submitted to Council on 28 April 2016.
  - b) At first floor all side setbacks increased to comply with Standard B17 of Clause 55. This may be achieved by reducing the overall height of the dwellings.
  - c) At first floor the separation between dwellings to be a minimum of 3.0m.
  - d) The front fences to Hansen Street and Vernon Street deleted in accordance with the concept plans submitted to Council on 28 April 2016.
  - e) The driveway for dwelling 2 setback of 2.8m from No.4 Vernon Street.
  - f) A 4.5m wide turntable within the driveway for dwelling 2 and 1.0m clearance from obstructions.
  - g) Details of the boundary fencing between dwellings 1 and 2.
  - h) Plans showing the northern elevation of dwelling 2 and southern elevation of dwelling 1 and which comply with Standards B22 and B23 of ResCode.
  - i) Mailboxes for each dwelling.
  - j) A schedule of external construction materials, finishes and colours. At first floor to all elevations, a minimum of two materials are to be used to break up the appearance and add visual interest.
  - k) Water sensitive urban design measures in accordance with Condition 6 of this permit.
  - l) Construction and design drawings in accordance with Condition 10 of this permit.

- m) A landscaping plan in accordance with condition 12 of this permit.
- 2. The development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
- 3. 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. 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.
- 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, detailed plans to the satisfaction of the Responsible Authority must be submitted to and be endorsed by the Responsible Authority. The plan must be drawn to scale with dimensions and three copies must be provided. The plans 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 landscaped 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.

- 7. The water sensitive urban design stormwater treatment system as shown on the endorsed plans 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.
- 8. Before the occupation of the development starts, the area(s) set aside for vehicle parking and accessways must be constructed, drained and line marked to the satisfaction of the Responsible Authority. Such areas must be kept available for these purposes at all times.
- 9. Before the occupation of the development starts, new or altered vehicle crossings servicing the development must be constructed to the satisfaction of the Responsible Authority and any existing disused or redundant crossing or crossing opening must be removed and replaced with footpath/nature strip/ kerb and channel, to the satisfaction of the Responsible Authority.
- 10. Prior to the commencement of development, the applicant must submit and have approved by Council's Infrastructure Department detailed construction and design drawings for the construction of a 1.5m wide **concrete** footpath to the rear of No. 13 and No. 15 Hansen Street which connects the current footpaths terminating outside No. 3 and No. 4 Vernon Street. Such drawings are to be to the satisfaction of Council.



11. Prior to occupation of the development, unless otherwise agreed in writing by the Responsible Authority, the footpath as shown on the detailed construction and design drawings approved under Condition 10 of this permit must be constructed, at no cost to Council and at the full cost to the permit holder, in accordance with Council's standards and to the satisfaction of Council's Infrastructure Department.
12. Before the development starts, a detailed landscape plan to the satisfaction of the Responsible Authority must be submitted to and be endorsed by the Responsible Authority. 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 trees to be retained on the site including Tree Protection Zones calculated in accordance with AS4970-2009.
  - b) A survey including botanical names, of all existing trees on neighbouring properties where the Tree Protection Zones of such trees calculated in accordance with AS4970-2009 fall partially within the subject site.
  - c) A planting schedule of all proposed trees and shrubs, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.
  - d) Landscaping and/or planting within all areas of the site not covered by buildings or hard surfaces.
  - e) Details of surface finishes of pathways and driveways
13. Before the occupation of the development the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.
14. 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.
15. Before occupation, screening of windows including fixed privacy screens be designed to limit overlooking as required by Standard B22 and be installed and maintained to the satisfaction of the Responsible Authority thereafter for the life of the building.
16. Before the development starts, including any related demolition or removal of vegetation, a Tree Management Plan (report) and Tree Protection Plan (drawing), to the satisfaction of the Responsible Authority, must be submitted to and be endorsed by the Responsible Authority. The Tree Management Plan must be specific to the trees shown on the Tree Protection Plan, in accordance with AS4970-2009, prepared by a suitably qualified arborist and provide details of tree protection measures that will be utilised to ensure all trees to be retained remain viable post construction. Stages of development at which inspections are required to ensure tree protection measures are adhered to must be specified.

The Tree Protection Plan must be in accordance with AS4970-2009, be drawn to scale and provide details of:

  - a) The Tree Protection Zone and Structural Root Zone for all trees to be retained on the site and for all trees on neighbouring properties where any part of the Tree Protection Zone falls within the subject site.
  - b) The location of tree protection measures to be utilised.





17. All protection measures identified in the Tree Management and Protection Plans must be implemented, and development works undertaken on the land must be undertaken in accordance with the Tree Management and Protection Plans, to the satisfaction of the Responsible Authority.
18. 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.
19. Before the development starts tree protection fencing is to be established around the street tree within the Hansen Street road reserve abutting the subject site prior to demolition and maintained until all works on site are complete. The fencing is to be constructed and secured so its positioning cannot be modified by site workers. The fencing is to encompass the entire nature strip under the drip line of the tree. The Tree Protection Zone is to be established and maintained in accordance with AS 4970-2009. During construction of the crossover, tree protection fencing may be reduced to the edge of the Council approved crossover to facilitate the construction of the crossover.
20. Before the development starts the applicant must pay **\$1,350.36** to the Responsible Authority for the removal and replacement of any existing street trees within the Vernon Street road reserve required to be removed to facilitate construction of the vehicle crossover to dwelling 2. This amount has been determined in accordance with Council's current policy for the removal of street trees and may change at the time of request for payment. 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.
21. Before the development, detailed plans indicating, but not limited to, the method of stormwater discharge to the nominated Legal Point of Discharge (and On-Site Detention System where applicable) must be submitted to and approved by Council's Infrastructure Assets Department.
22. Before the development starts, the permit holder must apply to Council for the Legal Point of Discharge for the development from where stormwater is drained under gravity to the Council network.
23. 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.

In accordance with Section 69 of the *Planning and Environment Act 1987*, a request may be submitted to the Responsible Authority within the prescribed timeframes for an extension of the periods referred to in this condition.

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.
- This permit does not constitute any authority to carry out any building works or occupy the building or part of the building unless all relevant building permits are obtained.



- Prior to commencement of any building works, an Asset Protection Application must be taken out. This can be arranged by calling Asset Protection Administrator on 9599 4638.

## AMENDMENT

**Moved: Cr Frederico**

**Seconded: Cr del Porto**

That Council:

Issues a Notice of Decision to Grant a Permit under the provisions of the Bayside Planning Scheme in respect of Planning Permit application number 2015/805/1 for the land known and described as 13 Hansen Street, Brighton East, for the construction of two double storey dwellings and a front fence greater than 1.2m in height in accordance with the endorsed plans and subject to the following conditions from the standard conditions:

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 30 December 2015 but modified to show:
  - a) Master bedroom and ensuite at ground floor for both dwellings deleted and a minimum of 25 square metres of secluded private open space provided (with no pergola or similar) in accordance with the concept plans submitted to Council on 28 April 2016.
  - b) At first floor all side setbacks increased to comply with Standard B17 of Clause 55. This may be achieved by reducing the overall height of the dwellings.
  - c) At first floor the separation between dwellings to be a minimum of 3.0m.
  - d) The front fences to Hansen Street and Vernon Street deleted in accordance with the concept plans submitted to Council on 28 April 2016.
  - e) The driveway for dwelling 2 setback of 2.8m from No.4 Vernon Street.
  - f) A 4.5m wide turntable within the driveway for dwelling 2 and 1.0m clearance from obstructions.
  - g) Details of the boundary fencing between dwellings 1 and 2.
  - h) Plans showing the northern elevation of dwelling 2 and southern elevation of dwelling 1 and which comply with Standards B22 and B23 of ResCode.
  - i) Mailboxes for each dwelling.
  - j) A schedule of external construction materials, finishes and colours. At first floor to all elevations, a minimum of two materials are to be used to break up the appearance and add visual interest.
  - k) Water sensitive urban design measures in accordance with Condition 6 of this permit.
  - l) Construction and design drawings in accordance with Condition 10 of this permit.
  - m) A landscaping plan in accordance with condition 12 of this permit.

2. The development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
3. 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. 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.
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, detailed plans to the satisfaction of the Responsible Authority must be submitted to and be endorsed by the Responsible Authority. The plan must be drawn to scale with dimensions and three copies must be provided. The plans 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 landscaped 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.

7. The water sensitive urban design stormwater treatment system as shown on the endorsed plans 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.
8. Before the occupation of the development starts, the area(s) set aside for vehicle parking and accessways must be constructed, drained and line marked to the satisfaction of the Responsible Authority. Such areas must be kept available for these purposes at all times.
9. Before the occupation of the development starts, new or altered vehicle crossings servicing the development must be constructed to the satisfaction of the Responsible Authority and any existing disused or redundant crossing or crossing opening must be removed and replaced with footpath/nature strip/ kerb and channel, to the satisfaction of the Responsible Authority.
10. Prior to the commencement of development, the applicant must submit and have approved by Council's Infrastructure Department detailed construction and design drawings for the construction of a 1.5m wide **concrete** footpath to the rear of No. 13 and No. 15 Hansen Street which connects the current footpaths terminating outside No. 3 and No. 4 Vernon Street. Such drawings are to be to the satisfaction of Council.



11. Prior to occupation of the development, unless otherwise agreed in writing by the Responsible Authority, the footpath as shown on the detailed construction and design drawings approved under Condition 10 of this permit must be constructed, at no cost to Council and at the full cost to the permit holder, in accordance with Council's standards and to the satisfaction of Council's Infrastructure Department.
12. Before the development starts, a detailed landscape plan to the satisfaction of the Responsible Authority must be submitted to and be endorsed by the Responsible Authority. 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 trees to be retained on the site including Tree Protection Zones calculated in accordance with AS4970-2009.
  - b) A survey including botanical names, of all existing trees on neighbouring properties where the Tree Protection Zones of such trees calculated in accordance with AS4970-2009 fall partially within the subject site.
  - c) A planting schedule of all proposed trees and shrubs, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.
  - d) Landscaping and/or planting within all areas of the site not covered by buildings or hard surfaces.
  - e) Details of surface finishes of pathways and driveways
13. Before the occupation of the development the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.
14. 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.
15. Before the commencement of works, a Construction Management Plan (CMP), 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 and shall thereafter be complied with. The CMP must specify and deal with, but not be limited to the following as applicable:
  - a) A detailed schedule of works including a full project timing.
  - b) A traffic management plan for the site, including when or whether any access points would be required to be blocked, an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services, preferred routes for trucks delivering to the site, queuing/sequencing, excavation and swept-path diagrams.
  - c) The location for the parking of all construction vehicles and construction worker vehicles during construction.
  - d) Delivery of materials including times for loading/unloading, unloading points, expected frequency and details of where materials will be stored and how concrete pours would be managed.
  - e) Proposed traffic management signage indicating any inconvenience generated by construction.



- f) Fully detailed plan indicating where construction hoardings would be located.
  - g) A waste management plan including the containment of waste on site: disposal of waste, stormwater treatment and on-site facilities for vehicle washing.
  - h) Containment of dust, dirt and mud within the site and method and frequency of clean up procedures in the event of build-up of matter outside the site.
  - i) Site security.
  - j) Public safety measures.
  - k) Construction times, noise and vibration controls.
  - l) Restoration of any Council assets removed and/or damaged during construction.
  - m) Protection works necessary to road and other infrastructure (limited to an area reasonable proximate to the site).
  - n) Remediation of any damage to road and other infrastructure (limited to an area reasonably proximate to the site).
  - o) An emergency contact that is available for 24 hours per day for residents and the Responsible Authority in the event of relevant queries or problems experience.
  - p) Traffic management measures to comply with provisions of AS 1742.3-2009 Manual of uniform traffic control devices – Part 3: Traffic control devices for works on roads.
  - q) All contractors associated with the construction of the development must be made aware of the requirements of the Construction Management Plan.
  - r) Details of crane activities, if any.
16. Before occupation, screening of windows including fixed privacy screens be designed to limit overlooking as required by Standard B22 and be installed and maintained to the satisfaction of the Responsible Authority thereafter for the life of the building.
17. Before the development starts, including any related demolition or removal of vegetation, a Tree Management Plan (report) and Tree Protection Plan (drawing), to the satisfaction of the Responsible Authority, must be submitted to and be endorsed by the Responsible Authority. The Tree Management Plan must be specific to the trees shown on the Tree Protection Plan, in accordance with AS4970-2009, prepared by a suitably qualified arborist and provide details of tree protection measures that will be utilised to ensure all trees to be retained remain viable post construction. Stages of development at which inspections are required to ensure tree protection measures are adhered to must be specified.
- The Tree Protection Plan must be in accordance with AS4970-2009, be drawn to scale and provide details of:
- a) The Tree Protection Zone and Structural Root Zone for all trees to be retained on the site and for all trees on neighbouring properties where any part of the Tree Protection Zone falls within the subject site.
  - b) The location of tree protection measures to be utilised.



18. All protection measures identified in the Tree Management and Protection Plans must be implemented, and development works undertaken on the land must be undertaken in accordance with the Tree Management and Protection Plans, to the satisfaction of the Responsible Authority.
19. 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.
20. Before the development starts tree protection fencing is to be established around the street tree within the Hansen Street road reserve abutting the subject site prior to demolition and maintained until all works on site are complete. The fencing is to be constructed and secured so its positioning cannot be modified by site workers. The fencing is to encompass the entire nature strip under the drip line of the tree. The Tree Protection Zone is to be established and maintained in accordance with AS 4970-2009. During construction of the crossover, tree protection fencing may be reduced to the edge of the Council approved crossover to facilitate the construction of the crossover.
21. Before the development starts the applicant must pay **\$1,350.36** to the Responsible Authority for the removal and replacement of any existing street trees within the Vernon Street road reserve required to be removed to facilitate construction of the vehicle crossover to dwelling 2. This amount has been determined in accordance with Council's current policy for the removal of street trees and may change at the time of request for payment. 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.
22. Before the development, detailed plans indicating, but not limited to, the method of stormwater discharge to the nominated Legal Point of Discharge (and On-Site Detention System where applicable) must be submitted to and approved by Council's Infrastructure Assets Department.
23. Before the development starts, the permit holder must apply to Council for the Legal Point of Discharge for the development from where stormwater is drained under gravity to the Council network.
24. 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.

In accordance with Section 69 of the *Planning and Environment Act 1987*, a request may be submitted to the Responsible Authority within the prescribed timeframes for an extension of the periods referred to in this condition.

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.
- This permit does not constitute any authority to carry out any building works or occupy the building or part of the building unless all relevant building permits are obtained.



- Prior to commencement of any building works, an Asset Protection Application must be taken out. This can be arranged by calling Asset Protection Administrator on 9599 4638.

The Amendment was PUT and **CARRIED**

The Amendment became the Motion before the Chair.

The Motion was PUT and **CARRIED**



**4.4 147 ABBOTT STREET, SANDRINGHAM  
NOTICE OF DECISION TO GRANT A PLANNING PERMIT  
APPLICATION 2015/711/1 WARD: CENTRAL**

City Planning and Amenity - Statutory Planning  
File No: PSF/15/8755 – Doc No: DOC/16/60374

*It is recorded that Mr Clive Findlay and Mr Michael Cooper spoke in relation to this matter.  
It is further recorded that Ms Nadia Leung did not pursue her right to speak.*

**Moved: Cr Frederico**

**Seconded: Cr Lowe**

That Council:

Issues a Notice of Decision to Grant a Permit under the provisions of the Bayside Planning Scheme in respect of Planning Permit application number 2015/711/1 for the land known and described as 147 Abbott Street, Sandringham, for the construction of a double storey dwelling on a lot less than 500 square metres in accordance with the endorsed plans and subject to the following conditions from the standard conditions:

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 advertised and Council date stamped 19 January 2016 but modified to show:
  - a) The driveway must be 3 metres wide where it intersects with the footpath and have a 0.6 metre offset from the western property boundary.
  - b) A 3 metre wide crossover new crossover centred to the driveway must be constructed with a 0.6 metre offset from the western property boundary.
  - c) Removal of the existing crossover.
  - d) Visibility splays in accordance with Design Standard 1 of Clause 52.06-8.
  - e) All garage doors to open outward, with an internal garage dimension of a minimum 5.5 metres wide and 6 metres long, and a 4.8 metre wide garage door.
  - f) Location of all plant and equipment, including hot water services and air conditioners etc. Plant equipment is to be located away from habitable room windows of dwellings and the adjoining properties habitable rooms.
  - g) A schedule of construction materials, external finishes and colours.
  - h) A landscaping plan in accordance with Condition 6 of this permit.
  - i) A Tree Management Plan and Tree Protection Plan in accordance with Condition 9 of this permit.
  - j) Water sensitive urban design measures in accordance with Condition 15 of this permit.
2. The development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
3. 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 must be carried out and completed 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. 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.
6. Before the development starts, a detailed landscape plan to the satisfaction of the Responsible Authority must be submitted to and be endorsed by the Responsible Authority. The plan must be generally in accordance with the landscape concept plan drawn by Monarch Garden Design, Job No: 15-545, Rev: A, dated 27/10/2015 and be drawn to scale with dimensions and three copies must be provided. The plan must show:
  - a) The correct front fence details shown on the all plans;
  - b) A survey, including, botanical names of all existing trees to be retained on the site including Tree Protection Zones calculated in accordance with AS4970-2009;
  - c) A survey including botanical names, of all existing trees on neighbouring properties where the Tree Protection Zones of such trees calculated in accordance with AS4970-2009 fall partially within the subject site;
  - d) A planting schedule of all proposed trees and shrubs, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant;
  - e) The inclusion of an indigenous tree capable of reaching 12 metres high and 6 metres wide at maturity within the front setback;
  - f) Landscaping and/or planting within all areas of the site not covered by buildings or hard surfaces;
  - g) Details of surface finishes of pathways and driveways
7. Before the occupation of the development the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.
8. 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.
9. Before the development starts, including any related demolition or removal of vegetation, a Tree Management Plan (report) and Tree Protection Plan (drawing), to the satisfaction of the Responsible Authority, must be submitted to and be endorsed by the Responsible Authority. The Tree Management Plan must be specific to the trees shown on the Tree Protection Plan, in accordance with AS4970-2009, prepared by a suitably qualified arborist and provide details of tree protection measures that will be utilised to ensure all trees to be retained remain viable post-construction. Stages of development at which inspections are required to ensure tree protection measures are adhered to must be specified.

The Tree Protection Plan must be in accordance with AS4970-2009, be drawn to scale and provide details of:

  - a) The Tree Protection Zone and Structural Root Zone for all trees to be retained on the site and for all trees on neighbouring properties where any part of the Tree Protection Zone falls within the subject site.



- b) The location of tree protection measures to be utilised.
10. All protection measures identified in the Tree Management and Protection Plans must be implemented, and development works undertaken on the land must be undertaken in accordance with the Tree Management and Protection Plans, to the satisfaction of the Responsible Authority.
  11. Before the development starts, including demolition or removal of vegetation, the name and contact details of the project arborist responsible for implementing the Tree Management Plan must be submitted to the Responsible Authority.
  12. Before the development starts tree protection fencing is to be established around the street trees marked for retention prior to demolition and maintained until all works on site are complete. The fencing is to be constructed and secured so its positioning cannot be modified by site workers. The fencing is to encompass the entire nature strip under the drip line of the tree. The Tree Protection Zone is to be established and maintained in accordance with AS 4970-2009. During construction of the crossover, tree protection fencing may be reduced to the edge of the Council approved crossover to facilitate the construction of the crossover.
  13. Any pruning that is required to be done to the canopy of any tree to be retained, including the canopy of any trees in neighbouring properties which overhang the subject site, 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, including the Lophostemon Confertus (Brush Box) street tree is to be done by hand by a qualified arborist.
  14. Any installation of services and drainage within a Tree Protection Zone of any tree to be retained must be undertaken using root sensitive non-destructive techniques.
  15. Before the development starts, detailed plans to the satisfaction of the Responsible Authority must be submitted to and be endorsed by the Responsible Authority. The plan must be drawn to scale with dimensions and three copies must be provided. The plans 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 landscaped 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.

16. The water sensitive urban design stormwater treatment system as shown on the endorsed plans 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. Before the development starts, the permit holder must apply to Council for the Legal Point of Discharge for the development from where stormwater is drained under gravity to the Council network.



18. Before the development, detailed plans indicating, but not limited to, the method of stormwater discharge to the nominated Legal Point of Discharge (and On-Site Detention System where applicable) must be submitted to and approved by Council's Infrastructure Assets Department.
19. 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.
20. Any subsurface water captured on the site must be treated in accordance with Council's Policy for "Discharge of pumped Subterranean Water Associated with Basement or Below Ground Structures". 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.
21. All on-site stormwater is to be collected from the hard surface areas and must not be allowed to flow uncontrolled onto adjoining properties. The on-site drainage system must prevent discharge from each driveway onto the footpath. Such a system may include either:
  - a) A trench grate (150mm minimum internal width) located within the property and/or
  - b) Shaping the driveway so that water is collected in a grated pit on the property and/or
  - c) Another Council approved equivalent.
22. 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.

In accordance with Section 69 of the Planning and Environment Act 1987, a request may be submitted to the Responsible Authority within the prescribed timeframes for an extension of the periods referred to in this condition.

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.
- This permit does not constitute any authority to carry out any building works or occupy the building or part of the building unless all relevant building permits are obtained.
- Construction of any fence / wall / letterbox structures may necessitate removal / damage of some sections of 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 Infrastructure Department prior to the commencement of any connection to the Council Drain / kerb / channel.

**CARRIED**

**4.5 30 HOLLOWAY ROAD, SANDRINGHAM  
NOTICE OF DECISION TO GRANT A PLANNING PERMIT  
APPLICATION NO.: 2015/467/1 WARD: SOUTHERN**

City Planning and Amenity - Statutory Planning  
File No: PSF/15/8755 – Doc No: DOC/16/42831

*It is recorded that Mr Stephen Pell and Mr Frank Perry spoke in relation to this matter.*

**Moved: Cr Stewart**

**Seconded: Cr Frederico**

That Council:

Issues a Notice of Decision to Grant a Permit under the provisions of the Bayside Planning Scheme in respect of Planning Permit application number 2015/467/1 for the land known and described as 30 Holloway Road, Sandringham, for the construction of two double storey dwellings in accordance with the endorsed plans and subject to the following conditions from the standard conditions:

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 date stamped 29 July 2015 but modified to show:
  - a) The west and south boundary to fences to be constructed to a minimum height of 1.8 metres above natural ground level in accordance with Standard B22 of Clause 55 of the Bayside Planning Scheme.
  - b) All first floor windows to be screened in accordance with Standard B22 of Clause 55 of the Bayside Planning Scheme.
  - c) All pedestrian doors are to be provided outwards from the garages.
  - d) Both driveways must be concreted and must be 3.6 metres wide where they intersect with the footpath.
  - e) Landscaping plan in accordance with condition 8.
  - f) Location of all plant and equipment, including hot water services and air conditioners etc. Plant equipment is to be located away from habitable room windows of dwellings and the adjoining properties habitable rooms.
  - g) A schedule of external construction materials, finishes and colours
  - h) Water sensitive urban design measures in accordance with condition 7.
  - i) All plant and equipment to be located away from habitable room windows of the dwellings and the adjoining properties habitable rooms.
2. The development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
3. 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 must be carried out and completed 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. 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.
6. Before the development starts, detailed plans to the satisfaction of the Responsible Authority must be submitted to and be endorsed by the Responsible Authority. The plan must be drawn to scale with dimensions and three copies must be provided. The plans 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 landscaped 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.

7. The water sensitive urban design stormwater treatment system as shown on the endorsed plans 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.
8. Before the development starts, a detailed landscape plan to the satisfaction of the Responsible Authority must be submitted to and be endorsed by the Responsible Authority. The plan must show:
  - a) A survey, including, botanical names of all existing trees to be retained on the site including Tree Protection Zones calculated in accordance with AS4970-2009.
  - b) A survey including botanical names, of all existing trees on neighbouring properties where the Tree Protection Zones of such trees calculated in accordance with AS4970-2009 fall partially within the subject site.
  - c) A planting schedule of all proposed trees and shrubs, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.
  - d) Landscaping and/or planting within all areas of the site not covered by buildings or hard surfaces.
  - e) Two trees capable of reaching minimum dimensions at maturity of 8 meters in height and a minimum canopy width of 6 meters in the Private Open Space of Dwelling 1.
  - f) One tree in the Green Parade setback of Dwelling 2 capable of reaching minimum dimensions at maturity of 8 meters in height and a minimum canopy width of 6 metres.



9. The Tree Management plan must be prepared by a suitably qualified arborist, reference the Tree Protection Plan and provide details of:
  - a) Any non-destructive root investigation undertaken in accordance with AS4970-2009 to determine the location and distribution of roots of trees nominated on the Tree Protection Plan.
  - b) Proposed footings and construction methods for any buildings or structures within the Tree Protection Zone nominated on the Tree Protection Plan.
  - c) How excavation impacts, including soil level changes, on trees to be retained will be managed.
  - d) How the canopy of trees nominated on the Tree Protection Plan will be protected.
  - e) Any other measures required to demonstrate the successful ongoing retention and viability post-construction of any trees nominated on the Tree Protection Plan.
10. Before the development starts the applicant must pay \$2,302.89 to the Responsible Authority for the removal and replacement of an existing street tree. This amount has been determined in accordance with Councils 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 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.
11. Before the development starts tree protection fencing is to be established around the street trees marked for retention prior to demolition and maintained until all works on site are complete. The fencing is to be constructed and secured so its positioning cannot be modified by site workers. The fencing is to encompass the entire nature strip under the drip line of the tree. The Tree Protection Zone is to be established and maintained in accordance with AS 4970-2009. During construction of the crossover, tree protection fencing may be reduced to the edge of the Council approved crossover to facilitate the construction of the crossover.
12. Before the development starts, the permit holder must apply to Council for the Legal Point of Discharge for the development from where stormwater is drained under gravity to the Council network.
13. Before the development, detailed plans indicating, but not limited to, the method of stormwater discharge to the nominated Legal Point of Discharge (and On-Site Detention System where applicable) must be submitted to and approved by Council's Infrastructure Assets Department.
14. 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.

In accordance with Section 69 of the Planning and Environment Act 1987, a request may be submitted to the Responsible Authority within the prescribed timeframes for an extension of the periods referred to in this condition.



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.
- Council must be notified of the vehicular crossing and reinstatement works.
- This permit does not constitute any authority to carry out any building works or occupy the building or part of the building unless all relevant building permits are obtained.
- Prior to commencement of any building works, an Asset protection Application must be taken out. This can be arranged by calling Asset Protection Administrator on 9599 4638.

**CARRIED**



**4.6 16 CODRINGTON STREET, SANDRINGHAM  
NOTICE OF DECISION TO GRANT A PERMIT  
APPLICATION NO: 2015/466/1 WARD: CENTRAL**

City Planning and Amenity - Statutory Planning  
File No: PSF/15/8755 – Doc No: DOC/16/60820

*It is recorded that Ms Christine Taylor and Mr Shem Curry spoke in relation to this matter.*

*It is further recorded that Mr Andrew Gathercole did not pursue his right to speak.*

**Moved: Cr Stewart**

**Seconded: Cr del Porto**

That Council:

Issues a Notice of Decision to Grant a Permit under the provisions of the Bayside Planning Scheme in respect of Planning Permit application number 2015/466/1 for the land known and described as 16 Codrington Street, Sandringham, for the construction of two double storey dwellings in accordance with the endorsed plans and subject to the following conditions from the standard conditions:

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 advertised plans by prepared by FRD, Job No 15-077, Drawing Nos TP-01 to TP-09 (inclusive) and Council date stamped 4 November 215, but modified to show:
  - a) A schedule of construction materials, external finishes and colours (incorporating for example paint samples).
  - b) Pedestrian access paths for each dwelling to be identified on the plan. These must be constructed at grade level so as to not impact on opportunities for planting canopy trees as required by Condition 11.
  - c) The front setback increased to a minimum of 9 metres in accordance with Standard B6 (Street Setback) as varied by Schedule 3 of the Neighbourhood Residential Zone.
  - d) The side setback to the laundry and walk-in-robe of dwelling 1 increased to comply with Schedule B17 (Side and rear setbacks) as varied by Schedule 3 of the Neighbourhood Residential Zone.
  - e) The rear first floor setbacks to the ensuites associated with the master bedrooms of dwellings 1 and 2 increased to comply with Schedule B17 (Side and rear setbacks) as varied by Schedule 3 of the Neighbourhood Residential Zone.
  - f) All first floor habitable room windows be screened in accordance with Condition 7, Standard B22 (Overlooking) and Standard B23 (Internal Views).
  - g) The decking area to the rear of dwelling 1 and 2 reduced in size to facilitate the planting of a canopy tree in each rear garden in accordance with Condition 11.
  - h) The fence defining the front boundary between dwelling 1 and 2 reduced to a maximum height of 1.2 metres.



- i) Boundary fencing along the southern, western and northern boundaries nominated as being a minimum height of 1.8m.
  - j) The driveway to dwelling 2 to have a minimum width of 3 metres and offset 0.8 metres from the northern property boundary.
  - k) The crossover to Dwelling 2 to have a minimum width of 3 metres and offset 0.8 metres from the northern property boundary.
  - l) Water sensitive urban design measures in accordance with Condition 8 of this permit.
  - m) A landscape plan in accordance with Condition 11 of this permit.
2. The development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
  3. 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 must be carried out and completed 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. 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.
  6. The walls on the boundary of the adjoining properties shall be cleaned and finished to the satisfaction of the Responsible Authority.
  7. Before occupation, screening of windows including fixed privacy screens be designed to limit overlooking as required by Standard B22 and be installed and maintained to the satisfaction of the Responsible Authority thereafter for the life of the building.
  8. Before the development starts, detailed plans to the satisfaction of the Responsible Authority must be submitted to and be endorsed by the Responsible Authority. The plan must be drawn to scale with dimensions and three copies must be provided. The plans 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 landscaped 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.

9. The water sensitive urban design stormwater treatment system as shown on the endorsed plans 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.



10. Before the occupation of the development starts, new or altered vehicle crossings servicing the development must be constructed to the satisfaction of the Responsible Authority and any existing disused or redundant crossing or crossing opening must be removed and replaced with footpath/nature strip/ kerb and channel, to the satisfaction of the Responsible Authority.
11. Before the development starts, a landscape plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The plan must be in accordance the landscape plan submitted with the application (prepared by Zenith Concepts, date October 2015, Rev A, with the following amendments:
  - a) The decking area to the rear of Dwelling 1 and 2 reduced in size to facilitate the planting of a canopy tree in the rear garden of each dwelling. The tree must be capable of reaching a mature height of 8 metres and canopy width of 4 metres.
  - b) A canopy tree to be planted in the front setback of both Dwellings 1 and 2. The tree must be capable of reaching a mature height of 8 metres and canopy width of 4 metres.
  - c) Pedestrian access paths located and constructed so as to not impact on opportunities for planting canopy trees.
12. Before the occupation of the development the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.
13. 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.
14. Before development commences (including demolition) the applicant must pay \$3,410.40 to the Responsible Authority for the removal and replacement of the existing street tree. This amount has been determined in accordance with Council's current policy for the removal of street trees. 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 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.
15. Before the development starts, the permit holder must apply to Council for the Legal Point of Discharge for the development from where stormwater is drained under gravity to the Council network.
16. Before the development, detailed plans indicating, but not limited to, the method of stormwater discharge to the nominated Legal Point of Discharge (and On-Site Detention System where applicable) must be submitted to and approved by Council's Infrastructure Assets Department.
17. 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.

In accordance with Section 69 of the *Planning and Environment Act 1987*, a request may be submitted to the Responsible Authority within the prescribed timeframes for an extension of the periods referred to in this condition.



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.
- Prior to commencement of any building works, an Asset Protection Application must be taken out. This can be arranged by calling Asset Protection Administrator on 9599 4638.

**CARRIED**



**4.7 411A BLUFF ROAD, HAMPTON  
NOTICE OF DECISION TO GRANT A PLANNING PERMIT  
APPLICATION 2015/606/1 WARD: CENTRAL**

City Planning and Amenity - Statutory Planning  
File No: PSF/15/8755 – Doc No: DOC/16/66561

*It is recorded that Mr Darcy Provatas spoke in relation to this matter.*

**Moved: Cr Lowe**

**Seconded: Cr Heffernan**

That Council:

Issues a Notice of Decision to Grant a Permit under the provisions of the Bayside Planning Scheme in respect of Planning Permit application number 2015/606/1 for the land known and described as 411A Bluff Road, Hampton, for the alterations and additions to an existing dwelling on a lot less than 500 square metres in accordance with the endorsed plans and subject to the following conditions from the standard conditions:

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 advertised plans Council date stamped 7 December 2015 but modified to show:
  - a) The carport provided with a flat roof and which is open on all sides.
  - b) A maximum carport height of 3 metres and width of 5.5 metres.
  - c) The carport to be offset 900mm from the southern side boundary.
  - d) The driveway aligned with the carport.
  - e) Landscaping provided between the southern property boundary and the driveway and carport.
  - f) Notation of the height and materials of boundary fencing to a minimum height of 1.8 metres.
  - g) Location of all plant and equipment, including hot water services and air conditioners.
  - h) A schedule of construction materials, external finishes and colours in accordance with Condition 5.
  - i) Water sensitive urban design measures in accordance with Condition 6.
  - j) Measures required by Melbourne Water in accordance with Conditions 8 and 9.
2. The development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
3. 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. 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.
5. Before the development starts, a schedule of construction materials, external finishes and colours (incorporating for example paint samples) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the schedule will be endorsed and will then form part of the permit.
6. 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.

7. All protection measures identified in the Arborist report prepared by 'Constructive Arboriculture' and dated November 2015 must be implemented, and works undertaken on the land must be undertaken in accordance with the Arborist Report to the satisfaction of the Responsible Authority.

#### **Melbourne Water Conditions (Nos. 8 – 9)**

8. Front boundary fence / gate to Bluff Road must be 50% open style design.
9. Pollution and sediment laden runoff shall not be discharged directly or indirectly into Melbourne Water's drains or waterways.

#### **Public Transport Victoria Conditions (Nos. 10 – 11)**

10. The existing bus stop and associated infrastructure on Bluff Road must not be altered without the prior consent of Public Transport Victoria. Any alterations including temporary works or damage during construction must be rectified to the satisfaction of Public Transport Victoria and at the cost of the permit holder.
11. The permit holder must take all reasonable steps to ensure that disruption to bus operation along Bluff Road is kept to a minimum during the construction of the development. Foreseen disruptions to bus operations and mitigation measures must be communicated to Public Transport Victoria fourteen days (14) prior.
12. This permit will expire if one of the following circumstances applies:





**4.8 28 CHARLES STREET, BRIGHTON EAST  
NOTICE OF DECISION TO GRANT A PERMIT  
APPLICATION 2015/610/1 WARD: NORTHERN**

City Planning and Amenity - Statutory Planning  
File No: PSF/15/8755 – Doc No: DOC/16/61232

*It is recorded that Mr Mark Ennio spoke in relation to this matter.*

**Moved: Cr del Porto**

**Seconded: Cr Heffernan**

That Council:

Issues a Notice of Decision to Grant a Permit under the provisions of the Bayside Planning Scheme in respect of Planning Permit application number 2015/610/1 for the land known and described as 28 Charles Street, Brighton East for the construction of two double storey dwellings in accordance with the endorsed plans and subject to the following standard conditions from the standard conditions:

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 application plans dated 7 December 2015 but modified to show:
  - a) Dwelling 2, bedroom 2 window facing east to be treated in accordance with Standard B22 of ResCode.
  - b) A notation that any front fence is to not exceed 0.9m in height.
  - c) A notation on plan that there is to be no excavation with 2.9m of the street tree.
  - d) A notation that lattice extension to a height of 0.6m is to be added to the rear boundary fence.
  - e) Ground floor and first floor plans showing the title boundaries, internal layouts and setbacks to all boundaries.
  - f) Addition of a secondary material to the side and rear elevations at first floor to improve the visual appearance.
  - g) The bay tree, as shown on the plan submitted to Council on 28 April 2016, nominated as to be removed.
  - h) A landscaping plan in accordance with Condition 10 of this permit.
  - i) A tree management plan and tree protection plan in accordance with Condition 14 of this permit.
2. The layout of the site and the size, levels, design and location of buildings and works shown on the endorsed plans must not be modified for any reason (unless the Bayside Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority
3. 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. 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.
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 schedule of construction materials, external finishes and colours (incorporating for example paint samples) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the schedule will be endorsed and will then form part of the permit.
7. The water sensitive urban design stormwater treatment system as shown on the endorsed plans 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.
8. Before the occupation of the development starts, the areas set aside for vehicle parking and accessways must be constructed, drained and line marked to the satisfaction of the Responsible Authority. Such areas must be kept available for these purposes at all times.
9. Before the occupation of the development starts, new or altered vehicle crossings servicing the development must be constructed to the satisfaction of the Responsible Authority and any existing disused or redundant crossing or crossing opening must be removed and replaced with footpath/nature strip/ kerb and channel, to the satisfaction of the Responsible Authority.
10. Before the development starts, a detailed landscape plan to the satisfaction of the Responsible Authority must be submitted to and be endorsed by the Responsible Authority. 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 trees to be retained on the site including Tree Protection Zones calculated in accordance with AS4970-2009.
  - b) A survey including botanical names, of all existing trees on neighbouring properties where the Tree Protection Zones of such trees calculated in accordance with AS4970-2009 fall partially within the subject site.
  - c) A planting schedule of all proposed trees and shrubs, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.
  - d) Landscaping and/or planting within all areas of the site not covered by buildings or hard surfaces.
  - e) Details of surface finishes of pathways and driveways
  - f) A minimum of one canopy tree at the rear of each dwelling to reach a minimum height of 8.0m.
  - g) A minimum of two canopy trees in the front setback to reach minimum heights of 8.0m.
11. Before the occupation of the development 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 occupation, screening of windows including fixed privacy screens be designed to limit overlooking as required by Standard B22 and be installed and maintained to the satisfaction of the Responsible Authority thereafter for the life of the building
14. Before the development starts, including any related demolition or removal of vegetation, a Tree Management Plan (report) and Tree Protection Plan (drawing), to the satisfaction of the Responsible Authority, must be submitted to and be endorsed by the Responsible Authority.

The Tree Management Plan must be specific to the trees shown on the Tree Protection Plan, in accordance with AS4970-2009, prepared by a suitably qualified arborist and provide details of tree protection measures that will be utilised to ensure all trees to be retained remain viable post-construction. Stages of development at which inspections are required to ensure tree protection measures are adhered to must be specified.

The Tree Protection Plan must be in accordance with AS4970-2009, be drawn to scale and provide details of:

- a) The Tree Protection Zone and Structural Root Zone for all trees to be retained on the site and for all trees on neighbouring properties where any part of the Tree Protection Zone falls within the subject site.
  - b) The location of tree protection measures to be utilised.
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. Before the development starts tree protection fencing is to be established around the street trees marked for retention prior to demolition and maintained until all works on site are complete. The fencing is to be constructed and secured so its positioning cannot be modified by site workers. The fencing is to encompass the entire naturestrip under the drip line of the tree. The Tree Protection Zone is to be established and maintained in accordance with AS 4970-2009. During construction of the crossover, tree protection fencing may be reduced to the edge of the Council approved crossover to facilitate the construction of the crossover.
  17. Before the development, detailed plans indicating, but not limited to, the method of stormwater discharge to the nominated Legal Point of Discharge (and On-Site Detention System where applicable) must be submitted to and approved by Council's Infrastructure Assets Department.
  18. Before the development starts, the permit holder must apply to Council for the Legal Point of Discharge for the development from where stormwater is drained under gravity to the Council network.
  19. 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.



In accordance with Section 69 of the *Planning and Environment Act 1987*, a request may be submitted to the Responsible Authority within the prescribed timeframes for an extension of the periods referred to in this condition.

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.
- This permit does not constitute any authority to carry out any building works or occupy the building or part of the building unless all relevant building permits are obtained.
- Prior to commencement of any building works, an Asset Protection Application must be taken out. This can be arranged by calling Asset Protection Administrator on 9599 4638.

**CARRIED**

**4.9 116 AND 120 MARTIN STREET, BRIGHTON  
SECONDARY CONSENT - APPROVE  
APPLICATION NO: 2013/296/2 WARD: NORTHERN**

City Planning and Amenity - Statutory Planning  
File No: PSF/15/8755 – Doc No: DOC/16/62091

*It is recorded that Ms Erin Skurrie spoke in relation to this matter.*

**Moved: Cr Heffernan**

**Seconded: Cr del Porto**

That Council:

Approve the Amended Plans in accordance with the Secondary Consent provisions of Planning Permit Number 2013/296/2 issued for the construction of buildings and works associated with a mixed use building, reduction of the standard car parking requirement and waiver of the loading bay requirement and the following table be added at the end of the permit.

| Date        | Amendments   |
|-------------|--|
| 10 May 2016 | <p data-bbox="532 863 980 894"><u>Secondary Consent Amended Plans</u></p> <ul style="list-style-type: none"> <li data-bbox="540 911 1377 972">• Increase the thickness of the retaining walls to all boundaries of both basements;</li> <li data-bbox="540 993 1377 1087">• Alterations to the size and location of residential storage cages at both basement levels to maintain a minimum of 6 cubic metre per cage;</li> <li data-bbox="540 1108 1377 1169">• Additions of storage cages for office tenancies at lower basement level;</li> <li data-bbox="540 1190 1377 1251">• Relocation of the fan room beneath the access ramp and addition of a break tank room at the upper basement level;</li> <li data-bbox="540 1272 1377 1333">• Alterations to the locations of the refuse and hard waste room and addition of a cleaner's cupboard at upper basement level;</li> <li data-bbox="540 1354 1377 1415">• Relocation of the south facing bedroom window of Dwelling 111 1.5 metres west from its approved location;</li> <li data-bbox="540 1436 1377 1497">• Reduction in the width of the south facing bedroom window of Dwelling 211 from 2.0 metres to 1.25 metres;</li> <li data-bbox="540 1518 1377 1598">• Addition of a perforated mesh (charcoal colour) material to be used in the bulkhead over the basement entry and on the ground floor of the front façade.</li> </ul> |

**CARRIED**

**4.10 20 MORLEY CRESCENT, HIGHETT  
NOTICE OF DECISION TO GRANT A PERMIT  
APPLICATION 2015/724/1 WARD: CENTRAL**

City Planning and Amenity - Statutory Planning  
File No: PSF/15/8755 – Doc No: DOC/16/70183

*It is recorded that Mr Michael Meyer spoke in relation to this matter.*

**Moved: Cr Lowe**

**Seconded: Cr Frederico**

That Council:

Issues a Notice of Decision to Grant a Permit under the provisions of the Bayside Planning Scheme in respect of Planning Permit application number 2015/724/1 for the land known and described as 20 Morley Crescent, Highett, for the construction of two double storey dwellings in accordance with the endorsed plans and subject to the following conditions from the standard conditions:

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 application plans dated April 2015 but modified to show:
  - a) Side setbacks to the north and the south to comply with Standard B17 (Side and Rear Setbacks) of Clause 55.04-1.
  - b) Walls on or within 200mm of the northern boundary to be amended to show average wall heights of 3.2m.
  - c) The west and south boundary to fences to be constructed to a minimum height of 1.8 metres above natural ground level in accordance with Standard B22 of Clause 55 of the Bayside Planning Scheme.
  - d) All first floor obscure glass windows to shown as being fixed glass in accordance with Standard B22 of Clause 55 of the Bayside Planning Scheme.
  - e) Location of all plant and equipment, including hot water services and air conditioners etc. Plant equipment is to be located away from habitable room windows of dwellings and the adjoining properties habitable rooms.
  - f) A colour schedule of construction external materials, finishes and colours.
  - g) The driveway for dwelling 1 must be 3 metres wide with a 1 metre offset away from the northern property boundary.
  - h) The driveway for dwelling 2 must be 3 metres wide with a 1 metre offset away from the southern property boundary.
  - i) Water sensitive urban design measures in accordance with Condition 6 of this permit.
  - j) Landscaping plan in accordance with Condition 9 of this permit.
  - k) A tree management plan and tree protection plan in accordance with Condition 13 of this permit.

2. The use and/or development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
3. 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. 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.
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, detailed plans to the satisfaction of the Responsible Authority must be submitted to and be endorsed by the Responsible Authority. The plan must be drawn to scale with dimensions and three copies must be provided. The plans 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 landscaped 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.

7. The water sensitive urban design stormwater treatment system as shown on the endorsed plans 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.
8. Before the occupation of the development starts, new or altered vehicle crossing(s) servicing the development must be constructed to the satisfaction of the Responsible Authority and any existing disused or redundant crossing or crossing opening must be removed and replaced with footpath/nature strip/ kerb and channel, to the satisfaction of the Responsible Authority.
9. Before the development starts, a landscape plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The plan must be generally in accordance to the landscape plan submitted with the application but amended to show:
  - a) Planting of one canopy tree which has the capacity to reach a height of ten metres and a canopy width of six metres at maturity within the front setback of each dwelling.
  - b) Planting of one canopy tree which has the capacity to reach a height of eight metres and a canopy width of four metres at maturity within the rear private open space of each dwelling.
10. Before the occupation of the development the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.



11. 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.
12. Before occupation, screening of windows including fixed privacy screens be designed to limit overlooking as required by Standard B22 and be installed and maintained to the satisfaction of the Responsible Authority thereafter for the life of the building
13. Before the development starts, including any related demolition or removal of vegetation, a Tree Management Plan (report) and Tree Protection Plan (drawing), to the satisfaction of the Responsible Authority, must be submitted to and be endorsed by the Responsible Authority.

The Tree Management Plan must be specific to the trees shown on the Tree Protection Plan, in accordance with AS4970-2009, prepared by a suitably qualified arborist and provide details of tree protection measures that will be utilised to ensure all trees to be retained remain viable post-construction. Stages of development at which inspections are required to ensure tree protection measures are adhered to must be specified.

The Tree Protection Plan must be in accordance with AS4970-2009, be drawn to scale and provide details of:

- a) The Tree Protection Zone and Structural Root Zone for all trees to be retained on the site and for all trees on neighbouring properties where any part of the Tree Protection Zone falls within the subject site.
  - b) The location of tree protection measures to be utilised.
14. Before the development starts tree protection fencing is to be established around the street trees marked for retention prior to demolition and maintained until all works on site are complete. The fencing is to be constructed and secured so its positioning cannot be modified by site workers. The fencing is to encompass the entire nature strip under the drip line of the tree. The Tree Protection Zone is to be established and maintained in accordance with AS 4970-2009. During construction of the crossover, tree protection fencing may be reduced to the edge of the Council approved crossover to facilitate the construction of the crossover.
  15. Before the development commences, the owner must pay \$3,990.55 to the Responsible Authority for the removal and replacement of the Yellow Gum (*Eucalyptus leucoxylon*) street tree. This amount has been determined in accordance with Councils 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 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.
  16. Before the development, detailed plans indicating, but not limited to, the method of stormwater discharge to the nominated Legal Point of Discharge (and On-Site Detention System where applicable) must be submitted to and approved by Council's Infrastructure Assets Department.
  17. Before the development starts, the permit holder must apply to Council for the Legal Point of Discharge for the development from where stormwater is drained under gravity to the Council network.



18. 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.

In accordance with Section 69 of the *Planning and Environment Act 1987*, a request may be submitted to the Responsible Authority within the prescribed timeframes for an extension of the periods referred to in this condition.

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.
- This permit does not constitute any authority to carry out any building works or occupy the building or part of the building unless all relevant building permits are obtained.
- Prior to commencement of any building works, an Asset Protection Application must be taken out. This can be arranged by calling Asset Protection Administrator on 9599 4638.

**AMENDMENT**

**Moved: Cr Long**

**Seconded: Cr Stewart**

That Council:

Issues a Notice of Decision to Grant a Permit under the provisions of the Bayside Planning Scheme in respect of Planning Permit application number 2015/724/1 for the land known and described as 20 Morley Crescent, Highett, for the construction of two double storey dwellings in accordance with the endorsed plans and subject to the following conditions from the standard conditions:

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 application plans dated April 2015 but modified to show:
  - a) The front setback to comply with Standard B6 (street setback) of Clause 55.03-1 of the Bayside Planning Scheme.
  - b) Side setbacks to the north and the south to comply with Standard B17 (Side and Rear Setbacks) of Clause 55.04-1.
  - c) Walls on or within 200mm of the northern boundary to be amended to show average wall heights of 3.2m.
  - d) The west and south boundary to fences to be constructed to a minimum height of 1.8 metres above natural ground level in accordance with Standard B22 of Clause 55 of the Bayside Planning Scheme.
  - e) All first floor obscure glass windows to shown as being fixed glass in accordance with Standard B22 of Clause 55 of the Bayside Planning Scheme.

- f) Location of all plant and equipment, including hot water services and air conditioners etc. Plant equipment is to be located away from habitable room windows of dwellings and the adjoining properties habitable rooms.
  - g) A colour schedule of construction external materials, finishes and colours.
  - h) The driveway for dwelling 1 must be 3 metres wide with a 1 metre offset away from the northern property boundary.
  - i) The driveway for dwelling 2 must be 3 metres wide with a 1 metre offset away from the southern property boundary.
  - j) Water sensitive urban design measures in accordance with Condition 6 of this permit.
  - k) Landscaping plan in accordance with Condition 9 of this permit.
  - l) A tree management plan and tree protection plan in accordance with Condition 13 of this permit.
2. The use and/or development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
  3. 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. 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.
  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, detailed plans to the satisfaction of the Responsible Authority must be submitted to and be endorsed by the Responsible Authority. The plan must be drawn to scale with dimensions and three copies must be provided. The plans 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 landscaped 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.

7. The water sensitive urban design stormwater treatment system as shown on the endorsed plans 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.
8. Before the occupation of the development starts, new or altered vehicle crossing(s) servicing the development must be constructed to the satisfaction of the Responsible Authority and any existing disused or redundant crossing or crossing opening must be removed and replaced with footpath/nature strip/ kerb and channel, to the satisfaction of the Responsible Authority.





9. Before the development starts, a landscape plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The plan must be generally in accordance to the landscape plan submitted with the application but amended to show:
  - a) Planting of one canopy tree which has the capacity to reach a height of ten metres and a canopy width of six metres at maturity within the front setback of each dwelling.
  - b) Planting of one canopy tree which has the capacity to reach a height of eight metres and a canopy width of four metres at maturity within the rear private open space of each dwelling.
10. Before the occupation of the development the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.
11. 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.
12. Before occupation, screening of windows including fixed privacy screens be designed to limit overlooking as required by Standard B22 and be installed and maintained to the satisfaction of the Responsible Authority thereafter for the life of the building
13. Before the development starts, including any related demolition or removal of vegetation, a Tree Management Plan (report) and Tree Protection Plan (drawing), to the satisfaction of the Responsible Authority, must be submitted to and be endorsed by the Responsible Authority.

The Tree Management Plan must be specific to the trees shown on the Tree Protection Plan, in accordance with AS4970-2009, prepared by a suitably qualified arborist and provide details of tree protection measures that will be utilised to ensure all trees to be retained remain viable post-construction. Stages of development at which inspections are required to ensure tree protection measures are adhered to must be specified.

The Tree Protection Plan must be in accordance with AS4970-2009, be drawn to scale and provide details of:

- a) The Tree Protection Zone and Structural Root Zone for all trees to be retained on the site and for all trees on neighbouring properties where any part of the Tree Protection Zone falls within the subject site.
  - b) The location of tree protection measures to be utilised.
14. Before the development starts tree protection fencing is to be established around the street trees marked for retention prior to demolition and maintained until all works on site are complete. The fencing is to be constructed and secured so its positioning cannot be modified by site workers. The fencing is to encompass the entire nature strip under the drip line of the tree. The Tree Protection Zone is to be established and maintained in accordance with AS 4970-2009. During construction of the crossover, tree protection fencing may be reduced to the edge of the Council approved crossover to facilitate the construction of the crossover.
  15. Before the development commences, the owner must pay \$3,990.55 to the Responsible Authority for the removal and replacement of the Yellow Gum (*Eucalyptus leucoxylon*) street tree. This amount has been determined in accordance with Councils 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 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.

16. Before the development, detailed plans indicating, but not limited to, the method of stormwater discharge to the nominated Legal Point of Discharge (and On-Site Detention System where applicable) must be submitted to and approved by Council's Infrastructure Assets Department.
17. Before the development starts, the permit holder must apply to Council for the Legal Point of Discharge for the development from where stormwater is drained under gravity to the Council network.
18. 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.

In accordance with Section 69 of the *Planning and Environment Act 1987*, a request may be submitted to the Responsible Authority within the prescribed timeframes for an extension of the periods referred to in this condition.

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.
- This permit does not constitute any authority to carry out any building works or occupy the building or part of the building unless all relevant building permits are obtained.
- Prior to commencement of any building works, an Asset Protection Application must be taken out. This can be arranged by calling Asset Protection Administrator on 9599 4638.

The Amendment was PUT and **CARRIED**

The Amendment became the Motion before the Chair.

**CARRIED**

**5. Confidential Business**

Nil

*Following consideration of Confidential Business the Chairperson declared the meeting closed at 8.43pm.*

**CONFIRMED THIS INSERT 7 DAY OF JUNE 2016**

**CHAIRPERSON: .....**

