



**Minutes of the
Planning & Amenity Committee Meeting**

held in the Council Chamber
Boxshall Street, Brighton
on Tuesday 12 May 2015
at 7.00pm

PRESENT:

Cr Alex del Porto (Chairman)
Cr Felicity Frederico (Mayor)
Cr Laurence Evans
Cr Michael Heffernan
Cr James Long BM JP
Cr Heather Stewart

OFFICERS IN ATTENDANCE:

Shiran Wickramasinghe	-	Director City Strategy
Connor Perrott	-	Statutory Planning Co-ordinator
Arthur Vatzakis	-	Acting Statutory Planning Co-ordinator
Janice Pouw	-	Governance Officer

The Chairman declared the meeting open at 7.00pm and advised members of the public gallery that the Planning & Amenity Committee meeting is being recorded and streamed live on the internet to enhance the accessibility of these meetings to the broader Bayside Community.



APOLOGIES: An apology was received from Cr Bruce Lowe

Moved: Cr Frederico

Seconded: Cr Evans

That the apology from Cr Bruce Lowe be received and leave of absence be granted.

CARRIED

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

Confirmation of the Minutes of the Planning & Amenity Committee Meeting 14 April 2015

Moved: Cr Long

Seconded: Cr Frederico

That the Minutes of the Planning & Amenity Committee Meeting held on 14 April 2015 be confirmed.

CARRIED

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REQUESTS TO BE HEARD:

In accordance with Council's Governance Local Law No.1 clause 69, individuals are granted up to 3 minutes to speak upon written application.

Requests to be heard were received from the following people:

Item 4.1 477-479 Highett Road and 1 Major Street Highett

1. Mrs Robyn Johnson (O)
2. Mr Aaron Johnson (O)
3. Mr Russell Bancroft (O)
4. Mr Ross Newton (O)
5. Mr John Dakis (O)
6. Miss Inga Liubinas (O)
7. Mr Nick Giannacos (O)
8. Mrs Donna Giannacos (O)
9. Mr Gary McCulloch (O)
10. Mrs Carolyn Robinson (O)
11. Mr Glen Davidson (O)
12. Mr Matthew Lee (O)
13. Mr Raymond Mastin (O)
14. Mr Chris Glassock (O)
15. Mrs Rachel Ryan (O)
16. Mr Sean Earl (O)
17. Miss Talia Montiroso (O)
18. Mr Andrew Bromley (A)

Item 4.3 8 High Street, Beaumaris

1. Mr Owen Magee (O)
2. Mrs Diana Dugan on behalf of Mr Kevin Burgess (O)
3. Mr Peter Dawson (O)
4. Mrs Diana Dugan (O)
5. Mr Vin Macaro (O)
6. Dr Shirley Prager (O)
7. Mr Brian Lowe (A)

Item 4.4 28 Tennyson Street, Sandringham

1. Mr Martin Patane (O)
2. Mr John Chipp (O)
3. Mr Sam Bevacqua (O)
4. Mrs Nina Patane (O)
5. Mrs Jane Amling (S)
6. Mr Wayne Dawson (A)

Item 4.6 416 Bluff Road, Hampton

1. Ms Cecilia Dewar (A)

Item 4.7 6 Florence Street Brighton East

1. Mr Kim Francis (A)

OFFICERS' REPORTS:

4.1 477 & 479 HIGHETT ROAD AND 1 MAJOR STREET HIGHETT

It is recorded that Mrs Robyn Johnson, Mr Aaron Wilson, Mr Russell Bancroft, Mr Ross Newton, Mr John Dakis, Miss Inga Liubinas, Mr Nick Giannacos, Mrs Donna Giannacos, Mr Gary McCulloch, Mrs Carolyn Robinson, Mr Glen Davidson, Mr Matthew Lee, Mr Raymond Mastin, Mr Chris Glassock, Mrs Rachel Ryan, Mrs Robyn Johnson on behalf of Mr Sean Earl, Miss Talia Montiroso and Mr Andrew Bromley spoke in relation to this matter.

Moved: Cr Long

Seconded: Cr Frederico

That Council having considered all the matters required under Section 60 of the Planning and Environment Act 1987 resolves to Not support Planning Application No. 2014/930/1 for the construction of a three-storey residential building and basement comprising 43 dwellings, front fence exceeding a height of 1.2 metres and reduction of car parking requirements at the upcoming VCAT hearing in respect of the land known and described as 477-479 Highett Road and 1 Major Street, Highett for the following reasons:

1. The design and layout of the development fails to respond to the existing or preferred neighbourhood character as contained within Clause 22.06 (Neighbourhood character policy) of the Bayside Planning Scheme. This includes by way of limiting opportunities to reinforce the garden setting of the area and also by way of the scale and bulk of the building which does not provide for visual separation between buildings.
2. The proposed development is not consistent with the following standards and objectives of Clause 55 of the Bayside Planning Scheme:
 - a) Standard B1 - Neighbourhood Character: The proposal does not provide sufficient setbacks from the front and side boundaries in order to accommodate meaningful replanting opportunities and the scale of the building is at odds with the prevailing building forms of the immediate surrounding area.
 - b) Standard B3 – Dwelling diversity: The proposal fails to promote a diversity of dwelling layouts and sizes to accommodate a range of family groups.
 - c) Standard B5 – Integration with the street: The 1.7 metre high front fences will not allow for an active interface between the development and the public realm.
 - d) Standard B7 - Building height: The height of the proposal in combination with the reduced setbacks would result in unreasonable levels of visual bulk when viewed from adjoining streetscapes.
 - e) Standard B8 - Site Coverage: The proposal exceeds the preferred maximum site coverage and this results in an overdevelopment of the site.
 - f) Standard B13 - Landscaping. The proposal does not provide meaningful replanting opportunities for the effective screening of the development when viewed from surrounding properties. The proposal would require the removal of mature native vegetation from the site and this would undermine the garden setting of the area.

4.1 477 & 479 HIGHETT ROAD AND 1 MAJOR STREET HIGHETT **(continued)**

- g) Standard B17 - Side and rear setbacks: The reduced side and rear setbacks result in amenity impacts to adjoining properties and contributes to visual bulk to the detriment of surrounding residents.
 - h) Standard B24 – Noise – The noise generated by the development would impact adversely upon the general amenity of surrounding residents.
 - i) Standard B29 - Solar Access to Open Space: The private open spaces associated with south facing apartments will not achieve adequate access to sunlight throughout the day.
 - j) Standard B32 - Front fences: The proposed 1.7 metre high front fences are not consistent with the existing or preferred neighbourhood character and undermine the openness of the streetscape.
3. The proposed development is inconsistent with the design objectives and standards of Design and Development Overlay, Schedule 5 of the Bayside Planning Scheme as this relates to building height and setbacks. The non-compliant front setbacks and building height would result in a development which would be visually dominant and impact upon the general amenity of the immediate surrounding area.
4. The reduction of the visitor car parking requirements associated with the development contravenes the overarching objectives of Clause 52.06 (Car parking) of the Bayside Planning Scheme. This will result in visitors parking on street and this will limit the availability of on street spaces for use by existing residents.

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

DIVISION: FOR: Crs Stewart, Long, Evans, Heffernan, Frederico and del Porto (6)

AGAINST: Nil (0)

CARRIED

4.2 125 – 127 CENTRE ROAD BRIGHTON EAST

Moved: Cr Heffernan

Seconded: Cr Frederico

That Council having caused notice of Planning Application No. 2014/633/1 to be given under Section 52 of the Planning and Environment Act 1987 and having considered all the matters required under Section 60 of the Planning and Environment Act 1987 decides to Issue a Notice of Decision to Grant a Permit under the provisions of the Bayside Planning Scheme in respect of the land known and described as 125 – 127 Centre Road, Brighton East, for the 'use and development of a childcare centre, associated signage, alterations to an existing crossover, creation of a new crossover onto a Road Zone Category 1' in accordance with the application dated 29 August 2014, subject to the following conditions, including the specified conditions set out in the Council's "Town Planning Standard Conditions" adopted by the Council on 28 November 2006:-

1. Before the 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:
 - a) A landscape plan in accordance with Condition 19 of this planning permit;
 - b) The relocation of the bin enclosure from the ground floor into the basement area;
 - c) The vehicle ramps providing access/egress from the basement car park widened to 4.0 metres where the ramps meet the basement finished floor level;
 - d) The 0.3 metre kerbs on either side of the vehicle ramps deleted ensuring a minimum width of 3.6 metres; and
 - e) The tandem car spaces (1-4 and 19-27) allocated as staff only parking and car spaces 6-9 and 10- 18 allocated and clearly signed and line marked as 'drop/off/pick up only.
 - f) Swept-paths diagrams must be provided illustrating the capacity for a 6.4 metre rear mini loader to enter the basement and circulate.
 - g) Sixty degree splays along both sides of the crossovers.
 - h) Adequate signage and line marking must be installed at the top of each ramp to ensure and regulate traffic to/from the street and within the basement.
 - i) The sight distance at the top of the ramps complying with AS2890.1 requirements. Clear splays must be provided on both sides of the ramps.
 - j) A longitudinal section of each ramp that shows all grades, length of grades, AHD levels and headroom clearances in accordance with AS2890.
2. The use and development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
3. The use may operate only between the hours of 7:30am to 6:30pm Monday to Friday.

4.2 125 – 127 CENTRE ROAD BRIGHTON EAST (continued)

4. No more than 112 children may be present on the premises at any one time.
5. No more than 24 staff members are permitted on site at any one time.
6. Before the use and/or occupation of the site commences or by such later date as is approved in writing by the responsible authority, all buildings and works and the conditions of this permit must be carried out and completed to the satisfaction of the responsible authority.
7. All pipes, fixtures, fittings and vents servicing the building must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
8. No plant, 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.
9. Prior to the commencement of development, a Construction Management Plan (CMP) must be submitted to the Responsible Authority for approval. When approved, the plan will be endorsed and will then form part of this permit. The CMP must include (but is not limited to):
 - a) Pedestrian access will be maintained at all times along the Centre Road footpath adjacent to the site;
 - b) All site facilities will be located on site during the construction period;
 - c) All waste material not required for further on-site processing will 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.
 - d) All storage areas/external stockpiles/vacant areas must be covered and maintained to avoid dust nuisance to any residential area to the satisfaction of the Responsible Authority.
 - e) A truck wheel-wash must be installed and used so vehicles leaving the site do not deposit mud or other materials on roadways to the satisfaction of the Responsible Authority.

The CMP must be implemented to the satisfaction of the Responsible Authority with all works completed in compliance with environmental health requirements.

10. The amenity of the area must not be detrimentally affected by the use or development, by the:
 - a) transport of materials, goods or commodities to or from the land;
 - b) appearance of any building, works or materials;
 - c) emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil;
 - d) Presence of vermin;
 - e) By any other circumstances.

4.2 125 – 127 CENTRE ROAD BRIGHTON EAST (continued)

11. All operations of the site (internally and externally) must comply with SEPP N-1 and/or SEPP N-2 policies and/or Environment Protection Authority Technical Guidelines.

The Responsible Authority may direct the owner and/or occupier to undertake noise measurements by a suitably qualified acoustic consultant and a report must be submitted to Council for compliance in relation to the SEPP N-1 and/or SEPP N-2 policies and/or Environment Protection Authority Technical Guidelines.

VicRoads Conditions

12. All disused or redundant vehicle crossings must be removed and the area reinstated to kerb and channel to the satisfaction of and at no cost to the Roads Corporation prior to the occupation of the buildings hereby approved.
13. 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 occupation of the works hereby approved.
14. Prior to the occupation of the buildings 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.
15. 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 operational efficiency of the road or public safety (e.g. by spilling gravel onto the roadway).

Public Transport Victoria Conditions

16. The existing bus stop and associated infrastructure on Centre 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
17. The permit holder must take all reasonable steps to ensure that disruption to bus operation along Centre 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.
18. Before the commencement of the use starts, a Waste Management Plan must be submitted and approved by the Responsible Authority. The Waste Management Plan must include (but is not limited to):
 - a) The provision of a private Commercial Waste collector.
 - b) Waste collection services to be carried out on site within the development boundaries.
 - c) Waste collection receptacles not to be stored in the road reserve at any time.

4.2 125 – 127 CENTRE ROAD BRIGHTON EAST (continued)

- d) Details of the waste collection vehicle accessing the site.
19. Before the development starts, a landscape plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The landscaping plan must show:
- a) a survey (including botanical names) of all existing vegetation to be retained and/or removed
 - b) buildings and trees (including botanical names) on neighbouring properties within three metres of the boundary
 - c) details of surface finishes of pathways and driveways
 - d) a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant
 - e) landscaping and planting within all open areas of the site
- All species selected must be to the satisfaction of the Responsible Authority. The landscape plan must also indicate that an in-ground irrigation system is to be provided to all landscaped areas.
20. Before the use/occupation of the development starts or by such later date as is approved by the Responsible Authority in writing, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.
21. 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.
22. Before the development starts a fee of \$2259.70 must be paid to Council for the removal of the existing street tree. The cost associated with the removal and replacement of the existing street tree has been determined in accordance with Council's current policy for the removal of street tree(s). The 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(s) 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(s). Any replacement planting will be at the discretion of the Responsible Authority.
23. The applicant must apply for the nominated legal point of discharge for the development where stormwater run-off must be collected and free drained to Council's drainage assets to Council standards.
24. 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.

4.2 125 – 127 CENTRE ROAD BRIGHTON EAST (continued)

25. 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".
26. 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.
27. 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:
 - i) A trench grate (150mm minimum internal width) located within the property and/or
 - ii) Shaping the driveway so that water is collected in a grated pit on the property and/or
 - iii) Another Council approved equivalent.
28. 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 and approved by Council's Engineering Services department.
29. 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.
30. 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.
 - c) The use does not start within four years of the date of this permit.
 - d) The use is discontinued for a period of two years.

The Responsible Authority may extend the periods referred to above if a request is made in writing:-

- Before the permit expires; or
- Within 6 months afterwards if the development/use has not commenced; or
- Within 12 months afterwards if the development has lawfully commenced.

4.2 125 – 127 CENTRE ROAD BRIGHTON EAST (continued)

Permit Notes

The proposed development requires the construction of a crossover, and the reinstatement of disused crossovers. Separate approval under the Road Management Act for this activity may be required from VicRoads. Please contact VicRoads prior to commencing any works.

- N1 Crossover permit
- N2 Building approval
- N3 Health approval
- N6 Vehicle crossing removal
- N8 Sewerage
- N10 Asset Protection

CARRIED

4.3 8 HIGH STREET, BEAUMARIS

It is recorded that Mr Owen Magee, Mrs Diana Dugan on behalf of Mr Kevin Burgess, Mr Peter Dawson, Mrs Diana Dugan, Mr Vin Macaro and Dr Shirley Prager spoke in relation to this matter. It is further recorded Mr Kiril Jovanovski spoke on behalf of Mr Brian Lowe in relation to this matter.

Moved: Cr Stewart

Seconded: Cr Evans

That Council having caused notice of Amendment to Planning Application No. 2013/130/1 to be given under Section 52 of the Planning and Environment Act 1987 and having considered all the matters required under Section 60 of the Planning and Environment Act 1987 determine to refuse the application under the provisions of the Bayside Planning Scheme in respect of the land known and described as 8 High Street, Beaumaris for the following reasons:

1. The proposal does not comply with the objectives of Precinct H3 of Clause 22.06 (Neighbourhood character policy) of the Bayside Planning Scheme with respect to strengthening the bushy garden character of the area and maintaining the openness of the streetscape.
2. The removal of native vegetation from the site will impact adversely upon the landscape character of the immediate surrounding area in contravention of Vegetation Protection Overlay, Schedule 3 of the Bayside Planning Scheme.
3. The development contravenes the following objectives of Clause 55 (Two or more dwellings on a lot) of the Bayside Planning Scheme:
 - a) Standard B17 - Side and rear setback objective: The north and south facing side walls require variations to the standard side and rear setback standards presenting an unreasonable amount of visual bulk to the adjoining properties to the south and north.
 - b) Standard B7 – Building Height: Due to the slope of the land the perceived scale of the building is exacerbated to the detriment of the streetscape.
4. The proposal does not comply with the objectives of Clause 52.06 (Car Parking) of the Bayside Planning Scheme given it will result in the loss of one on-street car parking space.

CARRIED

4.4 28 TENNYSON STREET, SANDRINGHAM

It is recorded that Mr Martin Patane, Mr John Chipp, Mr Sam Bevacqua, Mrs Nina Patane, Mrs Jane Amling and Mr Wayne Dawson spoke in relation to this matter.

Moved: Cr Stewart

Seconded: Cr Evans

A: That item 4.4 – 28 Tennyson Street, Sandringham be deferred to allow for clarification of the owner of the property as at the application date of 13 August 2014 and pending the outcome present a report to the June 2015 Committee meeting.

CARRIED

Moved: Cr Evans

Seconded: Cr Stewart

B: That the report on 28 Tennyson Street, Sandringham to be presented to the June 2015 Committee meeting provides clarification regarding the setback of the dwelling from Tennyson Street, location and noise of the pool equipment, setbacks and window screening.

CARRIED

4.5 1 FLORIDA AVENUE, BEAUMARIS

Moved: Cr Frederico

Seconded: Cr Stewart

That item 4.5 – 1 Florida Avenue, Beaumaris be deferred to the 9 June 2015 Planning & Amenity Committee meeting.

CARRIED

4.6 416 BLUFF ROAD, HAMPTON

It is recorded that Ms Cecilia Dewar spoke in relation to this matter.

Moved: Cr Frederico

Seconded: Cr Long

That Council having caused notice of Planning Application No. 2015/42/1 to be given under Section 52 of the Planning and Environment Act 1987 and having considered all the matters required under Section 60 of the Planning and Environment Act 1987 decides to Issue a Notice of Decision to Grant a Permit under the provisions of the Bayside Planning Scheme in respect of the land known and described as 416 Bluff Road HAMPTON, for a reduction of the car parking requirements associated with a cafe in accordance with the application dated 3 February 2015, subject to the following conditions, including the specified conditions set out in the Council's "Town Planning Standard Conditions" adopted by the Council on 28 November 2006:-

1. Before the use 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) A maximum of 27 seats within the premises.
 - b) The provision of two customer bicycle parking spaces provided within the premises.
2. The use hereby approved as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
3. This permit will expire if the variation to the car parking requirements is not exercised within two years of the date of this permit.

The Responsible Authority may extend the periods referred to above if a request is made in writing before the permit expires or up to six months afterwards

CARRIED

4.7 6 FLORENCE STREET, BRIGHTON EAST

It is recorded that Mr Kim Francis spoke in relation to this matter.

Moved: Cr Heffernan

Seconded: Cr Frederico

That Council having caused notice of Planning Application No. 2013/386/1 to be given under Section 52 of the Planning and Environment Act 1987 and having considered all the matters required under Section 60 of the Planning and Environment Act 1987 decides to Support the application at the upcoming Application for Review at the Victorian Civil and Administrative Tribunal (VCAT) in respect of the land known and described as 6 Florence Street, Brighton East, for the construction of two double storey dwellings subject to the following conditions, including the 'Standard Town Planning Permit Conditions' adopted by the Council on November 28 2006:

1. Before the development starts, amended plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:
 - a) The proposed landscape treatment for the site including the existing and replacement plant species in accordance with the requirements of Condition 10 of this permit;
 - b) All upper level north facing windows to be treated in accordance with standards B22 Overlooking and B23 Internal views of the Bayside Planning Scheme;
 - c) Planting of 2 suitable canopy trees capable of reaching 8m in height and 8m in width at maturity towards the front of each dwelling;
 - d) The entry space to the western side of dwelling 1 relocated north of its current position to align with the wall of the adjoining dwelling at No. 8 Florence Street to the west;
 - e) The site plan and landscape plans amended to show each crossover a minimum of 2.9 metres from the stem of the street tree at its base and excavation for the construction of the crossovers not exceeding 225 millimetres from existing soil grade; and
 - f) All plant and equipment (including air conditioning units, heating units, hot-water systems, etc.) which is proposed to be located externally identified on the plans.
2. The development as shown on the endorsed plans must not be altered without the written consent of the responsible authority.
3. All pipes, fixtures, fittings and vents servicing any building on the site must be concealed in service ducts or otherwise hidden from view to the satisfaction of the responsible authority.
4. No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the building(s) without the written consent of the responsible authority.

4.7 6 FLORENCE STREET, BRIGHTON EAST (continued)

5. The walls on the boundary of the adjoining properties shall be cleaned and finished to the satisfaction of the responsible authority.
6. Provision must be made on the land for the storage and collection of garbage and other solid waste. This area must be graded and drained and screened from public view to the satisfaction of the responsible authority.
7. Before the use or 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 to the satisfaction of the Responsible Authority:
 - a) Constructed;
 - b) Properly formed to such levels that they can be used in accordance with the plans;
 - c) Surfaced with an all-weather-seal coat;
 - d) Drained;
 - e) Line marked to indicate each car space and all access lanes; and
 - f) Clearly marked to show the direction of traffic along access lanes and driveways;

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

8. Vehicular crossing(s) must be constructed to the road to suit the proposed driveway(s) to the satisfaction of the responsible authority *and any existing crossing or crossing opening must be removed and replaced with footpath, nature strip, and kerb and channel to the satisfaction of the responsible authority.*
9. All disused or redundant vehicle crossings must be removed and the area reinstated to kerb and channel to the satisfaction of the responsible authority.
10. Before the development starts, a landscape plan to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The landscaping plan must show:
 - a) Buildings and trees (including botanical names) on neighbouring properties within three metres of the boundary;
 - b) Details of surface finishes of pathways and driveways;
 - c) 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;
 - d) Landscaping and planting within all open areas of the site;
 - e) Planting of 2 suitable canopy trees capable of reaching 8m in height and 8m in width at maturity. One to the front of each dwelling as required by Condition 1c); and
 - f) The provision of an in-ground irrigation system is to be provided to all landscaped areas.

4.7 6 FLORENCE STREET, BRIGHTON EAST (continued)

11. Before the occupation of the development starts or by such later date as is approved by the responsible authority in writing, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the responsible authority.
12. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the responsible authority, *including that any dead, diseased or damaged plants are to be replaced.*
13. No excavation is to take place within 2.9 metres from the edge of the tree's stem at ground level. Excavation for the construction of the proposed crossover must not exceed 225 millimetres from existing soil grade.
14. Tree Protection Fencing is to be established around the street trees prior to demolition and maintained until all works on site are complete.
 - a) The fencing is to be constructed and secured so its positioning cannot be modified by site workers;
 - b) The fencing is to encompass the entire nature-strip under the drip-line of the tree;
 - c) The Tree Protection Zone is to be established and maintained in accordance with Australian Standards 4970 Protection of trees on development sites; and
 - d) 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. Root pruning within the TPZ (Tree Protection Zone)
 - a) Prior to soil excavation for the crossover, a trench along the line of the proposed crossover must be dug by hand; and
 - b) All affected roots must be correctly pruned according to AS 4373-2007.
16. The existing street tree must not be removed or damaged.
17. The applicant must apply for the nominated legal point of discharge for the development where stormwater run-off must be collected and free drained to Council's drainage assets to Council's standards.
18. 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 of which is to be to the satisfaction of the Responsible Authority.
19. Any seepage/agricultural drainage water must be filtered to rain water clarity and must be pumped to the nearest Council Drain/Pit and not be discharged to the kerb and channel unless directed otherwise.
20. The driveway / parking areas / paved courtyards / paths and any 'pervious' pavers must be graded / drained to prevent stormwater discharge onto the front footpath and into adjacent properties.

4.7 6 FLORENCE STREET, BRIGHTON EAST (continued)

- 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 the 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. 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
- 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.

The Responsible Authority may extend the periods referred to above if a request is made in writing:

 - Before the permit expires; or
 - Within 6 months afterwards if development has not commenced; or
 - Within 12 months afterwards if the development has lawfully commenced.

CARRIED

The Chairman declared the meeting closed at 9.54pm.

CONFIRMED THIS 9 DAY OF JUNE 2015

CHAIRPERSON: