



Minutes of the Planning and Amenity Committee Meeting

held in the Council Chambers, Civic Centre,
Boxshall Street Brighton
on Tuesday 12 April 2016

The Meeting commenced at 7:00pm

Councillors	Cr Laurence Evans (Chairman) Cr Alex del Porto Cr Felicity Frederico Cr Michael Heffernan Cr James Long BM JP Cr Bruce Lowe Cr Heather Stewart
In attendance	Shiran Wickramasinghe – Director City Planning & Amenity Arthur Vatzakis – Acting Manager Development Services Hew Gerrard – Statutory Planning Coordinator Terry Callant – Manager Governance 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 del Porto declared a direct conflict of interest in item 4.11 – 7 Granter Street Brighton East as he lives in close proximity to the application site.

3. Adoption and Confirmation of the minutes of previous meeting

- 3.1 Confirmation of the Minutes of the Planning & Amenity Committee Meeting held on 8 March 2016.

Moved: Cr Long

Seconded: Cr Frederico

That the minutes of the Planning & Amenity Committee Meeting held on 8 March 2016, as previously circulated, be confirmed as an accurate record of proceedings.

CARRIED

4. Matters of Decision

**4.1 STREET TREE REMOVAL REQUEST 14 GLADSTONE STREET,
SANDRINGHAM**

Environment and Infrastructure - Environmental Sustainability & Open Space
File No: PSF/16/236 – Doc No: DOC/16/48307

It is recorded that Mr Peter Gleeson spoke in relation to this matter.

Moved: Cr Stewart

Seconded: Cr del Porto

That Council:

1. removes the street tree adjacent to 14 Gladstone Street, Sandringham; and
2. authorises the Director Environment & Infrastructure to replace the tree with a species to be determined in consultation with the owners of 14 Gladstone Street Sandringham.

The Motion was PUT and a **DIVISION** was called:

DIVISION: **FOR:** Crs del Porto, Evans, Federico, Heffernan, Long, Lowe and
 Stewart (7)
 AGAINST: Nil (0)

CARRIED



**4.2 33 SERVICE STREET, HAMPTON
NOTICE OF DECISION TO GRANT A PERMIT
APPLICATION NO: 2015/765/1 WARD: CENTRAL**

City Planning and Amenity - Statutory Planning
File No: PSF/15/8755 – Doc No: DOC/16/44747

It is recorded that Mr Peter Margin, Mr Peter Armstrong, Dr Michael Daly, Mrs Sherri Marchant, Mr Damian Thomas, Mr John Lochhead and Mrs Marianne Margin spoke in relation to this matter.

It is further recorded that Mrs Lesley Falloon OAM was not present in the Chamber.

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 the land known and described as 33 Service Street, Hampton, for partial demolition, alterations and additions (including the construction of a basement car park, rear and first floor additions) 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 but modified to show:
 - a) An increased set back to the first floor behind the heritage façade as shown on draft amended plans prepared by *Architecture Works TP07 to TP17 Revision B and dated stamped by Council on 29 February 2016.*
 - b) A 0.5 metre height reduction to the rear two storey element as shown on draft amended plans prepared by *Architecture Works TP07 to TP17 Revision B and dated stamped by Council on 29 February 2016.*
 - c) A 1 metre width reduction in the east / west alignment of the first floor as shown on draft amended plans prepared by *Architecture Works TP07 to TP17 Revision B and dated stamped by Council on 29 February 2016.*
 - d) The deletion of the 1.3 metre wide first floor eaves as shown on draft amended plans prepared by *Architecture Works TP07 to TP17 Revision B and dated stamped by Council on 29 February 2016.*
 - e) A reduction in height of the foremost rising elements of the stair-well as shown on draft amended plans prepared by *Architecture Works TP07 to TP17 Revision B and dated stamped by Council on 29 February 2016*
 - f) Relocation of the foremost rising elements of the stair-well to move them to the West and further conceal them behind the higher elements of the Heritage Slate roof as shown on draft amended plans prepared by *Architecture Works TP07 to TP17 Revision B and dated stamped by Council on 29 February 2016*

- g) The cladding in black zinc of the stairwell and the first floor bathroom section to provide a tone and colour match to the heritage slate roof as shown on draft amended plans prepared by *Architecture Works TP07 to TP17 Revision B* and dated stamped by Council on 29 February 2016.
 - h) A schedule of construction, colours, material and finishes including paint samples.
2. P3 Layout not altered
 3. G3 Plant/ equipment or features on roof
 4. G4 Concealment of pipes, etc
 5. G5 Boundary walls
 6. PE1 Time for starting and completion - Development

Permit Notes:

- PN4 Building approval
- PN5 Asset protection
- PN9 Application not assessed against Clause 54 (for Heritage Overlay permits)

The Motion was PUT and a **DIVISION** was called:

DIVISION: **FOR:** Crs del Porto, Evans, Frederico, Heffernan, Lowe and Stewart (6)
 AGAINST: Cr Long (1)

CARRIED

**4.3 14 KING STREET, HAMPTON EAST
NOTICE OF DECISION TO GRANT A PLANNING PERMIT
APPLICATION 2015/457/1 WARD: CENTRAL**

City Planning and Amenity - Statutory Planning
File No: PSF/15/8755 – Doc No: DOC/16/44046

It is recorded that Mrs Maree Oliver 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 for Planning Permit Application No. 2015/457/1 in respect of the land known and described as 14 King Street, Hampton East, for the construction of three double storey dwellings in accordance with the endorsed plans and subject to the following conditions:

1. Before the use and/or development start/s, 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 25 September 2015 but modified to show:
 - a) Dwelling 1 ground floor study window to be notated as double glazed and sound proofed.
 - b) Dwelling 2 ground floor dining window to be notated as double glazed and sound proofed.
 - c) Dwelling 3 ground floor dining window to be notated as double glazed and sound proofed.
 - d) Dwelling 1 garage to be setback 6.4 metres from eastern boundary.
 - e) All first floor windows to be compliant with ResCode Standard B22.
 - 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 dwelling and the adjoining properties habitable rooms.
 - g) First floor external material of dwelling 1 to be textured render.
 - h) A schedule of external construction materials, external finishes and colours (incorporating for example paint samples).
 - i) Water sensitive urban design measures in accordance with Condition 8.
 - j) A Landscape plan in accordance with Condition 11.
2. P2 Layout not to be altered – Development (consent unless specified by the Scheme)
3. G1 Before Occupation
4. G3 Plant/equipment or features on roof
5. G4 Concealment of pipes, etc.
6. G5 Boundary walls
7. G6 Schedule of materials and colours

8. G8 Water Sensitive Urban Design
9. CP1 Car park construction
10. CP4 Vehicular crossings
11. L1 Landscape plan required
12. L2 Completion of landscaping
13. L3 Landscaping maintenance
14. T7 Street Tree Protection
15. DE1 Legal Point of Discharge
16. DE2 Drainage Plans

Melbourne Water Conditions

17. The dwellings must be constructed with finished floor levels a minimum of 300mm above the applicable flood level, which is a minimum finished floor level of 27.10 metres to Australian Height Datum (AHD).
18. The garages must be constructed with finished surface levels a minimum of 150mm above the applicable flood level, which is a minimum finished floor level of 26.95 metres to AHD.
19. Decking must be constructed with unenclosed foundations to allow for the passage of overland flows.
20. A building setback that is a minimum of 3.5m from the eastern property boundary must be maintained at the existing natural ground surface levels, to allow for the passage of overland flood flows. The driveway with exception of minimal garage ramps is required to be maintained at the existing natural ground surface levels to allow for the passage of overland flows.
21. Any new front or internal fence must be constructed of an open style with a minimum of 50% to allow for the passage of overland flows.
22. Earthworks fill must be restricted to the proposed building envelopes with exception of the minimal amount of ramping required for vehicles to enter any proposed garage.
23. Prior to the issue of an Occupancy Permit, a certified survey plan showing finished floor levels (as constructed) reduced to the Australian Height Datum must be submitted to Melbourne Water. The Plan must demonstrate that the floor levels have been constructed in accordance with Melbourne Water's requirements.
24. Pollution and sediment laden runoff shall not be discharged directly or indirectly into Melbourne Water's drains or waterways.
25. PE1 Time for starting and completion – Development

Permit Notes

- N2 Building approval
- N7 Retention of existing street trees
- N10 Asset Protection

CARRIED

**4.4 398 NEW STREET, BRIGHTON
NOTICE OF DECISION TO GRANT A PERMIT
APPLICATION: 2015/679/1 WARD: NORTHERN**

City Planning and Amenity - Statutory Planning
File No: PSF/15/8755 – Doc No: DOC/16/45384

It is recorded that Mr Mark Franek, Mr Michael Schoenberg, Mr Mark Franek on behalf of Mr Chris Christou and Mr Arthur Zoungas spoke in relation to this matter.

*Councillor del Porto left the Meeting at 8:17 PM
Councillor del Porto returned to the Meeting at 8:19 AM*

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 the land known and described as 398 New Street, Brighton, for the alterations and additions of a single 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 use and/or development start/s, 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 but modified to show:
 - a) The bedroom 2 setback increased to 1.82 metres from the southern boundary.
 - b) provision of overlooking screens to the south and east of the terrace in accordance with Standard A15 of Clause 54 of the Bayside Planning Scheme.
2. P2 - Layout not to be altered – Development (consent unless specified by the Scheme)
3. G3 - Plant/equipment or features on roof
4. G4 - Concealment of pipes, etc.
5. G5 - Boundary walls
5. G7 – Before occupation, screening of windows and roof terraces including fixed privacy screens be designed to limit overlooking as required by Standard A15 and be installed and maintained to the satisfaction of the Responsible Authority thereafter for the life of the building
6. PE1 - Time for starting and completion – Development

Permit Notes

- PN4 - Building approval
- PN5 - Asset Protection
- PN6 - Drainage – No easement
- PN8 - Retention of existing street trees

CARRIED

**4.5 26 PINE STREET, BRIGHTON
NOTICE OF DECISION TO GRANT A PLANNING PERMIT
APPLICATION: 2015/535/1 WARD: NORTHERN**

City Planning and Amenity - Statutory Planning
File No: PSF/15/8755 – Doc No: DOC/16/45430

It is recorded that Mr Martin Brown and Ms Magdaline Loizou spoke in relation to this matter.

Moved: Cr Heffernan

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 the land known and described as 26 Pine Street Brighton, for alterations and additions to an existing dwelling and construction of a front fence exceeding 1.2 metres 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 submitted 23 September 2015 but modified to show:
 - a) Reduction in the building height to a maximum of 8 metres above natural ground level;
 - b) An increase to the front setback without reducing the rear setback and without altering the design of the front façade to a minimum 6 metres to allow for a car space;
 - c) The orientation of the car space in the front setback is to be reconfigured to allow for to a 90 degree car space in the front boundary;
 - d) Relocation of the proposed driveway one metre from the eastern boundary;
 - e) A 1 metre separator is to be provided between the crossover and the crossover on the adjoining eastern lot;
 - f) The driveway is to be 3 metres wide;
 - g) Alteration of the front fence to accommodate the relocation of the proposed crossover and car space;
 - h) Compliance with Standard A15 for the south first floor window;
 - i) All levels shown for the retaining walls and the removal of any redundant retaining walls from the plans;
 - j) Minimum 20% permeability to comply with Standard A6.
 - k) A landscape plan in accordance with Condition 7 of this planning permit;
 - l) Water sensitive urban design in accordance with Condition 11 of this planning permit.
2. P3 Layout not altered – Development (consent required for any alteration)
3. G1 Before occupation
4. G3 Plant/equipment or features on roof
5. G4 Concealment of pipes, etc.

6. G5 Boundary walls
7. Before the development starts, a landscape plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The landscaping plan must show:
 - a) The provision of two replacement native trees, one located in the front setback capable of reaching 6 metres high and 4 metres wide at maturity, and the other located in the rear setback capable of reaching 10 metres high and 6 metres wide at maturity.
 - b) Minimum 20% permeability to comply with Standard A6;
 - c) A survey (including botanical names) of all existing vegetation to be retained and/or removed;
 - d) Buildings and trees (including botanical names) on neighbouring properties within three metres of the boundary;
 - e) Details of surface finishes of pathways and driveways;
 - f) Details of water sensitive urban design elements to be incorporated and the plant species to be used;
 - g) A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant. All species selected must be to the satisfaction of the Responsible Authority;
 - h) Landscaping and planting within all open areas of the site.
8. L2 Completion of landscaping
9. L3 Landscaping maintenance
10. Before development commences the applicant must pay \$2,552.64 to the Responsible Authority for the removal and replacement of the existing street tree. This amount has been determined in accordance with Councils current policy for the removal of street tree. This amount may be increased by the Responsible Authority if an extension of time to commence work is granted and the amenity value of the street tree has increased. The Responsible Authority, or a contractor or agent engaged by the Responsible Authority, must undertake the removal and replacement of the street tree. Any replacement planting will be at the discretion of the responsible Authority.
11. G8 Water Sensitive Urban Design
12. G9 Water Sensitive Urban Design – Maintained
13. The proposed internal drainage must be connected to the existing legal point of discharge. The applicant may apply for legal point of discharge and local drain information, or carry out on site verification.
14. Stormwater discharge must be retained on site to the pre-development level of peak stormwater discharge. The development is to have a Stormwater Detention System installed, the design capacity to be to the satisfaction of the Responsible Authority.



15. 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.
16. DE2 Drainage Plans
17. 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.
18. PE1 Time for starting and completion – Development

Permit Notes

- PN4 Building approval
- PN8 Retention of existing street trees
- Reticulated sewerage must be provided to the requirements of the Sewerage Authority.
- Prior to commencement of any building works, an Asset protection Application must be taken out. This can be arranged by calling Asset Protection Administrator, Mon-Fri 9:00am to 1:00pm on 9599 4638.

Procedural Motion

Moved: Cr Stewart

Seconded: Cr Evans

That the Motion be Put.

CARRIED

The Motion was Put and **CARRIED**



**4.6 24 LINACRE ROAD, HAMPTON
NOTICE OF DECISION TO GRANT A PERMIT
APPLICATION NO: 2015/538/1 WARD: CENTRAL**

City Planning and Amenity - Statutory Planning
File No: PSF/15/8755 – Doc No: DOC/16/45208

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 the land known and described as 24 Linacre Road, Hampton for the construction of a 3 storey building (containing 10 dwellings) and basement car park in accordance with the endorsed plans and subject to the following 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 with the application but modified to show:
 - a) All first floor windows with a curved side profile on the east and west elevation, must be finished to a lightweight, natural material such as timber or appropriate cladding.
 - b) Deletion of dwelling 7 and associated wall to the western elevation be setback a minimum of 4 metres from the site boundary at first floor level and 6 metres at second floor level. The wall must be appropriately articulated with glazing to improve solar access to internal circulation areas.
 - c) The wall associated with the lobby area to the eastern elevation be setback a minimum of 4 metres at first floor level and 4m at second floor level. The wall must be appropriately articulated with glazing to improve solar access to internal circulation areas.
 - d) Any internal re-configurations as a result of Conditions 1(b) and 1(c) including re-location of stair well, orientation of lift access doors, layouts of Dwellings 6, 9, 10 and 11.
 - e) The second floor front setback to be a minimum of 4m from the front façade of the floor immediately below.
 - f) All second floor side setbacks increased to comply with Standard B17 of Clause 55 of the Bayside Planning Scheme.
 - g) All boundary fence heights nominated on elevations and demonstrate compliance with Standard B22, Overlooking at Clause 55 of the Bayside Planning Scheme.
 - h) Internal fence heights nominated on floor plans and elevations between Dwelling 2 & 3 and dwellings 3 & 4. All fence heights must demonstrate compliance with Standard B23, Internal Views at Clause 55 of the Bayside Planning Scheme.
 - i) Reallocation of one car parking space associated with a two bed dwelling to a visitor car parking space.

- j) Details of a 'stop-go' signal system to manage traffic entering and existing the site.
 - i. A longitudinal section from the centreline of the road, access ramp and basement level showing:
 - ii. Proposed gradients
 - iii. Length of gradients
 - iv. Headroom provided at entry point; and
 - v. Finished floor levels
 - k) Landscaping requirements required by Condition 10 of this permit.
 - l) A Tree Management Plan and Protection Plan associated with vegetation on adjoining properties in accordance with Condition 13 of this permit.
 - m) A Waste Management Plan in accordance with Condition 21 of this permit.
 - n) A Construction Management Plan in accordance with Condition 22 of this permit.
 - o) The picket fence along the east boundary must not extend more than 6 metres from the property frontage.
 - p) The provision of acoustic treatments and ventilation for the basement car park in accordance with EPA Guidelines.
2. P3 – Layout not altered.
 3. G2 – Location plant and equipment.
 4. G3 – Plant / equipment or features on roof.
 5. G4 – Concealment of pipes.
 6. G6 – Schedule of materials and colours.
 7. G7 – Screening.
 8. G8 – Water Sensitive Urban Design.
 9. CP4 – Vehicle crossings.
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 generally in accordance with the landscape concept plan drawn by The Lonely Tree, reference TLT1528-64H, dated 29 October 2015 and be drawn to scale with dimensions and three copies must be provided. The plan must show:
- a) One indigenous canopy tree capable of reaching minimum dimensions at maturity of 12 metres in height and 8 metres canopy width within the front setback east of the ramp down to the basement car parks
 - b) One indigenous canopy tree capable of reaching minimum dimensions at maturity of 10 metres in height and 6 metres canopy width in the front setback west of the ramp down to the basement car park.
 - c) Planter boxes included within the balconies of the front façade.
 - d) Planter boxes to be located within the side setbacks at ground floor level.
 - e) Areas of hard standing to the side and rear setbacks replaced with permeable surface finishes.



- f) 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.
 - g) 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.
 - h) A planting schedule of all proposed trees and shrubs, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.
 - i) Landscaping and/or planting within all areas of the site not covered by buildings or hard surfaces.
 - j) Details of surface finishes of pathways and driveways
- 11. L2 – Completion of landscaping.
 - 12. L3 – Landscaping maintenance.
 - 13. T1 – Tree Management and Protection Plan.
 - 14. T2 – Adherence of Tree Management and Protection Plans.
 - 15. T3 – Contact for Implementation of Tree Management and Protection Plans.
 - 16. T5 – Replacement Planting.
 - 17. Before development commences (including demolition) the applicant must pay \$17,864.58 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 increase 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.
 - 18. T7 – Street Tree Protection.
 - 19. DE1 – Legal Point of Discharge.
 - 20. DE2 – Drainage Plans.
 - 21. W4 – Waste Management Plan.
 - 22. CMP1 – Construction Management Plan.
 - 23. PE1 – Time for starting and completion.

Permit notes

- PN1 – Vehicle crossing permit
- PN2 – Vehicle crossing removal
- PN4 – Building approval
- PN5 – Asset protection
- PN6 – Drainage – No easement
- PN7 – Drainage – Discharge of subterranean water from basements

CARRIED

**4.7 3/9 EDWARD STREET, SANDRINGHAM
NOTICE OF DECISION TO GRANT A PLANNING PERMIT
APPLICATION: 2015/409/1 WARD: SOUTHERN**

City Planning and Amenity - Statutory Planning
File No: PSF/15/8755 – Doc No: DOC/16/43754

It is recorded that Mr Anthony Schulz and Ms Sally Hoffmann did not pursue their right to speak.

Moved: Cr Stewart

Seconded: Cr Lowe

That Council issues a Notice of Decision to Grant a Permit under the provisions of the Bayside Planning Scheme for Planning Application 2015/409/1 in respect of the land known and described as 3/9 Edward Street, Sandringham, 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. P1 Plans to be endorsed
2. P4 Layout not altered
3. G7 Schedule of materials and colours
4. A18 Concealment of pipe
5. A19 Plant/equipment or features on roof
6. A20 Boundary walls
7. T3 Pruning of trees to be retained
8. T10 Retention of existing trees
9. PT1 Time for starting and completion

Permit Notes

- N2 Building approval
- N7 Retention of existing street trees
- N10 Asset Protection

CARRIED

**4.8 66 LUDSTONE STREET, HAMPTON
NOTICE OF DECISION TO GRANT A PERMIT
APPLICATION 2015/288/1 WARD: CENTRAL**

City Planning and Amenity - Statutory Planning
File No: PSF/15/8755 – Doc No: DOC/16/35039

It is recorded Mrs Nicole Travers, Mr Nathan Jones and Ms Magdaline Loizou spoke in relation to this matter.

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 for planning application 2015/288/1 in respect of the land known and described as 66 Ludstone Street, Hampton, for the construction of two double storey dwellings in accordance with the endorsed plans and subject to the following 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) All ground and first floor side and rear setbacks increased to comply with Standard B17 of Clause 55 of the Bayside Planning Scheme.
 - b) The front setback of both dwellings increased to comply with Standard B6 of Clause 55 of the Bayside Planning Scheme.
 - c) Reduce the length of this pergola (for dwelling 1) to not cover the entire entrance path but for a maximum length of 3.0m abutting the garage and the remainder of the path to then be clear to the sky.
 - d) Crossover for dwelling 1 shifted west to be setback a minimum of 4.0m from the street tree.
 - e) Walls on or within 200mm of the western and eastern boundaries to be amended to show average wall heights of 3.2m
 - f) Mailboxes for each dwelling.
 - g) Externally accessible storage of 6m³ provided for each dwelling.
 - h) 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.
 - i) A colour schedule of construction external materials, finishes and colours.
 - j) Notation that there is to be no soil excavation within 4.0m of the street tree.
 - k) Landscaping plan in accordance with condition 10.
 - l) Water sensitive urban design measures in accordance with condition 6.
2. P3 Layout not altered
3. G3 Plant/equipment or features on roof
4. G4 Concealment of pipes, etc.
5. G5 Boundary walls

6. G8 Water Sensitive Urban Design
7. G9 Water Sensitive Urban Design - Maintained
8. CP1 Car park construction
9. CP4 Vehicular crossings
10. Before the development starts, a landscape plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The plan must be similar to the landscape plan submitted with the application (prepared by Zenith Concepts, date August 2015, Rev A) but amended to reflect condition 1 amendments and as follows:
 - a) Silver birch in the front setback be replaced with drought tolerant species and have the capacity to reach a height of 8 m and width of 4 m at maturity
 - b) One native tree at the rear of the site to reach a minimum mature height of 8.0m and not planted over the easement. This may require reduction in building footprint or decking.
11. L2 Completion of landscaping
12. L3 Landscaping maintenance
13. G7 Screening
14. T1 Tree Protection
15. T7 Street Tree Protection
16. T4 Pruning of trees to be retained
17. DE2 Drainage Plans
18. DE1 Legal Point of Discharge
19. PE1 Time for starting and completion

Permit Notes

- PN1 Vehicle crossover permit
- PN4 Building approval
- PN5 Asset Protection
- PN8 Retention of existing street trees

CARRIED

**4.9 330 SOUTH ROAD, HAMPTON EAST
NOTICE OF DECISION TO GRANT A PLANNING PERMIT
APPLICATION: 2015/726/1 WARD: CENTRAL**

City Planning and Amenity - Statutory Planning
File No: PSF/15/8755 – Doc No: DOC/16/43206

It is recorded that Mr Keir Cornish 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 the land known and described as 330 South Road, Hampton East, for the construction of a three storey building containing one shop and eight dwellings in a Special Building Overlay, a reduction in the required car parking rate, waiver of the loading and unloading of vehicles requirement and alteration of access to a Road Zone, Category 1 in accordance with the endorsed plans and subject to the following conditions:

1. Before the use and development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show from the standard conditions:
 - a) All bedroom windows facing the internal light courts to be full height with an operable component.
 - b) Canopy to front façade extended to the western site boundary.
 - c) A stop-go signal system installed at the vehicular access to ensure efficiency for vehicular movements to and from the site.
 - d) A schedule of external finishes and materials in accordance with Condition 3 of this planning permit.
 - e) An Acoustic report in accordance with Condition 8 of this planning permit.
 - f) A "Green Wall" a landscape management plan in accordance with Condition 10 of this planning permit.
 - g) A construction management plan in accordance with Condition 13 of this planning permit.
 - h) A Waste Management Plan in accordance with Condition 14 of this planning permit.
 - i) The provision of 1.85 metre overlooking screens to the south facing balconies of the dwellings.
2. P3 – Layout not altered.
3. G6 – Schedule of materials and colours.
4. G3 – Plant/equipment or features on roof.
5. G5 – Boundary walls.
6. G1 – Before occupation.

7. The car stacker to be installed is a Nussbaum Uniparker N5303 (3 level independent stack parker (with pit)) unless with the written consent of the Responsible Authority.
8. Prior to the commencement of any works, an Acoustic Report must be submitted to and approved by the Responsible Authority. The Acoustic Report must address, but is not limited to:
 - a) Protect all dwelling occupants from external noise sources associated with the abutting South Road to achieve an internal noise level of 50dBA Lmax in bedrooms and living rooms.
 - b) Protect all dwelling occupants to southern boundary from noise associated with the operation of the mechanical car stacker to achieve an internal noise level of 50dBA Lmax in bedrooms and living rooms.
 - c) Protect all dwelling occupants from noise reverberation within the internal lightwells and noise generated from the communal corridors to achieve an internal noise level of 50dBA Lmax in bedrooms and living rooms.
 - d) Protect all dwelling occupants from noise associated with the operation of the internal lifts to achieve an internal noise level of 50dBA Lmax in bedrooms and living rooms.

The recommendations of the Acoustic Report must be implemented to the satisfaction of the Responsible Authority.

The Responsible Authority may request at the sole cost of the permit holder that a further acoustic report be submitted demonstrating that the required level of noise attenuation outlined within the initial acoustic report has been achieved, or, if not, what works must be undertaken to achieve the required levels of noise attenuation.

9. A1 – General amenity provision
10. Prior to the commencement of all landscaping works associated with the “Green Wall” a landscape management plan detailing the ownership, maintenance regime and management responsibilities of the Green Wall/ Hanging Gardens associated with the development must be prepared and submitted to the satisfaction of the Responsible Authority prior to the commencement of all landscaping works associated with the Green Wall/ Hanging Gardens.

If the Green Wall/Hanging Gardens fail, details of an alternative treatment must be submitted to, and approved by, the Responsible Authority. The alternative treatment must be implemented within three months of approval at no cost to Council and to the satisfaction of the Responsible Authority.
11. L2 – Completion of landscaping
12. L3 – Landscaping maintenance
13. CMP1 – Construction Management Plan
14. Before the occupation of the development starts, an amended Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. Three copies of the plan must be submitted. The plan must be generally in accordance with the Waste Management Plan submitted by Leigh Design, Prepared by Andrew McIntosh and dated 18 December 2015 but amended to include:



- a) Collection to be undertaken entirely within the ground floor using a suitable vehicle to reverse into the parking area and exit in a forward manner when collection is completed.
- b) Section 1.4 updated to read:
 - Comingle recycling (mixed recycling) must include plastics coded 1-7, glass, aluminium, tin cans, milk and juice cartons, paper including magazines and newspaper, cardboard in small amounts and folded down. NO PLASTIC BAGS IN RECYCLE BINS.
 - Cardboard recycling in large amounts shall be collected and organised by the Body Corporate or Owners Corporation through a private collection contractor.
 - Hard waste collections will be managed by the Operators (Body Corporate / Owners Corporation) and will be organised through a private collection contractor, not Council.
 - Waste items such as e-Waste, white goods, domestic volumes of household paints, household batteries, florescent tubes and mixed globes can be taken to Baysides Waste Transfer and Recycling Centre at 144 Talinga Road, (fees and charges may apply) and will be organised through the Body Corporate / Owners Corporation.
- c) Section 2.2 updated to reference all waste collection to occur on site
- d) Section 3.3 updated to include:
 - (Bin Washing) Storm water drains in storage area should be fitted with a litter trap/filter installed to trap litter which can then be disposed of responsibly; any trap/filter is to be included on a regular cleaning and sanitising schedule and must be emptied regularly.

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

15. CP4 – Vehicular crossings
16. Pollution and sediment laden runoff shall not be discharged directly or indirectly into Melbourne Water's drains or waterways.
17. Finished floor levels for the building must be no lower than 26.6 metres to Australian Height Datum (AHD), which is 300mm above the flood level of 26.3m AHD.
18. The entry / exit driveways of the basement car parks must incorporate flood proof apexes no lower than 26.6m AHD, which is 300mm above the applicable flood level of 26.3m AHD.
19. All doors, windows, vents and openings to the basement car parks must be a minimum of 300mm above the applicable flood level.
20. A bund wall, a minimum of 300mm above the applicable flood level, is to be constructed along the driveway to prevent flood water from entering the basement car park.
21. Prior to the issue of an Occupancy Permit, a certified survey plan, showing finished floor levels (as constructed) reduced to the Australian Height Datum, must be submitted to Melbourne Water to demonstrate that the floor levels have been constructed in accordance with Melbourne Water's requirements.



22. Flood resistant materials must be used for the construction of floor levels and walls below the applicable flood level for the proposed basement.
23. Any drainage system to the basement must be designed such that stormwater is unable to penetrate the basement.
24. DE1 – Legal point of
25. DE2 – Drainage plans
26. PE1 – Time for starting and completion - Development

Permit notes:

- The applicable flood level for this property that has a probability of occurrence of 1% in any one year is 26.3 metres to Australian Height Datum (AHD).
- If further information is required in relation to Melbourne Water's conditions shown above, please contact the Land Development on 9679 7517 quoting Melbourne Water's Reference 228616.
- PN1 Vehicle crossover permit
- PN2 Vehicle crossing removal
- PN4 Building approval
- PN5 Asset protection
- PN6 Drainage – No easement
- PN7 Drainage – Discharge of subterranean water from basements.

CARRIED

**4.10 9 CHAMPION STREET, BLACK ROCK
NOTICE OF DECISION TO GRANT A PERMIT
APPLICATION: 2015/555/1 WARD: SOUTHERN**

City Planning and Amenity - Statutory Planning
File No: PSF/15/8755 – Doc No: DOC/16/23049

It is recorded that Mr Ian O'Loughlin 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 for planning application No 2015/555/1 in respect of the land known and described as 9 Champion Street, Black Rock 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:

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 13 October 2015 but modified to show:
 - a) Dwelling 2 entry and carport to swap locations. Both are to be setback 9.0m from the front boundary and the entry 2.0m from the side boundary. The carport may be replaced with a garage.
 - b) The driveway for dwelling 2 to be curved to access the carport/garage.
 - c) The first floor reconfigured to accommodate the change required at condition 1(a). There is to be no reduction in setbacks as a result of the changes
 - d) Pedestrian paths deleted and accessways widened to 3.5m wide.
 - e) Swimming pools deleted.
 - f) Tree 8 shown as retained.
 - g) Storage area of 6m³ provided for dwelling 2.
 - h) Mailboxes and clotheslines provided for each dwelling.
 - i) The front fence reduced in height to 1.5m and with a minimum 25% transparency.
 - j) The front fence amended to comply with Clause 52.06-8 of the Bayside Planning Scheme.
 - k) 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.
 - l) A colour schedule of construction materials, finishes and colours.
 - m) Notation that there is to be no soil excavation within 2.1m of the street tree.
 - n) Landscaping plan in accordance with condition 10.
 - o) Water sensitive urban design measures in accordance with condition 6.
 - p) Tree Protection Plan/report in accordance with condition 14.

2. P3 Layout not altered
3. G3 Plant/equipment or features on roof
4. G4 Concealment of pipes, etc.
5. G5 Boundary walls
6. G8 Water Sensitive Urban Design
7. G9 Water Sensitive Urban Design – Maintained
8. CP1 Car park construction
9. CP4 Vehicular crossings
10. L1 Landscape plan required
11. L2 Completion of landscaping
12. L3 Landscaping maintenance
13. G7 Screening
14. T1 Tree Management and Protection Plan
15. T2 Adherence to Tree Management and Protection Plans
16. T4 Pruning of trees to be retained
17. T7 Street Tree Protection
18. DE2 Drainage Plans
19. DE1 Legal Point of Discharge
20. PE1 Time for starting and completion

Permit Notes

- PN1 Vehicle crossover permit
 - PN4 Building approval
 - PN5 Asset Protection
- PN8 Retention of existing street trees

CARRIED

It is recorded that Cr del Porto declared a Direct Interest given he lives in close proximity to the application site.

*Cr del Porto vacated the Chamber prior to the consideration of this item.
Councillor del Porto left the Meeting at 9.34 PM*

**4.11 7 GRANTER STREET BRIGHTON EAST
NOTICE OF DECISION TO GRANT A PERMIT
APPLICATION 2015/44/1 WARD: NORTHERN**

City Planning and Amenity - Statutory Planning
File No: PSF/15/8755 – Doc No: DOC/16/43063

Moved: Cr Heffernan

Seconded: Cr Lowe

That Council issues a Notice of Decision to Grant a Permit under the provisions of the Bayside Planning Scheme for planning application No 2015/44/1 in respect of the land known and described as 7 Granter Street, Brighton East, for the construction of two double storey dwellings in accordance with the endorsed plans and subject to the following 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 27 November 2015 but modified to show:
 - a) Bedroom 1 of both dwellings side setbacks increased to 3.5m.
 - b) Living areas at first floor for both dwellings setback increased to 3.5m.
 - c) Sukkah reduced in height to 3.0m.
 - d) Storage areas of 6m³ provided for each dwelling.
 - e) Basement plan reconfigured, similar to concept plan TP-2 dated 4 April 2016. The plan must be designed to ensure vehicles being able to exit in a forwards direction in a convenient and safe manner similar to that
 - f) Mailboxes and clotheslines for each dwelling.
 - g) Screening provided to the eastern and western facing windows of bedroom 1 for both dwellings in accordance with Standard B22 of the Bayside Planning Scheme.
 - h) Notation that there is to be no soil excavation within 2.0m of the street tree.
 - i) 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.
 - j) A schedule of external construction materials, finishes and colours
 - k) Landscaping plan in accordance with condition 10.
 - l) Water sensitive urban design measures in accordance with condition 6.
 - m) Tree Protection Plan/report specific to the retention of the Pin Oak as per condition 14 of this permit.

2. P3 Layout not altered
3. G3 Plant/equipment or features on roof
4. G4 Concealment of pipes, etc.
5. G5 Boundary walls
6. G8 Water Sensitive Urban Design
7. G9 Water Sensitive Urban Design - Maintained
8. CP1 Car park construction
9. CP4 Vehicular crossings
10. L1 Landscape plan required
11. L2 Completion of landscaping
12. L3 Landscaping maintenance
13. G7 Screening
14. T1 Tree Management and Protection Plan
15. T2 Adherence to Tree Management and Protection Plans
16. T4 Pruning of trees to be retained
17. T7 Street Tree Protection
18. DE2 Drainage Plans
19. DE1 Legal Point of Discharge
20. PE1 Time for starting and completion

Permit Notes

- PN1 Vehicle crossover permit
- PN4 Building approval
- PN5 Asset Protection
- PN8 Retention of existing street trees

CARRIED

It is recorded that Cr del Porto was not present in the Chamber whilst a vote was taken on this item.

Councillor del Porto returned to the Meeting at 9:36 PM

**4.12 5 - 11 SANDRINGHAM ROAD, SANDRINGHAM
NOTICE OF DECISION TO GRANT A PLANNING PERMIT
APPLICATION 2015/589/1 WARD: SOUTHERN**

City Planning and Amenity - Statutory Planning
File No: PSF/15/8755 – Doc No: DOC/16/44827

It is recorded that Ms Hayley Vinecombe 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 the land known and described as 5 – 11 Sandringham Road, Sandringham, for the use and development of a child care centre and display of business identification signage in accordance with the endorsed plans and subject to the following conditions:

1. Before the use and 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 21 December 2015 but modified to show:
 - a) The screening to the east elevation first floor window to meet the requirements of Standard B22.
 - b) Details of the business identification signage to include materials, external materials
 - c) A longitudinal section of the vehicle ramp to show AHD levels, grades and grade lengths to span from the footpath to the basement.
 - d) The basement parking spaces labelled to show 12 drop off spaces and the rest allocated to staff in accordance with Condition 20.
 - e) The disabled car space clearly line marked.
 - f) Basement column locations marked on the plan with offsets for a 4.9m long parking bay to be 250mm from the parking aisle.
 - g) Construction of a new 6.24m crossover to provide visibility that accords with AS2890.1 where the ramp intersects with the footpath.
 - h) The redundant crossover including the existing gravel parking area within the Council verge to the front of the site to be removed with kerb and channel reinstated to Council's satisfaction.
 - i) A Waste Management Plan in accordance with Condition 13 of this permit.
 - j) An updated Landscaping Plan in accordance with Condition 8.
 - k) Location of all plant and equipment, including hot water services and air conditioners etc. within the basement level of the development.
 - l) A schedule of construction materials, external finishes and colours (incorporating for example paint samples).
 - m) An amended Acoustic Report in accordance with Condition 18.
 - n) Water sensitive urban design measures in accordance with Condition 7.
 - o) A 2.4m high fence provided to the north and east boundaries.
2. P2 Layout not to be altered – Development (consent unless specified by the

Scheme)

3. G3 Plant/equipment or features on roof
4. G4 Concealment of pipes, etc.
5. G5 Boundary walls
6. G7 Screening – Standard B22
7. G8 Water Sensitive Urban Design
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 be generally in accordance with the landscape concept plan drawn by Mark Travers, Landscape Plan – Sketch Concept Project: 340, dated 5 October 2015 and be drawn to scale with dimensions and three copies must be provided. The plan must show:
 - a) A planting schedule of all proposed trees and shrubs, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.
 - b) The pear trees (*Pyrus calleryana*) removed and replaced with suitable indigenous coastal varieties.
 - c) 80% of replacement trees to be of suitable indigenous coastal varieties.
 - d) 80% of ground covers and mid storey vegetation to be indigenous.
 - e) Indigenous coastal trees selected to replace the proposed planting of October Glory (*Acer rubrum*). The replacement trees must reach a minimum mature height of 12 and width of 9m.
 - f) Landscaping and/or planting within all areas of the site not covered by buildings or hard surfaces.
9. L3 Landscaping maintenance
10. The use may operate only between the hours of 7.00am and 6.00pm, Monday to Friday, without the prior written consent of the Responsible Authority.
11. No more than 120 children and 23 staff may be present on the premises at any one time.
12. All operations of the site (internally and externally) must comply with SEPPN-1 and/or SEPPN-2 policies and/or occupier, at the sole cost of the owner and/or occupier, to undertake and submit a report to Council demonstrating compliance in relation to the N-1 and or N-2 policies and/or Technical Guidelines.
13. Before the endorsement of plans, 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) Collection to be undertaken by a 6.4m rear mini loader with via the basement.
- j) Sufficient headroom within the basement to accommodate waste collection vehicles.
- k) Sufficient turning circles for the waste collection vehicles to enter and exit the site in a forward direction.
- l) Strategies for how the generation of waste and recyclables will be minimised.
- m) 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.

14. W1 Garbage storage

15. Before the occupation of the development starts, the area(s) set aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:

- a) Constructed;
- b) Properly formed to such levels that they can be used in accordance with the plans;
- c) Surfaced with an all-weather-seal coat;
- d) Drained;
- e) Line marked to indicate each car space and all access lanes;
- f) Clearly marked to show the direction of traffic along access lanes and driveways

To the satisfaction of the Responsible Authority.

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

16. All car parking spaces must be designed to allow all vehicles to drive forwards both when entering and leaving the property.

17. CP4 Vehicular crossings

18. Before the development starts, an amended Acoustic Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The Acoustic Report must be generally in accordance with the report prepared by Acoustic Control, Reference DL1451, Date 14 December 2015, but modified to include discussion and recommendations regarding:

- a) Acoustic ceilings and sound rated glass (if applicable);
- b) Plant emissions (which should not exceed SEPP N-1); and
- c) The location of AC condenser units and other plan equipment.

19. Noise associated with the delivery or collection of goods from the premises or staff activity on the site must be kept to a level satisfactory to the EPZ and the Responsible Authority.
20. Before the development starts, a Signage and Line Marking Plan to the satisfaction of the Responsible Authority must be submitted to and be approved by the Responsible Authority. The Signage and Line Marking Plan must include, but is not limited to, details of:
 - a) All car spaces and access lanes line marked in accordance with Design Standard 2 of Clause 52.06-8 and AS2890.1-2004 and AS2890.6-2009 as relevant.
 - b) Individual car spaces marked as either staff car spaces or visitor car spaces.
 - c) A dynamic parking sign located near the ramp to the basement to indicate whether or not the car parking spaces are fully occupied.
21. CMP1 Construction Management Plan
22. DE1 Legal Point of Discharge
23. Stormwater discharge must be retained for the portion above the discharge calculated using a Coefficient of Runoff of 0.35. The development is to have a Stormwater Detention System installed, the design capacity to be to the satisfaction of the Responsible Authority.
24. 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 discharged to the nearest Council Drain/Pit and not be discharged to the kerb and channel unless directed otherwise.
25. 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.
26. DE2 Drainage Plans
27. 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

Melbourne Water Conditions

28. Pollution and sediment laden runoff shall not be discharged directly or indirectly into Melbourne Water's drains or waterways.
29. Finished floor levels of the dwelling must be constructed no lower than 15.0 metres to Australian Height Datum (AHD).



30. The entry / exit driveway of the basement carpark must incorporate a flood proof apex constructed no lower than 15.0 metres to Australian Height Datum (AHD). All doors, windows, vents and openings to the basement car park must be constructed no lower than 15.0 metres to AHD.
31. Imported fill must be kept to a minimum on the property and must only be used for the sub floor areas of the buildings Prior to the issue of an Occupancy Permit, a certified survey plan, showing finished floor levels (as constructed) reduced to the Australian Height Datum, must be submitted to Melbourne Water to demonstrate that the floor levels have been constructed in accordance with Melbourne Water's requirements.
32. PE1 Time for starting and completion – Development

Permit Notes:

- PN1 Vehicle crossover permit
- PN4 Building approval
- The applicable flood level is 14.7 metres to Australian Height Datum

CARRIED

**4.13 16 NICOL STREET, HIGHETT
NOTICE OF DECISION TO GRANT A PERMIT
APPLICATION NO: 2014/153/2 WARD: CENTRAL**

City Planning and Amenity - Statutory Planning
File No: PSF/15/8755 – Doc No: DOC/16/45189

It is recorded that Mr Barry Gray spoke in relation to this matter.

Moved: Cr Lowe

Seconded: Cr Frederico

That Council issues a Notice of Decision to Grant an Amended Permit under the provisions of the Bayside Planning Scheme in respect of the land known and described as 16 Nicol Street, Highett, for the construction of two double storey dwellings on a lot in accordance with the endorsed plans and subject to the following 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 but modified to show:
 - a) All first floor windows to Dwelling 2 to comply with Standard B22, Overlooking of the Bayside Planning Scheme.
 - b) The internal fence between Dwelling 1 and 2 amended to comply with Standard B23, Internal Views of the Bayside Planning Scheme.
 - c) G2 – Location plant and equipment.
 - d) All first floor rear setbacks increased to comply with Standard B17 of Clause 55 of the Bayside Planning Scheme.
2. P3 Layout not altered – Development (consent required for any alteration).
3. G6 Schedule of materials and colours.
4. G4 Concealment of pipes, etc.
5. G3 Plant/equipment or features on roof.
6. CP4 Vehicular crossings
7. L2 Completion of landscaping
8. L3 Landscape maintenance
9. T7 Street tree protection
10. T4 Pruning of trees to be retained
11. DE1 Legal point of discharge
12. DE2 Drainage plans
13. PE1 Time for starting and completion – Development

CARRIED

**4.14 220 RESERVE ROAD BEAUMARIS
NOTICE OF DECISION TO AMEND A PLANNING PERMIT
APPLICATION 2013/569/2 WARD: SOUTHERN**

City Planning and Amenity - Statutory Planning
File No: PSF/15/8755 – Doc No: DOC/16/44283

It is recorded that Mr Rupert Murray-Arthur spoke in relation to this matter.

Moved: Cr Stewart

Seconded: Cr Long

That Council, having caused notice of Planning Application No. 2013/569/2 to be given in accordance with Section 52 of the *Planning and Environment Act 1987* and having considered all the matters required by Section 60 of the Act decides to issue a Notice of Refusal to Grant an Amended Permit in respect of the land known and described as 220 Reserve Road Beaumaris for the development of two or more dwellings on a lot in the Neighbourhood Residential Zone; removal of one tree in a Vegetation Protection Overlay Schedule; and construction of a front fence exceeding 1.2 metres in height for the following reasons:

1. The proposal fails to respond to the objectives of Clause 22.06 (Neighbourhood Character Policy, Precinct H2) of the Bayside Planning Scheme, on the following grounds:
 - a) The change from a single garage to a double garage does not minimise the dominance of car parking structures.
 - b) The reduction and removal in first floor separation does not maintain the rhythm of spacious visual separation between buildings.
 - c) The removal of the two Photinia Robusta will detract from the garden settings of the area.
 - d) The removal and reduction of the first floor separation and change to balconies will cause unreasonable levels of visual bulk and cause detriment to the amenity of the area and detract from the streetscape.
2. The proposal fails to comply with the Objectives and Standards of Clause 55 of the Bayside Planning Scheme, in particular:
 - a) Standard B1 – Neighbourhood Character – The development fails to respond to the existing and preferred neighbourhood character for this precinct.
 - b) Standard B6 – Street Setback – The encroachment of the pergola to the front setback will detract from the openness of front setbacks along Reserve Road.

The Motion was PUT and a **DIVISION** was called:

DIVISION: **FOR:** Crs Evans, Long and Stewart (3)
 AGAINST: Crs del Porto, Frederico, Heffernan and Lowe (4)

LOST

Moved: Cr Lowe

Seconded: Cr del Porto

That Council:

Issues a Notice of Decision to Grant an Amended Permit under the provisions of the Bayside Planning Scheme in respect of the land known and described as 220 Reserve Road Beaumaris, for the development of two or more dwellings on a lot in the Neighbourhood Residential Zone; removal of one tree in a Vegetation Protection Overlay Schedule; and construction of a front fence exceeding 1.2 metres in height in accordance with the endorsed plans and subject to the following 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 amended plans dated **30 December 2015** but modified to show:
 - (a) **Deleted.**
 - (b) **Deleted.**
 - (c) Dwelling 1, northern first floor setback increased to a minimum of 3.17m.
 - (d) A schedule of construction materials including a variety of finishes at first floor level (such as render, timber, non-masonry sheeting, glazing, stone and brick).
 - (e) A notation on plan that all sight lines for accessways will be in accordance with AS2890.1.
 - (f) The front fence to Reserve Road to be finished in timber and constructed in accordance with recommendations in Condition 10.
 - (g) Domestic water takes (the STORM calculator found on Melbourne Water website must be used to determine the capacity required for all three dwellings. A copy of this online assessment must be provided to the Responsible Authority). The private open space area for dwellings 2 and 3 must not be reduced to below 25m² as a result of water tanks being included.
 - (h) The location of mailboxes.
 - (i) All doors inside the garages opening outwards.
 - (j) All accessways to be 3.0m wide at the property boundary.
 - (k) A landscape plan in accordance with Condition 11.
 - (l) The first floor separation between dwellings 2 and 3 to be as per the separation shown on the endorsed plans endorsed on 3 July 2015. The internal layout may remain as proposed as part of this amendment but amended to accommodate the separation without affecting other setbacks.
 - (m) Deletion of text "replaced with Betula Pendula" from the site plan and the two Photinia Robusta shown retained.
2. The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
3. Before the occupation of the site commenced or by such later date as is approved in writing by the Responsible Authority, all buildings and works and the conditions of this permit must be carried out and completed to the satisfaction of the Responsible Authority.

4. 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. No plants, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the building without the written consent 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. Car spaces and driveways must be kept available for these purposes at all times.
8. Vehicular crossings must be constructed to the road to suit the proposed driveways to the satisfaction of the Responsible Authority and any existing crossing or crossing opening must be removed and replaced with footpath, nature strip, and kerb and channel to the satisfaction of the Responsible Authority.
9. All discussed or redundant vehicle crossings must be removed and the area reinstated to kerb and channel to the satisfaction of the Responsible Authority.
10. Before the commencement of development, the applicant must submit to Council and Arborist report providing details of vegetation within close proximity to the Reserve Road front fence, the Cypress tree abutting the south-east corner of the site and nature strip trees on Erowal Street. The Arborist report must provide details of tree protection zones and structural root zones around these trees. The report must provide recommendations on the construction techniques used to construct the front fence and the access way for dwelling 3 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 similar to the landscape plan submitted with the application (prepared by Bradley Culina, no. 1647, 25 Nov 2013) but must be amended to reflect the layout of dwelling 2. The plan must show tree protection zones, tree protection fencing in accordance with Conditions 10, 14-16 and all notations regarding construction techniques as required by Condition 10. The plan must also include a notation that the corner splay (south-west) is not having plants that exceed 0.9m in height. The landscape plan must consist of a minimum 80% indigenous species and contain the following species:
 - (a) *Busaria spinosa* or *Melaleuca ericifolia* in the rear yards of dwellings 2 and 3.
 - (b) A mixture of *Acacia melanoxydon*, *Acacia implexa*, *Allocasuarina verticillata* or *Eucalyptus pauciflora* to the Erowal Street frontage (minimum of one per dwelling).
 - (c) *Banksia marginata* in the private open space for dwelling 1 to the Reserve Road frontage.
12. Before the occupation of the development or by such later date as is approved by the Responsible Authority in writing, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.
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. Replacement trees should be in accordance with those required in Condition 11.



14. Before the development (including demolition) starts, a tree protection fence must be erected around the three street trees to be retained, two Photinia Robusta trees and for the Cypress in the front setback of 1 Erowal Street. The fencing is to be constructed at the radius of the Tree Protection Zone (in metres) as determined by the Arborist report required under Condition 10. The fence must be constructed of star pickets and chain mesh or similar to the satisfaction of the Responsible Authority. The tree protection fence must remain in place until construction is completed
15. The ground surface of the Tree Protection Zone must be covered by a 100mm deep layer of mulch before the development starts and be watered regularly to the satisfaction of the Responsible Authority.
16. No vehicular or pedestrian access, trenching or soil excavation is to occur within the Tree Protection Zone without the written consent of the Responsible Authority. No storage or dumping of tools, equipment or waste is to occur within the Tree Protection Zone.
17. Before the development commences the applicant must pay \$3,874.50 to the Responsible Authority for the removal and replacement of two existing street trees. 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 trees has increased. The Responsible Authority, or a contractor or agent engaged by the Responsible Authority, must undertake the removal and replacement of the street trees. Any replacement planting will be at the discretion of the Responsible Authority.
18. The street trees to be removed must be replaced with an advanced tree (minimum of 2m high at time of planting), of a species and in a location that are to the satisfaction of the Responsible Authority.
19. Replacement planting shall take place by July 31 of the year following the date of this permit unless the Responsible Authority consents in writing to a later date.
20. The existing street trees must not be removed or damaged.
21. Before the commencement of works, detailed 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 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; and
 - (c) Design details of 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.

22. The applicant must apply for the nominated legal point of discharge of the development where stormwater run-off must be collected and free drained to Council's drainage assets to Council's standards.
23. Stormwater discharge must be retained for the portion above the discharge calculated using a Coefficient of Runoff of 0.35. The development is to have a Stormwater Detention System installed, the design capacity to be to the satisfaction of the Responsible Authority.
24. 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.
25. Before the development begins, three sets of detailed plans indicating the method of stormwater discharge to the nominated Legal Point of Discharge (and Stormwater Detention Systems where applicable) must be lodged with Council's Engineering Services department for approval.
26. This permit will expire if one of the following circumstances applies:
 - (a) The development is not started within two years of the issued date of this permit.
 - (b) The development is not completed within four years of the issued date of this permit.

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

Date Amended	Amendment
12 April 2016	<p>This permit has been amended under Section 72 of the Planning and Environment Act 1987 by:</p> <ul style="list-style-type: none"> • Amending the permit by deleting and amending conditions: <ul style="list-style-type: none"> - 1(a) deleted - 1(b) deleted - 1(l) added - 1(m) added • Amending the plans to show: <ul style="list-style-type: none"> - internal reconfigurations - conversion of a single garage to a double garage



	<ul style="list-style-type: none">- increase in size of pergola- increase in SPOS area- reduction of first floor separation down to 2.2m- change in window locations
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CARRIED



**4.15 73-75 ABBOTT STREET, SANDRINGHAM
SUPPORT THE GRANT OF A PLANNING PERMIT
APPLICATION: 2013/781/1 WARD: CENTRAL**

City Planning and Amenity - Statutory Planning
File No: PSF/15/8755 – Doc No: DOC/16/53935

It is recorded that Mr David Elias and Mr Lester Trickey spoke in relation to this matter.

Moved: Cr del Porto

Seconded: Cr Lowe

That Council:

Determines to Support the grant of a planning permit under the provisions of the Bayside Planning Scheme in respect of Application No. 2013/781/1 for the land known and described as 73-75 Abbott Street, Sandringham, for the construction of seven double storey dwellings and three single storey dwellings in accordance with the endorsed plans and subject to the following 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 circulated on 24 March 2016 by CrossRoads Town Planning being drawings prepared by Peter Wright & Associates Pty Ltd, Job No. 3498, Drawing Nos. TPO2-TPO7, Dated March 2016, but modified to show:
 - a) A colour schedule of all external materials and finishes.
 - b) Skylights provided over the ground floor bathrooms and laundries of Dwellings 7, 8 and 9 and the first floor bathroom and ensuites of Dwellings 2, 3, 4 and 6.
 - c) Visibility splays provided in accordance with Design Standard 1 of Clause 52.06-8 for all vehicle crossovers as far as possible within the site boundaries.
 - d) The garages for Dwellings 5 and 6 setback from Gypsy Way by 5.5m.
 - e) All first floor habitable room windows annotated as being obscurely glazed to a height of 1.7m above finished floor level, also annotated as being fixed to a height of 1.7m above finished floor level.
 - f) Boundary fencing along the eastern and western boundaries nominated as being a minimum 1.8m high.
 - g) The study, bathroom, laundry and dwelling entry point for Dwelling 1 rearranged so that the dwelling entry point is located on the southeast corner of the dwelling.
 - h) Externally accessible storage areas of minimum 6m³ provided for all dwellings.
 - i) Water sensitive urban design measures in accordance with Condition 7 of this permit.
 - j) A landscape plan in accordance with Condition 11 of this permit.
 - k) A tree management and protection plan for Trees 10 and 27 as identified in the arborist report prepared by TreeLogic, Dated 22 November 2013 in accordance with Condition 14 of this permit.
 - l) A construction management plan in accordance with Condition 21 of this permit.

2. P3 Layout not altered – Development (consent required for any alteration)
3. G1 Before occupation
4. G3 Plant/equipment or features on roof
5. G4 Concealment of pipes, etc.
6. G5 Boundary walls
7. G8 Water Sensitive Urban Design
8. G9 Water Sensitive Urban Design - Maintained
9. CP1 Car park construction
10. CP4 Vehicular crossings
11. L1 Landscape plan required
12. L2 Completion of landscaping
13. L3 Landscaping maintenance
14. T1 Tree Management and Protection Plan
15. T2 Adherence to Tree Management and Protection Plans
16. T3 Contact for Implementation of Tree Management and Protection Plans
17. T4 Pruning of trees to be retained
18. T7 Street Tree Protection
19. DE1 Legal Point of Discharge
20. DE2 Drainage Plans
21. CMP1 Construction Management Plan
22. PE1 Time for starting and completion – Development

CARRIED



**4.16 1/138-140 BLUFF ROAD, BLACK ROCK
NOTICE OF DECISION TO GRANT AN AMENDED PLANNING PERMIT
APPLICATION: 1976/684/2 WARD: SOUTHERN**

City Planning and Amenity - Statutory Planning
File No: PSF/15/8755 – Doc No: DOC/16/44288

It is recorded that Mr Bruce Keen spoke in relation to this matter.

Moved: Cr Stewart

Seconded: Cr Frederico

That Council issues a Notice of Decision to Grant an Amended Permit under the provisions of the Bayside Planning Scheme for planning application No. 1976/684/2 in respect of the land known and described as 138-140 Bluff Road, Black Rock, to Erect and construct five dwellings in accordance with the endorsed plans and subject to the following conditions:

1. The layout of the site and the size of the proposed buildings and works as shown on the endorsed plan shall not be altered or modified (whether or not in order to comply with any Statute, Statutory Rule or By-law or for any other reason) without the consent of the Responsible Authority.
2. The area set aside for the parking of vehicles and so delineated on the endorsed plan shall be made available for such use and shall not be used for any other purpose and at all times in conformity with such plan there shall be clearly indicated on the ground the boundaries of all such car spaces and access lanes and direction in which vehicles should proceed along the access lanes.
3. Unless the use or development hereby permitted is commenced within two years from the date hereof or any extension of such period which the Responsible Authority before the expiration of the period of two years from the date hereof has allowed in writing, this permit shall lapse.
4. CP4 Vehicular crossings
5. Prior to occupation of the development all necessary building permits must be obtained.
6. L2 Completion of landscaping
7. L3 Landscaping maintenance
8. Before works associated with the amended permit start the applicant must pay \$2,056.54 to the Responsible Authority for the removal and replacement of the existing street tree located to the north of the existing vehicle crossover onto Bluff Road. 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.

VicRoads Conditions (Nos. 9-12)

9. The crossover and driveway are to be constructed to the satisfaction of the Responsible Authority and at no cost to the Roads Corporation prior to the commencement of the use hereby approved.
10. Prior to the commencement of the use hereby approved, the access lanes, driveways, crossovers and associated works must be provided and available for use and be:
 - i) Formed to such levels and drained so that they can be used in accordance with the plan.
 - ii) Treated with an all-weather seal or some other durable surface.
11. Driveways must be maintained in a fit and proper state so as not to compromise the ability of vehicles to enter and exit the site in a safe manner or compromise operation efficiency of the road or public safety (eg. by spilling gravel onto the roadway).
12. The proposed development requires the construction of a crossover. Separate approval under the Road Management Act for this activity may be required from VicRoads (the Roads Corporation). Please contact VicRoads prior to commencing any works.
13. This amended permit will expire if the works associated with this amended permit are not completed within two years of the date of this amended 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 timeframe for an extension of the period referred to in this condition.

Date	Amendment
12 April 2016	Section 72 amendment to the planning permit preamble to: <ul style="list-style-type: none"> • Reference 'five' dwellings as opposed to 'four' dwellings. Section 72 amendment to the planning permit conditions to: <ul style="list-style-type: none"> • Include Condition Nos. 4-13 inclusive. Section 72 amendment to the endorsed plans showing: <ul style="list-style-type: none"> • Two dwellings instead of one at 1/138-140 Bluff Road, Black Rock. • Minor buildings and works to facilitate the creation of two dwellings instead of one at 1/138-140 Bluff Road, Black Rock. • Revised vehicle crossover onto Bluff Road. • Additional car space within the front setback to Bluff Road. • Revised landscaping plan for 1/138-140 Bluff Road, Black Rock. • Revised front fencing arrangement.

CARRIED



5. Confidential Business

Nil

Following consideration of Confidential Business the Chairperson declared the meeting closed at 10.17pm.

CONFIRMED THIS INSERT 10 DAY OF MAY 2016

CHAIRPERSON:

